Revenue (1897) Department.

ROUTINE SERIES.

G.O., No. 1765

DATED 23 Sept.

[Despatch Abstract.]

Informing Srinivasa Rao, late Asstt. Tarnam of Sadayapalayam village, Dharapuram Taluk, Coimbatore Dt., that the Govt. declines to interfere.

BACK PAPERS.

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

FURTHER PAPERS.

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

0/18 4,000—19-7-97.

Revenue (1897) Department.

CURRENT No. 8089

Order R. No 1765-d/23 Septr 97 ***From*** Srinivasa Rao.

Late Asstt. Karnam of Sadayapalayam village Dharapuram Taluk. No. Coimbatore Dt.

The Govt. declines to interfere.

17/9/97.

Dated 9th Septr. 1897.
Received 16-9-97
Registered 17-9-97
Enclosures 4
Spare copies.

List To the petitioner with enclosures & R. } 28-9-97

SUBJECT.

Praying that he may be restored to the office of Asstt. Karnam in the above village.

Note.

The petitioner who was an assistant Karnam, was dismissed from his post by the Divisional officer. The order was confirmed by the Collector on appeal. The Board on the appeal informed the petitioner that there was no second appeal in regard to appointment of assistant Karnams. As the post of assistant Karnam is not hereditary, Act III of 1895 does not apply. PA. 20 Sept 97

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PETITION

9744

REVENUE DEPT

To,

His Excellency the Governor
in Council
Fort Saint George
Madras

The humble appeal petition of Srinivasa Rao, Assistant Kurnam of Sadayapalayam village, Sherapuram Taluk, Coimbatore district.

Most respectfully sheweth:-

1. This is an appeal against the order of the Honourable Board dated 26th March 1897, No. 1520 in the matter of my dismissal on the following among other grounds:—

2. The following is the brief history of my case:-

3. I was convicted and sentenced to 2 months rigorous imprisonment and a fine of Rs 100, in default to suffer 2 weeks further rigorous imprisonment for abetment of cheating under sections 420 and 109 of I.P.C. by the Joint Magistrate of Coimbatore in C.C. No. 17 of 1896.

4. I appealed against the—

conviction and sentences to the sessions court of Coimbatore in criminal appeal No 32 of 1895 and they were wholly set aside and I was acquitted.

5. That notwithstanding the acquittal by that honourable court I was dismissed by the sub-collector who had originally tried me and convicted.

6. The collector and the honourable Board upheld the order of dismissal against which I now appeal to your Excellency on the following grounds:-

7. That the main ground on which my dismissal has been based consists in my statement before the Revenue authorities wherein I am said to have stated that the whole of a certain field belonged to a ryot, but it turned out that he (ryot) had some years before sold ½ the field by a document written by myself.

8. This part of the reasons has been fully considered by the sessions judge in para 7, 8 and 9 of the appeal judgment and found by that honourable court an altogether

impermissible and dangerous doctrine.

9. That the professional opinion of the documents and the document in question was written by me in the year 1888 and that my statement which forms the subject of cheating is said to have been made by me in 1892, appear subsequently.

10. It is therefore impossible for me to remember exactly what had transpired 4 years ago for a professional man like myself.

11. That the other reasons, viz, that my first counter was not good are not tenable for the purposes of this case on the ground that I have been punished for the faults committed by me then and there.

12. That the Honourable Board rejected my appeal for the 2nd time holding that no 2nd appeal lay to them presumably under section 23 of Sch III of 1890.

13. I respectfully submit that the wording of the section runs as follows: —

Ekstream Dec

"provided that in respect
"of the offices of head of the
"village and village-accountant
"a second appeal shall lies
"within 3 months to the Board
"of Revenue"?

14. The word village-accountant
I very respectfully submit
includes also Assistant Surname
a post of the kind I hold. If
the legislature had intended
otherwise, it would have been
explicitly stated the merger
word of Assistant Surname or
Assistant-accountant.

15. That in the absence of such
wording I very respectfully
submit that the section is
more in favour of my contention
that the 2nd appeal lies.

16. My appeal to the Collector was
dismissed 3 times and that
to the Honourable Board twice.

17. I beg to enclose the following
papers so that your Excellency
may graciously be pleased
to pass final orders and to
restore me to the post from
which I have been ousted.

(a) Collector's Proceedings dated
3rd February 1897 - to 387.

Yours [illegible]

(b) Sub-Collector's Proceedings dated 7th March 1896 & 1/2 & 813.

(c) Sessions judgment in Criminal Appeal 1/2 82.

(d) Proceedings of the Board of Revenue dated 26th May 1897. 1/2 1520.

9th September 1897.

Dd. Chunnar Sen

Rev

1897

From

Srinivasa Rao
Assistant Surgeon of
Sankaraparam village
Palakkad Taluk
Cochin Native State

To

His Excellency the Governor
in Council
Fort St. George

CHIEF SECRETARY
15 SEP. 1897
GOVERNMENT OF MADRAS

dated 9th September 1897.

Enclosures 4.

Subject

Appeal against the order of the Honourable Board No 1520 dated 26th June

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

READ AGAIN G.O., No. DATED
189 ,

CURRENT No.

ENCLOSURES TO G. No.

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

E.F.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.