

## CHAPTER XII

### LAW, ORDER AND JUSTICE

**Early History** UNDER the old dynasties, which administered the area of the present Mandya district, the maintenance of law and order in the villages was the responsibility of the *Talari* or *Sthaliwar*, who was one of the members of the hierarchy called the Village Twelve. The *Talari* saw to the safety of the life and property of the population inhabiting the village and also protected their agricultural crops. Later, during the time of the Vijayanagar sovereigns, the *Ayagar* or *Barabaluthi* system regulated the duties of the police. The same earlier name *Talari* was continued for the watchman. He was the police official or the *Kotwal* of the village. Besides a variety of money grants known as *nijaya* and *ardhaya* that the *Talaris* received, the villagers themselves were not wanting in giving them foodgrains, vegetables and other essential commodities for the performance of their duties.

The specified police duties of the *Talari* consisted in keeping a watch over the safety of the village; he was responsible for tracing all things stolen within the confines of the village. Whenever things were lost or stolen, it was duly reported to the *Talari*. As soon as a complaint was preferred, he used to investigate the case in strict obedience to royal decrees. Under Aliya Ramaraya, there was a separate department of intelligence headed by a superintendent. He exercised jurisdiction over the village watchmen. Under the Rajas of Mysore, and more particularly under Chikkadevaraja Wodeyar, the business of Government was distributed among 18 departments. *Patnada Chavadi* was the headquarters of the police, which not only looked after the safety of the metropolis, but also supervised the work of the village watchmen. At the time when Haidar Ali assumed power and later on, when his son Tipu Sultan ruled the area, the police system underwent a change. Spies were placed throughout the territory to gather intelligence of every kind. The village watchmen continued to exercise police powers in the rural areas.

After the fall of Srirangapatna in the year 1799 and during the regency of Dewan Purnaiya, the Amildar of each taluk was the head of the police in that area. He had the authority to scrutinise all minor cases of complaint preferred by citizens. There were armed men called the *Kandachar* police, whose duty was to protect the life and property of the people. These *Kandachar* men were also taken to the military in times of emergency. The system of police as organised by Dewan Purnaiya continued till the British Commission took over the administration of the State in 1831. In July 1834, the British Commission promulgated a Code under a special *Hukumnama* and regulated certain day-to-day duties of the *Kandachar* police. It was made clear in that Government Order that the *Kandachar* men belonged exclusively to the police force. At times of grave public disorder and on such other occasions, the *Kandachar* men assisted the defence forces. These men were stationed in all the taluk offices, forts and hoblies. They carried swords, and the frontier guards were provided with matchlocks. During the entire period of Sir Mark Cubbon's regime (1834-61), the *Kandachar* system was in prevalence.

After 1799

The regular police in each taluk took orders from the Amildar of the place who, for the purpose of police work, had under him a *Killedar*, a *Naib Killedar* or *Daffedar* and *Hoblidars*. The head of the police department was the Commissioner, who had the assistance of a *Bakshi*. In 1844, the post of *Bakshi* was abolished. Superintendents of Police were appointed who were empowered to recruit, promote, discharge and punish all personnel of the *Kandachar* establishment from the *Killedar* downwards. In 1856, the appointment of a separate Judicial Commissioner was announced and he was made the *ex-officio* Inspector-General of Police. In 1873, a Deputy Inspector-General of Police was appointed. In the districts, the Deputy Commissioner was the head of the police. In 1874, Police Assistants of the rank of Assistant Commissioners were posted in all districts to assist the Deputy Commissioner in the discharge of his police duties. During 1874 and 1875, orders were issued defining the relative positions, functions and responsibilities of the Deputy Inspector-General of Police, Deputy Commissioner, Police Assistants, Amildars and Inspectors. In 1876-77, the post of Deputy Inspector-General of Police was abolished. In 1879, the Judicial Commissioner ceased to exercise the powers of the Inspector-General of Police, and the Chief Commissioner assumed direct control of the police.

After the rendition of the State in 1881, the general direction of the police was at first in the hands of the Dewan. In 1885, the Government appointed a new Inspector-General of Police, the same officer being also the Inspector-General of Forests and Plantations and Director of Agriculture and Statistics. Police

After 1881

Assistant Commissioners were appointed to be in charge of sub-divisions. The Amildar or the Deputy Amildar continued as the head of the taluk police or sub-taluk police, aided by Inspectors and Jamedars. The police force consisted of the village police and the regular police. The village police were the hereditary village servants, *viz.*, the *patel*, the *talwar* and the *thoti*. The district police consisted of the taluk police and the district reserve force. In 1891, the Police Department was further reorganised and posts of a full-time Inspector-General of Police and Police Assistant Commissioners designated as Superintendents of Police were created. In 1906, the posts of Superintendents and Assistant Superintendents of Police were merged in the general cadre of Assistant Commissioners. The regular force was made up of officers and men appointed and enrolled under regulation. In 1913, the Police Department was further reorganised and the pay of the Inspectors and their horse allowances were increased. In the place of Jamedars, posts of Sub-Inspectors were created. The Mysore Police Manual published in 1918-19 formed the basis for further reforms in the department.

Prior to the formation of the Mandya district in 1939, the police administration of the area was attached to Mysore district. A Superintendent of Police was stationed at the French Rocks (Pandavapura), who exercised jurisdiction over the whole of the area constituting the present Mandya district. After the formation of the new district, the headquarters of the Superintendent of Police was changed from the French Rocks to Mandya.

**Police  
Re-organisa-  
tion**

In 1959, the State Government approved certain proposals submitted by the Inspector-General of Police for reorganisation of the police force. As a result, two police circles, which were at Maddur and Krishnarajpet, were abolished and new police stations were set up at Basaral, Koppa, Krishnarajasagar and Kikkeri. The police stations in the district were regrouped under four circles, *viz.*, Mandya, Malavalli, Srirangapatna and Naga-mangala. A Division consisting of Mandya, Malavalli and Naga-mangala circles was formed under a Deputy Superintendent of Police with his headquarters at Mandya, while the rest constituted the Srirangapatna Division under the direct charge of the Superintendent of Police. During the course of reorganisation, the Mysore Armed Reserve Police force was decentralised and was called the District Armed Reserve, under the direct control of the Superintendent of Police. Consequent on the introduction of prohibition in the district in July 1961, an additional staff of one Sub-Inspector, four head constables and 15 police constables was provided for the enforcement of the provisions of the Mysore Prohibition Act.

When the new Mysore State was formed in 1956, there were different Police Acts in force in the various integrating areas. In

order to bring about uniformity in police administration, the Mysore Police Act, 1963 (Mysore Act No. 4 of 1964), was adopted and it came into force throughout the State on the 2nd April 1965. The functions of the police in the district are governed by this comprehensive measure.

The law and order position in the district has presented no serious problems and has remained more or less normal through the years. However, during 1965, there were some disturbances caused by factions between two sections of the people in Malavalli taluk. Mandya town, Belagola and Pandavapura, being industrial areas, present some problems of law and order occasionally.

**Law and  
Order  
situation**

The police records show that there was an increase in the incidence of crime in the district during 1965. The increase was perceptible in some classes of crime, as the Malavalli taluk was in the grip of communal tension for sometime. Due to spread of false rumours, members of one section of the population attacked those of another, with looting and arson. The police intensified their vigilance for detection and registration of cases pertaining to all types of offences. The various provisions under the Mysore Police Act of 1963, the Motor Vehicles Act, the Mysore Prohibition Act and the Defence of India Rules were made use of to curb offences of a serious nature. The infringements of the provisions of the Foodgrains Control Order were promptly detected and cases were launched.

**Incidence of  
crime**

Cognisable crimes are classified into six categories and the following table indicates the number of such crimes reported during 1965 :—

**Cognisable  
crimes**

<i>Nature of crime</i>	<i>No. of cases reported</i>	<i>No. of true cases</i>	<i>No. of cases investi- gated</i>
1	2	3	4
<i>Class I.</i> —Offences against the State, public tranquillity, safety and justice.	36	24	24
<i>Class II.</i> —Serious offences against person.	180	143	143
<i>Class III.</i> —Serious offences against person or property or against property alone.	268	153	153

	1	2	3	4
<i>Class IV.</i> —Minor offences against person.		88	57	57
<i>Class V.</i> —Minor offences against property.		375	232	232
<i>Class VI.</i> —Other offences not specified above.		165	86	86
Total ..		1,112	695	695

**Grave crimes**

The district continued to be free from serious cattle thefts. Increases were noticed in murder, dacoity, house-breaking and thefts during the year 1965. There was, however, a decrease in robbery cases. As regards murder cases, except for one case which was traced as a murder for gain, the rest were due to sexual causes, family feuds, factions and other causes. Out of a total of 13 cases of dacoity, only four were committed by professionals and the rest were by mischief-mongers, who took active part in arson and looting in the disturbances in Malavalli taluk during 1965. Out of five cases of robbery during 1965, four were committed by professionals. As regards ordinary thefts, which were four in number, one case was traceable to a professional and no clue was forthcoming in respect of others. The following statement indicates the number of grave crimes committed in the district during 1965 :

<i>Nature of crime</i>		<i>Cases reported</i>	<i>Cases convicted</i>
Murder ..		20	1
Dacoity ..		13	..
Robbery ..		5	3
House-breaking and theft ..		11	1
Ordinary theft ..		4	..

Out of 20 cases of murder reported to the police in 1965, one was attributed to sexual cause, four to family disputes, one each to gain and faction and 13 to other causes.

During 1965, a total number of 35 cases of rioting were reported to the police in the district. Of these, 34 were detected and prosecutions launched.

No case of either infanticide or patricide was reported during 1965 ; nor were there any extraordinary crimes of a sensational

nature under the category of 'other offences'. The district was free from counterfeiting of coins or currency.

In 1965, the number of suicides reported to the police was 38. In the same year, 20 homicides were reported.

The percentage of detections of murder, dacoity and robbery, during 1965, was more or less on par with that of the previous years. But there was an increase in the percentage of detection of house-breaking and thefts during the year, which was due to the apprehension of three ex-convicts, who were responsible for the offences, and the recoveries of properties from them. The subjoined table gives comparative figures of percentages of detection of grave crimes in the district during the years 1963, 1964 and 1965 :—

<i>Offences</i>	<i>Percentage of detection</i>		
	<i>1963</i>	<i>1964</i>	<i>1965</i>
Murder ..	87.5	72.7	70.0
Dacoity ..	50.0	100.0	84.6
Robbery ..	33.3	60.0	60.0
House-breaking and thefts ..	14.3	..	27.2
Ordinary thefts ..	100.0	100.0	25.0

The decrease in the percentage of detection of ordinary thefts was due to the fact that out of four cases reported during 1965, three cases could not be detected.

The number of accidental deaths reported during 1965 was 107. The following statement indicates the nature of these accidents and their number :

<i>Nature of accidents</i>	<i>Number of cases</i>	
Accidental drowning	..	48
Snake bites	..	..
Burns	..	6
Electric shock	..	1
Lightning	..	3
Fall from heights	..	8
Poisoning	..	11
Other causes	..	30
Total	..	107

**Property lost and recovered**

The total value of property lost in crimes and the total value of property recovered during the years 1963, 1964 and 1965 are indicated below :

<i>Year</i>		<i>Value of property lost</i>	<i>Value of property recovered</i>
		<i>Rs.</i>	<i>Rs.</i>
1963	..	1,05,303	24,206
1964	..	49,202	18,503
1965	..	2,88,122	1,93,678

During the year 1965, investigation was refused in 20 cases in which the property lost was of a trivial nature ; 62 of the cases reported proved to be false.

**Prosecutions**

The number of prosecutions launched, the number convicted and the percentage of conviction in the district from 1963 to 1965 are given below :

<i>Year</i>		<i>Prosecutions launched</i>	<i>Number convicted</i>	<i>Percentage of conviction</i>
1963	..	442	197	43
1964	..	382	160	42
1965	..	443	222	50

Paucity of eye-witnesses, suppression of evidence and the like, many a time, contribute to low percentage of conviction ; besides, some of the prosecutions launched in courts are not disposed of in the same year.

**Habitual offenders**

The Mysore Restriction of Habitual Offenders Act, 1962, is in force in the district. Persons who have been sentenced to substantive terms of imprisonment on not less than three occasions for one or the other of the offences as set forth in the Schedule to the Act, are treated as habitual offenders. There were 12 habitual offenders in the district at the beginning of the year 1965 and no fresh case was registered during the year.

The number of known depredators had increased from 70 in 1960 to 100 as on 31st December 1965. During 1965, 57 security cases were put up and the persons concerned were bound over for good behaviour.

**Prohibition offences**

Total prohibition was introduced in Mandya district with effect from 1st July 1961. The district police were responsible for the enforcement of prohibition in the district. The following

table indicates the nature of prohibition offences and their number during the years 1963, 1964 and 1965 :

<i>Nature of offence</i>	<i>Number of cases launched during</i>		
	1963	1964	1965
Illicit distillation ..	23	31	51
Smuggling of alcoholic beverages. ..	282	248	234
Drunkenness ..	180	92	156
Total ..	485	371	441

The large number of cases under the Mysore Prohibition Act shows the extent to which the evil prevails in the district, though the authorities are making efforts to curb it. The Government have, however, recently decided to lift Prohibition in the district as also in other parts of the State except in a few pockets, with effect from 1st October 1967.

The Suppression of Immoral Traffic in Women and Girls Act, 1956, is in force in the district. No separate or special staff has been created to deal with the offences under this Act. The Superintendent of Police and the Deputy Superintendent of Police are the special police officers for dealing with offences under this Act. During 1965, four cases were put up for trial under this Act and all of them ended in conviction.

**Suppression  
of Immoral  
Traffic**

Persons apprehended under the provisions contained in chapters 12 and 17 of the Indian Penal Code, security cases and the like are required to give their finger prints. At the time of their apprehension, they are taken by the Station House Officers to the Finger Print Bureau for tracing their antecedents. Subsequently, after their conviction, the finger prints are sent along with the conviction memo, through the Intelligence Section situated at the District Police Office, to the Finger Print Bureau for record. This Bureau is located at Bangalore.

**Finger print**

There is an Intelligence Section which is under the direct control of the Superintendent of Police and is manned by one Sub-Inspector and two head constables. This section is mainly responsible for collecting, recording and distributing information regarding property crimes and criminals. In addition to this work, records in respect of known depredators, district criminals and habitual offenders are maintained by the section.

**Intelligence  
section**

Traffic is being controlled by posting head constables and police constables at important points where there is heavy traffic in particular and at other places in general. During the annual

**Traffic control**



Dasara festivities, one-way traffic is enforced on the route from Mysore city to Krishnarajasagar. In important places on the Bangalore—Mysore Road, where the vehicular traffic is generally heavy, traffic islands have been set up and the vehicular traffic is regulated by traffic police constables, whenever required. Motor vehicles are checked regularly at the various bus stands. Quarterly surprise checking of tax licences is also conducted.

There is no fire-fighting unit in the district. Whenever there is a need, the force stationed at Mysore is indented upon.

A Rifle Training Centre has been set up in the district headquarters town, where the police officers and men are trained in drill and the use of arms.

**Superinten-  
dent of  
Police**

The Superintendent of Police is the administrative head of the district police force. He is responsible for all matters relating to its management and the regular performance of all its preventive and executive duties. He has to see that the police force under his control is properly trained and kept efficient and has to ensure, by constant supervision, that prevention, investigation and detection of crimes in his district are properly dealt with. The Superintendent of Police has control over all matters connected with arms, drill, uniform, surveillance, identification of criminals and such other matters. He is required to give particular attention, while on tour, to the working of the police, excise, opium, forest, arms, motor vehicles and other regulations in so far as they relate to the duties of the police. He has also to examine periodically the stock and sale registers of licensed arms, ammunition, explosives and the like. In respect of grave crimes, the Superintendent of Police is required to pay personal attention in their investigation.

**Deputy or  
Assistant  
Superinten-  
dents**

The Deputy or Assistant Superintendents of Police are in charge of divisions in the district. The powers and duties of these officers are similar to those of Superintendents of Police, except in regard to powers of recruitment, promotion, transfers, grant of rewards and award of punishments, which generally would be under the control of the Superintendent of Police. The Deputy or Assistant Superintendent keeps the Superintendent of Police informed of what is going on in his division and consults the Superintendent of Police in all matters relating to his divisional police administration.

Out of the two Police Divisions in the district, the Mandya Division, comprising Mandya, Malavalli and Nagamangala Circles, is controlled by the Deputy Superintendent of Police, Mandya, while the Srirangapatna Division, comprising the Srirangapatna Circle, is directly under the control of the Superintendent of Police.

The Circle Inspectors supervise the work of their subordinate police staff and also maintain discipline. They investigate grave crimes and supervise and guide investigation in other cases. The Circle Inspectors have to visit villages and get personally acquainted with the headmen and leading inhabitants, in order to secure their co-operation as well as that of the general community in discharging police duties. There are four Police Circle Inspectors in the district in charge of the four Police Circles at Mandya, Malavalli, Nagamangala and Srirangapatna. **Circle Inspectors**

The Sub-Inspectors are Station House Officers of the different police stations to which they are assigned. They have to supervise the working of their subordinate staff and have also to look after the drill and maintenance of discipline in addition to investigation of crimes and maintenance of law and order. There are in all 20 Sub-Inspectors of Police and two Assistant Sub-Inspectors in the district. **Sub-Inspectors**

In all, there are 51 head constables and 354 constables in the district.

The armed reserve wing in the district consists of one Armed Reserve Sub-Inspector, three Assistant Reserve Sub-Inspectors, twenty-three head constables and 111 constables. **Armed Reserve**

There are 15 police stations in the district, manned by Sub-Inspectors of Police. The places where the stations are located and the circle to which they are attached are shown below : **Police Stations**

<i>Name of police station</i>	<i>Circle to which attached</i>
1. Mandya Town	.. Mandya
2. Mandya Rural	
3. Basaral	
1. Malavalli	.. Malavalli
2. Maddur	
3. Belakavadi	
4. Koppa	
1. Nagamangala	.. Nagamangala
2. Bellur	
3. Krishnarajpet	
4. Kikkeri	
1. Srirangapatna	.. Srirangapatna
2. Pandavapura	
3. Arakere	
4. Krishnarajasagar	

These police stations are inspected by the Superintendent of Police once a year. The Deputy Superintendent of Police is

also required to inspect all the police stations in his jurisdiction annually. The Circle Inspectors also inspect police stations located in their circles twice a year.

**Police  
Lock-ups**

There are, in the district, 15 police lock-ups for men and 15 for women in the police stations. There are no special police lock-ups in the district.

The total expenditure incurred by the district police establishment for the year 1965 was Rs. 8,19,323.

**Welfare of  
Police**

The police officers and men have been provided with housing facilities. There is a District Police Benevolent Fund, which extends financial aid to policemen in cases of illness and death and also for the education of their children. Other facilities such as medical aid, supply of provisions at fair prices, recreation facilities are also being provided.

The relationship between the police and the public at large has been uniformly good ; efforts are being made to educate the people about the important and useful part played by the police in the welfare of the people and the need to co-operate with them fully.

**Jails and  
Lock-ups**

There is a District Lock-up located at the district headquarters town and a Taluk Lock-up at Srirangapatna, which is a new one. The District Lock-up was started after formation of the Mandya district in 1939. Prior to that, convicts were being lodged in the Mysore Jail. This District Lock-up is located two and a half miles away from the heart of the town and is managed by a District Lock-up Officer, who takes orders from the Inspector-General of Prisons. The administration of these two lock-ups is conducted according to the provisions of the Mysore Lock-up and Jail Manuals. The Taluk Lock-up at Srirangapatna is managed by a Lock-up Officer who works under the Deputy Commissioner of the district and the Inspector-General of Prisons.

The capacity of the District Lock-up is not much and there is accommodation for only 38 prisoners. There are seven cells out of which one is reserved for women convicts. The Srirangapatna Lock-up has accommodation for 15 prisoners. During 1964, 29 persons were lodged in the District Lock-up, all under the 'C' classification. No woman convict was lodged in the District Lock-up during the year 1964. During the three years, 1962, 1963 and 1964, a total number of 1,134 under-trial prisoners had been lodged in the Mandya District Lock-up.

Only short-term convicts are lodged in these lock-ups. Long-term convicts are sent to Mysore or Bangalore as per the directions of the Inspector-General of Prisons.

The prisoners are engaged mainly in agricultural work. They are given facilities to grow food-grains in the fields attached to the lock-ups. The prisoners are given two meals a day, at 10.30 A.M. and again at 5.30 P.M. They are given rice, ragi balls, *sambhar* and butter-milk. Non-vegetarians are given meat once a week. The men convicts are given knicker, *jubba*, towel and a cap, while the women convicts are provided with cotton saree and bodice. Only indoor games are provided in these lock-ups.

The prisoners are given the facility of interviews with their relatives. They are supplied with daily newspapers. There is also a prayer hall for religious observances. A board of visitors has been appointed by the Government for each of these lock-ups to suggest ways and means to promote the welfare of the prisoners. In recent years, several prison reforms have been introduced and the prisoners are provided with many amenities which go a long way in making them useful citizens after their release.

The total expenditure of the two lock-ups for the year 1964 was Rs. 18,391.

#### ADMINISTRATION OF JUSTICE

The principles contained in the Hindu Law and the ancient **Early History** traditions that were formed on the basis of accepted ethical doctrines, governed the administration of justice in the early days. Under the old Hindu monarchs, the administration of justice was ultimately in the hands of the sovereign himself. He sat at regular intervals to dispense justice and punish the offenders. At the time when Srirangapatna fell to the British and the Raja's rule was restored, there was no separate department for the administration of justice. Dewan-Regent Purnaiya continued the *Kazis* in principal towns. But the authority of the *Kazis* was restricted to the adjustment of ecclesiastical matters among the Muslims. Dispensation of justice among the Hindu subjects was according to ancient precedents. In the absence of such precedents, the doctrines as laid down in the *Shastras* determined the issue. The Amildars of taluks disposed of all cases of complaints of a minor nature. Subedars, who were posted in important divisions, heard important cases of a civil as well as criminal nature. On the arrest of persons criminally involved, the Subedar or the Amildar ordered a panchayat or a commission of five persons to be assembled in an open *cutchery* to hear the complaint. Assessors were taken from among persons of known respectability to give their findings. The accused person had the

right of defence. The proceedings of this commission or the panchayat were later forwarded to the Dewan with a special report of the Subedar or the Amildar. The Dewan usually upheld the findings of the commission, but in cases of doubt or want of testimony, he deferred a decision and in such cases, the Dewan usually sat for the final hearing and pronounced decisions in consultation with the British Resident.

#### **Purnaiya's reforms**

The procedure adopted in dispensation of civil justice was in no way different from that of criminal justice. The Amildar had the power of hearing and determining, in open court, all cases of disputed property not exceeding the value of five *pagodas*. Causes of a higher amount were heard and finalised by a panchayat. In cases of doubt and difficulty, the proceedings were forwarded with the observations of the Subedar or the Amildar to the Dewan, who gave a final verdict. In proceedings of a civil nature also, the contending parties had a right of appeal to the Dewan. The Dewan often toured in the districts and this facilitated the exercise of the right of appeal. At a later date, *i.e.*, in 1805, Dewan Purnaiya proposed to have a separate department of justice and accordingly, he sent up proposals to the British authorities for necessary sanction. His suggestions found favour with the British and an *Adalat* (court) was established, consisting of two *Bakshis* as judges, two *Sheristedars* and six persons of known respectability forming a standing panchayat. This standing panchayat conducted the hearing *viva-voce* before the presiding judge or judges. The plaintiff and the defendant appeared in person. Examination of witnesses was conducted and documents filed as exhibits. The practice of recording the written statements and counter-statements had not been then introduced. In the taluks, the contending parties named a panchayat themselves and agreed to abide by their decision.

#### **After 1831**

This mode of judicial administration continued till 1831, when the British Commission was set up to govern the territories of Mysore. The Commission found the administration of justice inadequate to the needs of the State and on 27th October 1834 established courts of justice with rules for their guidance. The courts of original jurisdiction then established were the Amils' Courts and the Town Munsiffs' Courts. The Principal Sadar Munsiff's Court and the courts of the European Superintendents were the courts of appeal. The *Huzur Adalat* and the Commissioner's Court were the final courts of appeal. The panchayat system of administering justice continued to prevail during the period. In all courts of Superintendents, Munsiffs and Amils, lists of persons were kept from which the panchayats were formed. When a suit was filed, five persons from the list of *panchayatdars* were chosen to determine the case. Each panchayat sat in open court and heard the proceedings and recorded its opinion. The Amildars had powers to decide, without a record, all claims not

exceeding Rs. 20. Suits exceeding Rs. 20 but not exceeding Rs. 100 were recorded and determined by the Amildars. All suits not exceeding Rs. 500 were determined by the Amildar with the assistance of the panchayat.

The Ashtagram Division of Mysore, of which Mandya was a part, had two Principal Sadar Munsiffs. These Munsiffs decided all original suits above Rs. 100 and not exceeding Rs. 1,000. They also determined all suits in appeal from the Amils. All original suits involving property in value above Rs. 1,000 were decided by the Superintendents, who had also authority to investigate all appeals from the lower courts of their divisions. Under the Commissioner's orders, the Superintendents exercised control over the Munsiffs and all subordinate judicial authorities within the limits of their divisions. The *Huzur Adalat* was a court attached to the Commissioner's office and had three judges on it. This was an appellate court giving decisions on all appeals from the subordinate courts. The Commissioner heard all appeals from the decisions of the Superintendents and of the *Huzur Adalat*. No original suits were filed in the Commissioner's Court.

During the period 1858-62, there was a separate Judicial Commissioner who took off the judicial load from the Commissioner. **Further changes** Consequent on the reorganisation of the judiciary in 1862-63, the Assistants to Superintendents of Divisions were called Deputy Superintendents. These officers were empowered to decide all civil suits of unlimited value as also appeals. Codes were later introduced, making the judicial functions as statutory as possible. Under the revised set-up, the *Huzur Adalat* and the Munsiffs' Courts were abolished. Then the judicial hierarchy consisted of the Judicial Commissioner, the Superintendents of Divisions, Deputy Superintendents of districts, Judges of the Small Causes Courts, Assistant Superintendents and Amildars of taluks. During the period 1863-81, Judicial Assistants were appointed relieving the Assistant Superintendents of judicial work. In 1874-75, Amildars of taluks were relieved of all civil judicial work. Munsiffs were again appointed to determine civil suits. The civil powers of the Deputy Commissioners were gradually abolished and in 1879, they ceased to have any civil jurisdiction. Instead, District Courts presided over by District Judges were formed. They had unlimited original pecuniary jurisdiction and also heard and finalised all appeals from subordinate judges. Later, the posts of Judicial Assistants were abolished and Subordinate Judges were appointed in their places. In May 1884, a Chief Court of three judges was constituted, the Chief Judge being the head of the Judicial Department. The Chief Court was the highest court of appeal, reference and revision.

As regards criminal justice, prior to reorganisation of the judiciary, the Amildars of taluks, the Munsiffs, the Principal Sadar **Introduction of Cr. P.C.**

Munsiff, the Superintendents, the *Huzur Adalat* and the Commissioner exercised authority in consonance with a memorandum of instructions. During the period 1856-62, the Judicial Commissioner, the Superintendents of Divisions, the Deputy Superintendents of districts, Assistant Superintendents and Amildars of taluks exercised criminal jurisdiction also. The Superintendents of Divisions were vested with the powers of Sessions Judges. The Judicial Commissioner exercised the powers of a *Sadar* Court in determining criminal matters. In 1872, the Criminal Procedure Code (Act X of 1872) was introduced in Mysore. In 1880, the Munsiffs were made *ex-officio* Taluk Magistrates. At the time of the rendition in March 1881, the administration of criminal justice was in the hands of the Chief Judge, his court exercising the powers of a High Court as described in the Criminal Procedure Code. There were Sessions and Assistant Sessions Judges, District Magistrates, First Class Magistrates, Second Class Magistrates and Third Class Magistrates. In Mysore district, of which Mandya was a part, there was a Sessions Court presided over by a Sessions Judge to try criminal cases. This court exercised jurisdiction over the districts of Mysore and Hassan. On two occasions, *i.e.*, in 1892-93 and 1912-13, an additional Sessions Court was established at Mysore. As an experiment in the direction of separation of the executive functions from the judicial functions, Amildars were relieved of their magisterial duties in 1907, and instead, the Munsiffs exercised criminal jurisdiction. In all districts, there were honorary Bench Magistrates to try petty cases.

**Later  
position**

Before a separate Mandya district was formed in 1939, the District Judge at Mysore was the highest judicial authority in the area. For civil purposes, there were Munsiffs' Courts at Srirangapatna and Mandya. The Munsiff's Court at Srirangapatna exercised jurisdiction over Srirangapatna taluk (excluding the portion south of the Cauvery river, over which the Second Munsiff at Mysore had jurisdiction), Krishnarajpet taluk and Bannur hobli of T. Narasipur taluk. The Munsiff at Mandya exercised jurisdiction over the taluks of Nagamangala, Mandya, Malavalli and Maddur. The Subordinate Judge at Mysore exercised original jurisdiction over the area comprising the present Mandya district in respect of civil suits and proceedings of the value exceeding Rs. 2,500 but not exceeding Rs. 10,000 and he had also jurisdiction under Special Acts. He was also disposing of such of the appeals over the decisions of the Munsiffs' Courts, as were transferred from the District Court, Mysore, to his court. The District Court, Mysore, had unlimited original jurisdiction and it had also appellate jurisdiction on the civil side, apart from its powers under Special Acts.

As regards criminal justice, the Sessions Judge at Mysore was disposing of all criminal cases committed to him by the Magistrates. The Deputy Commissioner, Mysore district, being the chief executive officer of the district, was also its District Magistrate. He supervised and controlled the work of all other subordinate Magistrates. He also exercised appellate powers. Immediately before the formation of a separate Mandya district, the Special First Class Magistrate's Court at Mandya was exercising jurisdiction over Mandya, Malavalli and Maddur taluks, while the Special First Class Magistrate's Court at the French Rocks was exercising jurisdiction over Nagamangala and Krishnarajpet taluks.

As regards the Srirangapatna taluk, the Special First Class Magistrate's Court at Mysore exercised jurisdiction in respect of all first class cases and the Special First Class Magistrate's Court at the French Rocks exercised jurisdiction in respect of second and third class cases.

Even after the formation of a separate Mandya district in 1939, the District Court at Mysore continued to exercise jurisdiction over the Mandya district. As subordinate to this court, a Sub-Judge's Court was established at Mandya to exercise jurisdiction over the entire Mandya district. By the Mysore Act 23 of 1955, which came into force from 1st June 1956, the Subordinate Judge's Court at Mandya was converted into a Court of Civil Judge having a pecuniary jurisdiction upto Rs. 20,000. Under the same Act, the pecuniary jurisdiction of the Munsiffs' Courts at Mandya and Srirangapatna was raised from Rs. 2,500 to Rs. 3,000.

The Civil Judge became the appellate authority in cases decided by the Munsiffs on the civil side. Appeals from the decrees and orders passed by the Civil Judge in original suits and proceedings lay to the High Court of Mysore except when the amount or value of the original suit or proceeding did not exceed Rs. 10,000, in which case the appeals lay to the District Court. Simultaneously, on the criminal side, the scheme of separation of judiciary from the executive was introduced and the Civil Judge, Mandya, was appointed as the Judicial District Magistrate for the Mandya district having control over the subordinate Magistrates' Courts in the district.

Under the provisions of the Code of Criminal Procedure (Mysore Amendment), 1965, which came into force from 1st October 1965, the Judicial District Magistrate's post was abolished and the control over the Magistrates' Courts, which were specially designated as Courts of Judicial Magistrates, was transferred from the District Magistrates to the Sessions Judges. On 1st November 1965, a District and Sessions Court was established

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at Mandya to exercise jurisdiction over the entire Mandya district on both civil and criminal sides. The District and Sessions Judge, Mandya, is now the highest judicial authority in the Mandya district.

**District Court** The District Court entertains and hears appeals from the decrees and orders passed by the Civil Judge on the original side, where the value of the subject matter does not exceed Rs. 20,000. The District Judge entertains and tries civil cases under some special enactments also. The District Judge is also the controlling officer on the administrative side of the judiciary in the entire district. He has to inspect the subordinate courts periodically. The District Judges are appointed by the Governor of the State in consultation with the High Court.

**Civil Judge's Court** According to the Mysore Civil Courts Act, 1964, which came into force from 1st July 1964, the pecuniary jurisdiction of the Munsiffs' courts was raised to Rs. 10,000 and the Civil Judge was invested with unlimited pecuniary jurisdiction. The Court of the Civil Judge is the appellate court for the decisions given by the Munsiffs under the 1964 Act. Under the Act, appeals from the decrees and orders passed by the Civil Judge in original suits and proceedings of a value less than Rs. 20,000, lie to the District Court and appeals in other cases lie to the High Court of Mysore. Even though under the Civil Courts Act of 1964, the District Court is the Principal Civil Court of original jurisdiction in the district, as the Civil Judge has also got concurrent and unlimited pecuniary jurisdiction, all original suits and proceedings of a civil nature above the value of Rs. 10,000 are being filed in the Civil Judge's Court. The Civil Judges are appointed by promotion from the cadre of Munsiffs. The Civil Judge's Court is invested with jurisdiction to hear cases under the Land Acquisition Act, Guardian and Wards Act and the Hindu Marriage Act also. In the Mandya Civil Judge's Court, 108 suits were instituted during the year 1965-66.

**Munsiff's Court, Mandya** The Munsiff's Court at Mandya exercises jurisdiction over the taluks of Nagamangala, Mandya, Malavalli and Maddur. During the year 1965-66, 1,695 original suits were instituted in this court. Of these suits and those that were pending, 1,908 suits were disposed of during the year. In the same year, 82 small cause suits were instituted and out of these suits and those already pending, 103 suits were disposed of. The receipts for the year 1965-66 were Rs. 1,03,440, mainly in the form of court fee, and the expenditure was Rs. 97,785.

**Munsiff's Court, Srirangapatna** The Munsiff's Court at Srirangapatna exercises jurisdiction over the taluks of Srirangapatna, Krishnarajpet and Pandavapura. At the beginning of the year 1965-66, 466 original suits were pending and 882 suits were instituted during the year in this court. Of

these, a total of 830 suits was disposed of during the year. Eight small cause suits were pending at the beginning of the year and during the year, 32 small cause suits were instituted. Of these, 29 suits were disposed of during that year. The receipts of the court for the official year 1965-66 were Rs. 37,992, mainly in the form of court fee, and the expenditure for the same period came to Rs. 64,231.

The Munsiffs' courts entertain and try original suits upto the value of Rs. 10,000. Cases under the Land Reforms Act are also filed in this court.

The Munsiffs are appointed by the Governor of the State in accordance with the Munsiffs' Recruitment Rules after consultation with the State Public Service Commission and the High Court of Mysore.

Till 1st June 1956, the administration and control of the Criminal Magistrates' courts in the district were vested in the District Justice Magistrate, who was also the Deputy Commissioner of the district. The Sessions Judge was inspecting these courts as a nominee of the High Court. With effect from 1st June 1956, the judicial functions were separated from the executive and the Magistrates' courts in the district came under the control of a Judicial District Magistrate. The functions of Judicial Magistrates and Executive Magistrates were separately shown in a schedule attached to the Government Order dated 29th May 1956, by which the scheme of separation of the judiciary from the executive was introduced. The allocation of powers between the Judicial and the Executive Magistrates proceeded upon the principle that matters which are purely police or administrative in their nature, should be dealt with by the Executive Magistrates, while those which are judicial in nature should come within the purview of the Judicial Magistrates.

The scheme of separation of the judiciary from the executive, when it was first introduced in 1956, was designed within the framework of the Criminal Procedure Code, and it was an arrangement whereby all the functions of a Magistrate were divided between two sets of Magistrates, viz., Judicial and Executive Magistrates. The Judicial Magistrates were entrusted with purely judicial functions and executive functions were entrusted to the Additional District Magistrate (Deputy Commissioner) and the Executive Magistrates, who were revenue officers subordinate to him. Later on, the scheme of separation of judiciary from the executive was incorporated in the Criminal Procedure Code itself. Under the present Criminal Procedure Code, as made applicable to Mysore State, there is no separate Judicial District Magistrate.

The functions of the Judicial District Magistrate are now vested in the Sessions Judge himself.

**Sessions  
Court**

Before the present District and Sessions Court was established at Mandya, the Sessions Court at Mysore had jurisdiction over the Mandya district also. The Sessions Judge at Mysore used to try the sessions cases relating to Mandya district at his Mandya camp. Now there is a separate Sessions Judge for Mandya district, who tries all sessions cases and hears all criminal appeals and revision cases arising in the Mandya district.

**Court of Civil  
Judge and  
First Class  
Magistrate**

When the Civil Judge's Court was established in Mandya on 1st June 1956, the Civil Judge was also appointed as First Class Magistrate and District Magistrate. He was trying first class cases arising in the taluks of Mandya, Malavalli and Maddur. The Second Magistrate, Mandya, was trying second class and third class cases arising in these taluks. Later on, the Second Magistrate's Court was upgraded to that of a First Class Magistrate to try all the first class cases of the above areas. After the Second Magistrate's Court at Mandya was upgraded to that of First Class Magistrate's Court, the District Magistrate, in his capacity as First Class Magistrate, tried only criminal cases under special enactments. After the introduction of the Code of the Criminal Procedure (Mysore Amendment), 1965, from 1st October 1965, the Civil Judge continues to be the First Class Magistrate trying cases under the special enactments. But he has ceased to be the Judicial District Magistrate.

**First Class  
Magistrate's  
Court,  
Mandya**

Formerly, the First Class Magistrate's Court at Mandya was the Court of Second Magistrate, as already stated. This was upgraded to that of a First Class Magistrate and it is trying all criminal cases under the I.P.C. and other laws arising in the taluks of Mandya, Malavalli and Maddur and certain cases under the special enactments, while the other cases under Special Acts continue to be tried by the Civil Judge and First Class Magistrate, Mandya.

During the year 1965-66, there were, in all, 1,843 criminal cases and 116 criminal miscellaneous cases pending for disposal and out of these, 1,521 criminal cases and 109 criminal miscellaneous cases were disposed of and 13 criminal cases were transferred to other courts; 309 criminal cases and seven criminal miscellaneous cases were pending disposal at the end of the year. During the year 1965-66, the receipts of the court were Rs. 30,662 and the expenditure Rs. 28,494.

The Court of First Class Magistrate at Srirangapatna tries all criminal cases arising in the taluks of Srirangapatna, Pandavapura, Nagamangala and Krishnarajpet. During 1965-66, there were 1,977 criminal cases and 72 criminal miscellaneous cases pending for disposal in this court. Out of these, 1,734 criminal cases and 38 criminal miscellaneous cases were disposed of during the year, and at the end of the year, 243 criminal cases and 12 criminal miscellaneous cases were pending disposal. During the year 1965-66, the receipts of the court were Rs. 36,262 and the expenditure was Rs. 23,048.

**First Class  
Magistrate's  
Court,  
Sriranga-  
patna**

There were two Bar Associations in the district in 1966, located at Mandya and Srirangapatna. In all, there were about 80 legal practitioners in the district during that year.

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