

Revenue (1897) Department.

ROUTINE SERIES.

G.O., No. 864

DATED 5th May 1897.

[Despatch Abstract.]

*Declining to interfere on behalf of Manikham
Pillai, ex karnam of Thirukuvilai Vattam,
Negapatam, in the matter of his petition
praying for restoration to office.*

22

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C 4307/97							

Revenue (1897) Department.

CURRENT No. 3472

From

M. N. Pillai,
M. N. Pillai of
Thiruvudalai,
No. Negapatam.

Order

Dated (not dated)

Received 26-4-97

Registered 28-4-97

Enclosures 3

Spare copies

SUBJECT.

Praying to be reinstated as
M. N. Pillai of Thiruvudalai
Kattam, Negapatam Taluk,
Tanjore Dt.

mm 28/4/97

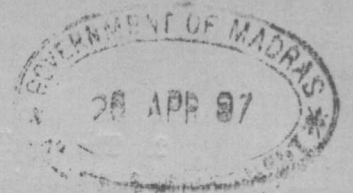
BACK PAPERS.

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G.O.	No.	Department.	Date.

PETITION



Do

His Excellency The Right Honourable Sir
Arthur Elebank Havelock Governor of Madras.

The petitioner Manikam Pillay ex-karnam of Thirukuvalai Vattam Negapatam Taluk Tanjore District most humbly begs to bring forward the following few facts to your Excellency's benign consideration.

(1) In a dispute about the irrigation of lands belonging to Thirukovalai Thyagarajaswami Temple of Dharmapuram mutt the petitioner refused to give evidence on behalf of the Tambiran of the above mentioned temple. Thereupon the Tambiran became a personal enemy of the petitioner and concocted many frivolous charges against him. The Revenue Inspector and Tashildar who are under obligation to that wealthy and influential Tambiran unreasonably found the petitioner guilty of some frivolous charges and reported the matter to the Head Assistant Collector who believing them to be true dismissed the petitioner. And when the petitioner appealed to the Collector and the Board of Revenue respectively they also followed in the footsteps of the Head Assistant Collector without coolly deliberating upon and having a deep insight into the petitioner's case.

(2) The chief reason for the dismissal of the petitioner in the present case is solely the efforts of the Tambiran who is a deadly personal enemy of the petitioner. The sincerity of this statement would become clear when particular attention is paid by the higher officials to the grounds on which the petitioner has presented his petition. And the petitioner would not have failed to get justice at their hands. Not doing this the lower officials without giving any credit whatever to the petitioner simply because he is a mere petty official have summarily disposed him of after only a superficial consideration. This is the case not only with ~~me~~ ^{the petitioner} but also with many other petty officials here. And to summarily dispose of them has now almost become a custom with the higher officials.

(3) The petitioner has herewith affixed copies of

(1) The petition which he presented to the Board of Revenue having fully explained therein his grounds. (2) The order passed by the Board of Revenue on his petition, and enclosed herewith copies of. (1) The dismissal order given by the Head Assistant Collector. (2) The Collector's order on the petitioner's appeal to him.

(4) In conclusion the petitioner prays that your Excellency would condescend to reinstate the petitioner in his post and even if unwilling to do so to exonerate him from the charge.

For which act of benevolence, kindness and charity the petitioner as in duty bound shall ever pray.

He begs to remain
Your Excellency's most obedient Servant
Manikam Pillay.

The humble petition presented by Manikam Pillay late karnam of Thirukkuvalai Vattam Negapatam Taluq Tanjore District begs to submit the following facts for the favourable consideration of the honorable members.

I. The petitioner has submitted an appeal to the honorable Board on the 3rd ultimo against the proceedings No. ²⁴⁵⁸/₂₇₋₁₋₉₆ of the collector of Tanjore and prays that the Honorable Board will be pleased to accept this petition as supplemental to the above appeal memo into their favourable consideration as the appellant bases this supplemental petition on the copies of certain records which he got subsequently to the 3rd ultimo.

2. The appellant sent an account stating that one Veerapathra Thevan cultivated 25 cents in fasli 1304 in the tank referred to in the charge No. I against the appellant whereupon the Revenue Inspector came and examined the same and has passed and sent his remarks that the tank is not useful for public purposes in the Poramboke patti account that the land might be entered in the pattah or might be disposed of under the Darkasth rules and that the jamabandy account for that fasli might be closed entering a single assessment for the same. The above said account is signed by the monigar and Veerapathra Thevan that cultivated the lands. Whereupon it was ordered that the matter should be settled according to the Revenue Inspector's opinion and for that Fasli according to that order and for the next Fasli also when the land was disposed of according to the Darkasth rules a single assessment was levied and collected from Veerapathra Thevan. A notice was duly published under the Darkasth rules and no villager ever raised any objection.

3. A year after this Muthusamy Pillay temple accountant gave a petition against this appellant owing to the misunderstanding which will be stated presently. The petition was enquired into, the Revenue Inspector who is under obligation to the Tambiran of the Temple stated that he made the report believing the words of the karnam and the Tahsildar who examined the same after a year stated that the land did not look like a cultivated one owing to the same obligation that he lay under to the said Tambiran. The place is measured as a tank and is clearly of a much lower level than the adjoining field and is filled with water after every shower of rain. How is it possible to find traces of cultivation in the same after a year and how is it possible to find the furrows of the plough after a year in a tank which fills with water and is dried up now and then and the stalks also would have become rotten and died out during that one year. The appellant prays that the Honorable Board will be pleased to think that the Revenue Inspector whose duty it is to examine the correctness of the accounts by a personal and local inspection cannot be believed in his present statement that he believed the words of the karnam and made such a long remark as the above one. At any rate this record and explanation is enough to exonerate the appellant from the charge No. I.

4. Further the Tahsildar and other superior officers have stated that they have found 3 things to corroborate their above opinion viz.

- (1) That the said Veerapathra Thevan has no miras in the village.
- (2) That the appellant has money dealings with the said Veerapathra Thevan.
- (3) That the said Veerapathra thevan did not turn up when the summons &c were sent to him. The above are not real facts. The said Veerapathra Thevan holds, miras No. 40 in Kundayur village, and has been enjoying the same since a very long time. He raised seedlings in the tank and cultivated under the same right. At the time of the settlement the land has been included in another pattah. He could not be considered to have forfeited his miras right for the said reason. The land has not gone away from his holdings. And secondly the appellant's father had borrowed a sum of Rs. 100 from Veerapathra Thevan which the appellant has subsequently discharged and this cannot be impeached as a money dealing. Even if the superior officers should come to an opinion that the said transaction would constitute a money dealing then the inference follows that he is the appellant's man interested in his cause. If he should be the appellant's man would he not have appeared in obedience to the summons and supported the appellant by his statement that he cultivated the same. No one has given due consideration and weight to this fact. In fact Veerapathra Thevan is a riot of the Tambiran and the appellants enemy. Hence he has chosen not to appear even at the risk of a loss of the 2 years kist that he has paid. The petitioner Muthusamy Pillai if asked will surely admit that Veerapathra Thevan is a riot of the Tambiran.

5. The 2nd charge that the petitioner Muthusamy Pillay paid Rs. 3-0-0 on 8-12-93 to the appellant for the temple and that this appellant passed a receipt for the same is entirely a concocted one seeing also that this complaint is made 2 years after the said payment. There is not the slightest doubt that the receipt is a forged one. If he had really paid Rs. 3 would he not have deducted the said sum from the subsequent payments he made for the said Fasli, would he not have complained as early as possible. How came this matter to his notice after full 2 years. He has not at all accounted for this unusual delay nor has he let in any evidence

to prove that he paid the money or that the appellant granted him a separate receipt except a loose cadjan which cannot be accepted as evidence under the law as it is a stray cadjan and not entered in any bound and paged account book.

6. The following is the reason for the enmity between this appellant and the temple authorities. There was an irrigation dispute between the authorities of the temple attached to Dhurmapuram Mutt and Kanakasabai Pillai of Periakarugudy who gave a petition about the said dispute which came for enquiry. When the Tambiran asked this appellant to state that for 1 day on Thursday the temple has the right to irrigation with which request the appellant did not comply but stated the truth and 15 days after appellant gave that statement against the interests of the temple these false complaints were brought by Muthusamy Pillay the temple accountant. The appellant has committed no wrong. The collector has stated in his proceedings that the appellant during his short tenure of office as kurnam of Perungudi Vattam has unjustly caused a gain of some land to one. The said land has been given over to him under the Darkasth rules after all the legal processes and proclamations required under the law. There also the complaint was made 7 months after (ie) after the expiry of the appeal time. And the authorities owing to the influence of the Tambiran have stated that the alleged cultivator thereof had no right thereto. So the Tambiran is at the bottom of all this and has ruined the the appellant. A land is granted on Darkasth by superior authorities after all the formalities of law such as publication of notices & and the appellant a petty official can do nothing therein.

Therefore the appellant prays in conclusion that the Honorable Members will be pleased to order a new necessary enquiry to be made concerning the allegations in this supplemental appeal petition and to order the appellant to be reinstated in his post.

For which act of charity, justice and benevolence the appellant as in duty bound shall ever pray.

He begs to remain Most Honorable Sirs your
honors most obedient servant.

MANIKAM PILLAY

PROCEEDINGS OF THE BOARD OF REVENUE

(Land Revenue.)

No. 442 Misc. date 4th Febry: 1897

Read the following :—

1. Endorsement of the Collector of Tanjore, No. 43021 Rev. of 96, dated 22nd November 1896, submitting petition of Manikam Pillay, late karnam of Tirukkuvalai, Negapatam Taluk and Reference thereon dated 5th December 1896.

2. Also petition from Manikkam Pillay, late karnam of Tirukkuvalai vattam Negapatam Taluk, Tanjore Dt. dated 24th October 1896.
Resolution. The records show beyond doubt that the appellant acted fraudulently throughout. The punishment of dismissal was deserved, and there is no reason for the interference of the Board.

(True Extract)

(S. D.)

Secretary.

To

The Collector of Tanjore, with records ret'd.
The petitioner through the Collector of Tanjore, with enclosures returned.
(True Copy).

Read no. 3472 of 97

E.O. R. No. 864 of 5th May 97.

The Govt. declines to interfere.

11/5/97.

Left

Not

vide notes under
E.O. No. 561 d. 8-2-96
Village offices in Tan-
jore are not hereditary.

W. S. M.
3 May 97

Ap. 5-1997

To the pet'r
with Encl.

16.5.97
18.8.97

21/5/97.

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READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTERS OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

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