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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	1915	Press
~~B.P.~~ No.		~~Mis.~~
Dated	7-6-1877	197 .

Not to be folded or roughly handled

1915
7

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

7th June 1877, No. 1,915.

Read the following paper:—

No. 110. Proceedings of the Board of Revenue, dated 5th June 1877.

Read the following letter from H. SEWELL, Esq., Acting Collector of Trichinopoly, to H. E. STOKES, Esq., Secretary to the Board of Revenue, dated 28th May 1877, No. 183.

In the village of Pudukotta, Udaiyarpalaiyam Taluq, one Vadamalai Servakaren and others presented a criminal complaint to the Deputy Magistrate charging Netti Matalai Muthu Servakaren and four others with having insulted their religious feelings by fixing a cross in front of their houses and in a locality where the Hindus use to perform certain ceremonies to their deities. The Deputy Magistrate convicted the abovesaid Netti Matalai Muthu Servakaren and others under Section 298 of the Indian Penal Code, inflicted fines of Rs. 50, and ordered the removal of the cross. Appeal was preferred at the Sessions Court, but was rejected, as no appeal lay against a fine of Rs. 50 by a First-class Magistrate. Further appeal was also made to the High Court, who did not interfere.

2. By the mutual consent of both the Hindus and Roman Catholics in the village the cross was fixed at another spot chosen by the Roman Catholics in the presence of the Tahsildar. To this settlement Rev. Bartnier, the Roman Catholic Priest, was also a consenting party. The abovesaid Roman Catholics then presented a petition to me against this settlement. I went to the village and inspected the place personally and decided that the cross should remain where it now is, as it appeared to be a reasonable compromise, to which the parties at first had agreed. I had of course no power to cancel the only order of the Deputy Magistrate and to replace the cross in its old position, as his order directing its removal had not been disturbed by the appellate authorities. The abovesaid Netti Matalai Muthu Servakaren and others have now filed a suit in No. 698 of 1876 on the file of the District Munsif of Perambalur, seeking permission to fix the cross in the locality where it was originally fixed. They have made me and the Deputy Magistrate and Tahsildar defendants in the suit. I have, therefore, the honor to request that the Board will be pleased to obtain the Government sanction for defending us at the public cost. I beg to submit, herewith, translation of the plaint and my draft answer.

SUBMITTED for the orders of Government, as the suit has been filed in reference to certain magisterial proceedings.

2. The Collector is referred to the note to Standing Order No. 295, from which he will observe that the application should have been submitted to Government direct.

(A true Copy and Extract.)

(Signed) H. E. STOKES,
Secretary.

Revenue Department, 7th June 1877, No. 1,915.

No. 111.

ORDER THEREON, 7th June 1877, No. 1,915.

Miscellaneous.

THE defence of the suit is sanctioned
and the answer as altered will be filed.

(True Extract.)

(Signed) C. G. MASTER,
Offg. Secretary to Government.

To the Board of Revenue

Exd. A. E. Goodall.

Order L. N. 574/78
- m - 2685/78.

Govt. of 1877 Madras
REVENUE.

THE BOARD OF REVENUE.

Dated June, 7th.

And

Doth.

G.O., 7th June 1877, No. 1,915.

JUNE

Nos. 110-111.

Set against the Collector of Trichinopoly
and others in connection with a dispute between
Hindus and Roman Catholics. Sanctioning the
order of the ... and directing to file the answer as
above.



1915/13

Proceedings of the Boards of Revenue
Dated 5th June 1877

Read the following:

No 183

From

The Acting Collector
Trichinopoly

To

The Secretary to the Board of
Revenue Madras

Sir

In the village of Padukotta,
Udaipurpalayam Taluq, one Vadamaralai
Sernakaren and others presented a
criminal complaint to the Deputy
Magistrate, charging Vetti Mahalai -
Muthu Sernakaren and 4 others with
having insulted their religious feelings
by

by fixing a cross in front of their houses and in a locality where the Hindus use to perform certain ceremonies to their deities. The Deputy Magistrate convicted the above said Netti Matali Muthu Senuaikaren and others under section 298 of the Indian Penal Code, inflicted fines of Rs 50 and ordered the removal of the cross. Appeal was preferred at the sessions Court but was rejected as no appeal lay against a fine of Rs 50 by a 1st class Magistrate. Further appeal was also made to the High Court, who did not interfere.

2. By the mutual consent of both the Hindus and Roman Catholics in the village the cross was fixed at another spot chosen by the Roman Catholics

1915
Catholics in the presence of the Tahsildar. In this settlement Rev^d Barbier, the Roman Catholic priest, was also a consenting party. The above said Roman Catholics then presented a petition to me against this settlement. I went to the village and inspected the place personally and decided that the cross should remain where it now is, as it appeared to be a reasonable compromise, to which the parties at first, had agreed. Had of course no power to cancel the only order of the Deputy Magistrate and to replace the cross in its old position as his order directing its removal had not been disturbed by the appellate authorities. The above said Netti Matali Muthu Senuaikaren and others have now filed a suit in No 698 of 1876

1876 on the file of the District Munsif
of Perambalur, seeking permission
to fix the cross in the locality, where
it was originally fixed. They have
made me and the Dy Magistrate
and Tahsildar defendants in the
suit. I have therefore the honor
to request that the Board will be
pleased to obtain the Government
sanction for defending us at the
public cost. I beg to submit
herewith translation of the Plaint
and my draft answer.

I have the
Trichinopoly Collector's
office 28 May 1877 (Sd) Henry Sewell
Acting Collector

Submitted for the orders of
Government, as the suit has been filed
in reference to certain Magisterial

1915
Proceedings.

2. The Collector is referred to the note
to S. O No 295 from which he will
observe that the application should
have been submitted to Government
direct.

(True copy & extract)

W. H. S.
Secretary

To
The Secretary to Govt R.D.
with 2. Encls: He returned.

with
copy
S. H.

12 1915

The defence of the suit is
sanctioned & the assessor is
allowed to take the plea

7-6-77

And C. J. of the W. of B. in the 7-6-77
providing for the 7-6-77

Rev. 1872 & 1874

1877

Proceedings of the
Board of Revenue

6/6/77
In 28/2

October 5th 1877.
Recd. 6/6/77

Submitting for the
order of Govt with 120
numbers letter from the
Collector of Chhatrapati
proceeding to obtain
the sanction of Govt
to deposit a suit filed
by the Chhatrapati
in the Revenue Court at
the Public Offices.

The motion is for
as shown in the
report of the
all other 1877
1878 & 1879
continued
7/6/77