

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 2464

DATED

7th June

[Despatch Abstract.]

Passing orders on petition from C. D. Deva-
Sagayam Pillai, late Rev. Inspector of
the Marimangalpet finka, Bhavan Taluk,
Coimbatore dt., appealing against his
dismissal from the service.

BACK PAPERS.

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

FURTHER PAPERS.

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Revenue (1898) Department.

CURRENT No. 2193.

2532

10/5/98

Two Copies

Read Cn Nos 2193 & 2532 758 P

The Board of Revenue, Land Revenue, Madras.

Order misc No. 2467 of 7.6.98

REF. No. 38

The Govt agree with the Board of Revenue that the second & third charges against the Revenue Inspector are proved. With reference to the first charge the Govt is unable to concur in the Board's view that it should have been dropped. We know

Dated 15th March 1898.

Received 17

Registered 18

Enclosures 10.

Spare copies

SUBJECT.

no doubt ~~was~~ should not, in his interview with the Rev Insp. he had lost his temper or referred to the information he had received concerning the Rev Inspector's wife, but all that we know admits having done in no way

Submg. to Govt. petition from G.D. Devasagayam Pillai, late Rev. Inspector of the Neringipet firkah, Ehowani Taluk, Coimbatore Dt., appealing against his dismissal from the service.

and memoranda contained
in the Res Inspector's
petition to the collector.
The Govt therefore considers
that that petition was
materially false &
agrees with the collector
in holding ^{the first} ~~that~~ charge
to be established.

2. The Govt declines
to interfere on the
petitioners behalf.

Ule
8.6.18

11/9/18

Go the Bd L.R. 2
Go the Pet. Para 2 of the order only.

BACK PAPERS.

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FURTHER PAPERS.

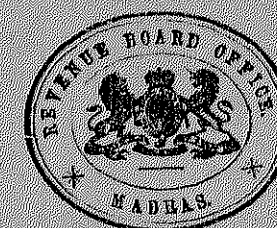
G.O.	No.	Department.	Date.

* Collyer letter, Petition to the Govt. 7
Papers re: Commission of the Petition - 18.6.18
d. Govt. Subordinate Petition - 18.6.18
Petition
18.6.18

Reference on No. of 1898.

In replying the above should be quoted.

(LAND REVENUE.)



Read letter from J.A. Cumming Esq., Ag. Collector of
Coimbatore to the Secretary to the Commissioners of Land Revenue,
Madras, R.C. Appeal No. 33-Rev. dated 1st March 1898.

Reference No. 38 dated 15th March 1898.

Submitted to Government.

2. The petitioner C.D. Devasagayam Pillai, was the
second class Revenue Inspector first of Chennimalai and afterwards
of Neringipet firka, Coimbatore District. In August last he was dis-
missed from the service by the Collector on the following charges
of misconduct:-

- (1) that he sent to the Collector a false petition against
the Sub. Collector, Mr. L.G. Moore, to the effect that the
latter officer had sent for the petitioner to his but-
low and had abused him and threatened to horsewhip him
for having said that his butler had extorted a bribe at
Chennimalai where the petitioner was Revenue Inspector;
- (2) that shortly afterwards, the petitioner, who was ordered
not to go to Chennimalai but to go to and take charge of
Neringipet firka, nevertheless went to Chennimalai in de-
fiance of the Sub. Collector's orders; and
- (3) that the petitioner had lent various ~~xxxxxx~~ sums of

Government for State loans.

3. The petitioner thereupon appealed to the Board against his dismissal. The Board considered that the first charge might well have been dropped after the admissions made by the Sub. Collector, but it was satisfied that charges (2) and (3) were proved and it declined to disturb the Collector's order complained of. A copy of Board's Proceedings No. 4605 Mis. dated 1st December 1897 will be found among the records sent by the Collector.

4. Against this Board's Proceedings the petitioner now appeals to Government but as he urges no new grounds in support of his case, the Board has no recommendation to make on his behalf.

Rice
Secretary.

To the Secretary to Government, P.D. with the Collr's letter, Govt.
patn. & four files of records - all except the Govt. patn. to be ret'd.

Q.B.

Revenue (1898) Department.

CURRENT No. 25

From

H. C. Siva Squire
Private Secretary to
H.E. the Governor

No.

Dated 25th March 1898.

Received 29

Registered 30

Enclosures 1

Spare copies

SUBJECT.

*Transfer a pet. holder
4th March 1898 from
Devasagayam P. 1897
2nd class Revenue
Coimbatore District
ing to be re-instated of
former appointment
retrospective effect*

[By order]

BACK PAPERS.

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List of records submitted along
the memorial to the Governor.

Exhibit I Proceedings of the
Revenue Land Revenue
4605 mis: dated 18th
March 1897.

Exhibit II Copy of appeal to
Board of Revenue
11th October 1897.

Exhibit III Proceedings of the
Board of Revenue, Land Revenue
No. 62 Routine dated
January 1898.

Exhibit IV Collector's order of sale
dated 11th August 1897
No. 2742 of 1897.
Rev.

Exhibit V Sub Collector's order dated
17th August 1897 Reference
No. 212 (a) of 1897
Rev. Sup.

Exhibit VI Copy of the judgment of
the District Court Coimbatore
in A. S. No. 233 of 1894.
C. D. M. S. S. S. S.

III. lending money on mortgage on the security of lands already pledged to Government for state loans.

3. The humble memorialist had explained his innocence in his appeal to the Revenue Board, a copy of which is very respectfully enclosed for your Excellency's kind perusal, as it contains the details of the case, and the Revenue Board, the poor memorialist laments, had only declined to interfere on his behalf, *assigning no reasons whatever*, as per para 2 of their Proceedings appealed against. Para 1 had been given with asterisk marks, and a copy of their entire Proceedings had even been refused though applied for. (vide exhibit 3.)

4. *As the matter has now come before your Excellency, the poor memorialist prays for justice, as he had suffered injustice, from the very commencement of his unfortunate case.*

5. With regard to the 1st and the main charge, the poor memorialist had advanced his reasons in his appeal to the Revenue Board (paras 5 to 26) and now, only lays before your Excellency *the bare admissions of Mr. Moore* (Sub para 14 Revenue Board appeal) for kind consideration, whether the petition was false, *even when it was admitted by him, that he did slander the poor memorialist's wife by a language that was indecent to her sex and insulting to her husband and to her community.*

6. On the face of this and the other admissions made by him, the poor memorialist humbly submits, that the first and the main charge was shown to have fallen, with *no remnant to support the other charges framed by an after thought.*

7. With regard to the second charge, he had shown his reasons (paras 27 to 34 Revenue Board appeal) and now again, humbly submits, that he went to Erode from Chennimalai, (his head quarters, before his transfer to Nerinjipet) on the 6th August, 1897, and stayed there till the 15th noon, in direct obedience to the Sub Collector's

Exhibit. II.

Exhibit. III.

Exhibit. IV.

Exhibit. V.

orders, and the stay there was admittedly intended by him (the Sub Collector) to be pending receipt, from the Collector, of the order applied for the transfer of the poor memorialist from Chennimalai (para 32 Revenue Board appeal).

8. This order (an endorsement, on the Collector's order of transfer) was received from the Sub Collector on the 14th night of August, and on the 15th morning, (Sunday) another order was received direct from the Collector to the same effect. As soon as these orders were received, the poor memorialist started off at once to Chennimalai, where there were all the records, current and old and survey instruments etc. *on his hand*, with a view to hand them over at Head Quarters, with a complete list, as per District orders, and see them all removed from his custody, before going to Nerinjipet as he could not have gone thither before doing so.

9. Respectfully keeping aside the Collector's order, favourable as it was, and confining only to the Sub Collector's, as it was *the one* referred to, in the charge, the poor memorialist humbly submits, that this order had in fact superseded all the previous orders and in which no mention was made, that the records &c. should be sent for from Chennimalai and handed over at Erode.

10. Besides, the Revenue Inspector of Perundurai, to whom the charge had to be made over, also came up to Chennimalai, as he had no orders to relieve the poor memorialist at Erode.

11. The poor memorialist also very humbly submits, that neither the Sub Collector nor the Tahsildar found fault with him, when they knew on the 17th, that he had gone to Chennimalai for the purpose of handing over charge, for, in the order sent to him thither, on that date, by the Sub Collector through the Tahsildar's peon, nothing more was said than that he should come at once to Erode and stay there till further orders, as the Collector wished to take a statement from him (memorialist).

12. He accordingly went to Erode on the 18th, awaited the Collector's arrival there till the 20th, gave his statement before him on that date and afterwards moved first and relieved Balaji Rao at Nerinjipet as ordered. This was the endorsement order of the Sub Collector on the transfer memo (referred to in para 8 supra) and the same had been thus obeyed.

13. Thus, the poor memorialist very humbly submits, that there was not the slightest shadow of disobedience to the order of the Sub Collector as he had been very unkindly dealt with.

14. The then Collector in his Proceedings (para 5 charge 2) had specially dwelt upon to some length on the endorsement order made by the Tahsildar also, on the transfer memo, by quoting the words, "He will hand over all the papers &c," as in para 29 Board appeal, but had uncharitably concluded that, as a case of disobedience to the Sub Collector's. The poor memorialist humbly submits, with due deference to the then Collector, that this was quite inconsistent to the charge framed by him. Still, this had also been well explained in the Revenue Board appeal (para 30).

15. With regard to the charge III, the poor memorialist had fully explained his reasons in the Revenue Board appeal (paras 36 to 38) and had also proved by a copy of the judgment of the District Court, that the money subsequently lent in the two cases of the state loans referred to, belonged to his wife's sister, but lent in the name of her sister, (memorialist's wife) only for the safety of her money against her step sons, as she is a childless widow and stops with her only sister. (Para 43 Revenue Board appeal)

16. It is also very respectfully submitted, that the Government loans have at all times predominance over other loans. So, the two state loans referred to, were not in the least affected or defrauded by the widow's subsequent loans, as either she or the borrower is responsible, till the repay-

Exhibit VI.

ment of the previous state loans. (para 37 Revenue Board appeal.)

17. It is also humbly submitted, that there are no rules (so far as the memorialist is aware of) prohibiting such private loans on the lands previously mortgaged to Government for their loans: such lands are even sold, when the terms of the state loans are current: still of these loans, it is also respectfully submitted, one had been cancelled and arrangements had been made for cancelling the other also, as the private term of the period had expired. (In this case, there had been only a very small amount of the state loan to be repaid).

18. Further, the poor memorialist humbly submits, that neither he nor his wife had any money transaction at Chennimalai (para 36 Revenue Board appeal). The other transactions referred to, had also been explained in paras 40 to 42. Those entered at Salar were after the poor memorialist's connection with it ceased, as a Revenue Inspector, and the greater portion of the amount belonged to the memorialist's wife, being a portion of her dowry money.

19. It is also very respectfully submitted that steps are taken to recover the amounts in these transactions, though the memorialist, as a Revenue Inspector, was not barred from lending money, vide article 26 of the rules relating to the conduct of the Public Servants, and also Revenue Board Proceedings No. 321 dated 2nd September 1895.

20. Thus, your Excellency's poor memorialist very humbly submits, that this charge also was shown to have fallen.

21. Having explained as above and in humble reference to the Government rulings, (vide paras 63 and 65 Revenue Board appeal) the poor memorialist very humbly submits, that he belongs to a good family of Christians who held high appointments in the Government, that he had put in a long, unbroken, and unblemished service of about 18 years in the Revenue De-

partment of which about 9 were spent in the grade of a Revenue Inspector without any stain in his conduct, that there had been no complaint whatever against him either on this occasion or at any time before, that he had all along the approbation of his superiors, that Mr. Bradley, on some misrepresentations made to him, had mercilessly awarded him the punishment of dismissal and deprived him of his long and pensionable service, and of his, and his Children's bread, and left him in a deplorable state of life.

22. The humble memorialist further submits, that his appeal to the Revenue Board was against the order of the late Collector. It was therefore very unfortunate for him to have referred it to the late Sub Collector, (Mr. Moore) who had already been prejudiced against him, and had him dismissed on account of his having sinned in speaking a simple truth against his butler (paras 7 and 8 Revenue Board appeal)—a truth that awaits its reward:—

23. He therefore most humbly and earnestly implores, that Your Excellency will be graciously pleased to take all these facts into benign consideration, exonerate him from the charges and reinstate him in his appointment with retrospective effect.

For which act of charity and benevolence, the humble memorialist shall, as in duty bound,

Ever Pray.

(True Copy)

With very humble prayers for pardon, a copy of the memorial together with that of the appeal to the Board of Revenue is very respectfully submitted to His Excellency, the Right Honorable, the Governor of Madras, for gracious consideration.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

To
His Excellency the Right Honorable
THE GOVERNOR
AND
PRESIDENT IN COUNCIL,
Fort Saint George,
MADRAS.

Through
THE COLLECTOR OF COIMBATORE.

Dated 21st }
Received } February 1898.

ENCLOSURES.

SUBJECT.

Appealing against the order of the Revenue Board declining to interfere on behalf of the memorialist's appeal and humbly begging, under the circumstances herein submitted, to be kindly reinstated in his appointment as Revenue Inspector, with retrospective effect.

(Spare Copy)