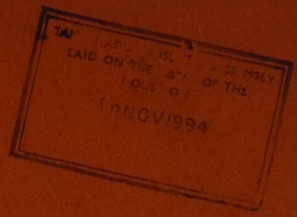
SECRET





REPORT OF THE ENQUIRY CONDUCTED BY THE COMMISSION OF INQUIRY TO INQUIRE INTO THE GROUP CLASH BETWEEN SENGUNTHARS AND ADI DRAVIDARS AT POONUR VILLAGE, VANDAVASI TALUK, TIRUVANNAMALAI-SAMBUVARAYAR DISTRICT ON 8TH NOVEMBER 1992

PRESENT :

THIRU K. E. VARADHAN,

Judicial Member, R.C.T. and District Judge (Grade I) retired.


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

STATEMENT SHOWING THE REASONS FOR THE DELAY IN PLACING THE REPORT OF THIRU K. E. VARADHAN COMMISSION OF INQUIRY ON THE TABLE OF THE HOUSE.

The report of THIRU K. E. VARADHAN COMMISSION OF INQUIRY which enquired into the group clash that took place at Ponnur village, Vandavasi taluk, Tiruvannamalai-Sambuvarayar district on 8th November 1992 between Sengunthars and Adi-Dravidars communities, was received by the Government on 8th January 1994. It could not be placed on the Table of the Tamil Nadu Legislative Assembly before the expiry of the six months period on 7th July 1994 due to administrative reasons.

N. HARIBHASKAR,
Chief Secretary.

TRUTH ALONE TRIUMPHS


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMILNADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

REPORT OF THIRU K. E. VARADHAN COMMISSION OF INQUIRY TO INQUIRE INTO THE GROUP CLASH BETWEEN SENGUNTHARS AND ADI-DRAVIDARS AT PONNUR VILLAGE, VANDAVASI TALUK, TIRUVANNAMALAI-SAMBUVARAYAR DISTRICT ON 8TH NOVEMBER 1992.

GOVERNMENT OF TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

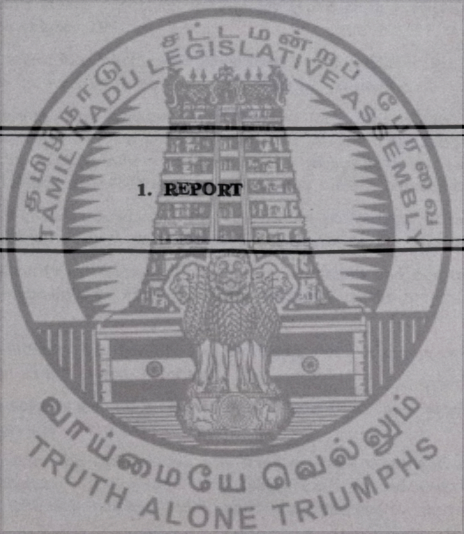

தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
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TAMIL NADU LEGISLATIVE ASSEMBLY
TRUTH ALONE TRIUMPHS


தமிழ்நாடு சட்டமன்றப் பேரவை
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TAMIL NADU LEGISLATIVE ASSEMBLY
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1. REPORT


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
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1. REPORT.

In and by G.O. Ms. No. 1397, Public (Law and Order-B) Department, dated 9th December 1992 and published in the *Gazette* extraordinary of even date (Annexure–I), the Government of Tamil Nadu, constituted this Commission of Inquiry, presided over by me, to inquire into the incident that took place at Ponnur village, Vandavasi taluk, Tiruvannamalai-Sambuvarayar district on 8th November 1992, relating to the matter of a long standing dispute, over the possession and enjoyment of property in Ponnur village, between the Sengunthars and Adi-Dravidars communities. The terms of reference, which in particular, laid emphasis, on the part played by the police, in connection with the said incident, are the following :—

(i) to inquire into the cause and the circumstances leading to communal tension and group clash between the Sengunthars and Adi-Dravidars communities at Ponnur village, Vandavasi taluk, Tiruvannamalai-Sambuvarayar district, relating to the matter of a long-standing dispute over the possession and enjoyment of a property in Ponnur village which led to a major group clash between these two groups on 8th November 1992 ;

(ii) to inquire into whether the force used by the police on 8th November 1992 to disperse the warring groups was minimum or excessive ;

(iii) to inquire into whether there is *prima facie* case against the police that they had assaulted the Adi-Dravidar people in a systematic manner at the instigation of group of Sengunthar community and whether the police had damaged the property belonging to Adi-Dravidars extensively, on 8th November 1992 ;

(iv) to inquire into whether the said police action was warranted and whether there was any excess on the part of the police in the said incidents ;

(v) to identify the person or persons both officials and non-officials who could be held responsible for causing extensive damage to the properties of Adi-Dravidars ;

(vi) to indicate whether the Adi-Dravidars deserve compensation to the property damage and personal sufferings ; and

(vii) to suggest general measures to maintain peace and harmony among the communal groups in the area in future.

Initially, the term of the Commission was fixed at three months, from the date of gazette notification, but the same was subsequently extended up to thirteen months ending with 8th January 1994, under relevant gazette notifications.

2. Before adverting to a detailed discussion, on the various terms referred, it is necessary, to state certain broad facts attendant with the inquiry. At the outset of the enquiry, besides a general notice, published in the leading dailies, both English and vernacular, notifying the constitution of this Commission and calling for affidavits from interested persons, pertaining to their personal knowledge, about the facts relating to the scope and the purport of the Commission, as envisaged in the terms of reference, it was also published, in and around Ponnur village, about the proposed local inspection by me on 24th February 1993. During such inspection on the said date, the District Collector, Sub-Collector, Cheyyar, Police officials having jurisdiction over the village and representatives of the various communities living in the village, were present. My report on the said local inspection is appended as Annexure–II. Responding to

the public notice, as many as 211 affidavits were received in the Commission office. Excluding the affidavits of those who have been examined as witnesses during this enquiry, the rest (168) were received in evidence and marked as exhibits. During the open enquiry that followed, and participated in, by Thiru S. R. Veeraraghavan, Advocate, Tiruvannamalai, the Standing Counsel to the Commission, Thiru R. Ravi, Advocate, Chengalpattu, Thiru E. S. Jose, Advocate, Vandavasi, the Counsels for Adi-Dravidars of Ponnur, Thiru N. Viswanathan, Advocate, Tiruvannamalai, the Counsel for Sengunthars of Ponnur, Thiru N. Seshadri, Assistant Public Prosecutor (Grade-I), Tiruvannamalai and Thiru G. Rajan Babu, Assistant Public Prosecutor, Salem, the Counsels for the police personnel, 53 witnesses were examined, besides receiving in evidence, 367 documents and a broken wrist watch and X-ray photos as two material objects. The break-up details of witnesses examined and the affidavits are the following : While witnesses Nos. 1 to 19 were tendered by Adi-Dravidars, witness No. 20 by the Sengunthar Mudaliar and witnesses Nos. 27, 29, 31, 34 to 41 and 43 to 52 by police, amongst the rest of the witnesses, Nos. 21 to 26, 28, 30, 32, 33 and 42 are Doctors, who had examined the injured persons and recorded the Accident Register entries and witness No. 53 is Judicial Magistrate II, Cheyyar, who had remanded the accused persons to judicial custody. Of the affidavits received in evidence Exhibits A-131 to A-253 and A-286 have been filed by Adi-Dravidars, Exhibits A-254 to A-279 and A-287 by Sengunta Mudaliars, Exhibits A-280, A-281, A-284, A-285, A-289 to A-291 by Vanniars, Exhibit A-292 by an Asari, Exhibit A-282 by a member of Peoples Union for Civil Liberties, tendering in evidence the report Exhibit A-14 of their fact finding team, Exhibit A-294 by a photographer, who took photos of the scene of occurrence, Exhibits A-293, A-295 and A-297, by the reporters respectively of Dinamani, Daily Thanthi and Dinamalar, Exhibit A-296 by the organiser of Tamil Nadu Youth Forum, and Exhibit A-298 by the General Secretary of Tamil Nadu Forward Block Youth Wing. The two letters Exhibits A-283 and A-288 have been inadvertently received in evidence, wrongly assuming them to be affidavits and hence are excluded from consideration. The Counsels were also afforded opportunity, to make oral representations and file written arguments as it suited them.

Clause I in the reference.

3. Taking up for discussion, the cause and the circumstances, leading to the communal tension, in Ponnur village, the materials made available during the enquiry, bear out the following relevant facts. Ponnur village, situated about ten kilometres from Vandavasi Town, is a small one, having a population of about 7,402 people, of whom 2,950 belong to Adi-Dravidar community, while the rest, namely, 4,452, belong to the communities like Sengunta Mudaliars (who are in majority numbering more than the Adi-Dravidars), Vanniars, Yadavas and Jains. While a substantial number of persons belonging to Sengunthar community engaged themselves in weaving handloom cloth, most of the Adi-Dravidars eked their livelihood, as agricultural labourers. As manifested in the village plan Exhibit A-354, all the Adi-Dravisars reside in a colony, located at the entrance to the village from the east, while the caste Hindus reside adjacently west of the colony, in a north-south elongation. Further west there exists a tamarind thope, locally known as "Dharma Thope" or "Pavu Thope", comprised in Survey No. 331/1, having an area of 1·62 hectares and located amidst the Sengunthar habitation. It must also be stated, that Sri Droupathi Amman Temple, is situated in the middle of Survey No. 331/1, and

the said temple premises is demarcated and separately numbered as Survey No. 332. The indisputable fact remains, that while the Inam Fair Register extract Exhibit A-367, describes this thope in Survey No. 331/1 as "Dharmadayam" under T.D. No. 547, the patta-*cum*-adangal extract (Exhibit A-13) shows, that this thope is registered in the names of Sri Soundarya Varadharaja Perumal and Sri Thirukkameswarar Temples in Ponnur village. Adjacently east of Survey No. 331/1 lies an undemarcated contiguous portion, bearing Survey No. 334/1-A. It is not in dispute that this Survey No. 334/1-A stands registered in the village records (Exhibit A-13) as "Battai Poramboke" containing Kalam. Further east of Survey No. 334/1-A lies the north-south road leading to Dessur. It is in evidence that both the aforesaid Battai Poramboke and Pavu Thope, are easily accessible from the Adi-Dravidars colony, on the east, through various by-lanes, running between the houses of Sengunthars, on the eastern flank of Dessur Road. It must also be stated, that Ponnur village lies within the jurisdiction of the Vandavasi Police Station.

4. The main dispute, as it transpires from the terms of reference, is stated to be, between the Sengunthars and Adi-Dravidars, regarding the enjoyment of Pavu Thope, the former claiming exclusive possession and enjoyment thereof, for their pre-weaving operations (laying of pavu) and the latter, while conceding the claim of the Sengunthars, to carry on such pre-weaving operation in the Thope in the early part of the morning hours, i.e., between 5-00 and 8-00 a.m., have claimed, that for a long time past, they have been conducting, in the said Pavu Thope, their traditional festivals, attendant with Therukoothu, cultural programmes and meetings, on certain specified occasions, numbering three or four, in a year and that too during night times between 10-00 p.m. and 4-00 a.m., causing no inconvenience to Sengunthars, in their pavu laying activity in the Thope. Yet, another latent dispute, that surfaced during the enquiry, relates to the claim of the Sengunthars, that the pre-weaving operation carried on by them is not only in Survey No. 331/1, but also extended into the Battai Poramboke bearing Survey No. 334/1-A, excluding the Kalam portion alone therein and that by long possession and enjoyment of the said Thope, they have acquired prescriptive title thereto, in negation of the title of the Perumal and Eswar Temples, mentioned earlier, as claimed by them in their latest suit O.S. No. 30 of 1993 (Exhibit A-346 plaint copy) Sub-Court, Arani, laid during the pendency of this inquiry proceeding, and in which they have also obtained on 11th February 1993, ad-interim injunction (Exhibit A-12 certified copies of affidavit, petition and order) restraining the fit person, in management of the two temples, from interfering with their possession and enjoyment of the subject Thope. On the contrary the Adi-Dravidars have sought to confine and limit the claim of the Sengunthars to carry on pre-weaving operation only within Survey No. 331/1. The fact however remains, that in most of the proceedings in Civil Court (more fully adverted to hereunder) initiated by the Sengunthars, they had unequivocally described the subject matter of dispute, namely Pavu Thope as comprised in Survey No. 331/1 alone, having an extent of 1·62 hectares, even-though, while describing the same in terms of boundaries, they purported to include portions of Survey No. 334/1-A Battai Poramboke, by reason of the description of the eastern boundary as Dessur road. With these reference to the parameters of the dispute under consideration, I shall proceed to discuss the evidence adduced in the proceeding.

5. Leaving out of consideration, for the present, the negligible oral evidence, of the witnesses examined, to substantiate the earlier detailed conflicting claims of the Adi-Dravidars and Sengunthars regarding the possession and enjoyment of Pavu Thope, I shall first advert to a discussion on certain relevant facts, disclosed by the documents (Exhibits A-3 to A-5, A-12, A-345, A-346, A-351 to A-353 and A-360 to A-363) made available, and which represent certified or authenticated copies of prior proceedings before various forums, like Civil Courts, Magisterial Court and the statutory body Hindu Religious and Charitable Endowments. A perusal and consideration of some of the documents aforesaid, bear out, a long-time dispute spread over several decades past, between the members of the Sengunthar community on the one hand and the members of the other Hindu communities on the other, in regard to the possession and enjoyment of subject Pavu Thope. In almost all the proceedings pertaining to Pavu Thope, some of the then members of the Sengunthar community, have been co-nominee parties. In the circumstances, it is legitimate to presume, that the Sengunthars of the village, are having custody of authentic records relating to the said proceedings. Indeed some of the more relevant records had been tendered in evidence, as exhibits in the proceedings borne out by the documents produced herein, making it obvious, that the said documents, have been discreetly withheld herein, lest their production, should jeopardise or impair their claim for exclusive ownership (title) possession and enjoyment of "Pavu Thope" as now put forth in their latest suit O.S. No. 30 of 1993 filed in the Sub-Court, Arani, adverted to supra. It is idle to expect or call upon the Adi-Dravidars, in the context of their impecunious circumstances to investigate into the prior court proceedings (in which they were not parties) pertaining to Pavu Thope and to cause production of relevant documents, to be considered in this proceeding. Though for some undisclosed reasons, the residents of Ponnur village, belonging to Vanniar and Yadava communities, have now chosen to remain in the background (except for filing few affidavits) during the progress of this enquiry, ostensibly making it appear, that the Senguntha Mudaliars and Adi-Dravidars residing in the village, are alone at loggerheads and in confrontation, in regard to the possession and enjoyment of Pavu Thope, yet the earlier documents as discussed hereunder, bring out a different story.

6. The earliest document produced is Exhibit A-5, an order, dated 9th July 1955 in Miscellaneous Case No. 1 of 1955 in the Court of Ex-officio First Class Magistrate and Revenue Divisional Officer, Tiruvannamalai. The proceedings in Exhibit A-5 as disclosed by the contents thereof, arose in the following circumstances. Till 1948, Survey No. 331/1 was registered in the Government account ,, கோவில் தரும தோப்பு பாதுகாப்புக்காக தற்கால தருமகர்த்தா'' and that on an application made by two then leaders of the Sengunthar community, the Tahsildar by an order on 7th September 1948 (filed as Exhibit P-8 in M.C. No. 1/1955) added the names of Vedachala Mudaliar and Appavu Mudaliar after the word '' தருமகர்த்தா '' in the village accounts. The attempt of the other community people, to have the order of the Tahsildar set aside, by filing a suit in O.S. No. 671 of 1948 on the file of the Munsiff Court, Arani, failed by reason of the dismissal of the said suit, as confirmed on appeal, in C.M.A. No. 48 of 1953 on the file of the District Court, Vellore (the judgement copies of O.S. No. 671 of 1948, dated 19th September 1952 and C.M.A. No. 48 of 1953, dated 27th March 1954 were filed as Exhibits P-5 and P-6 respectively in Exhibit A-5 proceedings). Thereupon Vanniar and Yadavas, precipitated a riotous situation, by physically entering into the Pavu Thope on 17th December 1954 and digging pits to plant trees, despite the

objection and resistance by the Sengunthars, and the advice of the village officials. It was under such circumstances, some ten persons, as representing the Sengunthar community, filed the above proceedings in Miscellaneous Case No. 1 of 1955 under section 145 of the Code of Criminal Procedure, seeking to restrain eleven named persons, belonging to other communities, from interfering with and disturbing the Sengunthars, in their possession and enjoyment of Pavu Thope. It is true, that in the final disposal of the said case, an order under section 145 (6) as prayed for by the Sengunthars, resulted. The further facts remain, that the attempt of the said other community people, to have the order in Exhibit A-5, nullified, by filing the suit O.S. No. 79 of 1956 on the file of the District Munsif Court, Arani, failed, as the said suit entailed dismissal, as per judgement Exhibit A-360, dated 19th December 1958, for want of jurisdiction in the Civil Court, to grant the reliefs sought for. Though in the appeal thereagainst in A.S. No. 522 of 1959 on the file of the District Court, Vellore, the matter, as per judgement Exhibit A-361, dated 5th August 1961, was remanded to the Trial Court, for fresh disposal, after setting aside the dismissal of the Original Suit, which remand was also confirmed by the High Court as per order Exhibit A-362, dated 6th December 1963 in A.A.O. No. 272 of 1961, yet, the initially laid suit O.S. No. 79 of 1956, ultimately entailed dismissal, as per the judgement Exhibit A-363, dated 9th March 1964 for non-prosecution, by reasons of the absence of the plaintiffs therein and their counsel, on the date of trial. This apart, the contents of Exhibit A-5 order unfailingly bear out, that a certified copy of the judgement, dated 30th August 1918 in O.S. No. 369 of 1917, District Munsif Court, Arani was filed in the said proceedings as Exhibit D-1, wherein it was held, that all the communities residing in the village were entitled to manage the affairs of Sri Droupathy Amman Temple, which, as mentioned by me at the outset, is situated in the middle of the Pavu Thope in Survey No. 331/1 and separately assigned Survey No. 332. This decision, was in negation of the exclusive claim of management, put forward by the Sengunthars. It would thus, be clear, that from about 1917, there have been litigations between the Sengunthars on the one hand and the other communities' people on the other, with regard to the possession and enjoyment of Pavu Thope. Indeed, I also find, that there had always been an attempt by the adversaries in the various proceedings, to club the management of the temples in the village and the enjoyment of the property thereof, including Pavu Thope, as an inseparable right. It is in this background, the subsequent proceedings evidenced by the documents produced have to be discussed and considered.

7. Purporting to avail, certain observations made in the judgement Exhibit A-361 in A.S. No. 522 of 1959 on the file of the District Court of Vellore referred to earlier, six persons representing Sengunthar Mudaliar community in Ponnur village, filed O.A. No. 37 of 1975 on the file of the Deputy Commissioner for Hindu Religious and Charitable Endowments, Madras, an application under section 64 (1) of Act 22 of 1959, praying for framing of a scheme, in regard to the management of Sri Thirukkameswarar and Soundaryavaradharaja Perumal Temples, Ponnur, with a provision for the appointment of Trustees consisting of persons selected, from among the members of the Sengunthar Mudaliar community, permanently residing at Ponnur village. On a detailed consideration of the materials placed before him, the Deputy Commissioner, dismissed the petition by an order Exhibit A-351, dated 4th September 1976. In support of his said conclusion, the Deputy Commissioner had adverted to the following facts :—

(i) that the witnesses examined by Sengunthars – petitioners before him, had admitted that all the temples in the village, belonged to all the communities and not exclusively to Sengunthars ;

(ii) that the document of the year 1914 produced as Exhibit B-2 (which had already been filed in an earlier Court proceedings in C.C. No. 170 of 1916) before him, represented an agreement entered into by members of all the communities in the village, about the joint management of the Amman temple in the village by all the communities ; and

(iii) that the judgement in O.S. No. 369 of 1917 filed as Exhibit B-3 before him, showed that all the communities were entitled to manage the temples in question (Sri Soundaryavaradharaja Perumal and Sri Thirukkameswarar).

The Deputy Commissioner had also adverted to the fact, that the claim of the petitioners (Sengunthars) before him, was only with reference to the temple and that the main witness examined by the Sengunthars as P.W. 1 before him, shifted his claim to that of Thope alone. The Deputy Commissioner was very emphatic in his conclusion, which he recorded in Exhibit A-351 order as follows :—

"Eventhough there were disputes all these years between Sengunthar community and other community people, it has been established at every stage, that the temple and the properties including the Thope, were under the management of all the communities at large and not exclusively under the Sengunthar community" (underlining by me). There is nothing to show that the Sengunthars had filed any appeal against the order in Exhibit A-351, which should consequently be, held to be conclusive against their claim for management of the temples and their property in the village, including Pavu Thope, which stood registered in the village accounts, in the names of Sri Soundaryavaradharaja Perumal Temple and Thirukkameswarar Temple.

8. As if not enough, the Sengunthars encountered further disadvantage, when they failed to have the appointment of one Yadava Devarajulu Pillai, as one of the Trustees of Sri Thirukkameswarar and Soundaryavaradharaja Perumal Temples, by the Assistant Commissioner, Hindu Religious and Charitable Endowments Department, cancelled, by reason of the dismissal, by an order Exhibit A-352, dated 25th February 1982 of the Revision Petition No. 15 of 1980, filed by them, before the Deputy Commissioner, Hindu Religious and Charitable Endowments, which dismissal was also subsequently confirmed by the Commissioner, by an order Exhibit A-353, dated 5th September 1985 in R.P. No. 22 of 1982 filed before him. With such proceedings, in the appropriate statutory forum, having gone against them by about September 1985, the Sengunthars would appear to have given up, for good, their community's claim, for exclusive trusteeship and management of all the temples in the village and in particular Sri Soundaryavaradharaja Perumal and Sri Thirukkameswarar Temples. Then ensued, further Court proceedings, which were confined to the Sengunthars' claim for possession and enjoyment of Pavu Thope alone.

9. On 11th August 1989, Ponnur weavers (Sengunthar) community, represented by its Secretary, Thiru K. P. Kuppusamy, filed a suit O.S. No. 591 of 1989 (Exhibit A-345 certified copy of the plaint) on the file of the District Munsif Court, Arani, against seven named Adi-Dravidars residing in the colony, alleging attempted disturbance by them on 25th July 1989, to the pre-weaving operations of the Sengunthars in Pavu Thope and seeking the relief of permanent injunction, restraining them from interfering with the peaceful possession and enjoyment of the Pavu Thope by Sengunthars in respect of their weaving operations and activities. In support of such claim, it was asserted in the plaint

Exhibit A-345, that people belonging to Sengunthar community residing in Ponnur village have been, for over a century, as evidenced by ancient documents, in possession and enjoyment of Survey No. 331/1, covering an extent of about 1·62 hectares, for carrying on pre-weaving operations in connection with their professional calling as weavers, and that there was no obstruction in that regard by anyone in the village. Presumably to gain support to their claim of such possession and enjoyment, it was expressly averred at the end of paragraph 5 of plaint Exhibit A-345, as follows :—

"The plaintiff community have also been paying taxes for suit property, in the names of the temples Sri Soundaryavaradharaja Perumal Koil and Sri Thirukkameswarar Koil, Ponnur to which temples the suit property was assigned" (underlining by me). The copy of the written statement filed by the defendants in the said suit not having been made available, it has become necessary, to ascertain and detail the nature of contest raised by the defendants, by a reference to the contents of the judgement Exhibit A-3, dated 27th March 1991 rendered in the said suit, by the learned District Munsif, Arani. According to the defendants, who belonged to Adi-Dravidar community residing in the colony of the village, there was no association of Sengunthars much less a Secretary, for such an association to file the suit as purported to be done, that the suit property belongs to Sri Soundaryavaradharaja Perumal and Sri Thirukkameswarar Temples in the village, that the Sengunthars by use of threat and force, have been carrying on pre-weaving operation in the suit property, that too between 5-00 or 6-00 a.m. and 8-00 a.m. without any inherent or conferred right in that regard and that the Sengunthars have been attempting by illegal means to keep away the other community people in the village, from using the suit property, for their community purposes, including the conduct of festivals and holding meetings. After an elaborate trial, the learned District Munsif, rendered a judgement Exhibit A-3, dated 27th March 1991, upholding the claim of the plaintiffs, before him and granting the relief of permanent injunction prayed for against the defendants. It would be relevant to point out the following significant finding recorded and the terms of the Decree passed by the learned District Munsif :—

"உரிமை கோயிலுக்கு இருந்தாலும் கூட வாதி சமூகத்தினரே தொடர்ந்து பாவுத்தோப்பு தொடர்பாக இந்த தாவா இடத்தினை பயன்படுத்தி வந்திருக்கிற சூழ்நிலையில்.....இறுதியாக தாவா சொத்தில் வாதி சமூகத்தினரின் நெசவுத்தொழில் செய்து வருவதை எதிர்க்கவோ அல்லது அவர்களுடைய ஆட்களோ, உறவினர்களோ எவ்விதத்திலும் தடை செய்யக்கூடாது என எதிர்வாதிகளுக்கு எதிராக நிரந்தர உறுத்துக்கட்டளை செலவுத் தொகையுடன் பிறப்பிக்கப்படுகிறது" (என்னால் அடிக்கோடிடப்பட்டுள்ளது).

Aggrieved by the said judgement and Decree the defendants therein preferred an appeal in A.S. No. 30 of 1991 on the file of the Sub-Court, Arani, which however entailed dismissal on 14th September 1992, as per judgement Exhibit A-4, resulting in the confirmation of the permanent injunction granted by the trial Court. It was orally represented during this enquiry, that a second appeal has been filed in the High Court against the judgement Exhibit A-4 and the same is pending registration (numbering). The fact remains that no authenticated document has been produced to bear out the said claim. Be it, as it may, I shall proceed to advert to other material facts, that preceded the incident on 8th November 1992.

10. The following facts, are broadly borne out, from the evidence of Thiru M. Gopal (witness No. 1), N. Gopal (witness No. 10), the Secretary and President respectively of Ambedkar Mandram of the Adi-Dravidars in the colony, Thiru Loganathan (witness No. 20), the sole witness examined for and on behalf of Sengunthars of the village, Thiru Thiagarajan (witness No. 43) and Vijayakumar (witness No. 47), the then Inspector and the Sub-Inspector respectively of Vandavasi Police Station, having jurisdiction over Ponnur village. On 23rd April 1992 some of the leaders of the colony people, made a written request to the Trustee (fit person) in management of Sri Soundaryavaradharaja Perumal and Sri Thirukkameswarar Temples, for grant of permission to the colony people to conduct a traditional Hindu festival, accompanied by poor feeding and staging of drama on 26th May 1992 night, in Dharma Thope belonging to the said temples. Though the trustee granted the permission sought for, as per his letter Exhibit A-347, dated 24th April 1992, yet the same evening, presumably on the objections raised by the Sengunthars of the village, the trustee referred to the then allegedly pending Civil Court proceedings, and cancelled, in and by his letter Exhibit A-354, the permission earlier granted by him. If only, the trustee had properly applied his mind to the purport and scope of the aforesaid judgements and decrees (Exhibits A-3 and A-4), which had been passed much earlier and which were against six named persons (as contra-distinguished from a case of these named six persons having been sued in their capacity as representing the colony people by availing the provisions of Order 1 Rule 8 of the Code of Civil Procedure) and that too, restraining them from interfering with the pre-weaving operations alone, of the Sengunthars, which generally took place only between 5-00 and 8-00 a.m. in the mornings and the earlier order in O.A. No. 37 of 1975 (Exhibit A-351, dated 4th September 1976) of the Deputy Commissioner, Hindu Religious and Charitable Endowments, holding that the temples and their property including the thope, were under the management of all the communities at large and not exclusively under the Sengunthar community, he would not have cancelled the permission initially granted, as the same, in no way sought to interfere with the pre-weaving operations of the Sengunthars in the Thope. There is no need to be detained about the outcome of such conflicting actions of the trustees, as I find, that no evidence has been adduced to bear out, as to what had happened on 26th May 1992.

11. Again, during the third week of October 1992, a printed notice Exhibit A-342, was issued and circulated by Ambedkar Mandram, Ponnur, announcing the proposed meeting on 25th October 1992 at 6-00 p.m., in the Dharma Thope ground, Ponnur, under the auspices of Boutha Thamma Sangam Branch at Ponnur, to be presided over by one Thiru M. Sundararasanar, President of its Central organisation and to be addressed, among others, by some of the residents of Ponnur colony. The representatives of the colony people, approached on the morning of 25th October 1992, Thiru Vijayakumar (witness No. 47), Sub-Inspector of Police, Vandavasi with a written request (Exhibit A-343) for permission to conduct the said meeting. As in the case of the temple trustee referred to earlier, Sub-Inspector of Police also initially granted the permission and on the objections raised by the Sengunthars (Exhibit A-344), visited the village that evening, made some superficial enquiry (as he admittedly did not look into and peruse any records, either Court proceedings or village accounts) and withdrew the permission earlier granted by him, to hold the meeting. Even so, disregarding the cancellation of the permission, the colony people, erected a flag post and a

stage in the Kalam portion of Survey No. 334/1-A, Battai Poramboke and proceeded to hold the meeting as scheduled. Apprehending trouble, the Sub-Inspector of Police contacted the Deputy Superintendent of Police, Thiru Sundaram (witness No. 52) (then at Cheyyar in a departmental meeting), who immediately proceeded to the village and successfully prevailed upon the colony people to terminate the meeting midway. On the further assurance given to them, that the higher officials would look into the matter and do justice to them, the colony people dispersed from the scene, leaving behind, the stage already erected, the other electrical fittings put up therein and the flag post. Early next morning, the Superintendent of Police and Revenue officials went to the village, held discussions and then directed the dismantling of the stage and electrical fittings and handing them over to the colony people. The allegations of the colony people, about the damage to such materials was not seriously pursued. The Sengunthars and the colony people had also agreed to participate in the peace meeting to be held shortly thereafter. By way of caution and security against any plausible further confrontation between the two groups, the Sub-Inspector of Police (witness No. 47) had arranged for and posted some pickets (each picket usually manned by a Head Constable and two or three Constables) at important and sensitive points in the village.

12. As was proposed, the then Sub-Collector (in-charge), Cheyyar, having Revenue jurisdiction over Ponnur village, held a peace meeting at Vandavasi on 3rd November 1992, wherein, the Sengunthars of Ponnur village, were alone called to take part. In the said meeting, which was also attended by Cheyyar Deputy Superintendent of Police Thiru Sundaram (witness No. 52), the Inspector of Police (witness No. 43) and Sub-Inspector of Police (witness No. 47) of Vandavasi Police Station, with a view to provide bandobust, the Sengunthars had reiterated their claim, as was upheld by the Civil Courts, in the suit O.S. No. 591 of 1989 and the appeal A.S. No. 30 of 1991 (referred to earlier) for exclusive possession and enjoyment of Pavu Thope and their objection to the interference therewith by the colony people, in any manner. A similar meeting was held the next day, namely, 4th November 1992, with representatives of the colony people alone taking part, wherein they asserted that for a long time past, they have been conducting traditional festivals and meetings in Pavu Thope during night times, on three or four occasions in a year and that the same did not in any manner, interfere with the pre-weaving operations of Sengunthars, generally done only in the morning hours between 5-00 or 6-00 a.m. and 8-00 a.m. In an attempt to resolve such conflicting claims, a further meeting was held on 7th November 1992, with representatives of both Sengunthars and colony people participating therein. Unfortunately, the attempt failed, as the Sengunthars and colony people stood by their respective ground. In particular the representatives of the Sengunthars, refused to be persuaded by the officials, to accommodate the colony people even for a few nights in a year, to conduct their festivals and meetings and instead alleged, that the colony people, if allowed to have such gathering in the Pavu Thope, would spoil the ground with filth and urination, which in turn would damage the thread used in pre-weaving operations, rendering it susceptible to rat-bites. Factually, the representatives of the Sengunthars abruptly left the meeting, stating that they cannot compromise with the rights they had secured in the long drawn out legal battles in Courts. The colony people were, however, assured that the entire matter would be placed before the District Collector and that he would come out with his suggestion for settlement of the dispute by 10th November 1992. The uncompromising stand taken by the

Sengunthars and the walk out staged by them, had evidently hurt the ego of the colony people, who later left the meeting for the village with irreconciliable disappointment. The scene of activities, thereafter, shifted to Ponnur village.

13. Though for obvious reasons of safeguarding their interest, in some criminal proceedings pending against them, the Adi-Dravidars have chosen to deny certain incidents, on the evening of 7th November 1992, near their colony at the entrance to Ponnur village, as having been precipitated by them, to avenge the defiant stand taken by the Sengunthars, during the peace meetings and in particular on the forenoon of that day, the evidence tendered by the some of the police personnel, Thiru Francis, Sub-Inspector, Peranamallur (witness No. 27), Thiru Nainadurai, Sub-Inspector, Thellar (witness No. 31), Thiru Duraisamy, Police Constable 648 (witness No. 40), Inspector Thiru Thiagarajan (witness No. 43), Sub-Inspector Thiru Vijayakumar (witness No. 47) all of Vandavasi Police Station at the relevant period and Cheyyar Deputy Superintendent of Police Thiru Sundaram (witness No. 52) and the records produced, bear out the following :—

On their return, in the evening, to the village, after the abortive peace meeting at Vandavasi, the Adi-Dravidars were stated to have gathered in large numbers, at the entrance to the village and near the Ambedkar Mandram premises, on the main Elangattu Road leading to the Ponnur village, and obstructed the buses entering the village from Vandavasi, looked out for mudaliar passengers and in particular Thiru Chellaperumal, an advocate, who had put-forth the cause of the mudaliars (to which community he belongs) in the peace meetings, with a view to assault them. Instead of Thiru Chellaperumal, his brother Manickavasagam, happened to return to village by one of the buses at that time and he was manhandled, resulting in bodily injuries, by the Adi-Dravidars gathering. This incident has also been adverted to in the affidavit Exhibit A-289 filed by Thiru Natarajan, a Vanniar. Coming to know about this incident at Cheyyar and as informed by the Deputy Superintendent of Poilce, Inspector Thiagarajan (witness No. 43) accompanied by Sub-Inspector Thiru Raman (witness No. 34), Thellar Sub-Inspector Nainadurai (witness No. 31) and Vadavanakkambadi Sub-Inspector Govindasamy (not examined) rushed to Ponnur village by a truck. When they neared the Ambedkar Mandram, their truck was stopped and surrounded by the agitating Adi-Dravidars, who abused them and also pushed them with sticks and rods hither and thither. The street lights and the telephone connection had also been put out of use. In the meantime, coming to know about this incident Sub-Inspector Vijayakumar (witness No. 47), Tahsildar and others who were already camping in the village Panchayat Office, rushed to that place and successfully pleaded with the agitating mob, to spare the police personnel and thereupon witness No. 43 and others reached the village Panchayat Office premises.

14. Again by about 6-30 p.m. Sub-Inspector Thiru Francis (witness No. 27) and Constable Duraisamy (witness No. 40), the former riding a motor cycle, with the latter on the pillion and on their way to Ponnur village, as directed by the Inspector (witness No. 43) reached the trouble spot near Ambedkar Mandram, only to be surrounded by the agitating Adi-Dravidars, who in the course of the assault on them, had caused injuries to their persons, besides damaging their uniforms. After both of them were spared by the crowd, who realised that the Sub-Inspector then detained by them, was not Vijayakumar, the Sub-Inspector of Police of Vandavasi, whom they were looking for, but someone else, they proceeded to the village on foot, by pushing the motor cycle, as directed by the

agitating crowd. This incident has been spoken to in detail by Thiru Francis (witness No. 27) and Duraisamy (witness No. 40) and purported to be corroborated by the First Information Report (Exhibit A-320) in Crime No. 731 of 1992 as later reported by Thiru Francis (witness No. 27) to Sub-Inspector of Police (witness No. 47) and the out-patient chit (Exhibit A-128) issued to him after he was treated for the injuries at the Government Hospital, Vandavasi. Thiru Francis (witness No. 27) also claimed to have entered on medical leave from the forenoon of 8th November 1992 on the foot of the medical certificate (Exhibit A-129) issued to him by Dr. Ramalingam (witness No. 22), Civil Assistant Surgeon, Government Hospital, Vandavasi. Inspector (witness No. 43) has also spoken to the fact, that one Thiru Kandeepan belonging to mudaliar community, came to him with bleeding injuries at about 8-00 p.m. at the Panchayat Office and orally reported that he had been beaten up by the Adi-Dravidars. Witness No. 43 directed him to proceed to Government Hospital, Vandavasi for treatment and also lay a complaint about the incident with Sub-Inspector of Police. This incident of assault on Kandeepan has also been mentioned in the affidavit (Exhibit A-291) filed by Thiru Ranganathan, a Vanniar. In the context of such incidents, involving violence at the instance of the Adi-Dravidars, Inspector (witness No. 43) stayed on for the night, in the village itself, along with four Sub-Inspectors, five Head Constables and 25 Constables, to keep vigil and to avoid any further untoward incidents. According to the Inspector (witness No. 43) he went round the surrounding villages, as he apprehended that the earlier attacks by the Adi-Dravidars on the Sengunthar people, might spark off counter-attack by the Sengunthars of Ponnur, with the support of the Sengunthar residents of the surrounding villages. Such patrolling prevented any further incidents and the entire Ponnur village remained calm throughout the night of 7th November 1992. In fact, almost all the police personnel who were on bandobust duty on 7th November 1992 night, and Thiru Loganathan (witness No. 20), the sole witness for the Sengunthars, have adverted to the said fact, of the village having been calm that night.

15. Unfortunately this calmness transpired to be a misleading factor, in that the Inspector (witness No. 43) became complacent and dissuaded himself from seeking any immediate reinforcement of police personnel, to guard against any untoward incident on the next morning. As the later events proved " it was only a calm before storm ". Evidently everyone failed to read properly, more particularly in the context of the incidents of violence precipitated on the evening of 7th November 1992, that the Adi-Dravidars in the colony, had nurtured considerable grievance, about their inability to accomplish the aim of staging Koothu and conducting traditional festivals and meetings in Pavu Thope or even in the adjoining Battai Poramboke, belonging to the village temples and Government respectively, to satisfy their longing to be socially treated on par with the so-called caste Hindus. It is contended by Thiru Ravi, the learned Counsel for Adi-Dravidars, that the superiority caste complex assumed and the inherent version and contempt towards Adi-Dravidars, entertained by the Sengunthars of the village, had weighed with the latter to deny the Adi-Dravidars, their legitimate right to hold meetings and conduct festivals even for few days in the Pavu Thope. Having carefully considered the entire facts borne out by several past litigations, pertaining to the subject Pavu Thope, between Sengunthars on the one hand and the caste Hindus like Vanniars and Yadavas residing in the village on the other, I do not find, any basis, for spelling out of the happenings in Ponnur village, any

communal bias, much less antipathy and estrangement between Sengunthars and Adi-Dravidars on any caste considerations. The plain fact, is, that the present claimants to the enjoyment of Pavu Thope, have fallen into two groups, each belonging to one community, different from the other, and such an unfortunate circumstance, has come in handy to the interested persons, to raise the bogey of communal bias and conflict, with a view to arose public sympathy and support, to avoid the consequences of the illegal activity of precipitating violence in an otherwise civil dispute. The above narrated facts, represent, in a chronological sequence, the cause and circumstances, leading to the "alleged" group clash on the morning of 8th November 1992. I am constrained to use the term "alleged", while describing the "group clash", as the discussions herein following, involve a consideration of two conflicting versions, one a "group clash" in the Pavu Thope and the other an unprovoked attack on the unarmed Adi-Dravidars, by the Police personnel and Sengunthars inside the colony, on the morning of 8th November 1992.

CLAUSES II, III AND IV.

16. These three clauses in the reference, pertain to the part played by the police on the morning of 8th November 1992 and require a finding as to whether any action on their part was warranted, and if so, whether the force used by them was minimum and not excessive or whether there is prima facie case to hold, that they had assaulted the Adi-Dravidars in a systematic manner and damaged their property at the instigation of Sengunthars, an action which could be termed as unwarranted police excess. While the issue in Clause II. is rested on an incident of "group clash" between the Sengunthars and Adi-Dravidars, and the use of force by the police with intent to disperse the warring groups, Clause III is evidently rested on the case of Adi-Dravidars, that the police, at the instigation of the Sengunthars, precipitated a systematic attack and assault on them (Adi-Dravidars) and their property, even as they were peacefully staying and pursuing their routine avocations in their colony, on that morning. The finding on Clause IV would depend on and be consequential to, the findings on Clauses II and III. It therefore remains to consider and determine, as to what factually happened on the morning of 8th November 1992 in Ponnur village.

17. As mentioned at the outset, the Adi-Dravidars have examined nineteen witnesses, who all have testified, in one voice, that on the morning of 8th November 1992, when their colony was peaceful, with the residents thereof, attending to their usual routine avocations in their respective houses and elsewhere in the colony, large number of policemen, headed by Inspector Thiagarajan (witness No. 43) and Sub-Inspector Vijayakumar (witness No. 47), accompanied by some Senguntha Mudaliars headed by one Selvam, son of Mannu Mudaliar, former President of Ponnur Panchayat, rushed into the colony, armed with weapons like lathi, sticks, etc., entered in groups of 10 or 15, into several houses pointed out by the Sengunthars, abused the occupants in vile language, casting aspersion on their caste as "Harijans", found fault with them for having claimed right in Pavu Thope and indiscriminately assaulted them, with weapons, irrespective of their sex, age and physical condition and disabilities, damaged their property like household articles, grains, electrical goods, etc., drew away their cattle and also decamped with available cash and jewels. The accusation against the police personnel also included acts of molestation and outraging the modesty of womenfolk. Some of the witnesses have further stated that the police personnel were fully drunk and under the influence of alcohol. In substance, the police personnel

headed by Inspector Thiagarajan (witness No. 43) and the Sengunthars headed by Selvam, were charged with having committed grave and heinous criminal offencies, like dacoity, accompanied by force resulting in grievous hurt to the victims, mischief and criminal assault on women, by way of outraging their modesty. These witnesses have further deposed, that the police personnel after engaging themselves in such unbriddled atrocities proceeded to take into custody as many as 73 colony people, including the injured men and women, transported them to Vandavasi Police Station, where too they were subjected to beating and abuses, before the injured persons were forwarded to Government Hospital, Vandavasi for cursory treatment, unmindful of the grievous nature of the injuries. It is in the further evidence, of some of those witnesses, that during the transit to hospital and way back also, they were abused and beaten before, the women-folk, taken into custody, were released and dropped back at the village that night, at the intervention of some respectable people. I need only add, that the contents of the affidavits Exhibits A-131 to A-253 and A-286 filed by some of the victims and residents of the colony in Ponnur and their supporters from outside, are almost in the same terms detailed above. While some of the witnesses examined in the proceeding and the deponents in the affidavits have, in the main, claimed the relief of securing to the Adi-Dravidars of the Ponnur colony, the right to enjoy Pavu Thope for conducting their festivals and meetings, and some of them wanted action against the police personnel and the Sengunthars who indulged in the atrocities, most of them were content with claiming monetary compensation, for the loss sustained by them both physical, mental and material. Irrespective of the place, circumstance and by whom, the injuries on their persons were sustained, the records made available, in the shape of accident register entries bear out that as many as 73 colony people including 26 women had sustained bodily injuries. Many of the deponents in the affidavits filed, had also claimed to have sustained injuries, but no records have been produced to bear out the nature of the injuries on their person and the treatment had by them.

18. According to the police version, spoken to, in the main, by Inspector Thiagarajan (witness No. 43) and the other police personnel, who were present with him, from about 5-00 or 5-30 a.m. that day (8th November 1992) some of the Sengunthars came over to Pavu Thope, to begin their pre-weaving operations (laying of pavu) and that in the context of the incidents on the previous evening and with a view to avoid any possible trouble, the Inspector (witness No. 43) tried to persuade the said Sengunthars, not to lay pavu that morning. The said Sengunthars however, refused to hear his advice, stating that the threads earlier made ready for laying pavu, would get spoiled if not attended to that morning. Even as more Sengunthars came to Pavu Thope for similar activity, some Adi-Dravidars in small groups, came from their colony, saw the activities of the Sengunthars in the Thope, went back to the colony, only to reappear at the Thope, through Elangattu Road and several by-lanes connecting colony and the Thope, in large numbers consisting of both men and women, aged and young, armed with sticks, chains and other weapons. In the meantime, the Inspector (witness No. 43) who apprehended some trouble as the originally appeared few Adi-Dravidars rushed back to their colony, after seeing Sengunthars laying pavu, besides deputing his driver Mohan (witness No. 45) to Vandavasi to secure reinforcement (as there was no other way to contact his superior at Vandavasi, the wireless instrument having failed and the only available telephone in the village having been put out of use even the previous evening), requisitioned, by blowing his whistle, the services of those police personnel, who were earlier placed on picket duty at various points in the village, by way of temporary

reinforcement at the Pavu Thope. When large number of armed Adi-Dravidars approached the Thope, shouting that even as they were prevented from using the Thope, the Sengunthars should also be stopped from using the Thope. Inspector (witness No. 43) appealed to them, not to enter the Thope, and that their claims would be considered and justice secured to them early, by the District Collector, to whom the matter had been referred. Disregarding this appeal, the Adi-Dravidars continued their march towards the Thope. By then, more number of Sengunthars consisting of men, women and children had also gathered and assembled in the Thope. Even as the Inspector (witness No. 43) and other police personnel, who had come down from the pickets, tried to stop both the Adi-Dravidars and Sengunthars from physically clashing with each other, by pushing them with lathis and using mild force, some of the Adi-Dravidars, defying the police personnel, got into the Thope, damaged the Pavu till then laid, picked the crowbar, sticks and other materials used therein and attacked therewith and stones, both the police personnel and the Sengunthars. For their part, Sengunthars retaliated with similar attack with stones, sticks, etc., on the Adi-Dravidars. Ten of the police personnel (witnesses Nos. 36, 37, 43, 45, 46, 48, 51 and some others not examined, as evidenced by the Accident Register entries Exhibits A-15 to A-23 and A-126) caught in between the two groups clashing with each other, sustained injuries from stone hits. Inspector (witness No. 43) has further spoken to the fact, that in the uncontrollable clash that continued, as many as 104 persons, both on the side of the Adi-Dravidars (witnesses Nos. 1 to 9, 12, 13, 16, 19) and many others not examined and evidenced by Accident Register entries (Exhibits A-25, A-27, A-28, A-32, A-33, A-36 to A-40, A-42 to A-51, A-57 to A-59, A-61, A-63 to A-73, A-75 to A-77, A-80 to A-83, A-85 to A-89, A-97 to A-101, A-103, A-104, A-106 to A-118, A-120 to A-122, A-124, A-125, A-302, A-306, A-309, A-310, A-311, A-314, A-130, A-305, A-307, A-312 and A-313) and Sengunthars (none of them examined as witnesses but evidenced by Accident Register entries Exhibits A-52 to A-56, A-60, A-62, A-74, A-78, A-91, A-95, A-96, A-34, A-93, A-94, A-92, A-41, A-35, A-84, A-304 and A-123) sustained injuries. The Inspector also made no secret of the fact, that though he had only ordered his men to ward off the clash and separate the two groups by pushing them away, the possibility of some of his personnel having used the lathi, with mild force, accounting for some minor injuries to the persons belonging to both the groups, cannot be ruled out. Indeed, constable Gunasekaran (witness No. 37) has adverted to the fact, that himself and some others had been constrained to use minimum force with lathi, to disperse the clashing groups.

19. Even as such clash was in progress, the Deputy Superintendent of Police Thiru Sundaram (witness No. 52) arrived on the scene, with Armed Reserve Policemen, in vans from Vandavasi, where they had earlier been stationed, by way of abundant caution. On the arrival of such reinforcement, both Adi-Dravidars and Sengunthars engaged in the clash, started fleeing away from the scene in helter, skelter and stumbling on one another. The Deputy Superintendent of Police, Inspector and other police personnel thereupon rounded up and apprehended those persons (men and women) in both the groups, who attempted to defy them and those who got injured in the clash and remained on the scene, put them in the police vans and took them to Vandavasi for taking further proceedings and for affording medical treatment to the injured. Besides, the Inspector (witness No. 43) some of the other police personnel engaged in the operation, namely Thellar Sub-Inspector Nainadurai (witness No. 31), Dessur Sub-Inspector

Muniraman (witness No. 34), Head Constable Pichandi (witness No. 36), Police Constable 455 Gunasekaran (witness No. 37), Head Constable Krishnamoorthy (witness No. 44), Arani Sub-Inspector Mohanraj (witness No. 46), Sub-Inspector Vijayakumar (witness No. 47), Head Constable Ramaraj (witness No. 48), Head Constable Natarajan (witness No. 50) and Police Constable Murugan (witness No. 51) have testified to most of the sequence of facts, constituting the aforesaid occurrence. Deputy Superintendent of Police Thiru Sundaram (witness No. 52) has adverted to the happenings in the Thope, after he arrived there, with Armed Reserve Policemen. Thiru Loganathan (witness No. 20), the sole witness examined for and on behalf of the Sengunthars, has also purported to corroborate the above version. The Inspector (witness No. 43) and Sub-Inspector (witness No. 47) have also adverted to the registration of cases in Crime Nos. 733 of 1992, 734 of 1992 and 735 of 1992 on the foot of respective First Information Reports (Exhibits A-317, A-318 and A-319) pertaining to the occurrence laid by Sub-Inspector Vijayakumar himself (witness No. 47), Selvam (not examined) representing the Sengunthars and Gopal (witness No. 1) representing the Adi-Dravidars.

20. Dr. Basheer Ahmed (witness No. 21), Dr. Ramalingam (witness No. 22), Dr. Kumar (witness No. 23), Dr. Mohamed Raffiq (witness No. 24) and Dr. Sundaravanam (witness No. 25) all Civil Assistant Surgeons of Government Hospital, Vandavasi, have testified to the treatment given by them to the injured persons, which included Adi-Dravidars, Senguntha Mudaliars and police personnel and recording the accident register entries Exhibits A-15 to A-41 (by witness No. 21), A-42 to A-56 (by witness No. 22), A-57 to A-71 (by witness No. 23), A-72 to A-99 (by witness No. 24) and A-101 to A-126 (by witness No. 25), Dr. Arunan, Civil Assistant Surgeon (witness No. 28), Dr. Srinivasan, Radiologist (witness No. 30), Dr. Udesh Ganapathy, Civil Assistant Surgeon (witness No. 33) and Dr. Manohar, Orthopaedic Surgeon (witness No. 42), all of Government Pentland Hospital, Vellore have spoken to the further treatment given by them to the injured forwarded from Government Hospital, Vandavasi. Dr. Manohar (witness No. 42) has recorded the accident register entries Exhibits A-300 to A-314 in respect of the injured persons attended by him. Dr. Ashraff (witness No. 32), Casualty Medical Officer, Chengalpattu has testified to his taking X-rays of right forearm of the injured Annakili (witness No. 8) as forwarded from Government Hospital, Vandavasi, where there was no X-ray instrument and recording the original of the Accident Register extract Exhibit A-299. Dr. Mohanasundaram (witness No. 26), Civil Assistant Surgeon, Government Hospital, Tiruvannamalai has spoken to the fact, that the Special Tahsildar, Tiruvannamalai on the instructions of the District Collector, had forwarded the injured Annakili (witness No. 8) for examination on 14th November 1992 at 6-15 p.m. and that he had issued the Accident Register extract (Exhibit A-127). The rest of the witnesses examined for and on behalf of the police, namely Sub-Inspectors Srinivasan (witness No. 35), and Govardhan (witness No. 49), Constable P.C. 289 Manavalan (witness No. 38), P.C. 565 Murugesan (witness No. 39), P.C. 648 Duraisamy (witness No. 40), Agasthiappan (witness No. 41) and Driver-constable Mohan (witness No. 45) have adverted to their having discharged the respective duties entrusted to them at Vandavasi Police Station by way of escorting the injured people from police station to Government Hospital, Vandavasi or escorting the arrested people to Cheyyar Magistrate Court for the purpose of obtaining remand orders or escorting remanded persons including those injured to Central

Jail, Vellore and thence to Government Pentlant Hospital, Vellore or preparing relevant records, in the course of the investigation into the cases registered. Thiru N. Seshadri, the learned Counsel for the police, represented, that though these witnesses were not very much relevant, to record the findings on the terms of the reference, yet he had chosen to tender them, as witnesses, in the proceedings, to afford an opportunity to the Adi-Dravidars, as some of the witness examined on their behalf, had implicated these witnesses by mentioning their names or the numbers assigned to them, as having beaten them. The fact remains, that no suggestion whatever was made to any of these witnesses, about the violent acts attributed to them. Most of them denied their presence at the time and place of the incident. Thiru Maharasan (witness No. 53), the then Judicial Magistrate, Cheyyar, who had remanded to judicial custody, the persons arrested in connection with the incident on morning of 8th November 1992 at Ponnur and produced before him, has deposed that none of the persons remanded by him, mentioned about any ill-treatment or beating by the police personnel, when questioned in that regard, before ordering remand.

21. That the version given by the police personnel, about the incident that took place on the morning of 8th November 1992 at Ponnur village, must be true and in any even most probable and acceptable, is clearly established by the following material facts and circumstances :—

It needs no elaborate reasoning, to conclude that, as on the evening of 7th November 1992, the Adi-Dravidars of Ponnur colony, were most aggrieved and agitated by reason of the frustration of their attempt, to use Pavu Thope bearing Survey No. 331/1 belonging to the public temples or even the Battai Poramboke comprised in Survey No. 334/1-A belonging to the Government, to conduct their traditional festival and staging Therukoothu, on negligible three or four occasions in a year, not only by the Civil Court which purported to restrain them by way of decree or permanent injunction passed in O.S. No. 591 of 1989, as confirmed on appeal in A.S. No. 30 of 1991, as understood by everyone, but also by the police and revenue officials, who interfered and constrained them, to terminate midway, the meeting held by them on 25th October 1992 and addressed by the much revered Thiru Sundararasanar an acclaimed leader of the community. Further, even in the peace meetings that followed and held on 3rd, 4th and 7th November 1992, the Revenue and Police officials, failed to secure to them, any relief, as the Sengunthars of the village were defiant and unyielding, even to the persuasion of the officials to agree and accommodate the Adi-Dravidars' negligible request, which would have resulted in no inconvenience to their pre-weaving operations in the Thope.

22. Indeed having carefully read through and considered the records relating to the various past litigations pertaining to the Pavu Thope, I should be inclined to take the view, that there is no such irrefutable basis for the Sengunthars, to object much less sustain the objection, to the user of Survey No. 331/1 belonging to the temples and Survey No. 334/1-A representing Battai Poramboke vesting in the Government, by the other residents of the village, irrespective of their caste or community, in a manner, that did not interfere with the "enjoyment" (which phraseology is a misnomer to describe the nature of the activity carried on by the Sengunthars in the said Thope which only amounted to the "user" thereof with the legal incidence of "license" express or implied) for the purpose of pre-weaving operations confined to the duration from 5-00 or 6-00 a.m. to 8-00 a.m. under the luke-warm condition of the morning sun. Thiru Loganathan

(witness No. 20) has admitted such laying of pavu, invariably only during the morning hours and that only when there were " left-outs " or inability to lay pavu in the morning hours, such operation would be done in the evening hours and that too after 3-00 p.m. and before darkness sets in. Witness No. 20 has further admitted that once the pavu laying operations are over on any day, the Thope would be used by all the villagers, irrespective of community, to pass through, to tether cattle and throw in rubbish in the fringes and that income from the sixty and odd fruit bearing tamarind trees is used for the temples. Indeed such user of the Pavu Thope by the public, has been referred to both in Exhibit A-5 order of the First Class Magistrate and Exhibit A-351 order of the Deputy Commissioner, Hindu Religious and Charitable Endowments in O.A. No. 37 of 1975. If regard is had to such admitted and indisputable facts, the conduct of the festivals, holding of meetings and staging of Koothu by the Adi-Dravidars during nights between 10-00 p.m. and 4-00 a.m. and that too only on three occasions in a year, namely on the first days, of three Tamil months Chithirai, Aadi and Thai as admitted by Thiru N. Gopal (witness No. 10), the President of Ambedkar Mandram, would not in any manner interfere with the enjoyment or correctly stated the user, of the Thope by the Sengunthars for their pre-weaving operations. It was rather unfortunate, that the Revenue and Police officials, failed to properly assess, in the manner aforesaid, the outcome and implications of the prior litigations, when their services were indented by the Adi-Dravidars, to conduct the meeting in Pavu Thope on 25th October 1992, and even limit their claim to conduct the said meeting within the Battai Poramboke in Survey No. 334/1-A. It is probable that if those officials had supported the claim of the Adi-Dravidars on that occasion, better wisdom would have prevailed amongst the Sengunthars, who would then have made only a request to the authorities to advice and instruct the Adi-Dravidars, to leave the Thope in a clean and tidy condition, fit for pre-weaving operations on the next morning. But the fact remains, that such a situation, as regards, Pavu Thope in the near future has now become only a conjuncture, as the Sengunthars have since armed themselves, with one more indefeasible weapon, to thwart and deny the claim of the Adi-Dravidars, by obtaining an order of ad-interim injunction (Exhibit A-12) in the Suit O.S. No. 30 of 1993, Sub-Court, Arani, filed by them against the fit person of the temples, who alone as on that date, had the right and power to grant permission to the Adi-Dravidars to hold meeting and conduct festivals in the Thope portion, belonging to temples. Factually, as mentioned earlier, the fit person of the temples after a proper assessment of the prior litigations, rightly granted permission as per Exhibit A-347, but later succumbed to the pressures from the Sengunthars and withdrew the permission as per Exhibit A-364. The right step taken by him again in and by his legal notice (Exhibit A-11, dated 11th February 1993), after the incident under consideration took place, was however foiled by the Sengunthars, by way of filing the suit in O.S. No. 30 of 1993 and obtaining the order of injunction therein. The present attempt of the Sengunthars, through the evidence of Loganathan (witness No. 20) and by the contents of some of the affidavits filed on their behalf, to bear out that the open ground known as " Anna Thidal ", was alone used by the Adi-Dravidars and other community residents of the village, to hold their meetings and conduct festivals, in my opinion cannot be countenanced, as the said ground extending over a small area, represented the bus stand and was surrounded by the houses of Sengunthars on all sides, as noticed and mentioned in my local inspection report (Annexure–II). Further, the admissions of witness No. 20 show that the Sengunthars besides laying pavu on the road margins of their residential locality, have also since purchased about three acres of land in the southern part of the village, to be used for the same purpose of laying pavu

and in the circumstances, their insistence, to use substantial portion of Battai Poramboke comprised in Survey No. 334/1-A and vesting in the Government, would appear to be most unjustified. I have ventured to detail such legal incidence and implications of the prior litigations respecting Pavu Thope, and other circumstances, only to assess the magnitude of disappointment that befell the Adi-Dravidars and the gravity of the grievance nurtured by them on the eve of 8th November 1992.

23. When they found, that the acts of violence precipitated by them (and prima facie established on the materials adverted to supra), on the evening of 7th November 1992, resulting in minor injuries to the victims Manickavasagam (not examined), Sub-Inspector Francis (witness No. 27), Constable Duraisamy (witness No. 40), Gandeepan (not examined) and Inspector (witness No. 43) and party, did not elicit favourable response from the officials both Revenue and Police and further found, that the Sengunthars nonchalantly carried on the pre-weaving operations on the morning of 8th November 1992 in the presence of Inspector Thiagarajan (witness No. 43), Sub-Inspector Vijayakumar (witness No. 47) and a posse of Constables offering protection (as misunderstood by Adi-Dravidars on seeing the police personnel in the Thope, while in fact, the Inspector, as claimed by him, was only persuading, in vain, the Sengunthars not to carry on the operations that morning), the Adi-Dravidars and in particular their leaders, evidently in an avenge-full mood, worked up considerable rage and fury and decided to take the law into their own hands, to obstruct and if possible, stop the Sengunthars from continuing their pre-weaving operations in Pavu Thope. Having regard to such mental disposition of the Adi-Dravidars on the morning of 8th November 1992, when the Sengunthars started their pre-weaving operations in Pavu Thope, I have every reason and basis, to conclude, that the enraged Adi-Dravidars assembled in large numbers, arming themselves with sticks, stones, chains, etc., indulged in indiscriminate attack, with such weapons, on the Sengunthars, who had also grown in numerical strength by then and the police personnel (the poor strength of which was patently inadequate to handle the situation), whose attempt to prevent them, was misunderstood as protecting the Sengunthars. Such an aggression inevitably elicited counter-attack by the Sengunthars with stones, sticks, etc., either by way of self-defence or with a view to subdue the attacking Adi-Dravidars. In my considered opinion, only such an incident involving a clash between two groups, arraying themselves against each other, with police personnel in the middle, could have accounted for the injuries, most which were contusions and lacerated wounds (normally resulting from hits with stones and sticks as disclosed in Annexure-III appended hereto) to about 110 persons (as borne by the Accident Register entries Exhibits A-15 to A-99 and A-101 to A-126 recorded by the Doctors mentioned earlier and who had given treatment to them, closely following the incident), both men and women (73 Adi-Dravidars, 33 Sengunthars) and ten of the sandwiched policemen in between the two attacking groups. I am satisfied that such indisputable casualties, by way of injuries, to such large number of persons, both men and women, belonging to Sengunthar community and ten of the police personnel, could not have resulted, if the incident, that took place on the morning of 8th November 1992, was an one-sided indiscriminate attack, with lethal weapons, by police personnel and Sengunthars, on the helpless and unarmed Adi-Dravidars, within their colony, and mostly inside their residential houses, as claimed by them. That a group clash could have occurred only in the Pavu Thope, has also been rendered probable and even true by the recovery from the Thope of, numerous stones, sticks, crow-bars, etc., by the Inspector (witness No. 43) in the course of his investigation into the cases regis-

tered in Crime numbers and relating to the occurrence, under the mahazar Exhibit A-323, and remanded to Court under Exhibit A-324. The rest of the recoveries and the remand to the Court of similar weapons and articles under Exhibits A-325 to A-341 from the other places in the village, including the residential localities of Sengunthars and Adi-Dravidars, presumably related to the simultaneous escalation of the attacks and counter attacks between the two groups, referred to in the detailed report Exhibit A-356, dated 12th November 1992 of the Superintendent of Police. In this connection useful reference could also be made to the contents of the report Exhibit A-14 of the Fact Finding Team of P.U.C.L., wherein (please see versions I and IV on pages 13 and 14) mention has been made to the statement to them, by Thiru Gopal, about the possibility of some of the Adi-Dravidars of the same colony, as hirelings of Mannu Mudaliar, in return for the money given and the liquor supplied, having precipitated violence on their own people (Adi-Dravidars) during the incident on the morning of 8th November 1992, which fact, if properly construed, would account for the assault on some of the people then staying in the colony and the damage to their belongings.

24. Though every care was taken by most of the witnesses examined (witness Nos. 1 to 19) by the Adi-Dravidars, to deny the factum of and even knowledge, about any clash between the two groups in Pavu Thope that morning, yet while some of them including Annakili (witness No. 8) claimed knowledge about such group clash in the thope, Mallika (witness No. 19) unequivocally admitted that when she was attacked by the police inside her house, the clash in the thope was in progress. The attempt of most of the witnesses Nos. 1 to 19, to implicate the police personnel, by mentioning their names or the numbers assigned to them must also fail, not only for the reason that the Sub-Inspector (witness No. 47) has been a very familiar figure in the village, by reason of his frequent visits thereto, in connection with the investigation into numerous prohibition offences committed in the village, almost as a cottage industry, but also due to the fact, that the Inspector (witness No. 43) and most of the other policemen were almost permanent fixtures in the village, on bandobust duty, even since the open conflict surfaced on and from 25th October 1992. Further the most unrealistic and imaginary reasons given by some of the witnesses, to sustain their claim of knowledge about the identity of the police personnel, are to be read only to eschew them as patently unacceptable and untrue. The claim of some of the witnesses to have kept in their respective houses, liquid cash, running into several thousand, and jewels and that the police personnel had decamped with such cash during the incident, has also to be rejected summarily, as the availability of such huge cash, jewels with them, would appear to be patently disproportionate to their known source of income as agricultural coolies. Further the available evidence bears out that there are numerous well educated person from the Ponnur colony and that some of them are holding high offices both in Government and Private organisations. The fact however remains, that except for Thiru Gopal (witness No. 1) who is a post-graduate, no other enlightened and educated persons figured as witnesses in this proceeding or even took any steps to vindicate the alleged brutal and savage attack precipitated by the police and Sengunthars against their kith and kin. Their non-participation in the proceedings, leaving it to a political party to agitate the cause of the Adi-Dravidars of Ponnur colony, in my opinion, is proof positive of the unsupportable and unjust action of the witness No. 1 and his supporters on the morning of 8th November 1992.

25. Further, the details manifested in Annexure–III unfailingly bear out, the patent and irreconcilable contradictions, in regard to the time, place, nature of attack and the resulting injuries, between, the oral evidence of witnesses examined during the enquiry or affidavits filed, as the case may be, for and on behalf of the Adi-Dravidars, on the one hand and the relevant details recorded in the Accident Registers pertaining to them and proved by the respective doctors. Taking up the extreme case of Annakili (witness No. 8), she has deposed before this forum, that as she was cleaning utensils in the backyard of her house at about 7-00 a.m. that day, ten policemen rushed into her house and beat her. Somehow escaping from their clutches she ran out of the house, got into a house in the neighbourhood, wherein there were already two children and locked it up from inside. However, eight policemen broke open the front door, got into the house beat the two children and drove them away. Five of the eight policemen who came in, went outside while the three remained inside. Another policeman from outside, called out the remaining three, stating that there was nobody else inside. Evenso yet another policeman came into the house and wanted the remaining three policemen to look for anybody on the loft (மாடி வீடு). Finding her hiding there all of them pulled her out by her tuft. Despite her plea to spare her, treating her as their sister, all of them beat her indiscriminately with lathi, kicked her with boots on her breast, took her near Amman Koil and put her in a waiting van, wherein there were already two hundred persons, including ladies. Even while putting her into the van, Inspector Thiagarajan (witness No. 43), abused her and tore away her jacket. As she was bleeding from the external injuries inflicted on her person, she fainted and became unconscious. As a result of the menstrual period, just set in, she also had further profuse bleeding. After sprinkling water on her face, she was lifted and put into the van. When the van reached Vandavasi Police Station and even as she and the other occupants were getting down, all of them were beaten individually and in particular, she was hit on her breast, hand, leg and head and abused in vile language, stating the she aught not to have taken water from the well belonging to Mudaliars. When she asked for water, a policeman asked another to urinate into her mouth. At the hospital, the doctors treated her and also sutured the bleeding wound on her left hand. On return back to the police station in the same van, Inspector Thiagarajan (witness No. 43) and Sub-Inspector Vijayakumar (witness No. 47) snatched away from her, the out-patient chit given at the hospital and tore it. On the intervention of some respectable people, she and other women detainees, were released, driven back to the village and dropped there at mid-night. The day after next, she went to Government Hospital, Vandavasi and requested to be admitted as an in-patient as she was still badly ill, but her request was turned down by the doctor. Thereafter her brother took her to Government Hospital, Chengalpattu, where she was admitted as an in-patient. As she had no money, she stayed there only for two days and thence, she was taken to Madras and admitted as an in-patient, in Appollo Hospital. On her return to the village after five days, with continued bleeding, pain and suffering, she was met by the District Collector, on whose instructions, she was taken to Government Hospital, Tiruvannamalai, where she remained for a week as an in-patient, before she was sent home. On the contrary Dr. Mohamed Raffiq (witness No. 24) who had examined this witness Annakili (witness No. 8) at 1-25 p.m. closely following the subject incident on 8th November 1992 had recorded in the Accident Register entry (Exhibit A-90) as follows :—

"Alleged sustaining injuries due to a group clash at about 6-30 a.m. on 8th November 1992 at Ponnur village with stones, kambu, knife and crow-bar. The injuries found on her person as a contusion on the right forearm with

suspected fracture and a contusion on the left leg. Recommended further management in a higher institution". Dr. Ashraff (witness No. 32), Casualty Medical Officer, Government Hospital, Chengalpattu has deposed, that on 11th November 1992 at about 8-45 a.m. he examined the aforesaid Annakili (witness No. 8) as forwarded from Government Hospital, Vandavasi and found on her person contusion right forearm middle 7 × 6 centimetre and contusion on left elbow 7 × 6 centimetre. As she complained of bleeding through vagina, he referred her to Gynaecologist. The X-ray taken on her right forearm and pelvis were found to be normal, without any fracture. He opined that the said injuries were simple in nature. Exhibit A-299 is the extract of the entry in the Accident Register maintained in that hospital. Dr. Mohanasundaram (witness No. 26), Civil Assistant Surgeon, attached to the Government Hospital, Tiruvannamalai, has spoken to the fact, that on 14th November 1992 at about 6-15 p.m., he examined the aforesaid Annakili (witness No. 8) on a reference from the Special Tahsildar. After adverting to several complaints alleged by her as regards her ailment, he claimed to have made clinical observation and found her normal. According to his further evidence, she was admitted as an in-patient for further study, but she absconded from the hospital, disabling him from giving final opinion. Exhibit A-127 represents the Accident Register entry maintained in that hospital. It is significant to note from Exhibit A-127 that she had told the doctor, that she was assaulted by police during lathi charge, when a clash occured between two groups of people on 8th November 1992 at 9-00 a.m. at Ponnur village. Her statement to the doctors, at the earliest point of time and recorded by them in the respective Accident Register entries, that she had sustained injuries in a group clash in Ponnur village and the further fact that the two injuries found on her person on the left forearm and the left leg were only simple in nature, unmistakably falsify her present evidence about the attack on her, inside her house, in the neighbourhood within the colony and at the police station and instead corroborate the version put forward by the police and detailed earlier. It needs no elaborate discussion to conclude, that her present deposition would represent an after thought and the product of her imagination, intended to give support, unmindful of the inherent contradictions, to the version now put forward by the Adi-Dravidars respecting the incident on the morning of 8th November 1992. Indeed the entries in many of the Accident Register bear out that the injured had told the doctor that they had sustained the injuries in a "group clash in Pavu Thope" that morning. I need only add, that the evidence of the other witnesses examined and the contents of the affidavits produced, also suffer from similar defects and hence unworthy of acceptance, as amply established by the contents of Annexure–III.

26. It is in evidence, that closely following the occurrence on 8th November 1992, the District Collector Thiru K. Deenabandu, I.A.S., and Superintendent of Police, Thiru R. Sekar, I.P.S., visited the village the same day, enquired the people and made arrangements to avoid recurrence of similar trouble in the village. On the same day, the Superintendent of Police had sent a telex message Exhibit A-355, to Additional Director-General of Police (Law and Order) and S.S.B., C.I.D., Madras-4 wherein, the incident that took place that morning had been narrated as follows :—

"Today, 8th November 1992 at about 6-15 hours, about 1,000 Adi-Dravidars formed themselves into an unlawful assembly and started marching into caste Hindus place where cotton pavus laid. The police party prevented the Adi-Dravidars but they did not pay heed and continued their march. They over-

powered the police and assaulted them with deadly weapons. In these incident Inspector Thiagarajan of Vandavasi, two Sub-Inspectors, two Head Constables and six Police Constables including a driver police constable sustained injuries. Except P.C. 585 Rajapandian, who is admitted as in-patient others sustained simple injuries. The Adi-Dravidars and Mudaliars clashed each other and exchanged assaults. 73 Adi-Dravidars including 26 women and 33 Mudaliars including six women were sustained injuries and they were arrested by police. In this connection three cases have been registered in Vandavasi Police Station. On the complaint of Sub-Inspector of Police, Vandavasi, a case was registered in Vandavasi Police Station Crime No. 733 of 1992, under sections 147, 148, 341, 325, 323, 332, 333 and 307, I.P.C., read with sections 506 (ii) and 34, I.P.C. On the report of one Selvam (Mudaliar), a case in Vandavasi Police Station Crime No. 734 of 1992, under sections 147, 148, 341, 325, 323 and 307, I.P.C., read with sections 506 (ii) and 34, I.P.C., was registered. On the report of one Gopal (Adi-Dravida) a case in Vandavasi Police Station was registered. All the 106 injured accused have been sent for treatment and none is serious. District Collector is camping at Ponnur village. Normalcy have been restored ".

The Superintendent of Police had forwarded a further report Exhibit A-356, dated 12th November 1992 to the Director-General of Police, Madras-4 tracing the history of the dispute between Senguntthars and Adi-Dravidars in respect of Pavu Thope, and giving more details about the incident that took place on morning of 8th November 1992, on the same lines as in earlier telex message Exhibit A-355. On the same day 12th November 1992, the District Collector, had also sent a report Exhibit A-357 to the Secretary to Government, Public (Law and Order) Department, in Tamil, detailing the events that took place in Ponnur village from 25th October 1992 up to the visit he made to the village closely following the incident on 8th November 1992. It is necessary to extract the following from the said report, as pertaining to the happenings on the morning of 8th November 1992 :—

1992 ஆம் ஆண்டு நவம்பர் 8-ந் தேதி அன்று காலை 5-30 மணிக்கு செங்குந்தர் மரபினர் பாவு போட வந்தபோது ஆதிதிராவிட மக்கள் சுமார் 150 பேர் அங்கு வந்து செங்குந்த மரபினரை பாவு போட விடாமல் தடுக்க முயன்று கைகலப்பில் ஈடுபட்டு கல்வீச்சில் ஈடுபட்டனர். காவலுக்காக ஏற்கெனவே இந்த கிராமத்தில் நிறுத்தி வைக்கப்பட்டிருந்த காவல் துறையினர் இரு தோஷ்டியினரையும் தடுக்க முயன்றபோது காவல் துறையினர் மீது ஆதிதிராவிடர்கள் கற்களை வீசித் தாக்கினர். நிலைமையைக் கட்டுக்குள் கொண்டு வர காவல் துறையினர் தடியடி நடத்தினர்.

வன்முறையில் ஈடுபட்டவர்களைக் கைது செய்து குற்ற எண் 733, 734, 735/92-ல் இந்திய தண்டனை விதிகள் 147, 148, 324, 325, 323, 341, 333, 307, 506, 506/2 வந்தவாசி காவல் நிலையத்தில் வழக்குகள் பதிவு செய்யப்பட்டது. ஆதிதிராவிடர்கள் 43 நபர்களையும் செங்குந்த மரபினர் 22 நபர்களையும் கைது செய்து நடவடிக்கை எடுக்கப் பட்டுள்ளது.

மேற்படி கலவரத்தினால் காவல் ஆய்வாளர், வந்தவாசி, உதவி ஆய்வாளர்கள் இரண்டு பேர், இரண்டு தலைமைக் காவலர்கள், ஆறு காவலர்கள் மற்றும் டிரைவர் உட்பட்டவும், 26 பெண்கள் உள்ளிட்ட 73 ஆதிதிராவிட சமூகத்தினரும், ஆறு பெண்கள் உள்ளிட்ட 33 செங்குந்தர் சமூகத்தினரும் (ஒருவரையொருவர் எதிர்த்து தாக்கிக்கொண்டதனால்) காயமுற்றனர். பலத்த காயமுற்றோர் எவரும் இல்லை; உடனிருப்பு

சேதம் (அ) இழப்பு/உயிர் சேதம் ஏதுமில்லை. காயமேற்பட்டவர்களுக்கு வந்தவாசி அரசு மருத்துவமனையில் சிகிச்சை அளிக்கப்பட்டது. சம்பவ இடத்தை மாவட்ட காவல்துறை கண்காணிப்பாளருடன் மாவட்ட ஆட்சித் தலைவர் நேரில் பார்வையிட்டு சட்டம்—ஒழுங்கு பாரமரிக்க அறிவுரைகள் வழங்கப்பட்டது. பொன்னூர் மற்றும் சுற்றுப்புற கிராமத்தில் தக்க பாதுகாப்பு ஏற்பாடுகள் செய்யப்பட்டுள்ளன.

1992 ஆம் ஆண்டு நவம்பர் 8-ந் தேதி அன்று வந்தவாசியில் முகாமிட்டிருந்த மாவட்ட ஆட்சித் தலைவரிடம் பௌத்த தம்ம சங்கத்தினர் நேரில் மகஜர் கொடுத்தனர். பின்னர் மாவட்ட ஆட்சித் தலைவரிடம் சமரசப் பேச்சு நடத்தவும் அமைதிக்கு ஒத்துழைப்பு தருவதாகவும் ஊர்வலத்தில் வந்த பிரமுகர்கள் தெரிவித்தனர். தற்போது கிராமத்தில் சகஜநிலை திரும்பி உள்ளது. மேலும், நிலைமைகள் உன்னிப்பாக தொடர்ந்து கண்காணிக்கப்பட்டு வருகிறது. மேலும், இது தொடர்பாக மாவட்ட ஆட்சியர் தலைமையில் ஒரு சமாதானக்குழுக் கூட்டம் 1992-ம் ஆண்டு நவம்பர் 17-ந் தேதி அன்று 11.00 மணியளவில் நடைபெற உள்ளது. இது பற்றிய அறிக்கையை பிறகு அனுப்பி வைக்கிறேன்".

27. Emanating from the two senior and responsible officials, manning the district administration, including law and order and who had themselves visited Ponnur village almost immediately following the incident on the morning of 8th November 1992, these reports (Exhibits A-355, A-356 and A-357) must be given due credence and deserving consideration, while deliberating on the factum of the subject incident. A close consideration of the relevant contents of these reports, including the portions extracted above, point to a safe conclusion, in favour of the acceptance of the version of the incident, put forth by the police personnel and discussed earlier. Indeed, the penultimate paragraph in the above extract, expressly mentions that some representatives of Buddha Dhamma Sangam, who on 25th October 1992, had organised and held a meeting in Pavu Thope for the benefit of the Adi-Dravidars of the colony, came in a procession, called on the District Collector, then camping at Vandavasi, gave a mahazar (not produced) and agreed to co-operate in any conciliation talks to be held by him. They do not appear to have mentioned, as otherwise, the District Collector would have included in his report Exhibit A-357, about any unprovoked assault by the police personnel, on the innocent and unarmed Adi-Dravidars, within their colony and mostly inside their respective houses, and the devastating damage to their property, in the company of Sengunthar-residents of the village as has now been, alleged by the Adi-Dravidars. I am constrained to make a special mention about the aforesaid significant omission in the report Exhibits A-355 to A-357, as I find, that a totally different version of the subject incident, has been pictured in a subsequent report Exhibit A-359, dated 14th November 1992, from the District Collector to the Secretary to Government, Public (Law and Order) Department, Secretariat. Properly considered, the first part of this report appears to be consistent with the version of the incident reported in Exhibit A-357 sent by the Collector himself, two days earlier, namely on 12th November 1992. However, the second and latter part of this report (commencing from page 5) narrated a totally different version about the subject incident and practically endorsing the version of the Adi-Dravidars mentioned earlier. According to this part of the report, a group of people representing Republican Party of India, called on the District Collector on 11th November 1992 and represented to him, about the atrocities precipitated by the police, at the instigation of the Sengunthars, on the

innocent Adi-Dravidars, who were severely beaten up and their property heavily damaged. Thereupon the District Collector deputed his District Revenue Officer, to visit Ponnur village, which he did on the following 12th and 13th, made oral enquiries and submitted an office note Exhibit A-358 to the District Collector, mentioning about the high handedness of the police personnel at the instigation of the Sengunthars, in precipitating brutal attack on the persons and property of the innocent and unarmed Adi-Dravidars, when they were pursuing their routine avocation within their colony on the morning of 8th November 1992. Resting on this office note, the District Collector, visited the village on 14th November 1992 inspected the Adi-Dravidar colony, enquired number of them and was informed about the systematic and organised attempt by the police to assault the Adi-Dravidars and damage their property, at the instigation of a group of Sengunthars. The rest of the report details the extent of damage to the property as shown to him during that visit. The District Collector had also ordered a P.S. 0–145 enquiry into the whole episode by the Sub-Collector, Cheyyar (which however did not materialise as this Commission of Inquiry was constituted in the meantime) besides providing some immediate relief to the affected Adi-Dravidars by way of supply of rice, sarees and utensils. A close consideration of the facts detailed in the second part of this report Exhibit A-359 and the purport and scope of Clause II of the Government reference, would make it clear and obvious, that the latter is rested on the former.

28. Having bestowed adequate consideration to the following facts and circumstances, under which the District Collector had persuaded himself to incorporate in the report Exhibit A-359 two patently contradictory versions, the second part thereof discrediting and falsifying the first part, I am inclined to accept, as trust-worthy and reliable, only the first part of the report. This first part is consistent not only with his earlier report, Exhibit A-357 sent after a due visit by him to Ponnur village on 8th November 1992 itself and the enquiries then made by him, but also with the two reports, Exhibits A-355 and A-356 of Superintendent of Police, who had also visited Ponnur village along with the District Collector. I have every reason to believe, that the intervention of the representatives of a political party on 11th November 1992 when they called on the District Collector, and the stage managed information furnished and the damaged articles displayed to the District Revenue Officer, who persuaded himself to believe the same and put up the office note Exhibit A-358 in terms thereof and the purported reliance placed thereon by the District Collector, had alone accounted for a distortion of the true facts attendant with the subject incident. The report Exhibit A-14, dated 29th January 1993 which was more than two months later, of the Fact Finding Team of Peoples Union for Civil Liberties, produced in the proceedings, accompanied by the affidavit Exhibit A-282 of one of the members of that organisation, in my considered opinion, stands on the same footing, as the latter part of the Collector's report Exhibit A-359 and hence has to be rejected. For identical reasons, the reference in my local inspection report (Annexure–II) to the damaged articles, brought to my notice losses significance and importance. I am fortified in my conclusion, about the unacceptability of the case of extensive damage to the property of the Adi-Dravidars, despite the display of some of the damaged articles during the visit of the District Revenue Officer, the District Collector and myself, by the most inconsistent and contradictory statements made by the witnesses examined about the quantum and value of loss sustained by them. Indeed some of them disowned the averments made by them in that regard, in their affidavits filed earlier. Above all it is incredible

and indeed I do not find any compelling reasons to believe, that the police personnel, who had, at all relevant times, namely during the incidents that took place on the evenings of 25th October 1992 and 7th November 1992, as also during the peace meetings spread over three days, displayed considerable patience and calmness, with a desire to find an amicable settlement between the parties, suddenly changed over to the other extreme, on the morning of 8th November 1992, and indulged in a brutal attack on the Adi-Dravidars, men, women and children, as hirelings of Sengunthars, in lieu of some undisclosed gains in the deal, not to mention about the alleged insignificant and temporal reward of supply of alcoholic drinks by Mannu Mudaliar, who no doubt owns a wine and brandy shop in Vandavasi. On the other hand, I have every reason to find, that but for the presence of and necessary preventive action taken by the police personnel, despite the injuries sustained by them, in the course of the incident, there would have been heavy casualties, including some fatal ones, during the incident.

29. I need only add, that the number of public organisations and individuals, from all over the State, who petitioned the State Government, immediately following the constitution of this Commission of Inquiry, to secure justice to the Adi-Dravidars of Ponnur village, believing the representations similar to the belated one placed before the District Revenue Officer and the District Collector, had desisted from pursuing the cause, presumably because of the subsequent reliable information to them, about the true happenings during the subject incident. Indeed almost all of them were constrained to languish in the Vellore Central Jail, as remand prisoners, for more than one month, as there was none, interested in them, to bail them out. It must also be stated that except for a lone representative of the Republican Party of India, who too, merely marked his attendance, before the start of the enquiry on only two of the total twelve sittings, no other independent person or organisation, attended any of the open sittings. Factually Thiru Gopal (witness No. 1) and Thiru Loganathan (witness No. 20), the two prominent adversaries in the conflict, were alone present with their respective advocates during the enquiry spread over eight months.

30. For the foregoing reasons, I record my findings on Clauses II and IV in the reference, that the police action was imminently warranted during the physical clash between the Sengunthars and Adi-Dravidars on the morning of 8th November 1992 in the Pavu Thope in Ponnur village, that the force used by the police to disperse the warring groups was minimum and that there was no question of use of any excess force by the police personnel, in the said incident and on Clause III that there is no prima facie case against the police, that they had assaulted the Adi-Dravidar people in a systematic manner and damaged their property extensively at the instigation of Sengunthars–residents of Ponnur village.

Clause V.

31. For adequate reasons detailed in paragraph 28 supra, I came to the conclusion against the truth or even the probability, of any damage to the property of the Adi-Dravidars and that the possibility of such damage having been stage managed cannot be ruled out. As a corollary to such a finding, it must be held under this Clause V that there is no question of any extensive damage, much less damage, having been caused to the property of the Adi-Dravidars in the course of incident on 8th November 1992 and that consequently there is no scope for identifying any person or persons, both officials and non-officials, responsible for such non-existent damage. I record my finding on Clause V accordingly.

CLAUSE VI.

32. Prima facie, in the context of my findings on the earlier Clauses I to V, the question of compensating the Adi-Dravidars, who were found to have been the aggressors would not arise at all. Indeed, I have positively found, that there was no damage to the property of the Adi-Dravidars in the course of or as a result of the incident that took place, in Pavu Thope, on the morning of 8th November 1992, eventhough number of Adi-Dravidars had sustained minor injuries. Having themselves been aggressors and precipitated violence from the evening of 7th November 1992, when they displayed scant regard for the police personnel in uniform and indulged in an indiscriminate attack initially on the Sengunthars and continued on the police personnel during the incident that took place in Pavu Thope on 8th November 1992 morning, the conclusion is inevitable, that the Adi-Dravidars do not deserve any compensation. I record my finding accordingly on this Clause VI.

CLAUSE VII IN THE REFERENCE.

33. Barring the stray incident of use of physical force by Vanniars and Yadavas, who entered the Pavu Thope on 17th December 1954, nearly forty years ago, which incident was the subject matter of the proceedings under section 145, Code of Criminal Procedure evidenced by Exhibit A-5 order, the dispute pertaining to the enjoyment of Pavu Thope, was peacefully fought only in Civil Courts and other statutory forum, Hindu Religious and Charitable Endowments by the adversaries, for several decades, originally between Sengunthars and other caste Hindus and now for the past four years and until 25th October 1992 between Sengunthars and Adi-Dravidars. Dealing with Clause I in the reference, I have detailed in sequence, almost all the facts pertaining to such long drawn out Civil litigations. Indeed, on a net analysis of the entire records made available and relating to such Civil litigations, I had concluded (*a*) that the dispute regarding the enjoyment of Pavu Thope was not confined between the Sengunthars and Adi-Dravidars alone, as ostensibly projected in this proceeding, but was one between the Sengunthars on the one hand and the other residents of the village, irrespective of their caste or community ; (*b*) that the only mode of enjoyment of Pavu Thope by the Sengunthars was for their pre-weaving operations (laying of pavu) spread over a duration of about three to four hours invariably in the mornings before the onset of severity of heat from the Sun, that such enjoyment by them, if at all in the evening time, was a very rare happening dependent on the inability to do the pre-weaving operations in the morning hours due to reasons beyond control or due to the availability of surplus not completed in the morning hours, and that too from 3-00 or 4-00 p.m. to dusk ; (*c*) that at all relevant times, commencing from 1914 when an agreement (produced as Exhibit B-2 in O.A. No. 37 of 1975 on the file of the Deputy Commissioner, Hindu Religious and Charitable Endowments) until the termination of the proceedings in the aforesaid O.A. No. 37 of 1975, the management of the temples in the village (including Sri Soundaryavaradharaja Perumal and Sri Thirukkameswarar temples) and the enjoyment of their property including subject Pavu Thope, were treated as an inseparable right ; (*d*) that until the filing of the latest suit in O.S. No. 30 of 1993, Sub-Court, Arani, pending the instant Commission of Inquiry proceedings, it was admitted and conceded by the Sengunthars that Pavu Thope comprised in Survey No. 334/1-A belonged to Sri Soundaryavaradharaja Perumal and Sri Thirukkameswarar temples ; (*e*) that in all the proceedings till 1989, and in particular in the order O.A. No. 37 of 1975 aforesaid, it was expressly found, that Pavu

Thope was enjoyed by the villagers irrespective of their caste or community except during the hours when pre-weaving operations were carried on by the Sengunthars ; (*f*) that even the decree of permanent injunction passed in O.S. No. 591 of 1989 as confirmed in appeal in A.S. No. 30 of 1991 against nine named Adi-Dravidars (as contra-distinguished from their capacity as representing colony people in the village) was confined to the interference with the pre-weaving operation of Sengunthars in the Pavu Thope and did not extend to the remaining duration of the day or night, when there were no such pre-weaving operations by the Sengunthars ; and (*g*) that the Sengunthars have been driven and constrained to file the latest suit O.S. No. 30 of 1993, Sub-Court, Arani, seeking the reliefs of declaration of their title to Pavu Thope, based on adverse possession and enjoyment for over a prescriptive period and in negation of the title thereto indisputably vesting in the Sri Soundaryavaradharaja Perumal and Sri Thirukkameswarar temples, lest the fit person thereof should exercise his right, not inconsistent with the restrictive injunction decree in O.S. No. 591 of 1989 and grant permission to other community people including Adi-Dravidars, to use Pavu Thope for whatever purposes they may require and in a manner that did not interfere with the pre-weaving operations of Sengunthars. The ad-interim injunction (Exhibit A-12) pending disposal of the suit O.S. No. 30 of 1993, secured by the Sengunthars against fit the person in management of the said temples preventing him from doing anything that would interfere with the alleged exclusive possession and enjoyment of Pavu Thope in entirity, and for all time to come, has no doubt rendered it impracticable, to user in, any present solution, conducive to peace amongst the various communities residing in the village, by way of prevailing upon the fit person of the temples, to grant necessary permission to other community people to use the Pavu Thope without interfering with the pre-weaving operations of the Sengunthars therein. Obviously, any lasting solution on such basis has to await the ultimate termination of the proceedings in I.A. No. 65 of 1993 in O.S. No. 30 of 1993, against the claim of the Sengunthars or the final disposal of the suit, if necessitated. Evenso, considering the fact that the subject matter of O.S. No. 30 of 1993 is only Pavu Thope, as comprised within Survey No. 331/1 with an extent of 1·62 hectares as expressly described in the schedule to the plaint Exhibit A-12 and that no portion of Battai Poramboke comprised in Survey No. 334/1-A has been included into the said suit by proper description in terms of Survey number, as indisputably known to Sengunthars, coupled with the fact, that the State Government, in whom the Battai Poramboke vests, have not been made a party defendant in the said suit O.S. No. 30 of 1993, it is clearly open to the concerned Revenue officials, to grant necessary permission to anyone, including the Adi-Dravidars residing in the colony of the village, to use the said Battai Poramboke portion for any purpose. The Sengunthars cannot have any sustainable objection to this course, as they have admittedly purchased another piece of land measuring about three acres in the southern part of the village, for their use of laying pavu, as and when the subject Pavu Thope is found to be insufficient. It would no doubt be wiser for such Revenue officials to restrict user on such permission, in a manner that would not interfere with the pre-weaving operations of Sengunthars on any portions of Battai Poramboke as well. I have persuaded myself to suggest the grant of permission for such restrictive use, lest an unrestricted right should provoke the Sengunthars to react, giving room for continued conflict between the users of Battai Poramboke. It is hoped that better wisdom would prevail on the Sengunthars, Adi-Dravidars and the other community people residing in the village, in the context of the bitter experience the former

two had in the recent events in November 1992, to contribute for peace in the village, each being dependent on the other, for happy living and survival, as the case may be pending determination of the conflicting rights over Pavu Thope comprised in Survey No. 331/1 in the suit O.S. No. 30 of 1993, Sub-Court, Arani. Though normally, the use of force to accomplish even a legitimate civil right, should not go unpunished, yet considering the peculiar facts and circumstances attendant with the subject incident and to maintain the peace presently prevailing in the village, the Government should consider the dropping of further criminal proceedings on the various complaints pertaining to the incidents on the 7th and 8th November 1992. It is also desirable that in the interest of maintaining peace and harmony in the village, the establishment of a police station with adequate strength and communication facilities, may be considered in the context of ill-feelings and groupism among the local residents. I should therefore be inclined to conclude that the above suggested measures would be sufficient to maintain, in future, peace and harmony among the people residing in Ponnur village.

34. Before parting with this assignment, I wish to place on record my appreciation for the valuable assistance rendered by the learned counsels and my staff Thiruvalargal P. Rajendran, Section Officer, K. Natarajan, Selection Grade Assistant Section Officer, M. Ravikumar, Steno-typist, K. Vivekanandan, M. Javid Hussain, Office Assistants and J. Sathiyanarayanan, Driver. I must also make a special mention about Thiru K. Natarajan, Selection Grade Assistant Section Officer, whose thorough knowledge of administrative, financial and even open enquiry procedures had facilitated the smooth conduct of the Commission for its entire duration. While the documents produced including M. 02 X-rays exhibited are ordered to be consigned to appropriate authorities as per rules in force, the remaining M. 01, namely a broken wrist watch is ordered to be returned to witness No. 17, Muthuvel, who had produced the same.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS



2. LIST OF WITNESSES EXAMINED


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

2. LIST OF WITNESSES EXAMINED.

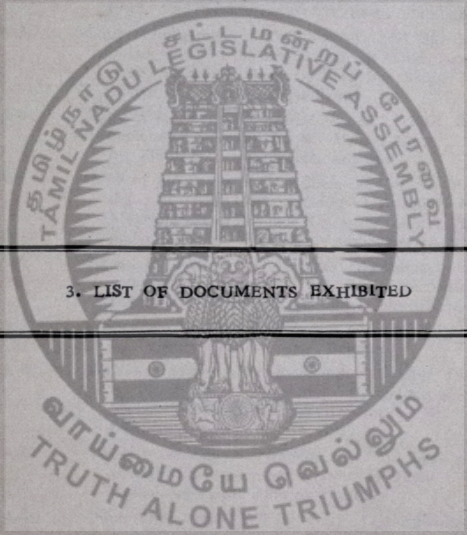
List of Witnesses examined before the Commission of Inquiry.

Serial number.	*Witness number.*	*Name and address.*
(1)	(2)	(3)
1.	W-1	Thiru M. Gopal, son of R. Mannangatti, Vandikaran Street, Ponnur.
2.	W-2	Thiru M. Leela Vinothan, son of Moorthy, Thalaiyari Street, Ponnur.
3.	W-3	Thiru K. Selvaraj, son of Kanniappan, S.S. Puram, Teynampet, Madras-6.
4.	W-4	Selvi K. Sakunthala, daughter of Kadirvelu, Panchayathamman Koil Street, Ponnur.
5.	W-5	Thiru P. Joseph, son of Ponnusamy, Pallar Street, Ponnur.
6.	W-6	Thiru N. Kaliaperumal, son of Narayanan, Thalayari Street, Ponnur.
7.	W-7	Thirumathi Andal, wife of Ponnusamy (late), 6/61, Panchayathamman Koil Street, Ponnur.
8.	W-8	Selvi V. Annakili, daughter of Varadharajan, 6, Panchayathamman Koil Street, Ponnur.
9.	W-9	Thirumathi Vendavaram, wife of Kannan, Panchayathamman Koil Street, Ponnur.
10.	W-10	Thiru N. Gopal, son of Narayanan, 334, Vandikaran Street, Ponnur.
11.	W-11	Thiru V. Panchan, son of Varadhan, Panchayathamman Koil Street, Ponnur.
12.	W-12	Thiru M. Mani, son of Munusamy, Pallar Street, Ponnur.
13.	W-13	Thiru M. Natesan, son of Murugan, Panchayathamman Koil Street, Ponnur.
14.	W-14	Thirumathi Baby, wife of Murugesan, Vandikaran Street, Ponnur.
15.	W-15	Thiru K. Velayutham, son of Kandasamy, Vandikaran Street, Ponnur.
16.	W-16	Thiru K. Jayaraman, son of Kuppan, Vandikaran Street, Ponnur.
17.	W-17	Thiru P. Muthuvel, son of Perumal, Vandikaran Street, Ponnur.
18.	W-18	Thirumathi Chandra, wife of Kasi, Panchayathamman Koil Street, Ponnur.
19.	W-19	Thirumathi Malliga, wife of Kanakaraj, Mudhakoil Street, Ponnur.
20.	W-20	Thiru A. Loganathan, son of Appavu Sengunthar, 5/65, Mettu Street, Ponnur.

Serial number.	*Witness number.*	*Name and address.*
(1)	(2)	(3)
21.	W-21	Dr. Basheer Ahamed, son of Khader Mohideen, Civil Assistant Surgeon, Government Hospital, Vandavasi.
22.	W-22	Dr. Ramalingam, Civil Assistant Surgeon, Government Hospital, Vandavasi.
23.	W-23	Dr. S. Kumar, son of L. Subramanian, Assistant Surgeon, Government Hospital, Vandavasi.
24.	W-24	Dr. Mohammed Raffiq, son of Janah C. Muhammed Munshee, Civil Assistant Surgeon, Government Hospital, Vandavasi.
25.	W-25	Dr. Sundaravanam, son of M. Natarajan, Civil Assistant Surgeon, Government Hospital, Vandavasi.
26.	W-26	Dr. P. Mohanasundaram, son of K. M. Palanisamy Mudaliar, Civil Assistant Surgeon, Government Hospital, Tiruvannamalai.
27.	W-27	Thiru M. Francis, son of J. Muthiah, Sub-Inspector, Prohibition Enforcement Wing, Arni.
28.	W-28	Dr. P. Arunan, son of R. Pattabi, Civil Assistant Surgeon, Government Pentlant Hospital, Vellore, North Arcot-Ambedkar District.
29.	W-29	Thiru G. Chellan, son of Govindasamy Gounder, Grade II Constable, Peranamallur Police Station, Tiruvannamalai-Sambuvarayar District.
30.	W-30	Dr. Srinivasan, son of M. E. Jayaram, Radiologist, Government Pentlant Hospital, Vellore.
31.	W-31	Thiru Nainadurai, son of M. Krishnasami, Sub-Inspector, Vandavasi Police Station.
32.	W-32	Dr. Ashraff, son of Gulam Rasool, Casualty Medical Officer, Chengalpattu Medical College Hospital.
33.	W-33	Dr. Udesh Ganapathy, son of Dr. T. Ganapathy, Civil Assistant Surgeon, Government Pentlant Hospital, Vellore.
34.	W-34	Thiru Muniraman, son of Srinivasan, Sub-Inspector, Thellar Police Station.
35.	W-35	Thiru Srinivasan, son of Egilari, Sub-Inspector, Moranam Police Station.
36.	W-36	Thiru Pichandi, son of Panchatchara Nadar, Head Constable 460, Vandavasi Police Station.

Serial number.	*Witness number.*	*Name and address.*
(1)	(2)	(3)
37.	W-37	Thiru A. Gunasekaran, son of Arumugam, Constable, Vandavasi Police Station.
38.	W-38	Thiru N. Manavalan, son of A. N. Rangasamy, Police Constable 289, Kilkodungalur Police Station.
39.	W-39	Thiru M. P. Murugan, son of B. Ponnan, Police Constable 565, Peranamallur Police Station.
40.	W-40	Thiru A. Duraisamy, son of Arunagiri, Police Constable 648, Vandavasi Police Station.
41.	W-41	Thiru M. Agasthiappan, son of A. Maruthappan, Grade I Constable, Brammathesam Police Station.
42.	W-42	Dr. Manohar, son of (late) D. Radhakrishnan, Orthopaedic Surgeon, Government Pentlant Hospital, Vellore.
43.	W-43	Thiru D. Thiagarajan, son of K. S. Doraisamy, Inspector (Crime), Tiruvannamalai-Sambuvarayar District Town Police Station.
44.	W-44	Thiru A. Karunamoorthy, son of K. Arjunan, Head Constable 614, Vadavanakkambadi Police Station.
45.	W-45	Thiru Mohan, son of N. Kesavan, Driver, Armed Police, Tiruvannamalai-Sambuvarayar District.
46.	W-46	Thiru Mohanraj, son of Arumugam, Sub-Inspector (Crime), Arni Town Police Station.
47.	W-47	Thiru X. Vijayakumar, son of A. Xavier, Sub-Inspector (Crime), Cheyyar.
48.	W-48	Thiru A. Samraj, son of Arumugam, Head Constable, Vettavalam Police Station.
49.	W-49	Thiru P. Govardhanan, son of Perumalsamy Naidu, Sub-Inspector, Prohibition Enforcement Wing, Cheyyar.
50.	W-50	Thiru D. Natarajan, son of Duraisamy, Head Constable, Santhavasal Police Station.
51.	W-51	Thiru R. Murugesan, son of Ramasamy, Police Constable, Vandavasi Police Station.
52.	W-52	Thiru C. Sundaram, son of Chinnamuthu Gounder, Deputy Superintendent of Police, Madurai.
53.	W-53	Thiru P. Maharasan, son of K. Boraiya Gounder, Judicial Magistrate II, Cheyyar.


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS



3. LIST OF DOCUMENTS EXHIBITED


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
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3. LIST OF DOCUMENTS EXHIBITED.

List of Exhibits filed before Thiru K. E. Varadhan Commission of Inquiry.

Serial number.	*Exhibit number.*	*Details of Exhibits.*
(1)	(2)	(3)
1.	A-1	Original B.Ed. correspondence course examination application and Demand Draft acknowledgement card, Madras University, dated 18th September 1992 filed by witness No. 2, Leela Vinothan.
2.	A-2	Original B.Ed. correspondence education—University of Madras, time table for B.Ed. examination for November 1992, filed by witness No. 2, Leela Vinothan.
3.	A-3	Copy of judgement in O.S. No. 591 of 1989, dated 27th March 1991 in the District Munsif Court, Arani, North Arcot-Ambedkar District, filed by Thiru N. Viswanathan, Advocate (Sengunthars).
4.	A-4	Copy of judgement in Appeal No. 30 of 1991, dated 14th September 1992 in the Sub-Judge's Court, Arani, filed by Thiru N. Viswanathan, Advocate.
5.	A-5	Copy of judgement in Miscellaneous Case No. 1 of 1955, dated 9th July 1955 in Court of Ex-officio First Class Magistrate and Revenue Divisional Officer, Tiruvannamalai, filed by Thiru N. Viswanathan, Advocate.
6.	A-6	Signed by witness No. 1 in the proceedings while in the witness box as desired by the Commission on the request of the counsel for police Thiru N. Seshadri.
7.	A-7	Out-patient chit issued to witness No. 14, Thirumathi Baby by Primary Health Centre, Ponnur.
8.	A-8	Duplicate copy of bill, dated 6th November 1992, issued by North Arcot Marketing Committee at Vellore to Thiru Muthuvel, filed by witness No. 17, Thiru Muthuvel.
9.	A-9	Thiru P. Muthuvel (witness No. 17) has signed his father's signature (name) both in Tamil and English during his examination as a witness.
10.	A-10	Pavu Thope map filed by Thiru A. Loganathan (witness No. 20).
11.	A-11	Registered notice sent to Thiru Kuppusamy, Secretary of the Sengunthars community, Ponnur village, dated 24th November 1992 by Thiru N. S. Chandra Mouliswaran, Advocate.
12.	A-12	Interim Injunction order in I.A. No. 65 of 1993 in O.S. No. 30 of 1993 before the Subordinate Judge at Arani, dated 3rd February 1993 filed by Thiru A. Loganathan (witness No. 20).
13.	A-13	True copy of village records pertaining to Survey Nos. 331 and 334/1-A, filed by Thiru R. Ravi, Advocate.
14.	A-14	Fact finding report by the Tamil Nadu unit of P.U.C.L. filed by Selvi Ajeetha, Advocate.

(1)	(2)	(3)
		The following Accident Register entries, dated 8th November 1992 have been filed through Dr. Basheer Ahmed (witness No. 21) :—
15.	A-15	Accident Register entry of Government Hospital, Vandavasi serial No. 271651, relating to Thiru Rajapandi (P.C. 585, not examined).
16.	A-16	Accident Register entry of Government Hospital, Vandavasi serial No. 271652, relating to Thiru D. Thiagarajan, Inspector (witness No. 43).
17.	A-17	Accident Register entry of Government Hospital, Vandavasi serial No. 271652, relating to Thiru Pichandi (H.C. 460, witness No. 36).
18.	A-18	Accident Register entry of Government Hospital, Vandavasi serial No. 271653, relating to Thiru Mohan (P.C. 941, witness No. 45).
19.	A-19	Accident Register entry of Government Hospital, Vandavasi serial No. 271654, relating to Thiru Gunasekaran (P.C. 455, witness No. 37).
20.	A-20	Accident Register entry of Government Hospital, Vandavasi serial No. 271654, relating to Thiru Samraj (H.C. 580, witness No. 48).
21.	A-21	Accident Register entry of Government Hospital, Vandavasi serial No. 271655, relating to Thiru Murugesan (P.C. 620, witness No. 51).
22.	A-22	Accident Register entry of Government Hospital, Vandavasi serial No. 271656, relating to Thiru Mohanraj, Sub-Inspector (witness No. 46).
23.	A-23	Accident Register entry of Government Hospital, Vandavasi serial No. 271656, relating to Thiru Munusamy (P.C. 227, not examined).
24.	A-24	Accident Register entry of Government Hospital, Vandavasi serial No. 271657, relating to Selvaraj, Conductor, Pallavan Transport Corporation (witness No. 3).
25.	A-25	Accident Register entry of Government Hospital, Vandavasi serial No. 271658, relating to Chandrasekaran, son of Kuppan, Ponnur (not examined).
26.	A-26	Accident Register entry of Government Hospital, Vandavasi serial No. 271659, relating to Jayaraman, son of Kuppan, Ponnur (witness No. 16).
27.	A-27	Accident Register entry of Government Hospital, Vandavasi serial No. 271660, relating to Raj, son of Chinnapaiyan, Ponnur (not examined).
28.	A-28	Accident Register entry of Government Hospital, Vandavasi serial No. 271660, relating to Venkatesan, son of Raj, Ponnur (not examined).

(1)	(2)	(3)
29.	A-29	Accident Register entry of Government Hospital, Vandavasi serial No. 271661, relating to Thirumathi Andal, wife of Ponnusamy, Ponnur (witness No. 7).
30.	A-30	Accident Register entry of Government Hospital, Vandavasi serial No. 271662, relating to Thirumathi Vendavaram, wife of Vettiyan of Ponnur (witness No. 9).
31.	A-31	Accident Register entry of Government Hospital, Vandavasi serial No. 271662, relating to Thirumathi Mallika, wife of Kanakaraj of Ponnur (witness No. 19).
32.	A-32	Accident Register entry of Government Hospital, Vandavasi serial No. 271663, relating to Thirumathi Rajammal, wife of Thangalan of Ponnur (not examined).
33.	A-33	Accident Register entry of Government Hospital, Vandavasi serial No. 271664, relating to Thirumathi Nagammal, wife of Samikannu of Ponnur (not examined).
34.	A-34	Accident Register entry of Government Hospital, Vandavasi serial No. 271665, relating to Thirumathi Kuppathi, wife of Balasamy of Ponnur (not examined).
35.	A-35	Accident Register entry of Government Hospital, Vandavasi serial No. 271666, relating to Thiru Sadasivam, son of Appasamy of Ponnur (not examined).
36.	A-36	Accident Register entry of Government Hospital, Vandavasi serial No. 271666, relating to Thiru Chinnadurai, son of Ponnambalam of Ponnur (not examined).
37.	A-37	Accident Register entry of Government Hospital, Vandavasi serial No. 271667, relating to Thiru Panchatcharam, son of Kandasamy of Ponnur (not examined).
38.	A-38	Accident Register entry of Government Hospital, Vandavasi serial No. 271668, relating to Thiru Selvamani, son of Panchatcharam of Ponnur (not examined).
39.	A-39	Accident Register entry of Government Hospital, Vandavasi serial No. 271668, relating to Thiru Kasi, son of Annamalai of Ponnur (not examined).
40.	A-40	Accident Register entry of Government Hospital, Vandavasi serial No. 271669, relating to Thirumathi Muniammal, wife of Neelakandan of Ponnur (not examined).
41.	A-41	Accident Register entry of Government Hospital, Vandavasi serial No. 271670, relating to Thiru Selvam, son of Munusamy of Ponnur (not examined).
		The following Accident Register entries, dated 8th November 1992 have been filed through Dr. I. Ramalingam (witness No. 22) :—
42.	A-42	Accident Register entry of Government Hospital, Vandavasi serial No. 2935, relating to Thiru Joseph, son of Ponnusamy of Ponnur (witness No. 5).
43.	A-43	Accident Register entry of Government Hospital, Vandavasi serial No. 2941, relating to Thiru Thangalam, son of Perumal of Ponnur (not examined).

(1)	(2)	(3)
44.	A-44	Accident Register entry of Government Hospital, Vandavasi serial No. 2928, relating to Thiru Arumugam, son of Mannangatti of Ponnur (not examined).
45.	A-45	Accident Register entry of Government Hospital, Vandavasi serial No. 2257, relating to Thiru Vediappan, son of (late) Chinnathambi of Ponnur (not examined).
46.	A-46	Accident Register entry of Government Hospital, Vandavasi serial No. 2956, relating to Thiru Thulukkanam, son of Kuppan of Ponnur (not examined).
47.	A-47	Accident Register entry of Government Hospital, Vandavasi serial No. 2340, relating to Thiru Duraikannu, son of Ganesan of Ponnur (not examined).
48.	A-48	Accident Register entry of Government Hospital, Vandavasi serial No. 2988, relating to Thirumathi Kanaka, wife of (late) Subbarayan of Ponnur (not examined).
49.	A-49	Accident Register entry of Government Hospital, Vandavasi serial No. 2976, relating to Thirumathi Usha, wife of Mathi of Ponnur (not examined).
50.	A-50	Accident Register entry of Government Hospital, Vandavasi serial No. 2967, relating to Thirumathi Kala, wife of Muthu of Ponnur (not examined).
51.	A-51	Accident Register entry of Government Hospital, Vandavasi serial No. 2993, relating to Thiru Manoharan, son of Annamalai of Ponnur (not examined).
52.	A-52	Accident Register entry of Government Hospital, Vandavasi serial No. 2998, relating to Thiru Thanikaimalai, son of Annamalai Mudaliar of Ponnur (not examined).
53.	A-53	Accident Register entry of Government Hospital, Vandavasi serial No. 3004, relating to Thiru Ekambaram, son of Ganesan of Ponnur (not examined).
54.	A-54	Accident Register entry of Government Hospital, Vandavasi serial No. 3007, relating to Thiru Kumaresan, son of Subramaniam of Ponnur (not examined).
55.	A-55	Accident Register entry of Government Hospital, Vandavasi serial No. 3011, relating to Thiru Kandasamy, son of Rethinavelu of Ponnur (not examined).
56.	A-56	Accident Register entry of Government Hospital, Vandavasi serial No. 3017, relating to Thirumathi Malarkodi, wife of Mani of Theradi, camping at Ponnur (not examined).
		The following Accident Register entries, dated 8th November 1992 have been filed through Dr. Kumar (witness No. 23) :—
57.	A-57	Accident Register entry of Government Hospital, Vandavasi serial No. 2927, relating to Thiru Chinnapaiyan, son of Murugan of Ponnur (not examined).
58.	A-58	Accident Register entry of Government Hospital, Vandavasi serial No. 2947, relating to Thiru Murthy, son of Kuppan of Ponnur (not examined).

(1)	(2)	(3)
59.	A-59	Accident Register entry of Government Hospital, Vandavasi serial No. 2961, relating to Thiru Manickam, son of Padavettan of Ponnur (not examined).
60.	A-60	Accident Register entry of Government Hospital, Vandavasi serial No. 2962, relating to Thiru Rangasamy, son of Chinnathambi of Ponnur (not examined).
61.	A-61	Accident Register entry of Government Hospital, Vandavasi serial No. 2931, relating to Thiru Thulukkanam, son of Govindaraj of Arasampattu Colony (not examined).
62.	A-62	Accident Register entry of Government Hospital, Vandavasi serial No. 2934, relating to Thiru Elumalai, son of Murugan of Ponnur (not examined).
63.	A-63	Accident Register entry of Government Hospital, Vandavasi serial No. 2951, relating to Thiru Pachaiyappan, son of Chellakutty of Ponnur (not examined).
64.	A-64	Accident Register entry of Government Hospital, Vandavasi serial No. 2964, relating to Thirumathi Sakkubai, wife of Ettiyan of Ponnur (not examined).
65.	A-65	Accident Register entry of Government Hospital, Vandavasi serial No. 2987, relating to Thirumathi Kumari, wife of Chinnapaiyan of Ponnur (not examined).
66.	A-66	Accident Register entry of Government Hospital, Vandavasi serial No. 2973, relating to Thirumathi Dhanalakshmi, wife of Duraisamy of Ponnur (not examined).
67.	A-67	Accident Register entry of Government Hospital, Vandavasi serial No. 2968, relating to Thirumathi Pushpa, wife of Kadirvelu of Ponnur (not examined).
68.	A-68	Accident Register entry of Government Hospital, Vandavasi serial No. 2970, relating to Thirumathi Sundarammal, wife of Masilamani of Ponnur (not examined).
69.	A-69	Accident Register entry of Government Hospital, Vandavasi serial No. 2971, relating to Thirumathi Muniammal, wife of Subramani of Ponnur (not examined).
70.	A-70	Accident Register entry of Government Hospital, Vandavasi serial No. 2985, relating to Thirumathi Karthayee, wife of Chinnathambi of Ponnur (not examined).
71.	A-71	Accident Register entry of Government Hospital, Vandavasi serial No. 2984, relating to Thirumathi Sivamani, wife of Chinnathambi of Ponnur (not examined).
		The following Accident Register entries, dated 8th November 1992 have been filed through Dr. Mohamed Raffiq (witness No. 24) :—
72.	A-72	Accident Register entry of Government Hospital, Vandavasi serial No. 2919, relating to Thiru Ammavasai, son of Chellamuthu of Ponnur (not examined).
73.	A-73	Accident Register entry of Government Hospital, Vandavasi serial No. 2926, relating to Thiru Panchan, son of Kannan of Ponnur (not examined).

(1)	(2)	(3)
74.	A-74	Accident Register entry of Government Hospital, Vandavasi serial No. 2930, relating to Thiru Panneerselvam, son of Munusamy of Ponnur (not examined).
75.	A-75	Accident Register entry of Government Hospital, Vandavasi serial No. 2932, relating to Thiru Natesan, son of Murugan of Ponnur (witness No. 13).
76.	A-76	Accident Register entry of Government Hospital, Vandavasi serial No. 2959, relating to Thiru Masilamani, son of Vellai of Ponnur (not examined).
77.	A-77	Accident Register entry of Government Hospital, Vandavasi serial No. 2946, relating to Thiru Sankar, son of Pattu of Ponnur (not examined).
78.	A-78	Accident Register entry of Government Hospital, Vandavasi serial No. 2943, relating to Thiru Kamalakannan, son of Perumal of Ponnur (not examined).
79.	A-79	Accident Register entry of Government Hospital, Vandavasi serial No. 2938, relating to Thiru Durai, son of Raja of Ponnur (not examined).
80.	A-80	Accident Register entry of Government Hospital, Vandavasi serial No. 2942, relating to Thiru Mari, son of Munusamy of Ponnur (witness No. 12).
81.	A-81	Accident Register entry of Government Hospital, Vandavasi serial No. 2939, relating to Thiru Kumar, son of Chinnathambi of Ponnur (not examined).
82.	A-82	Accident Register entry of Government Hospital, Vandavasi serial No. 2948, relating to Thiru Kuppan, son of Vellai of Ponnur (not examined).
83.	A-83	Accident Register entry of Government Hospital, Vandavasi serial No. 2949, relating to Thiru Thangaraj, son of Ponnusamy of Ponnur (not examined).
84.	A-84	Accident Register entry of Government Hospital, Vandavasi serial No. 2916, relating to Thiru Subramani, son of Perumal of Ponnur (not examined).
85.	A-85	Accident Register entry of Government Hospital, Vandavasi serial No. 2952, relating to Thiru Kaliaperumal, son of Narayanan of Ponnur (witness No. 6).
86.	A-86	Accident Register entry of Government Hospital, Vandavasi serial No. 2972, relating to Thirumathi Varadhammal, wife of Pattusamy of Ponnur (not examined).
87.	A-87	Accident Register entry of Government Hospital, Vandavasi serial No. 2953, relating to Thirumathi Rani, wife of Ponnusamy (not examined).
88.	A-88	Accident Register entry of Government Hospital, Vandavasi serial No. 2974, relating to Thirumathi Saroja, wife of Munusamy of Ponnur (not examined).
89.	A-89	Accident Register entry of Government Hospital, Vandavasi serial No. 2975, relating to Thirumathi Mallika, wife of Selvam of Ponnur (not examined).

(1)	(2)	(3)
90.	A-90	Accident Register entry of Government Hospital, Vandavasi serial No. 2982, relating to Selvi Annakili, daughter of Varadharajan (witness No. 8).
91.	A-91	Accident Register entry of Government Hospital, Vandavasi serial No. 2995, relating to Thiru Sundaramoorthy, son of Govindaraj of Ponnur (not examined).
92.	A-92	Accident Register entry of Government Hospital, Vandavasi serial No. 2998, relating to Thiru Punniyakodi, son of Govinda Mudaliar of Ponnur (not examined).
93.	A-93	Accident Register entry of Government Hospital, Vandavasi serial No. 3002, relating to Thiru Sambandam, son of Ganesa Mudaliar of Ponnur (not examined).
94.	A-94	Accident Register entry of Government Hospital, Vandavasi serial No. 3005, relating to Thiru Viswanathan, son of Perumal Mudaliar of Ponnur (not examined).
95.	A-95	Accident Register entry of Government Hospital, Vandavasi serial No. 3009, relating to Thiru Annadurai, son of Panchatcharam of Ponnur (not examined).
96.	A-96	Accident Register entry of Government Hospital, Vandavasi serial No. 3012, relating to Thiru Tamil Velan, son of Arunachalam of Ponnur (not examined).
97.	A-97	Accident Register entry of Government Hospital, Vandavasi serial No. 3013, relating to Thirumathi Panchavarnam, wife of Kasi of Ponnur (not examined).
98.	A-98	Accident Register entry of Government Hospital, Vandavasi serial No. 3015, relating to Thirumathi Santhalakshmi, wife of Devaraj of Ponnur (not examined).
99.	A-99	Accident Register entry of Government Hospital, Vandavasi serial No. 3016, relating to Thirumathi Kanniammal, wife of Govindaraj of Ponnur (not examined).
100.	A-100	Copy of Post-mortem Certificate No. 5092, dated 17th November 1992, relating to Thirumathi Backiammal, wife of Padavettan of Ponnur (not examined).
		The following Accident Register entries, dated 8th November 1992 have been filed through Dr. Sundaravadanam (witness No. 25) :—
101.	A-101	Accident Register entry of Government Hospital, Vandavasi serial No. 2917, relating to Thiru Perumal, son of Kali of Ponnur (not examined).
102.	A-102	Accident Register entry of Government Hospital, Vandavasi serial No. 2927, relating to Thiru Leela Vinothan, son of Moorthy of Ponnur (witness No. 2).
103.	A-103	Accident Register entry of Government Hospital, Vandavasi serial No. 2924, relating to Thiru Kasi, son of Thangalan of Ponnur (not examined).
104.	A-104	Accident Register entry of Government Hospital, Vandavasi serial No. 29.., relating to Thiru Chinnathambi, son of Chinnapaiyan (not examined).

(1)	(2)	(3)
105.	A-105	Accident Register entry of Government Hospital, Vandavasi serial No. 2920, relating to Thiru Gopal, son of Mannangatti of Ponnur (witness No. 1).
106.	A-106	Accident Register entry of Government Hospital, Vandavasi serial No. 2922, relating to Thiru Raman, son of Narayanan of Ponnur (not examined).
107.	A-107	Accident Register entry of Government Hospital, Vandavasi serial No. 2921, relating to Thiru Kuppan, son of Sundari of Ponnur (not examined).
108.	A-108	Accident Register entry of Government Hospital, Vandavasi serial No. Nil, relating to Thiru Chinnamunchi, son of Krishnan of Ponnur (not examined).
109.	A-109	Accident Register entry of Government Hospital, Vandavasi serial No. Nil, relating to Thiru Pedavettan, son of Raghavan of Ponnur (not examined).
110.	A-110	Accident Register entry of Government Hospital, Vandavasi serial No. 2936, relating to Thiru Jayaraman, son of Ponnusamy of Ponnur (not examined).
111.	A-111	Accident Register entry of Government Hospital, Vandavasi serial No. 2945, relating to Thiru Munusamy, son of Chidambaram of Ponnur (not examined).
112.	A-112	Accident Register entry of Government Hospital, Vandavasi serial No. Nil, relating to Thiru Sankar, son of Perumal (not examined).
113.	A-113	Accident Register entry of Government Hospital, Vandavasi serial No. 2928, relating to Thiru Kannan, son of Raman (not examined).
114.	A-114	Accident Register entry of Government Hospital, Vandavasi serial No. 2981, relating to Thirumathi Thamari, wife of Velu (not examined).
115.	A-115	Accident Register entry of Government Hospital, Vandavasi serial No. 2969, relating to Thirumathi Mangamma, wife of Narayanan (not examined).
116.	A-116	Accident Register entry of Government Hospital, Vandavasi serial No. 2980, relating to Thirumathi Kaveri, wife of Anniappan (not examined).
117.	A-117	Accident Register entry of Government Hospital, Vandavasi serial No. 2960, relating to Thiru Nagaraj, son of Jayaraman (not examined).
118	A-118	Accident Register entry of Government Hospital, Vandavasi serial No. 2986, relating to Selvi Lakshmi, daughter of Raja (not examined).
119.	A-119	Accident Register entry of Government Hospital, Vandavasi serial No. 2989, relating to Selvi Sakunthala, daughter of Kadirvelu (witness No. 4).
120.	A-120	Accident Register entry of Government Hospital, Vandavasi serial No. 2992, relating to Thiru Mani, son of Neelakandan (not examined).

(1)	(2)	(3)
121.	A-121	Accident Register entry of Government Hospital, Vandavasi serial No. 2996, relating to Thiru Thavamani, son of Panchatcharam (not examined).
122.	A-122	Accident Register entry of Government Hospital, Vandavasi serial No. 3000, relating to Thiru Selvaraj, son of Kanniappan (not examined).
123.	A-123	Accident Register entry of Government Hospital, Vandavasi serial No. 3001, relating to Thiru Manimaran, son of Viswanathan (not examined).
124.	A-124	Accident Register entry of Government Hospital, Vandavasi serial No. 3003, relating to Thiru Jothi, son of Narayanasamy (not examined).
125.	A-125	Accident Register entry of Government Hospital, Vandavasi serial No. 3006, relating to Thirumathi Duraikannu, wife of Perumal (not examined).
126.	A-126	Accident Register entry of Government Hospital, Vandavasi serial No. 2903, relating to Thiru Nainadurai, son of Krishnasamy, Sub-Inspector, Thellar (witness No. 31).
127.	A-127	Accident Register of Government Headquarters Hospital, Tiruvannamalai, serial No. 2534, dated 14th November 1992 filed by Dr. Mohanasundaram (witness No. 26), relating to Selvi Annakili, daughter of Varadharajan of Ponnur.
128.	A-128	Out-patient Chit of Government Hospital, Vandavasi, serial No. 2722, dated 7th November 1992, filed by Thiru M. Francis, Sub-Inspector of Arani (witness No. 27).
129.	A-129	Medical Certificate for leave issued by Dr. I. Ramalingam, Civil Assistant Surgeon, Government Hospital, Vandavasi, dated 8th November 1992, relating to Thiru M. Francis, Sub-Inspector (witness No. 27).
130.	A-130	Accident Register filed by witness No. 28, Dr. P. Arunan, Government Pentlant Hospital, Vellore, serial No. B-109361, dated 30th November 1992, relating to Thiru Mani, son of Neelakandan.
131.	A-131	Affidavit filed by Thirumathi C. Alamelu, wife of Chellan of Ponnur.
132.	A-132	Affidavit filed by Thirumathi M. Alli, wife of Murugesan of Ponnur.
133.	A-133	Affidavit filed by Thirumathi Amirthammal, daughter of Muruvan of Ponnur.
134.	A-134	Affidavit filed by Thiru Ammavasai, son of Chellamuthu of Ponnur.
135.	A-135	Affidavit filed by Thiru Ammavasai, son of Narayanan of Ponnur.
136.	A-136	Affidavit filed by Thirumathi Amsh, wife of Murugan of Ponnur.
137.	A-137	Affidavit filed by Thiru Amuldoss, son of Lucas of Ponnur.

(1)	(2)	(3)
138.	A-138	Affidavit filed by Thiru Annamalai, son of Chinnu of Ponnur.
139.	A-139	Affidavit filed by Thiru Arul, son of Vellai of Ponnur.
140.	A-140	Affidavit filed by Thiru Arumugam, son of Mannangatti.
141.	A-141	Affidavit filed by Thiru Chandrasekaran, son of Kuppan of Ponnur.
142.	A-142	Affidavit filed by Thiru Chidambaram, son of Ponnan of Ponnur.
143.	A-143	Affidavit filed by Thirumathi Chinnakulandai, wife of Varadhan of Ponnur.
144.	A-144	Affidavit filed by Thiru Chinnapaiyan, son of Muruvan of Ponnur.
145.	A-145	Affidavit filed by Thiru Chithravel, son of Varadhan of Ponnur.
146.	A-146	Affidavit filed by Thirumathi Dhanalakshmi, wife of Annamalai of Ponnur.
147.	A-147	Affidavit filed by Thirumathi Dhanalakshmi, wife of Pattusamy of Ponnur.
148.	A-148	Affidavit filed by Thiru Dhanapal, son of Mungilan of Ponnur.
149.	A-149	Affidavit filed by Thiru Durai, son of Raja of Ponnur.
150.	A-150	Affidavit filed by Thiru Durairaj, son of Velayutham of Ponnur.
151.	A-151	Affidavit filed by Thirumathi Egavalli, wife of Murugesan of Ponnur.
152.	A-152	Affidavit filed by Thiru C. M. Elumalai, son of Muruvan of Ponnur.
153.	A-153	Affidavit filed by Thiru Gajendran, son of Munusamy of Ponnur.
154.	A-154	Affidavit filed by Thiru Ganesan, son of Thambiran of Ponnur.
155.	A-155	Affidavit filed by Thiru Gopal, son of Chinniah of Ponnur.
156.	A-156	Affidavit filed by Thirumathi Jayalakshmi, wife of Vadivelu of Ponnur.
157.	A-157	Affidavit filed by Thirumathi Kala, wife of Muthu of Ponnur.
158.	A-158	Affidavit filed by Thiru Kaliyamoorthi, son of Thiruvathurai of Ponnur.
159.	A-159	Affidavit filed by Thirumathi Kalyani, wife of Selvaraj.
160.	A-160	Affidavit filed by Thiru Kamalakannan, son of Vellai.
161.	A-161	Affidavit filed by Thirumathi Kanakammal, wife of Veli.
162.	A-162	Affidavit filed by Thiru Kanniappan, son of Veerasamy.
163.	A-163	Affidavit filed by Thirumathi Kannammal, wife of Devendran.
164.	A-164	Affidavit filed by Thirumathi Kannammal, wife of Rajagopal.

(1)	(2)	(3)
165.	A-165	Affidavit filed by Thiru Kasi, son of Thangalan.
166.	A-166	Affidavit filed by Thiru Kuppan, son of Chinnapaiyan.
167.	A-167	Affidavit filed by Thiru Kuppan, son of Muruvan.
168.	A-168	Affidavit filed by Thiru Kuppan, son of Ponnusamy.
169.	A-169	Affidavit filed by Thiru Kuppan, son of Sundari.
170.	A-170	Affidavit filed by Thiru Kuppan.
171.	A-171	Affidavit filed by Thirumathi Kuppu, wife of Chinnadurai of Ponnur.
172.	A-172	Affidavit filed by Thirumathi Kuppu, wife of Chinnadurai.
173.	A-173	Affidavit filed by Thirumathi Kuppu, wife of Mannangatti.
174.	A-174	Affidavit filed by Thiru Kuppusamy, son of Ellan.
175.	A-175	Affidavit filed by Thiru Kuppusamy, son of Nerinjan.
176.	A-176	Affidavit filed by Thiru Mahalingam, son of Perumal.
177.	A-177	Affidavit filed by Thiru Mani, son of Manickam.
178.	A-178	Affidavit filed by Thiru Manickam, son of Padavettan.
179.	A-179	Affidavit filed by Thiru Manickam, son of Perumal.
180.	A-180	Affidavit filed by Thirumathi Mangammal, wife of Narayanan.
181.	A-181	Affidavit filed by Thiru Mannangatti, son of Rangan.
182.	A-182	Affidavit filed by Thiru Masilamani, son of Vellai.
183.	A-183	Affidavit filed by Thirumathi Meenakshi, wife of Perumal.
184.	A-184	Affidavit filed by Thiru Moorthy, son of Kuppan.
185.	A-185	Affidavit filed by Thirumathi Muniamma, wife of Chinnapaiyan.
186.	A-186	Affidavit filed by Thirumathi Muniamma, wife of Kuppan.
187.	A-187	Affidavit filed by Thirumathi Muniammal, wife of Munusamy.
188.	A-188	Affidavit filed by Thiru Munusamy.
189.	A-189	Affidavit filed by Thiru Murugan, son of Moongilan.
190.	A-190	Affidavit filed by Thiru Murugesan, son of Palayan of Ponnur.
191.	A-191	Affidavit filed by Thiru Muruvan, son of Moongilan.
192.	A-192	Affidavit filed by Thirumathi Muruvammal, wife of Raja.
193.	A-193	Affidavit filed by Thirumathi Muruvammal, wife of Selvaraj.
194.	A-194	Affidavit filed by Thirumathi Muruvammal, P.
195.	A-195	Affidavit filed by Thirumathi Muthulakshmi, wife of Raman.
196.	A-196	Affidavit filed by Thiru Nagaraj, son of Jayaraman.
197.	A-197	Affidavit filed by Thiru Narayanan, son of Ponnan.
198.	A-198	Affidavit filed by Thiru Natarajan, son of Perumal.
199.	A-199	Affidavit filed by Thirumathi Neelavathi, wife of Kali.
200.	A-200	Affidavit filed by Thiru Pachaiyappan, son of Chellakutti.

(1)	(2)	(3)
201.	A-201	Affidavit filed by Thirumathi Panchammal, wife of Mannangatti.
202.	A-202	Affidavit filed by Thiru Panchan, son of Kannan.
203.	A-203	Affidavit filed by Thiru Panchan, son of Kuppan.
204.	A-204	Affidavit filed by Thiru Panchan, son of Duraisamy.
205.	A-205	Affidavit filed by Thiru Padavettan, son of Raghavan.
206.	A-206	Affidavit filed by Thirumathi Palayam, wife of Mani.
207.	A-207	Affidavit filed by Selvi Parameswari, daughter of Chinnakulandai.
208.	A-208	Affidavit filed by Thirumathi Parvathi, wife of Rajalingam.
209.	A-209	Affidavit filed by Thirumathi Pattu, wife of Govindasamy.
210.	A-210	Affidavit filed by Thirumathi Pattu, wife of Ganesan of Ponnur.
211.	A-211	Affidavit filed by Thiru Pattusamy, son of Jayaraman.
212.	A-212	Affidavit filed by Thiru Pattusamy, son of Padavettan.
213.	A-213	Affidavit filed by Thiru Perumal, son of Subbarayan.
214.	A-214	Affidavit filed by Thiru Perumal, son of Veerasamy.
215.	A-215	Affidavit filed by Thirumathi Ponnammal, wife of Muruvan.
216.	A-216	Affidavit filed by Thirumathi Pushpavathi, wife of Kadirvel.
217.	A-217	Affidavit filed by Thiru Radhakrishnan, son of Velayutham.
218.	A-218	Affidavit filed by Thirumathi Rajammal, wife of (late) Thangalan.
219.	A-219	Affidavit filed by Thiru Rajendran, son of Kuppan.
220.	A-220	Affidavit filed by Thiru Rajavel, son of Rangasamy.
221.	A-221	Affidavit filed by Thiru Raju, son of Chinnapaiyan.
222.	A-222	Affidavit filed by Thiru Raman, son of Narayanan.
223.	A-223	Affidavit filed by Thirumathi Ramayee, wife of Kuppan.
224.	A-224	Affidavit filed by Thiru Ramu, son of Chinnamunchi.
225.	A-225	Affidavit filed by Thiru Ranganathan, son of Rangasamy.
226.	A-226	Affidavit filed by Thirumathi Rani, wife of Panchan.
227.	A-227	Affidavit filed by Thiru Rayar, son of Ponnan.
228.	A-228	Affidavit filed by Thiru Sankar, son of Pattu.
229.	A-229	Affidavit filed by Thiru Sankar, son of Ponnusamy.
230.	A-230	Affidavit filed by Thiru Selvaraj, son of Athimoolam.
231.	A-231	Affidavit filed by Thiru Solai, son of Varadhan.
232.	A-232	Affidavit filed by Thirumathi Subbamma, wife of Chinnathambi.
233.	A-233	Affidavit filed by Thiru Subbarayan, son of Chinthamani.
234.	A-234	Affidavit filed by Thiru Subbarayan, son of Muruvan of Ponnur.

(1)	(2)	(3)
235.	A-235	Affidavit filed by Thiru Subramani, son of Kuppan.
236.	A-236	Affidavit filed by Thiru P. Subramani, son of Perumal.
237.	A-237	Affidavit filed by Thirumathi Sundarammal, wife of Masilamani.
238.	A-238	Affidavit filed by Thiru Thangalan, son of Chinnasamy.
239.	A-239	Affidavit filed by Thiru Thangalan, son of Perumal.
240.	A-240	Affidavit filed by Thiru Thulukkanam, son of Govindaraj.
241.	A-241	Affidavit filed by Thiru Thulukkanam, son of Kuppan.
242.	A-242	Affidavit filed by Thirumathi Unnamalai, wife of Mani.
243.	A-243	Affidavit filed by Thirumathi Usha, wife of Mathialagan.
244.	A-244	Affidavit filed by Thiru Velayutham, son of Murugan.
245.	A-245	Affidavit filed by Thirumathi Valli, wife of Perumal.
246.	A-246	Affidavit filed by Thirumathi Valliammal, wife of (late) Kuppan.
247.	A-247	Affidavit filed by Thiru Varadharaj, son of Parvatham.
248.	A-248	Affidavit filed by Thiru Veliappan, son of Chinnathambi.
249.	A-249	Affidavit filed by Thiru Vellai, son of Kuppan.
250.	A-250	Affidavit filed by Thiru Vellai, son of Subbarayan.
251.	A-251	Affidavit filed by Thiru Vellakasi, son of Kesavan.
252.	A-252	Affidavit filed by Thirumathi Vendavaram.
253.	A-253	Affidavit filed by Thiru Veeraraghavan, son of Thambiran.
254.	A-254	Affidavit filed by Thiru Arumugam, son of Chinnakulandai.
255.	A-255	Affidavit filed by Thiru Chandrasekaran, son of Ganapathi Mudali.
256.	A-256	Affidavit filed by Thiru Chandramohan, son of Vadivel.
257.	A-257	Affidavit filed by Thiru Dasarathan, son of Subbaraya Mudaliar.
258.	A-258	Affidavit filed by Thiru Devaraj, son of Vadivel.
259.	A-259	Affidavit filed by Thiru Govindan, son of Perumal.
260.	A-260	Affidavit filed by Thiru Kandeepan, son of Iyyadurai.
261.	A-261	Affidavit filed by Thiru Kemburaj, son of Annamalai Mudaliar.
262.	A-262	Affidavit filed by Thiru Kumaravel, son of Iyyadurai.
263.	A-263	Affidavit filed by Thiru Kuppathai, son of Balasamy Mudaliar.
264.	A-264	Affidavit filed by Thiru Manickavasagam, son of Natesa Mudaliar.
265.	A-265	Affidavit filed by Thiru Narayanasamy, son of Appavu Mudali.
266.	A-266	Affidavit filed by Thiru Pattabiraman, son of Duraisamy.
267.	A-267	Affidavit filed by Thiru Punniakodi, son of Saminathan.
268.	A-268	Affidavit filed by Thiru Rajendran, son of Kandasamy Mudaliar.

(1)	(2)	(3)
269.	A-269	Affidavit filed by Thiru Rajagopal Mudaliar, son of Velayutham.
270.	A-270	Affidavit filed by Thiru Rajamani, son of Pattusamy Mudaliar.
271.	A-271	Affidavit filed by Thiru Sabapathy, son of (late) Natesan Mudaliar.
272.	A-272	Affidavit filed by Thiru Sadasivam, son of Loganathan.
273.	A-273	Affidavit filed by Thiru Sambandamoorthy, son of Varadhappa Mudaliar.
274.	A-274	Affidavit filed by Thiru Sankaralingam, son of Chellappa Mudali.
275.	A-275	Affidavit filed by Thiru Selvam, son of Mannusamy Mudaliar.
276.	A-276	Affidavit filed by Thiru Selvaraja Mudaliar, son of Vadivel Mudaliar.
277.	A-277	Affidavit filed by Thiru Sivaraj, son of Loganathan.
278.	A-278	Affidavit filed by Thiru Subramani, son of Munusamy Mudali.
279.	A-279	Affidavit filed by Thiru Thavamani, son of Panchatcharam.
280.	A-280	Affidavit filed by Thiru Athimoolam, son of Kuppusamy Gounder.
281.	A-281	Affidavit filed by Thiru Arunachalam, son of Koneri Gounder.
282.	A-282	Affidavit filed by Thirumathi Anuradha, wife of Venkatesh of Madras (P.U.C.L.).
283.	A-283	Letter from Messrs. Balakrishna Gounder, Balakrishna Pillai and Manian Yadav, enclosing Xerox copy of R.P. No. 15 of 1980 and R.P. No. 22 of 1982 order by Deputy Commissioner, Hindu Religious and Charitable Endowments, Madras-34 and Commissioner (inadvertently marked as an affidavit).
284.	A-284	Affidavit filed by Thiru Balasundara Gounder, son of Raghava Gounder.
285.	A-285	Affidavit filed by Thiru Ganapathi Gounder, son of Andi Gounder.
286.	A-286	Affidavit filed by Thiru Hari, son of Munusamy of Chengai-M.G.R. district.
287.	A-287	Affidavit filed by Thiru Kannan, son of Annamalai.
288.	A-288	Letter from S. A. Natarajan, Secretary, Thellar Panchayat Union President, AIADMK, Tiruvannamalai-Sambuvarayar district (inadvertently exhibited as an affidavit).
289.	A-289	Affidavit filed by Thiru Natarajan, son of Poongavana Gounder.
290.	A-290	Affidavit filed by Thiru Perumal, son of Subbaraya Gounder.
291.	A-291	Affidavit filed by Thiru Ranganathan, son of Natesa Gounder.

(1)	(2)	(3)
292.	A-292	Affidavit filed by Thiru Rangasamy Achari, son of Kuppachari.
293.	A-293	Affidavit filed by Thiru Ravichandran, son of Venkatesan Udayar.
294.	A-294	Affidavit filed by Thiru Santhosam, son of Rama Nadar.
295.	A-295	Affidavit filed by Thiru Saravanan, son of Tamilmani.
296.	A-296	Affidavit filed by Thiru Tamil Mukilan, son of Tamilmani.
297.	A-297	Affidavit filed by Thiru Vasan, son of Selva Gounder.
298.	A-298	Affidavit filed by Thiru Yoganathan, son of Sampath of Chidambaram and Munusamy, son of Vedachalam of Madurantakam.
299.	A-299	Xerox copy of Accident Register of Chengalpattu Medical College Hospital, Chengalpattu, dated 11th November 1992, filed by Dr. Ashraff (witness No. 32, relating to Selvi Annakili, daughter of Varadharajan).
300.	A-300	Accident Register of Government Pentlant Hospital, Vellore, serial No. 109364, dated 9th November 1992 filed by Dr. R. Manohar, relating to Thiru Thulukkanam.
301.	A-301	Duplicate copy of Accident Register of Government Pentlant Hospital, Vellore, serial No. 109364, dated 9th November 1992, relating to Thiru Kaliaperumal.
302.	A-302	Duplicate copy of Accident Register of Government Pentlant Hospital, Vellore, serial No. 109365, dated 9th November 1992, relating to Thiru Manickam, son of Pedavattan.
303.	A-303	Accident Register of Government Pentlant Hospital, Vellore, serial No. 109366, dated 9th November 1992, relating to Thiru Gopal, son of Mannangatti.
304.	A-304	Duplicate copy of Accident Register of Government Pentlant Hospital, Vellore, serial No. 109366, dated 9th November 1992, relating to Thiru Subramani, son of Perumal.
305.	A-305	Duplicate copy of Accident Register of Government Pentlant Hospital, Vellore, serial No. 109366, dated 9th November 1992, relating to Thiru Selvaraj, son of Kanniappan.
306.	A-306	Accident Register of Government Pentlant Hospital, Vellore, serial No. 109368, dated 9th November 1992, relating to Thiru Thulukkanam, son of Govindaraj.
307.	A-307	Duplicate copy of Accident Register of Government Pentlant Hospital, Vellore, serial No. 109368, dated 9th November 1992, relating to Thiru Elumalai, son of Arumugham.
308.	A-308	Duplicate copy of Accident Register of Government Pentlant Hospital, Vellore, serial No. 109369, dated 9th November 1992, relating to Thiru Chinnathambi, son of Chinnapaiyan.

(1)	(2)	(3)
309.	A-309	Accident Register of Government Pentlant Hospital, Vellore, serial No. 109370, dated 9th November 1992, relating to Thiru Raj, son of Chinnapaiyan.
310.	A-310	Accident Register of Government Pentlant Hospital, Vellore, serial No. 109371, dated 9th November 1992, relating to Thiru Duraikannu, son of Ganesan.
311.	A-311	Accident Register of Government Pentlant Hospital, Vellore, serial No. 109372, dated 9th November 1992, relating to Thiru Chinnapaiyan, son of Murugan.
312.	A-312	Accident Register of Government Pentlant Hospital, Vellore, serial No. 109373, dated 9th November 1992, relating to Thiru Kannan, son of Sundari.
313.	A-313	Duplicate copy of Accident Register of Government Pentlant Hospital, Vellore, serial No. 109373, dated 9th November 1992, relating to Thiru Ramasamy, son of Chinnathambi.
314.	A-314	Duplicate copy of Accident Register of Government Pentlant Hospital, Vellore, serial No. 109374, dated 9th November 1992, relating to Thiru Kasi, son of Thangalan.
315.	A-315	Rough sketch, relating to Vandavasi Police Station Crime Nos. 733 of 1992, 734 of 1992 and 735 of 1992 (witness No. 43).
316.	A-316	List containing injured and non-injured while on escort duty (witness No. 43).
317.	A-317	Xerox copy of F.I.R. relating to Vandavasi Police Station Crime No. 733 of 1992 (witness No. 43).
318.	A-318	Xerox copy of F.I.R. relating to Vandavasi Police Station Crime No. 734 of 1992 (witness No. 43).
319.	A-319	Xerox copy of F.I.R. relating to Vandavasi Police Station Crime No. 735 of 1992 (witness No. 43).
320.	A-320	Xerox copy of F.I.R. relating to Vandavasi Police Station Crime No. 731 of 1992 (witness No. 43).
321.	A-321	Copy of Mahazar prepared by Inspector of Vandavasi (witness No. 43) at Ponnur on 8th November 1992.
322.	A-322	Copy of list of property sent to Magistrate, relating to Form No. 95 of 8th November 1992 (witness No. 43).
323.	A-323	Copy of Mahazar prepared by Inspector of Vandavasi (witness No. 43) at Ponnur on 8th November 1992.
324.	A-324	Copy of list of property sent to Magistrate, relating to Crime No. 734 of 1992 (witness No. 43).
325.	A-325	Copy of mahazar prepared by Inspector of Vandavasi (witness No. 43) at Ponnur on 8th November 1992.
326.	A-326	Copy of list of property sent to Magistrate, relating to Crime No. 734 of 1992 (witness No. 43).
327.	A-327	Mahazar prepared by Vandavasi Inspector (witness No. 43) on 8th November 1992 at Ponnur.

(1)	(2)	(3)
328.	A-328	Copy of list of property sent to Magistrate, relating to Crime No. 735 of 1992 (witness No. 43).
329.	A-329	Mahazar prepared by Vandavasi Inspector (witness No. 43) on 8th November 1992 at Ponnur.
330.	A-330	Copy of list of property sent to Magistrate, relating to Crime No. 735 of 1992 (witness No. 43).
331.	A-331	Mahazar prepared by Vandavasi Inspector (witness No. 43) on 8th November 1992.
332.	A-332	Copy of list of property sent to Magistrate, relating to Crime No. 735 of 1992.
333.	A-333	Mahazar prepared by Vandavasi Inspector (witness No. 43) on 8th November 1992.
334.	A-334	Mahazar prepared by Vandavasi Inspector (witness No. 43) on 8th November 1992.
335.	A-335	Copy of list of property sent to Magistrate, relating to Crime No. 735 of 1992.
336.	A-336	Mahazar prepared by Vandavasi Inspector (witness No. 43) on 8th November 1992.
337.	A-337	Copy of list of property sent to Magistrate, relating to Crime No. 735 of 1992.
338.	A-338	Mahazar prepared by Vandavasi Inspector (witness No. 43) on 8th November 1992.
339.	A-339	Copy of list of property sent to Magistrate, relating to Crime No. 735 of 1992.
340.	A-340	Mahazar prepared by Vandavasi Inspector (witness No. 43) on 8th November 1992.
341.	A-341	Copy of list of property sent to Magistrate, relating to Crime No. 735 of 1992.
342.	A-342	Boutha Thamma Sangam, Ponnur Branch public meeting notice (witness No. 47).
343.	A-343	Kappusamy's letter addressed to Sub-Inspector of Police, Vandavasi for holding public meeting at Ponnur village on 25th October 1992, filed by witness No. 47.
344.	A-344	Secretary, Sengunthar Sangam, Ponnur, Thiru K. T. Kuppusamy letter addressed to Inspector of Police, regarding implementation of Court order of District Munsiff Court, Arani (witness No. 47).
345.	A-345	Plaintiff copy in O.S. No. 591 of 1989, District Munsiff Court, Arani.
346.	A-346	Plaint copy in O.S. No. 30 of 1993, Sub-Court, Arani.
347.	A-347	Trustee of Arulmigu Soundaryavaradharaja Perumal and Arulmigu Thirukkameswarar Temple, Ponnur village, permission letter, dated 24th September 1992, addressed to Thiru Vadivel and colony people, filed by Thiru R. Ravi, Advocate for Adi-Dravidars.

(1)	(2)	(3)
348.	A-348	Auction notice, dated 26th December 1992 of Arulmigu Soundaryavaradharaja Perumal and Arulmigu Thirukkameswarar Temple at Ponnur, filed by Thiru R. Ravi, Advocate for Adi-Dravidars.
349.	A-349	Extract of Patta, relating to Arulmigu Perumal Koil (1) and Thirukadu Eswarar Koil (2) filed by Thiru R. Ravi, Advocate for Adi-Dravidars.
350.	A-350	Xerox copy of Adangal showing Ponnur, filed by Thiru R. Ravi, Advocate representing Adi-Dravidars.
351.	A-351	Order, dated 4th September 1975 in O.A. No. 37 of 1975 of the Deputy Commissioner, Hindu Religious and Charitable Endowments (Administration) Department, Madras-34.
352.	A-352	Copy of order in Revision Petition No. 15 of 1980, dated 25th February 1982 by the Deputy Commissioner, Hindu Religious and Charitable Endowments (Administration) Department, filed by Thiru R. Ravi, Advocate for Adi-Dravidars.
353.	A-353	Copy of Revision Petition No. 22 of 1982, dated 5th September 1985 by the Commissioner, Hindu Religious and Charitable Endowments (Administration) Department, Madras-34, filed by Thiru R. Ravi, Advocate for Adi-Dravidars.
354.	A-354	Ponnur village map.
355.	A-355	Telex copy of the report, dated 8th November 1992 of Superintendent of Police, Tiruvannamalai-Sambuvarayar District on incidents.
356.	A-356	Copy of the detailed report, dated 12th November 1992 of Superintendent of Police, Tiruvannamalai-Sambuvarayar District.
357.	A-357	Copy of report, dated 12th November 1992 of District Collector, Tiruvannamalai-Sambuvarayar District, dated 12th November 1992, addressed to the Secretary to Government, Public (Law and Order) Department, Madras-9.
358.	A-358	Copy of office note of District Revenue Officer to District Collector, Tiruvannamalai.
359.	A-359	Copy of detailed report, dated 14th November 1992 of District Collector, Tiruvannamalai-Sambuvarayar District report to the Secretary to Government, Public (Law and Order) Department, Madras-9.
360.	A-360	Copy of judgement in O.S. No. 79 of 1956, dated 19th December 1958 in the Court of the District Munsiff, Arani.
361.	A-361	Copy of judgement in A.S. No. 522 of 1959, dated 5th August 1961 in the Court of the District Judge, North Arcot at Vellore.

Serial number.	*Exhibit number.*	*Details of Exhibits.*
(1)	(2)	(3)
362.	A-362	Copy of order in A.A.O. No. 272 of 1961, dated 6th December 1963 in the High Court of Judicature at Madras.
363.	A-363	Copy of O.S. No. 79 of 1956, dated 9th March 1964 in the Court of the District Munsiff, Arani.
364.	A-364	Copy of letter, dated 24th April 1992 of Trustee, Sri Soundaryavaradharaja Perumal and Sri Thirukkameswarar Temples at Ponnur, addressed to Thiru Vadivelu and others filed by Thiru N. Viswanathan, Advocate representing Sengunthars.
365.	A-365	Copy of statements recorded by District Revenue Officer, Tiruvannamalai.
366.	A-366	1993 voters list containing Ponnur Panchayat.
367.	A-367	Inam Fair Register extract relating to T.D. No. 547.

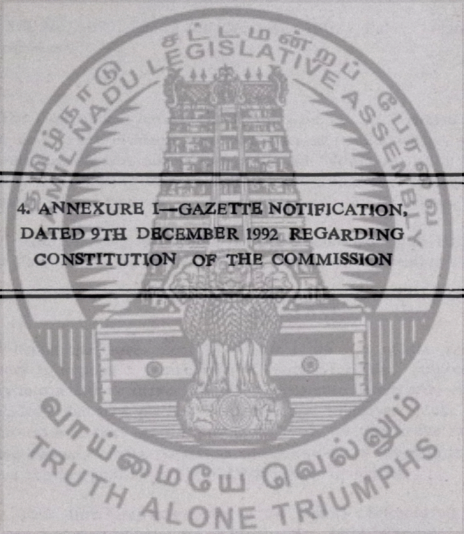
Material objects.

(1) Broken wrist-watch.

(2) X-ray photos.

TRUTH ALONE TRIUMPHS


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4. ANNEXURE I—GAZETTE NOTIFICATION, DATED 9TH DECEMBER 1992 REGARDING CONSTITUTION OF THE COMMISSION


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
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4. ANNEXURE I—GAZETTE NOTIFICATION, DATED 9TH DECEMBER 1992 REGARDING CONSTITUTION OF THE COMMISSION.

GOVERNMENT OF TAMIL NADU.

ABSTRACT.

Law and Order—Tiruvannamalai-Sambuvarayar District—Vandavasi Taluk, Ponnur village—Communal clash between the Sengunthars and Adi-Dravidars Communities on 8th November 1992 and excess use of police force—Enquiry under the Commissions of Inquiry Act, 1952 (Central Act LX of 1952)—Ordered.

G.O. Ms. No. 1397, *dated 9th December* 1992, *Public (Law and Order-B) Department.*

ORDER :

The Government have decided to appoint a Commission of Inquiry to inquire into the incidents that took place at Ponnur village, Vandavasi taluk, Tiruvannamalai-Sambuvarayar district on 8th November 1992, relating to the matter of longstanding dispute over the possession and enjoyment of property in Ponnur village between the Sengunthars and Adi-Dravidars Communities.

2. The following Notification shall be published in an Extraordinary issue of the *Tamil Nadu Government Gazette*, dated 9th December 1992.

NOTIFICATION.

Whereas the Government of Tamil Nadu are of the opinion that it is necessary to appoint a Commission of Inquiry for the purpose of making an inquiry into a definite matter of public importance herein after specified, namely, the incidents that took place at Ponnur village, Vandavasi taluk, Tiruvannamalai-Sambuvarayar district on 8th November 1992, relating to the matter of a long-standing dispute over the possession and enjoyment of property in Ponnur village, between the Sengunthars and Adi-Dravidars communities,

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Commissions of Inquiry Act, 1952 (Central Act LX of 1952), the Government of Tamil Nadu hereby appoints a Commission of Inquiry consisting of a single member, namely, Thiru K. E. Varadhan, retired District Judge.

3. The terms of reference of the Commission shall be as follows, namely :—

(i) to inquire into the cause and the circumstances leading to communal tension and group clash between the Sengunthars and Adi-Dravidars communities at Ponnur village, Vandavasi taluk, Tiruvannamalai-Sambuvarayar district, relating to the matter of a long-standing dispute over the possession and enjoyment of a property in Ponnur village which led to a major group clash between these two groups on 8th November 1992 ;

(ii) to inquire into whether the force used by the police on 8th November 1992 to disperse the warring groups was minimum or excessive ;

(iii) to inquire into whether there is *prima facie* case against the police that they had assaulted the Adi-Dravidar people in a systematic manner at the instigation of group of Sengunthar community and whether the police had damaged the property belonging to Adi-Dravidars extensively, on 8th November 1992 ;

(iv) to inquire into whether the said police action was warranted and whether there was any excess on the part of the police in the said incident ;

(v) to identify the person or persons both officials and non-officials who could be held responsible for causing extensive damage to the property of Adi-Dravidars ;

(vi) to indicate whether the Adi-Dravidars deserve compensation to the property damage and personal sufferings ;

(vii) to suggest general measures to maintain peace and harmony among the communal groups in the area in future.

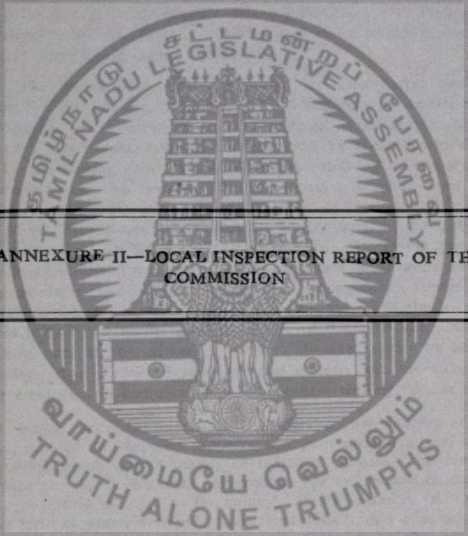
4. The Commission will complete its inquiry and submit its report to the State Government within a period of three months from the date of the publication of this Notification in the *Tamil Nadu Government Gazette.*

5. And whereas, the Government of Tamil Nadu are of the opinion, having regard to the nature of the inquiry to be made by Commission of Inquiry and other circumstances of the case, that all the provisions of sub-sections (2), (3), (4) and (5) of section 5 of the Commissions of Inquiry Act, 1952 (Central Act LX of 1952) should be made applicable to the Commission of Inquiry.

6. Now, therefore, in exercise of the powers conferred by sub-section (1) of the said section 5, the Government of Tamil Nadu hereby directs that all the provisions of the said sub-sections (2), (3), (4) and (5) of the said section 5 of the said Act, shall apply to the Commission of Inquiry.

(By order of the Governor)

T. V. VENKATARAMAN,
Chief Secretary.



5. ANNEXURE II—LOCAL INSPECTION REPORT OF THE COMMISSION


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5. ANNEXURE II—LOCAL INSPECTION REPORT OF THE COMMISSION.

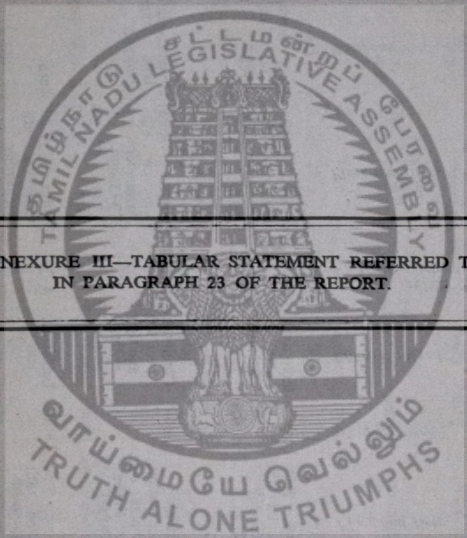
NOTES ON LOCAL INSPECTION MADE BY THIRU K. E. VARADHAN, COMMISSION OF INQUIRY ON 24TH FEBRUARY 1993 AT PONNUR VILLAGE.

After due publicity and notice to the Counsels who had entered appearance in the proceedings, I, as the Commission of Inquiry, inspected the places in Ponnur village, where the incidents pertaining to this inquiry, were alleged to have been precipitated. The District Collector, Thiru K. Deenabandu, I.A.S., the Revenue and Police officials having jurisdiction over Ponnur village, representatives of Adi-Dravidar, Sengunthar and other communities residing in the village, were present during the inspection.

2. The disputed property, representing a vacant barren land, comprised in Survey No. 331, having an extent of 1·62 hectares and included in the patta of the Perumal and Iswaran koils in the village, is located, as almost the centre part of a larger area, bounded on the north by the Noon-meal centre, on the east by the Dessur-Vandavasi Road and the abutting houses of Sengunthars, on the south by the vast cement platform used as a thrashing floor (Kalam) by all the villagers, and on the west by the house of one Thiru Mani, son of Thiru Sundaram. It was represented that the Sengunthars, used the disputed land and the surroundings (which represent poramboke), for laying pavu in connection with their traditional weaving avocation, and that on an average, about 15 to 20 pavu, would be laid on the morning and evening times, spread over a duration of four to five hours, when the heat of the Sun is at the lower level. There existed a flag post at the southern end of this area and abutting the cement thrashing floor mentioned earlier. It was also represented on behalf of the Adi-Dravidars, that occasional meetings and country dramas (Therukoothu) used to be conducted in and around the flag post extending further north.

3. I then proceeded to the Adi-Dravidars' colony, situated at a distance away on the east of the disputed property and went around almost all the places of the colony, which consist mainly of thatched houses and few small masonry buildings put up by the State Government for the benefit of the Adi-Dravidars. In the course of the visit to the colony, I saw number of grievously injured people most of whom were old. The front door frames of some of the tenements were broken and hanging on to the keels, while some of them had been removed from the keels. Numerous household utensils, a T.V. set and some transistors were also found either broken or badly damaged by way of dents, due to hitting on them with stick like objects. On return to starting point, I was shown a Thidal, surrounded by residential houses and Sri Dharmaraja Temple and said to be known as Anna Thidal, where according to the Sengunthars, number of meetings were held in the past. This place is small in area when compared to the disputed property and its surroundings. Those who wanted to make representations either orally or in writing on the incidents that took place on 25th October 1992, 7th and 8th November 1992 were advised to make them through proper affidavits and file them in the Commission office on or before 5th March 1993. I also announced that a preliminary hearing in the proceedings would be held on Wednesday, the 10th March 1993 from 11-00 a.m. at the hall within the compound of the circuit house in Tiruvannamalai. With these, the local inspection ended and I returned to headquarters, Madras.


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6. ANNEXURE III—TABULAR STATEMENT REFERRED TO IN PARAGRAPH 23 OF THE REPORT.

6. ANNEXURE III—TABULAR STATEMENT REFERRED TO IN PARAGRAPH 23 OF THE REPORT.

Details in the deposition/affidavit						Details in the accident register entries.			
Serial number.	*Name.*	*Witness number Affidavit exhibit number.*	*Place and time.*	*Weapons used.*	*Injuries alleged.*	*Accident register exhibit number*	*Place and time.*	*Weapons used.*	*Injuries noted.*
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	Gopal, S/o Mannangatti.	W. No. 1	Residence, 7-30 a.m. on 8th November 1992.	Lathi	Indiscriminate beating.	A-105	Ponnur, 6-30 a.m. on 8th November 1992.	Stone, knife, lathi and crowbar.	(i) A lacerated injury over the left pomino occupial region. (ii) Diffused contusions over left knee and right back.
2.	Leelavinothan, S/o Murthy.	W. No. 2	Residence, Police Station, 7-30 a.m. on 8th November 1992.	Lathi	Contusion over left and right arms.	A-102	Ponnur, 6-30 a.m. on 8th November 1992.	Stone, knife, lathi and crowbar.	(i) An abrasion over right thigh. (ii) Diffused contusions over left arm and left direm of hand.
3.	Selvaraj, S/o Kanniappan.	W. No. 3	Residence, 7-30 a.m. on 8th November 1992.	Lathi	Left hand.	A-24	Ponnur, 9-00 a.m. on 8th November 1992.	Lathi.	Contusions over right forearm, right upper arm, right shoulder, left forearm, right hand near the joint of right wrist palm, left infraleofulan leofulan, right thigh right side of huthis and abrasion over left upper arm.

4. Sakunthala, d/o Kadirvel.	W. No. 4	Residence, 7-30 a.m. on 8th November 1992.	Lathi, boots.	Chest, stomach and the entire body.	A-109	Ponnur, 6-30 a.m. on 8th November 1992.	Stone, knife, crowbar and stick.	Diffused contusions over right forearm, right wrist and left side back.
5. Joseph, s/o Ponnusamy.	W. No. 5	Residence 7-00 a.m. on 8th November 1992.	Lathi	Hand, leg, thigh and back.	A-42	House, 6-30 a.m. on 8th November 1992.	Wooden stick.	A contusions over the right thigh, right arm.
6. Kaliaperumal, s/o Narayanan.	W. No. 6	Residence	Lathi	Both legs, hands and body.	A-85	Colony, 6-30 a.m. on 8th November 1992.	Lathi, stick.	Contusions over the right forearm, left hand and cut in the leg.
7. Andal, w/o Ponnusamy.	W. No. 7	Residence	Lathi	Body	A-29	Colony, 7-00 a.m. on 8th November 1992.	Lathi.	Contusions over right forearm, left thigh, left infraleofulan region of back.
8. Annakili, d/o Varadharajan	W. No. 8	Details narrated in the report.						
9. Vendavaram, d/o Kannan.	W. No. 9	Residence	Lathi	Both thighs and back.	A-30	Ponnur, 8-00 a.m. on 8th November 1992.	Lathi.	Contusions over left thigh and rib of buttock.
10. Mani, s/o Munusamy.	W. No. 12.	Residence.	Lathi, boots.	Knee, shoulder.	A-80	Ponnur, 6-30 a.m. on 8th November 1992.	Lathi, stone, knife and crowbar.	Contusions over left hand and left knee.
11. Natesan, s/o Murugan.	W. No. 13.	Residence, Police station.	Lathi, riffle.	Left knee, right leg.	A-75	Ponnur, 6-30 a.m. on 8th November 1992.	Stone, stick, knife.	A contusion over right thigh and a wound in the left finger.

Details in the deposition/affidavit.						Details in the accident register entries.			
Serial number.	Name.	Witness number Affidavit exhibit number.	Place and time.	Weapons used.	Injuries alleged.	Accident register exhibit number	Place and time.	Weapons used.	Injuries noted.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
12.	Jayaraman, s/o Kuppan.	W. No. 16.	Panchathamman koil, Ponnur 6.00 a.m. on 8th November 1992.	Lathi.	..	A-26	Ponnur, 7.30 a.m. on 8th November 1992.	Stick.	Contusions over back of both knees, pelvis back, right infraleofulan region of back, chest pelvis and a lacerated injury over right forearm.
13.	Mallika, w/o Kanagaraj.	W. No. 19.	Residence, 8.00 a.m. on 8th November 1992.	Lathi.	Left thigh, lip, back, left hand.	A-31	Colony, Ponnur 8.00 a.m. on 8th November 1992.	Lathi.	Contusions over left elbow, right side buttocks.
14.	Ammavasi, s/o Chellamuthu.	Ex. A-134.	Residence, 7.00 a.m. on 8th November 1992.	Lathi.	..	A-72	Colony, Ponnur 6.30 a.m. on 8th November 1992.	Lathi.	Contusions over left forehand, lower elbow and a wound on thigh.
15.	Arumugam, s/o Mannangatti.	Ex. A-140.	Residence, 7.00 a.m. on 8th November 1992.	Lathi.	Hand and body.	A-44	Residence, 6.30 a.m. on 8th November 1992.	Wooden stick.	Contusions over left forearm and a cut in the left hand. Contusions over the left elbow, left knee, right knee joint, left lower fraocicfler.

16.	Chandrasekaran, s/o Kuppan.	Ex. A-141.	Field, 7.30 a.m. on 8th November 1992.	Lathi.	Body.	A-25	Harijan colony, Ponnur 7.30 am. on 8th November 1992.	Lathi.	Contusions over right knee, left knee, a linear abrasion and contusion over right forearm and an abrasion near right elbow.
17.	Chinnapaiyan, s/o Kuruvan.	Ex. A-144.	Residence, 7.30 a.m. on 8th November 1992.	Lathi.	Body.	A-57	House, 7.30 a.m. on 8th November 1992.	Stick.	Contusions over right elbow, right thigh, right side of buttock, an abrasion over right forearm and an abnormal swelling over right wrist.
									Contusions over left side back, right knee, right side hip and an abrasion over right leg.
18.	Durai, s/o Raja.	Ex. A-149.	Residence, on 8th November 1992.	..	..	A-79	Residence, 6.30 a.m. on 8th November 1992.	Stick, knife, crow-bar.	Cut at right thigh and four other injuries.
19.	C.M. Elumalai, s/o Murugan.	Ex. A-152.	Residence, on 8th November. 1992.	..	Hand and leg.	A-62	House, 7.00 a.m. on 8th November 1992.	Stick.	Contusions over left wrist, left elbow, left thumb, right thigh, left thigh and right hip.
20.	Kala, w/o Muthu.	Ex. A-157	Shop, Ponnur on 8th November 1992.	..	..	A-50	House, 6·30 a.m. on 8th November 1992.	Wooden stick, lathi.	Contusions over right forearm and right leg portion.
21.	T. Kasi, s/o Thangalan.	Ex. A-165	Paddy field, 7·30 a.m. on 8th November 1992.	..	Leg	A-103	Ponnur, 6·30 a.m. on 8th November 1992.	Stone, stick, knife and crow-bar.	Diffused contusions over right forearm, left and right legs and left side back.
22.	Kuppan, s/o Sundari.	Ex. A-169	Residence, morning of 8th November 1992.	..	All over the body, left hand broken.	A-107	Ponnur, 6·30 a.m. on 8th November 1992.	Stones, lathi, knife and crow-bar.	A lacerated injury over right ring finger and diffused contusion over left wrist joint, right arm and left leg.

Serial number.	Name.	Witness number affidavit exhibit number.	Details in the Deposition/Affidavit. Place and time.	Weapons used.	Injuries alleged.	Accident register exhibit number	Details in the accident register entries. Place and time.	Weapons used.	Injuries noted.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
23.	Manickam, s/o Padavettan.	Ex. A-178	Ponnur, 7·30 a.m. on 8th November 1992.	..	All over the body.	A-59	Mettu Street, Ponnur, 7·00 a.m. on 8th November 1992.	Lathi	Lacerated injuries over frontal scalp with bleeding, left foot, abnormal swellings over right elbow and left elbow and contusions over right hip, left hip and right leg.
24.	Mangaiammal, w/o Narayanan.	Ex. A-180	Residence, 8·00 a.m. on 8th November 1992.	..	..	A-115	Ponnur, 6·30 a.m. on 8th November 1992.	Stone, lathi, knife and crow-bar.	Diffused contusions over left thigh and right arm.
25.	Masalan, s/o Vellai.	Ex. A-182	Residence, 7·30 a.m. on 8th November 1992.	..	Face and all over the body.	A-76	Ponnur, 8·30 a.m. on 8th November 1992.	Stone, lathi and crow-bar.	A cut in the right shoulder and three other injuries.
26.	Murthy, s/o Kuppan.	Ex. A-184	Residence, 7·30 a.m. on 8th November 1992.	Lathi	All over the body except head.	A-58	Residence, 8·30 a.m. on 8th November 1992.	Lathi	Contusions over left upper arm, right side back, right side buttock, left side buttock and left knee.
27.	Padavettan, s/o Raghavan.	Ex. A-205	Ponnur, morning of 8th November 1992.	Lathi	Left knee and all over the body.	A-109	Ponnur, 6·30 a.m. on 8th November 1992.	Stone, stick, knife and crow-bar.	A lacerated injury over left parental region, diffused swellings over right shoulder and left wrist joint.

28.	Pushpavathi, w/o Kadirvel.	Ex. A-216	Residence, on 8th November 1992.	..	..	A-67	Near her house.	Lathi	Lacerated injuries over right forearm with fresh bleeding over right leg and contusion over left leg.
29.	Rajammal, w/o Thangalan (late).	Ex. A-218	Residence, 7·15 a.m. on 8th November 1992	..	Thigh	A-32	Ponnur, 8·00 a.m. on 8th November 1992.	Lathi	Contusions over right elbow, left thigh.
30.	Raji, s/o Chinnapaiyan.	Ex. A-221	Ponnur, 7·00 a.m. on 8th November 1992	..	Right hand.	A-27	Ponnur, 8·00 a.m. on 8th November 1992.	Lathi	An abrasion over left infraleofulan region of back and seven other injuries.
31.	Raman, s/o Narayanan.	Ex. A-222	Ponnur, morning of 8th November 1992.	..	Head	A-106	Ponnur, 6-30 a.m. on 8th November 1992.	Stone, stick, knife and crow-bar.	Diffused contusions over left arm, right back, right elbow.
32.	Sankar, s/o Pattu.	Ex. A-228	Ponnur.	Lathi	..	A-77	Ponnur, 6-30 a.m. on 8th November 1992.	Stone, stick, lathi, knife and crow-bar.	Lacerated wound over left face, contusion over left thigh.
33.	Subramani, s/o Perumal.	Ex. A-236	Ponnur, Police Station.	Lathi	Hands.	A-84	Ponnur, 6-30 a.m. on 8th November 1992.	Stone, stick, lathi, knife and crow-bar.	Contusion over right wrist and three other injuries.
34.	Sundarammal, w/o Masilamani (late).	Ex. A-237	Residence, Police station on 8th November 1992.	..	Hand.	A-88	Ponnur.	Lathi, stone, stick.	Contusions over right hand and right hip.
35.	Thangalan, s/o Perumal.	Ex. A-239	Residence, on 8th November 1992.	Lathi	..	A-43	Ponnur colony, 6-30 a.m on 8th November 1992.	Wooden stick, lathi.	Contusions over the right sepila, left arm, right arm and five other injuries.

Details in the deposition/affidavit.						Details in the accident register entries.			
Serial number.	Name.	Witness number Affidavit exhibit number.	Place and time.	Weapons used.	Injuries alleged.	Accident register exhibit number.	Place and time.	Weapons used.	Injuries noted.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
36.	Thulukkanam, s/o Govindasamy.	Ex. A-240	Residence, 7-15 a. m. on 8th November 1992.	..	Leg and all over the body.	A-61	Ponnur, 7-30 a.m. on 8th November 1992.	Stick.	A lacerated injury over left leg with fresh bleeding and left side back, abnormal swelling over left leg, left fore arm, left upper arm and contusions over right elbow, left side of back.
37.	Usha, w/o Mathialagan.	Ex. A-243	Residence, 7-30 a. m. on 8th November 1992.	—	All over the body.	A-49	Police station, 9-00 a.m. on 8th November 1992.	Wooden stick.	Contusions over the right sbetal and left arm.
38.	Veliappan, s/o Chinna thambi.	Ex. A-248	Ponnur, morning of 8th November 1992.	..	Legs and hands.	A-45	Ponnur colony, 6-30 a.m. on 8th November 1992.	Stick.	Contusions over left forearm and two other injuries.
39.	Vendavaram.	Ex. A-252	Ponnur, 7-45 a. m. on 8th November 1992.	..	..	A-30	Ponnur, 8-00 a.m. on 8th November 1992.	Lathi.	Contusions over left thigh and right side buttock.

Note.— (1) In respect of 29 Accident Register entries exhibited, concerned persons were niether examined as witnesses nor their affidavits secured.

(2) In respect of 94 persons who have filed affidavits no Accident Register entries are available.

(3) In respect of 3 witnesses examined there were no Accident Register entries.

7. GIST OF REASONS GIVEN AND THE FINDINGS RECORDED ON VARIOUS CLAUSES REFERRED TO THE COMMISSION.

TAMIL NADU LEGISLATIVE ASSEMBLY
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7. GIST OF REASONS GIVEN AND THE FINDINGS RECORDED ON VARIOUS CLAUSES REFERRED TO THE COMMISSION.

CLAUSE I.

(Paragraph Nos. 3 to 15 in the Report.)

The subject matter of dispute represents a piece of land, containing sixty fruit bearing tamarind trees and vacant portion, measuring 1·52 hectares and comprised in Survey No. 331/1 of Ponnur village, Vandavasi taluk, Tiruvannamalai-Sambuvarayar district. As recorded in the village accounts, this land, known as "Dharmadayam" is registered in the name of Sri Soundaryavaradharaja Perumal and Sri Thirukkameswarar Temples, for whose maintenance, it had been granted or assigned as per Inam Fair Register entry under T.D. No. 547. Sri Drowpathi Amman Temple is located in the midst of this land and is separately demarcated as Survey No. 332. The total population of Ponnur village, which is situated about 10 kms. from Vandavasi town, is 7,402, of whom 310 are Sengunthars whose predominant occupation is weaving. 950 are Adi-Dravidars most of whom are agricultural labourers, and the rest are Vanniars and Jains, who have no specialised or particularised profession. It is not in dispute that the Sengunthar Mudaliars have been using the vacant portion in the aforesaid Survey No. 331/1 for pre-weaving operations (laying of pavu) for over a century in the past and that consistent with such predominant use of the land, it has also come to be known as "Pavu Thope". It is also established that such pre-weaving operations are confined to a short duration of about three hours before 8-00 a.m. and under the lukewarm condition of the morning sun. Only on very rare occasions the said operation would be done in the evening three hours preceding the dusk. It appears from the records produced, that during 1914, an agreement was entered into by all the Hindu residents of the village, irrespective of their caste, providing for the management of all the temples in the village and their property in common. Despite such an agreement, the Sengunthar Mudaliars put forward exclusive claim for the management of the temples and their property. This accounted for numerous litigations before Civil Courts and other statutory forums, between 1917 and 1988, between Sengunthar Mudaliars on the one hand and Vanniars on the other, which ultimately terminated with a finding that the right to management of the temples and their property in the village, vested in all the Hindu communities residing in the village. It was in 1989 that the Adi-Dravidar residents of the village, who were not co-nominee parties in any of the litigations prior to that, entered the scene, with the formation of an Ambedkar Mandram in their colony and sought to assert their right to conduct their traditional festivals and hold meetings on three or four nights in a year between 10-00 p.m. and 4-00 a.m. in Pavu Thope. This was objected to by the Sengunthar Mudaliars who filed a suit in O.S. No. 591 of 1989, District Munsiff Court, Arani, and obtained a Decree of injunction against nine named Adi-dravidars who attempted to use Pavu Thope for the purposes aforesaid. Closely following the confirmation of said Decree by the Appellate Court and on 25th October 1992 the Adi-Dravidars, in defiance of the Police, who had rescinded the permission earlier granted because of the objection by the Sengunthar Mudaliars, held a meeting in portions of Pavu Thope with a stage erected in the Kalam portion of the adjacent Battai Poramboke comprised in Survey No. 334/1-A. The said meeting however terminated midway, on the advice of the Revenue and Police officials, who also organised, though unsuccessfully peace meetings, on 3rd, 4th and 7th November 1992.

2. The blatant refusal by the Senguntha Mudaliars in the said peace meetings to accommodate the Adi-Dravidars to conduct their traditional festivals in the Pavu Thope even on three nights in a year, on the ground that the Civil Court Decree secured to them exclusive right to the enjoyment of Pavu Thope and portions of Battai Poramboke as well and the helplessness of the Revenue and Police officials who conducted the peace meetings and who even offered to place the matter before the District Collector for his decision, by 10th November 1992, evidently, hurt the feelings of the Adi-dravidars, who thereupon decided to take the law into their own hands to achieve their aim of holding meetings in Pavu Thope or stop the Sengunthars from using the Pavu Thope for their pre-weaving operations. In effectuation of such a stand, the Adi-Dravidars on the very evening of the abortive peace meeting of 7th November 1992, precipitated violence, near their colony at the entrance to the Ponnur village, resulting in injuries to Messrs. Manickavasagam and Kandeepan belonging to Mudaliar community and also some of the Police personnel. Inspector Thiru Thiagarajan (witness No. 43) of Vandavasi Police Station, who had posted pickets of Police personnel, at sensitive points in the village, from the night of 25th October 1992, had taken with him four Sub-Inspectors, five Head Constables and twenty-five Constables, for bandobust duty in the village from 7th November 1992 evening. The above narrated facts represent the cause and circumstances leading to the communal tension and group clash between the Sengunthars and Adi-Dravidar communities at Ponnur village, on the morning of 8th November 1992.

CLAUSES II, III AND IV.

(*Paragraph Nos.* 16 *to* 30 *in the Report.*)

3. Even as some of the Sengunthars, started their pre-weaving operations in Pavu Thope at 5-30 a.m. on 8th November 1992, defying the advice of the Inspector (witness No. 43) not to do the operations, lest any untoward incident should happen, some of the Adi-Dravidars, who happened to see the Sengunthars doing operations in the Pavu Thope with Police personnel also remaining there, went over to the colony, only to return in numerical strength, armed with weapons like sticks, stones, chains, etc. The persuasions of the Police personnel to the Adi-Dravidars, not to precipitate any violence, were in vain, as the Adi-Dravidars, mistaking the presence of the Police personnel, as affording protection to the Sengunthars to carry on their operations, launched an attack with stones, sticks, etc., against the Sengunthars and the sandwitched Police personnel. As inevitable, the Sengunthars retaliated by similar attacks with stones, sticks, etc., on the Adi-Dravidars. Such violent clash, which could not be effectively prevented or even controlled by the Police personnel, who numbered very few and who merely used their lathis to push back and separate the warring groups, resulted in injuries, most of them contusions and lacerations, to as many as 116 people, including men and women and belonging to Police personnel (10), Adi-Dravidar (73) and Sengunthar communities (33). Only on the arrival of Armed Reserve Police with the Deputy Superintendent of Police, the clashing people ran helter skelter, leaving the defiant and the injured alone on the scene, to be taken into custody by the police. All the injured were sent to Government Hospital, Vandavasi for treatment. Cases were registered on the complaint and counter-complaint by Gopal (witness No. 1) on behalf of the Adi-Dravidars and Selvam (not examined) on behalf of the Sengunthars. The evidence tendered during the enquiry and in particular the two reports of Superintendent of Police and the first report of the District Collector, both of whom had visited Ponnur village immediately following the incident,

clearly established the above narrated sequence of events that took place on the morning of 8th November 1992. The case of the Adi-Dravidars put forth at a belated stage and on 11th November 1992, about the police personnel, having at the instigation of Sengunthars, launched an unbriddled attack on the person and property of the innocent and unarmed Adi-Dravidars, even as they were pursuing their routine avocations in their houses in the colony, accounting for heavy casualties to the persons and damage to their property (which appear to have been stage managed during the later visits of District Revenue Officer and District Collector on 14th November 1992) has not been established on any acceptable material. Indeed, such a case was clearly falsified and rendered improbable, by the facts made available during the enquiry. Findings are accordingly recorded on Clause II, that the force used by the police to disperse the warring groups was minimum and not excessive, on Clause III, that there is no case the much less prima facie case, against the police, that they assaulted the Adi-Dravidars in a systematic manner, at the instigation of Sengunthar community and damaged their property extensively, on 8th November 1992 and on Clause IV, that the police action was clearly warranted and there was no excess on the part of the police, in the said incident.

CLAUSE V.

(*Paragraph No.* 31 *in the Report.*)

4. There is adequate evidence to bear out, that the case of extensive damage to the property of the Adi-Dravidars was an afterthought and stage managed, during later visits of District Revenue Officer and District Collector. In the circumstances, finding is recorded to the effect, that no question of identifying person or persons, both officials and non-officials, as responsible for the alleged damage to the property of the Adi-Dravidars arise.

CLAUSE VI.

(*Paragraph No.* 32 *in the Report.*)

5. There is enough evidence to show, that the Adi-Dravidars, have been the aggressors in the group clash that took place and that there was no acceptable evidence to support the case of damage to their property. In the circumstances, finding is recorded, that Adi-Dravidars do not deserve any compensation to the alleged damage to the property and personal sufferings.

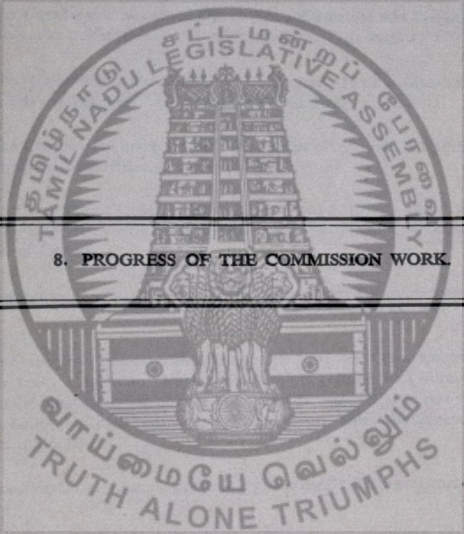
CLAUSE VII.

(*Paragraph Nos.* 33 *and* 34 *in the Report.*)

6. The evidence made available bear out, that the subject Pavu Thope, has all along been enjoyed by all the Hindu residents in the village irrespective of their caste and that the claim of the Sengunthars for exclusive possession and enjoyment of said Thope has not been established. Even the Decree of injunction obtained by them in O.S. No. 591 of 1989, District Munsif Court, Arani, as confirmed by the first Appellate Court, only prevented the nine named defendants therein (as contra – distinguished from all the Adi-Dravidars residing in the village) from interfering with their pre-weaving operations in Pavu Thope. Legally, the user of the Pavu Thope by the Sengunthars, for pre-weaving operations, only amounted to a "license", express or implied, and it was a mis-nomer, to term it "possession and enjoyment". Till the filing of the suit in O.S. No. 30 of 1993,

Sub-Court, Arani on 3rd February 1993 by the Sengunthars, it was beyond controversy, that the title to the Pavu Thope vested in Sri Soundaryavaradharaja Perumal and Sri Thirukkameswarar Temples. The exercise of the right of the fit person in management of the said temples, to grant permission to other community people to use the Pavu Thope has to await the result of the suit O.S. No. 30 of 1993 filed against him, in view of the ad-interim injunction granted therein. However the right of the Revenue authorities, to grant such permission to Adi-Dravidars to use the Battai Poramboke comprised in Survey No. 334/1-A, remained unaffected by the proceedings in O.S. No. 30 of 1993, as the Government has not been made a party therein. Pending final disposal of the said suit, the Revenue authorities would be, well within their right, to permit the Adi-Dravidars to conduct their festivals in Battai Poramboke, on the nights of first of the Tamil months Chithirai, Aadi and Thai as claimed by them and in a manner that would not interfere with the pre-weaving operation of the Sengunthars on any portions of the Battai Poramboke as well. The dropping of further criminal proceedings on the complaints pertaining to the incidents on the 7th and 8th November 1992, and the desirability of establishing a police station in Ponnur village, may also be considered by the State Government to maintain communal harmony in the village and effectively prevent any future clashes, in the context of the continuing litigation pertaining to subject "Pavu Thope". The above suggestions are made by this Commission.





8. PROGRESS OF THE COMMISSION WORK.


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8. PROGRESS OF THE COMMISSION WORK.

1. Commission of Inquiry assumed office on 9th December 1992 afternoon.

2. Office of Commission of Inquiry occupied a portion of the second floor, Major Parameswaran Maligai, West Mada Street, Srinagar Colony, Madras-15 on 30th December 1992.

3. The supporting staff joined duty in the Commission's office on 8th January 1993.

4. The Commission addressed Director of Information and Public Relations, Madras-9 to cause publication of the notification on 11th January 1993.

5. The Commission notified that 31st January 1993 as the last date for receipt of affidavits/petitions from the parties concerned.

6. The Commission extended time for receipt of affidavits till 19th February 1993 as requested by advocates representing police.

7. In Government Order, dated 22nd January 1993, the Government appointed Thiru S. R. Veeraraghavan, Advocate, as standing Counsel to the Commission of Inquiry.

8. Commission conducted local inspection on 24th February 1993 after due publication.

9. In Government Order, dated 3rd March 1993, the Government appointed Thiru N. Seshadri, Assistant Public Prosecutor, Grade I (Administration), Tiruvannamalai-Sambuvarayar district and Thiru G. Rajan Babu, Assistant Public Prosecutor, Grade I, Chief Judicial Magistrate Court, Salem as Special Counsels to represent the police.

10. Commission conducted preliminary hearing at Tiruvannamalai on 10th March 1993.

11. The Commission conducted twelve sittings, examined 53 witnesses besides receiving 367 exhibits and two material objects.


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GOVERNMENT OF TAMIL NADU
1994

CONFIDENTIAL

PUBLIC (SC) DEPARTMENT

G.O. No. SS II/493-11/93, dated 6th September 1994.

LAW AND ORDER—TIRUVANNAMALAI-SAMBUVARAYAR DISTRICT—Communal clash between the Sengunthars and Adi-dravidars at Ponnur Village, Vandavasi Taluk and excess use of Police force on 8th November 1992—Enquiry under the Commissions of Inquiry Act, 1952 (Central Act LX of 1952)—Report of the Commission—Findings accepted—Orders issued.

READ—the following :—

(1) G.O. Ms. No. 1397, Public (Law and Order-B) Department, dated 9th December 1992.

(2) From Thiru K. E. Varadhan, Commission of Inquiry Letter No. 3/KEVCOI/93-22, dated 8th January 1994.

Order—No. SS II/493-11/93, Public (SC) Department, dated 6th September 1994.

In the Government Order first read above, Thiru K. E. Varadhan, Retired District Judge was appointed as Commission of Inquiry under the Commissions of Inquiry Act, 1952 (Central Act LX of 1952), to inquire into the incidents that took place at Ponnur village, Vandavasi taluk, Thiruvannamalai-Sambuvarayar district on 8th November 1992, relating to the matter of a long standing dispute over the possession and enjoyment of property in Ponnur village between the Sengunthar and Adi-dravidar Communities. The terms of reference of the Commission of Inquiry were:—

(i) to inquire into the cause and the circumstances leading to communal tension and group clash between the Sengunthars and Adi-dravidars communities at Ponnur village, Vandavasi taluk, Thiruvannamalai-Sambuvarayar district over a long standing dispute over the possession and enjoyment of a property in Ponnur village which led to a major group clash between these two groups on 8th November 1992;

(ii) to inquire whether the force used by the police on 8th November 1992 to disperse the warring groups was minimum or excessive ;

(iii) to inquire whether there is a *prima-facie* case against the police that they had assaulted the Adi-dravidar people in a systematic manner at the instigation of the Sengunthar Community and whether the police had damaged the properties belonging to the Adi-dravidars extensively, on 8th November 1992;

(iv) to inquire whether the said police action was warranted and whether there was any excess on the part of the police in the said incidents ;

(v) to identify the person or persons, both officials and non-officials, who could be held responsible for causing extensive damages to the properties of the Adi-dravidars;

(vi) to indicate whether the Adi-dravidars deserve compensation to the property damage and personal sufferings ;

(vii) to suggest general measures to maintain peace and harmony among the communal groups in the area in future.

2. The Commission of Inquiry after analysing the various depositions of witnesses before it, has given its finding as follows :—

(i) to inquire into the cause and the circumstances leading to Communal tension and group clash between the Sengunthars and Adi-dravidars communities at Ponnur village, Vandavasi taluk, Tiruvannamalai-Sambuvarayar district, relating to the matter of a long standing dispute over the possession and enjoyment of a property in Ponnur village which led to a major group clash between these two groups on 8th November 1992.

The subject matter of dispute represents a piece of land, containing sixty fruit bearing tamarind trees and vacant portion, measuring 1.52 hectares comprised in S.No. 331/1 of Ponnur village, Vandavasi taluk, Thiruvannamalai-Sambuvarayar district. The Sengunthа Mudaliars have been using the vacant portion in the aforesaid S. No. 331/1 for pre-waving operations (laying of pavu) for over a century in the past and it has come to be known as "Pavu Thope". Despite an agreement made during 1914 providing for the management of all the temples in the village and their property in common, the Sengunthars out forward an exclusive claim to the management of the temples and their property, which led to numerous litigations before Civil Court and other statutory forums between 1917 and 1988 between the Sengunthars and Vanniars and which ultimately terminated with a finding that the above rights vested in all the Hindu communities residing in the village. In 1989, the Adi-dravidars residing in the village who were not co-nominee parties in the above litigations, entered the scene and sought to assert their right to conduct their traditional festivals and held meetings on three or four nights in a year between 10-00 p.m. and 4-00 p.m. in "Pavu Thope". This was objected to by the Sengunthа Mudaliars who filed a suit in O.S. No. 591 of 1989 District Munsiff Court, Arni and obtained a Decree of injunction against 9 named Adi-dravidars who attempted to use 'Pavu Thope'. Closely following the confirmation of the said Decree by the Appellate Court and on 25th October 1992 the Adi-dravidars, in defiance of the police, who had rescinded the permission earlier granted because of the objection by the Sengunthа Mudaliars, held a meeting in portions of "Pavu Thope" with a stage erected in the Kalam Portion of the adjacent Battai Poramboke comprised in S. No. 334/1A. This meeting terminated midway on the advice of the Revenue and Police officials, who also organised, though unsuccessfully, peace meetings on 3rd, 4th and 7th November 1992.

The blatant refusal by the Sengunthа Mudaliars in the said peace meetings to accommodate the Adi-dravidars to conduct their traditional festivals in the 'Pavu Thope' even on three nights in a year on the ground that the Civil Degree secured to them exclusive rights to the enjoyment of 'Pavu Thope' and portions of Battai Poramboke as well and the helplessness of the Revenue and Police Officials who conducted the peace meeting and who even offered to place the matter before the District Collector for his decision by 10th November 1992, evidently hurt the feelings of the Adi-dravidars who thereupon decided to take the law into their own hands to achieve their aims. The Adi-dravidars on the very evening of the abortive peace meeting on 7th November 1992 precipated violence, near their colony at the entrance to the Ponnur village, resulting in injuries. to Messrs. Manickavasagam and Kandeepan belonging to Mudaliar community and also some of the police personnel. Inspector Thiru Thiagarajan (W.43) of Vandavasi Police Station who had posted pickets of police personnel, at sensitive points in the village from the night of 25th October 1992, had taken with him four Sub-Inspectors of Police, five Head Constables and 25 Constables, for bandobust duty in the village from 7th November 1992. The Commission of Inquiry has stated that the above narrated facts represent the cause and circumstances leading to the communal tension and group clash between the Sengunthars and Adi-dravidars communities at Ponnur village on the morning of 8th November 1992.

(ii) to inquire into whether the force used by the police on 8th November 1992 to disperse the warring groups was minimum or excessive;

(iii) to inquire into whether there is *prima-facie* case against the police that they had assaulted the Adi-dravidar people in a systematic manner at the instigation of group of Sengunthar community and whether the police had damaged the property belonging to Adi-dravidars extensively on 8th November 1992 ;

(iv) to inquire into whether the said Police action was warranted and whether there was any excess on the part of the police in the said incidents.

Even as some of the Sengunthars, started their pre-weaving operations in 'Pavu Thope' at 5-30 a.m. on 8th November 1992, defying the advice of the Inspector (W. 43) not to do the operations, lest any untoward incident should happen, some of the Adi-dravidars, who happened to see the Sengunthars doing operations in the 'Pavu Thope' with Police personnel also remaining there, went over to the colony, only to return in numerical strength, armed with weapons like sticks, stones, chains etc. The persuasion of the Police personnel to the Adi-dravidars not to precipitate any violence was in vain as the adi-dravidars mistaking the presence of the police personnel as affording protection to the Sengunthars to carry on their operations, launched an attack with stones, sticks, etc. against the Sengunthars and the sandwitched Police personnel. The Sengunthars retaliated by similar attacks with stones, sticks, etc. on the Adi-dravidars. Such a violent clash which could not be effectively prevented or even controlled by the police personnel who were out numbered and could only use their lathis to push back and separate the warring groups, resulted in injuries, most of them contusions and lacerations to as many as 116 people including men and women and belonging to police personnel (10), Adi-dravidars (73) and Sengunthars (33). All the injured were sent to the Government Hospital, Vandavasi. Only on the arrival of A. R. Police with the Deputy Superintendent of Police, the clashing people ran helter-skelter leaving the defiant and the injured alone on the scene, to be taken into custody by the police. Cases were registered on the complaints from both groups. The evidence tendered during the enquiry and in particular the two reports of the Superintendent of Police and the first report of the District Collector both of whom had visited Ponnur Village immediately following the incident, clearly established the above narrated sequence of events that took place on the morning of 8th November 1992. The case of the Adi-dravidars putforth at a belated stage and on 11th November 1992 about the police personnel has not been established on any acceptable material. Indeed, such a case was clearly falsified and rendered improbable by the facts made available during the enquiry. In the above circumstances, the commission considers that the force used by the Police to disperse the warring groups was minimum and not excessive; vide terms of reference (ii), that there is no case, much less a *prima-facie* case against the police, that they assaulted the Adi-dravidars in a systematic manner at the instigation of Sengunthar community and damaged their property extensively on 8th November 1992 vide terms of reference (iii); that the police action was clearly warranted and there was no excess on the part of the police in the said incident vide terms of reference (iv).

(v) to identify the person or persons both officials and non-officials who could be held responsible for causing extensive damage to the properties of Adi-dravidars.

There is adequate evidence to bear out, that the case of extensive damage to the property of the Adi-dravidars was an afterthought and stage managed, during the later visits of District Revenue Officer and District Collector. Therefore, the Commission considers that no question of identifying person or persons, both officials and non-officials, as responsible for the alleged damage to the property of the Adi-dravidars, arises.

(vi) to indicate whether the Adi-dravidars deserve compensation to the property damage and personal sufferings.

There is enough evidence to show that the Adi-dravidars have been the aggressors in the group clash that took place and that there was no acceptable evidence to support the case of damage to their property in the circumstances, the Commission held that Adi-dravidars do not deserve any compensation to the alleged damage to the property and personal sufferings.

3. The Government accept the findings of the Commission.

4. Following are the general measures suggested by the Commission of Inquiry to maintain peace and harmony among the communal groups in the area in future:—

(i) Pending final disposal of the Suit O.S. No. 30 of 1993 of the Sub-Court, Arni filed on 3rd February 1993 by the Sengunthars, the Revenue Authorities would be well within their right to permit the Adi-dravidars to conduct their festivals in Battai Poramboke, on the nights of first of the Tamil months Chithirai, Aadi, Thai, as claimed by them and in a manner that would not interfere with the pre-weaving operations of the Sengunthars on any portions of Battai Poramboke as well ;

(ii) Dropping of further criminal proceedings on the complaint pertaining to the incidents on the 7th and 8th November 1992; and

(iii) The desirability of establishing a Police Station in Ponnur village may also be considered by the State Government to maintain communal harmony in the village and effectively prevent any further clashes in the context of the continuing litigation pertaining to subject 'Pavu Thope'.

5. While accepting, in principle, the findings of the Commission, the Government have decided that the specific suggestions/recommendations made by the Commission will be examined further in detail by the respective departments of Secretariat for issue of suitable orders.

(By order of the Governor)

N. HARIBHASKAR,
Chief Secretary.

To The Secretary to Government, Home Department, Madras-9.
" The Secretary to Government, Revenue Department, Madras-9.
" The Secretary to Government, Public (Law and Order) Department, Madras-9.
" The Collector, Thiruvannamalai-Sambuvarayar District, Thiruvannamalai.
" The Superintendent of Police, Thiruvannamalai-Sambuvarayar District, Thiruvannamalai.
" The Deputy Inspector-General of Police, Vellore Range, Vellore.
" The Director General of Police, Madras.
" The Additional Director General of Police, Law and Order, Madras.
" The Inspector General of Police, Intelligence, Madras.

Copy to The Secretary to Government of India, Ministry of Home Affairs, New Delhi.
" The Secretary to Chief Minister, Madras.

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