Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 1033

DATED 22nd Feb 97

[Despatch Abstract.]

Sanctioning the deputation of a Civil Surgeon to Fiji to Survey a claim brought by a late Land Surveyor against the Director of Public Works in charge of the Land Survey for payment of salary.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Revenue (1897) Department.

CURRENT No. 1364

The Govt. will free C. & R.

Order misc No. 1033, dt 22nd Feb. '97.

The defence of the suit is sanctioned.

19/2/97

The suit is being heard today 25/2/97

From The Superintendent Madras Survey

No. 15/97

Dated 12 February

Received 16-2-1897

Registered 16-2-1897

Enclosures 2

Spare copies

To

The Supt, Madras Survey
Asst General

Pd. 24.2.97

18.2.97

SUBJECT

Suit brought by a late Field Surveyor against Mr Hatchell:— Requesting permission to defend the —

19/2/97

R. 18/2/97.

MM 19/2/97

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

64 Wood Frame

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Bailiff Judge

Plaint and Summons

In the Court of Small Causes of Madras

Suit No. 2084 of 1896.

RECEIVED IN THE SURVEY OFFICE ON 11 FEB. 97 MADRAS

1. Name	Description	Residence
M. J. Gopalaswamy Iyengar Clerk		326. Triplicane B. T. Madras. Plaintiff

versus

1. Name	Description	Residence
Mr. D. G. Hatchell	Deputy Superintendent In charge of Town Survey	Central Survey Office Knowles Road Madras. Defendant

To.

Mr. D. G. Hatchell dwelling at Madras

You the Defendant are hereby summoned to appear before the Registrar of this Court on the 19th day of January 1897 at 10½ A.M. to answer the Plaintiff to acclaim the particulars of which are hereunto annexed.

Given under my hand and the seal of the Court this 9th day of January 1897 A.D.

	Rs	As	Ps
Debt or Claim	8	6	7
Cost of Institution			(Beyond the Court's)
Fee and Summons	1	2	.. (Rs. Vadambacheri)
Miscellaneous Fees	..	..	.. Head Clerk.
Total Rupees	9	8	7.

Particulars of claim Cause of action and where and when it arose

Rs 8-6-7. Being the balance of salary due by the Deft. to the Plff. for work done as Field Survey at Conjeevaram between the 1st March & 13th March 96, after giving credit for Rs 1-9-6. received on account on the 2nd

The Deft is required to produce at the hearing of this suit the letter dated 29th August 1896 sent by Mr. P. Speeramulu Secretary Vakil by registered post in which letter notice was given of the Plff's Claim

Statement in the Plaint	Proposed reply
1. Rupees 8-6-7 being the balance of Salary due by the defendant to the Plaintiff for work done as field Surveyor at Conjeevaram between the 1 March to 13 March 1896 after giving credit for Rupees 4-9-5 received on account on the 27 October 1896.	The sum claimed including the amount Rupees (4-9-5) acknowledged to have been received by the plaintiff is Rupees 13-0-0 for 13 days in March 1896
	2. In the first place, the claim is incorrect, because the plaintiff calculates pay and allowances for 13 days at the rate of Rupees 30 a month of 30 days, whereas March

contains 31 days -

3. The plaintiff claims pay and allowances for 13 days - In the diary submitted by the plaintiff to the defendant, plaintiff shows that he served for 13 days - But defendant dismissed plaintiff from 9 March 1896 and the plaintiffs' original record written in plaintiffs' own hand and of which the diary is only an extract, shows that plaintiff worked for 9 days only - The original record contains no entries after the 9th March 1896 - The native Inspector under whose immediate orders the plaintiff was employed, also reported that plaintiff worked for 9 days only - Had plaintiffs' work for these 9 days been satisfactory, he would have been

entitled to the pay of his rank and two kinds of allowances viz- Cooly allowance and measurement allowance -

His pay was Rupees 10 per mensem - 9 days' pay in a month of 31 days would be Rupees 2 - 14 - 5. Cooly allowance is limited to Rupees 15 a month provided the records were complete and the work was of good quality. 9 days' cooly allowance in a month of 31 days would be Rupees 4 - 5 - 8. Full pay plus cooly allowance for 9 days would be Rupees 2 - 14 - 5 plus Rupees 4 - 5 - 8 = Rupees 7 - 4 - 1 -

Plaintiffs' work was not satisfactory and the records were incomplete. The defendant did not therefore allow the plaintiff full pay and cooly allowance but withheld one-third viz - Rupees 2 - 6 - 8 as a punishment for

the insufficient quantity and bad quality of plaintiffs' work and paid him Rupees 4-13-5 ×. The stoppage was strictly in accordance with the departmental rules - (Rule 334 of the Survey manual).

× From this sum Annas 4 were recovered, being the cost of a Cross staff lost by the plaintiff.

The second allowance viz - measurement allowance to which plaintiff might have been entitled had his work been satisfactory is a grant of Rupees 5 in addition to pay at the end of each month for a satisfactory outturn of work. Its object is to encourage industry and it is only granted provided the work is completed within the time prescribed. The work allotted to him which ought

SUPREME C. OF MADRAS
14 FEB 97

to have been completed in 2 ½ days was not completed at the end of 9 days and the defendant therefore refused to give him any measurement allowance.

Survey Office
Madras
12 February 1897

Superintendent
Madras Survey.

Recd. 12/2/97

When filling, fill in only the blanks.

(C. O. Form No. 13-A.)

SURVEY OFFICE, MADRAS.
12 February 1897.

No.

From

H. O'C. Cardozo, Esq., C.I.E.,
Superintendent, Madras Survey,

To

The Secretary to Government,
Revenue Department.

REFERENCE.

Sir,

I have the honor to request permission to defend at the cost of Government the following Civil Suit -

Small Cause No. 20469 of 189?

on the file of the Small Cause Court, Madras.

A plaint is enc

together with the proposed reply of Mr. D. G. Hatchell, Acting Deputy Superintendent in charge of Town Surveys, Madras.

3. The date of hearing of the case is 19 February 1897.

I have the honor to be
Sir
Your most obedient Servant

Superintendent
Madras Surveys

When given for copying
When copied
When examined
When signed
} 189.

READ AGAIN G.O. No. DATED 189 .

REFERENCE No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A
LETTER OF GOVERNMENT							
STATEMENT WITH DITTO							
PAPERS NOT FILED UP, BEING WRANT FOR DESPATCH IN ORIGINAL.							

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