

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 5041

DATED 23 Sept^r

[Despatch Abstract.]

*Informing Krishnaraja, late muni of Hanathal
village, on the 20th, 1897, that the Govt declines to
interfere on his behalf.*

BACK PAPERS.

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

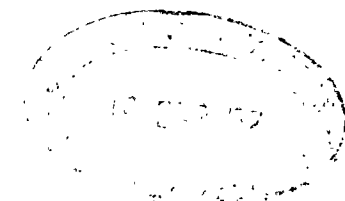
FURTHER PAPERS.

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

Revenue (1897) Department.

CURRENT No.

Sp. 23. 2. 97



Order in no 5011 d/28 Sept 97

From

H. A. Sim Esq. J. C. S.
 Agt Private Secretary
 to the Governor.
 No.

The Govt. declines
 to interfere.

11/24/1897

Dated 14 September 1897.
 Received
 Registered
 Enclosures 7
 Spare copies.

SUBJECT.

Transfers a petition dated 31
 August 1897 from Krishnair
 late Munsam of Manethal
 village, Malabar Division
 Salem District praying that
 he may be restored to his
 former post.

By order

Ag Private Secretary

Lib

21 Sep 97

To the petitioners
 W. H. G. M. S.

Note

Village offices in
 Salem are not hereditary.

500.28-9-97

17.9

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PETITION

6742

To, REVENUE DEPT

His Excellency the Governor of Madras,
Fort Saint George.

MAY IT PLEASE YOUR EXCELLENCY.

The humble Memorial of Kristnier, late Moniem of Manaththal village, Womalur Division, Salem District, appealing against the order of the Board of Revenue, Madras No. 2514, Mis., dated 9th July 1897, copy enclosed (Ex: A), setting aside the Salem Collector's order, No. 2059, dated 5th April 1897 (Ex: B), appointing Petitioner to the post of Moniem of Manaththal village and appointing one Kunjamallay Goundan *alias* Moothoo Gounden in his (Petitioner's) stead.

2. That the facts connected with Memorialist's case are as follow:—

- (1) that when the post of Moniem of Manaththal village became vacant on the 27th June 1896, your Memorialist and 22 others were candidates for the post; and the Tahsildar of Salem, while disposing of their several applications, after holding an enquiry as to their respective merits, made his report to the Head Quarter's Deputy Collector of Salem, recommending Memorialist.
- (2) that amongst those who applied for the post, the aforesaid Kunjamallay Gounden *alias* Moothoo Gounden, was also an applicant.
- (3) that the Head Quarter's Deputy Collector of Salem selected and appointed Memorialist to the post, *vide* Takeed, dated 6th July 1896 of the Tahsildar of Salem enclosed (Ex: C).
- (4) that while being so appointed, there was no proviso made that the appointment was only to last so long as there was not found a qualified member of the family of the deceased Moniem or anything of the sort; but the post was given unconditionally to Memorialist, seemingly rejecting altogether Kunjamallay Gounden's claims as being younger brother of the dismissed Moniem.
- (5) that after serving in the appointment for about three months, to his no little surprise, your Memorialist received a second Takeed, dated 16th September 1896, enclosed (Ex: D), to deliver over the records to the said Kunjamallay Goundan.
- (6) that your Memorialist appealed to the Collector against the above order on the 16th October 1896 when the Collector restored Memorialist to his post as per order No. 6451, dated 26-11-96, (Ex: E).

(7) that against the above order of the Collector, the said Kunjamallay Gounden appealed to the Board of Revenue, who in their Proceedings No. 1114, dated 21st March 1897, submitted his (Kunjamallay Gounden's) appeal to the Collector "*for disposal on the merits*" (the italics are Memorialist's).

(8) that the Collector finding no sufficient grounds for cancelling the order first made, in his Proceedings No. 2059, dated 5th April 1897, rejected Kunjamallay Gounden's appeal.

(9) that Kunjamallay Gounden next being not satisfied with the Collector's order, appealed, *for the 2nd time*, to the Board of Revenue, and they in their Proceedings above quoted, set aside the Collector's order and appointed Kunjamallay Gounden to the post.

3. It is evident that the Board of Revenue, seemingly without calling for a report from the Collector to ascertain the truth of Kunjamallay Gounden's assertions made in his appeal, upon the mere statement of his that Memorialist was a relative of the Kurnam of the village, set aside the order of the Collector.

4. That Memorialist is not aware what was stated by Kunjamallay Gounden in his appeal to the Board of Revenue since they decline to grant him a copy of *it vide* Board's order No. 2344, dated 10th August 1897 (Ex: F) without assigning any reason for not doing so.

5. That this has conduced, in no small way, to prejudice Memorialist would become apparent since he has been denied the privilege of refuting these statements as unwarrantable as they might have been.

6. That the only ground put forward by Kunjamallay Gounden which Memorialist *gleans* from the Board's orders and upon which, without ascertaining the truth of it, the Board appears to rely while passing their orders, is, that Memorialist is a relation of the Kurnam of the village and it being so they deem it undesirable that persons closely related to each other should remain in any village; but Memorialist regrets that he was denied the right of proving that the contrary was the case, i.e., that the said Kurnam is no more a relation than Kunjamallay Gounden himself, besides being a Brahmin like Memorialist.

7. That this ground, that Memorialist is a relative of the Kurnam of the same village, unfounded and fictitious as it is, was already advanced by Kunjamallay Gounden in his former appeal to the Board, dated 1st February 1897, which perhaps they have overlooked. On perusing the Collector's Proceedings above quoted, dated 5th April 1897, it will be found that the Collector does not give credence to this statement as the Collector remarks that "*there is no proof whatever of this*" (the italics are Memorialist's) and Memorialist dares say that, if his second appeal to the Board

was also submitted the Collector, that gentleman would have satisfied them that Kunjamallay Gounden's assertion was merely a subterfuge got up to hood-wink the eye of justice and that he made the statement trusting simply to occurrences for success.

8. What puzzles Memorialist is, that the Board admit a second appeal from Kunjamallay Gounden when the first was referred by them and disposed of by the Collector on the merits after mature consideration of the facts connected therewith as the Proceedings show. If Memorialist understands right, this 2nd appeal was disposed of by them without calling for a report from the Collector, which if done, would have revealed to them that Kunjamallay Gounden did not keep within the pale of truth, when he was recklessly and ruthlessly making to the highest Revenue authorities, an assertion of the kind, to the detriment of Memorialist's interests, and knowing fully well at the time that the Collector already on enquiry, found it to be false. Memorialist begs Your Excellency's pardon for dwelling at some length on this point which he cannot pretermitt without some comment, as he surmises it is all essential to the matter at issue and as it were the *summum bonum* of the case.

9. That Memorialist thinks he has sufficiently explained his case and most respectfully begs that, if Your Excellency, upon a dispassionate consideration of the facts set forth, should be of opinion that injustice has been done Memorialist, Your Excellency will direct that he be restored to office.

For which act of justice Your Memorialist, as in duty bound, shall ever pray.

30th AUGUST 1897.

K. G. Gounden

Please address as above, Kistner Lake, Mandur, Mandurthal
C/o. Muzaffer Khan Sahib, Gymnastic Teacher, Tripura High
School: Salem.

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189

READ AGAIN G.O., No.
 189

DATED

CURRENT

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 WANT FOR DESPATCH
 IN ORIGINAL.

E.E.-

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