

Efforts of the Ganesan family to discredit me, have made it necessary to recall the following, from memory, and leave a legally binding record so that you all - the next Generation of the **Josier family** (see our **family tree** in the last page of this document or, see link: <http://www.narayanmurti.com/pdf/familytree.doc>), know what happened to the enormous family wealth that our parents left, when they died.

These were earned by their hard work, sheer will to succeed and the willingness to pay the price for it. No wonder our family became the **richest in the Kalpathy villages**, giving us all an identity, a comfortable life and good education. Appa was lavish when it concerned our studies. If any one of us failed, it was by our own default.

Our house "Josier House" was overflowing with children, grains, money, and prosperity of every kind when Amma and Appa died in 1961 and 1962, respectively. Pappa Manni in Chennai, Sivaramakrishnan, Ganesan , Kame and myself (also my wife to some extent) would vouch for this.

In 1957, the properties were "partitioned" by our father, by a Registered, document (each one's share details showing acreage of land is attached), about 40% portion of lands and two houses in the village, at either end, retained by the parents , and about 60 per cent of farm-land divided, equally, amongst the ten sons.

Herein below is a snap shot of what he partitioned as culled out from the "partition deed".

Schedule A-1

JOSIER HOUSE entirely belonging to Shri. Vishwanatha Josier

Schedule A-2

House Property purchased from K.S Venkatachala Iyer in the joint names under Deed No. 91 of 1950 of Palakkad Sub Registry Dated 10th January 1950 in the joint names of Shri. Vishwanath Josier and Visalakshi. Survey No 1718, Block 45, .

Schedule A-3

Property in Akethetharra Amsom Desom

- (i) Agricultural land in Schedule 2 belonging to Vishwanath Josier in Partition Deed No. 914 of 1919 as per partition deed done between Vishwanath Josier and his younger brother.*
- (ii) Two plots of Agricultural land that is South of the above described*
- (iii) Two plots of Agricultural land that is East of first described property*
- (iv) One Plot of Agricultural land further East (with usufructs such as Teaks Trees, Palm Trees etc.*
- (v) One Plot of Agricultural land in Survey 366/5 comprised in One acre 46 cents.*

Schedule A-4; Puthuparia Amsom and Desom (Item 2 and 3 are Railway related lands).

- (i) Properties in Survey 338 with extent of 13/6 cents*
- (ii) Properties in Survey 338/8 0.50 cents*

(iii) Properties in Survey 338 with extent of 9.33 cents

Schedule A-5 Pirayiri Amsom and Desom (claims possessory mortgage rights) Document No. 156 of 1949 as per suit no. 94 of 1933 Palakkad Sub Court through auction whereby receiver executed a sale deed dated 21/2/1949.

- (i) Properties acquired in court auction under case O.S no. 956 of 1938 in Palakkad MUnsiff Court. Document No. 2072 of 1944 Kaanadharam. Survey No. 210/4 land extending to one acre and 56 cents.
- (ii) Properties in Survey 228 comprised of 2 cents 68 Square Meter.
- (iii) Properties in Survey 228 comprised of 2 cents 68 Square along side the above referred item on the western side.
- (iv) Properties in Survey No 210 comprised of 40 cents.
- (v) Properties in Re Survey 160 comprised of 2 acres and 40 cents.
- (vi) Property alongside Item (v) above in Re survey No. 159 comprised of 3 cents and 31 square meters
- (vii) Property in Re-survey 205 of extent 3.68 cents.
- (viii) property in Resurvey 205 of extent 7.66 cents
- (ix) Property in Resurvey 205 of extent 5.46 cents
- (x) Property in Resurvey 239 of extent 2.36 cents
- (xi) Property in Resurvey 165 of extent of 76 cents from out of 13.1 acre and 73 cents
- (xii) Property in Resurvey 165 of extent of 96 cents
- (xiii) Property in Resurvey 239 of extent of 2.36 cents

Schedule A-6

Coyalmannam Sub District, Kannanore Amsom Desom

- (i) Item to Item (iv) are properties Resurvey 106 7.1 acres and 32 cents
- Item (v) and (vi) are properties in Resurvey 59/7 comprised of two agricultural plots and 2.5 parai yield of lands thereon.
- Item (vii) and (viii) properties in relation to case no. 104 of 1933 Sub Court Palakkad under document No. 13 of 1936 of Survey No. 224 land of 22 cents and Survey No. 231 land 3.29 cents respectively.

B Schedule

- (i) Properties that were partitioned to and given to Chittammamii
Properties in Nelliserry Graman obtained under document no. 1026 of 1936
- (ii) Koduvayoor, Kinnaserry Amsom and Desom of properties comprised in Survey 198/A (18 cents), 198/A (39 cents), 198/A (20 cents) 198/A (22 cents). 198/A (19 cents). 198/A (39 cents). 198/A (47 cents). 198/A (92 cents). 198/A (One Acre and 98 cents), 198/A 23 cents, 198/A (74 cents)
- (iii) Properties in Survey 203 (1 acre one cent) (1 acre 53 cents) (30 cents) (12 cents)

SCHEDULE C PROPERTIES (PURCHASED IN 1938 GIVEN BY GREAT JOSIER TO HIS TEN SONS.

C-1 was given to Sankaran (Manian) for deriving the yield out of properties described as follows:

- (i) Properties in Survey 689 /D-1 (0.54 cents)
- (ii) Properties in Survey 689 /E-2 (0.69 cents) Survey 689/C-5 (0.69 cents)
- (iii) Properties in Survey 688/C-6 (0.6 cents) Survey 688/C-7 (0.13 cents) plus yield of 290 parai of grain yield and Rs. 15 per annum under Pattom Sheet dated April 22, 1953.

C-2 was given to Anantharaman (Raman) and what was partitioned was the yield along from the properties described below:

- (i) Properties in Survey 689/D-1 and Survey 764 (3.0.10 cents) (8.0.13 cents) (11.0.24 cents) (9.0.15 cents) with yield of 40 parai of grains from Velayudhan son of Kaliappan.
- (ii) to (x) Pattom entitlement ofn the above lands. 189 palm trees in these lot of items.
- (iii) Survey no. 689/A-10 (0.69 cents) (0.44 cents) Survey no. 689/C-1 (0.23 cents) 689/C-4 (3 acre 39 cents). 689/B-1 (1 acre 32 cents), 689/C3 (4 acre 83 cents - with Velayudhan son of Kaliappan giving an annual pattom of 265 parai grain yield.

C-3 was given to Ananathapadmanabhan (Krishnan) and what was partitioned was merely the yield from the properties in Puthuserry Amsom.

- (i) Survey 688/A-1 (0.48 cents) Survey 689/A-2 (0.23 cents) Survey 689/A-4 (6 acre 52 cents) Survey 689/B-5 (10 acre 61 cents). Survey 689/A-6 B (1 acre 69 cents) Velayudhan son of Mayan gave an annual yield of 250 parai of grain yield.,
- (ii) Survey 689/B-1 (1 acre 32 cents) Survey 689/A-6A (1 acre 5 cents) Survey No. 689/B-2 (0.65 cents) Velayudhan son of Mayan gave an annual yield of 50 parai of grain yield

C-4 was to Sahasranaman was in Puthuserry Amsom ditto as above

- (i) 689/A-9 (0.64) cents 689/A-13 (0.30 cents)
- (ii) 689/A-5 (0.83 cents)
- (iii) Agricultural lands not property mentioned.
120 parai of yield from the above land from velayudhan son of kaliappan
- (iv) Velayudhan farmer in 689/B-1 (0.36 cents out of 1 acre and 32 cents)
- (v) Not clear
- (vi) Survey No. 689/A-12 (0.36 cents)
- (vii) Survey No. 689/D (3.2 acres and 94 cents)
- (viii) Survey No. 688/C-1 (0.8 cents) Survey No. 688/C-2 (0.55 cents) Survey 688/C-3 (0.54 cents) Survey 688/C-4 (0.15 cents)
- (ix) Survey No. 689/E-1 (1 acre 51 cents comprised of ten palm trees, ten tamarind trees, other trees) (items (v) to (ix) Chinnapillai son of Shantapillai given an annual yield of 98 parai grain.
- (x) Suvey No. 689/R-5 (10 acre 61 cents) 688/A-2 (0.12 cents), 688/A-3 (0.4 cents) 688/C-9 (0.67 cents). (Annual yield of 15 parai grain to be given to to us by Chinna Pillai son of Shantapillai.)
- (xi) Perivambum Amsom and Desom (Railway B class acquisition remnant properties) Survey No.12A (12.0.49 cents) and Survey 15A (1.0.30 cents).
- (xii) Survey No. 333/B (10.0.14 cents) 325 parai annual yield and palm tree yield.from Theyan Nair Pattom yield

C-5 was allocated to (Narayanmurti) Puthuserry Amsom

- Item (i) to (xxiii) Survey 688/D2 (0.42 cents) 688/C (9.67 cents) 688/C (11.9 cents), 689/B5 (6.93 cents) 689/A3 (1 acre 50 cents) 689/D-3 (2 acre 94 cents), Appu son of Narayanan annual yield of 260 parai grain
- Item (xxiv) Pattom by Velayudhan son of Kaliappan 46.25 parai of annual yield.
- Item (xxiv) to (xxviii) Survey No. 689/D (3.2 acres and 94 cents), 689/E-1 (1 acre 51 cents) Survey 764 (8.0.13 cents) (4.0.28 cents) (6.0.10 cents) Survey 688/D (1.0.18 cents).

C-6 Subramanian (Konthai Mani). They were at Puthuserry Amsom

- Item (i) to (v) Kuppuswamy son of Veeramuthu Kounden (yield of 260 parai grain) in Survey NO. 689/B5
- Item (vi) to (ix) at Survey No. 689/D (3.2 acres and 94 cents) 689/E-1 (1 acre 51 cents) Survey 764 (8.0.13 cents, 4.0.28 cents, 6.0.10 cents) 688/D1 (0.18 cents) Also. 46.25 parai yield from Velayudhan son of Kaliappan.

C-7 Sitaraman at Puthuserry Amsom

- Item (i) and (ii) Survey 689/A-4 (1 acre 52 cents) Yield of 100 parai grain from Velayudhan son of Mayan.
- Item (iii) and (iv) Survey 688/B-1 (0.19 cents) 689/A-4 (6 acre 52 cents) 689/A5 (0.83 cents) and yield of 50 parai grain.
- Item (v) and (vi) Survey No. 689/A-4 (property of 0.8 cents out of 6 acre 52 cents) 688/C-5 (0.8 cents)

688/C-11 (0.9 cents), 689/B (0.36 cents) Muthu son of Panian giving an annual yield of 150 parai of grain.

C-8 Sivaramkrishnan ; C-9 Vaidyanathan ; C-10 Minor Gopalkrishnan (aged 10 years)

The properties partitioned here are not capable of being demarcated in metes and bounds . Therefore, they are described together as items (i) to (iii) was obtained by document no. 2160 of 1935 from MN Ramaswamy Iyer in Puthuserry Amsom and Desom in Survey Item (i)No. 346/1 (1 acre 24 cents) 346/4 (2 acre 12 cents) 346/5 (0.64 cents) (6.17 cents) (7.13 cents) (8.70 cents) (9.59 cents) 349/1 (10 cents) 349 (2.4 acres and 71 cents)

Item (ii) Survey 344 (1.52 cents) 346(2.3 cents, 3.6 cents, 10.7 cents) Survey 216/B-14 (12 cents) 216/B-12 (20 cents) 216/B-13 (12 cents)

Item (iii) Suvey 345 (4.3 acres and 17 cents, 5.80 cents, 63 cents) Survey 215 (2.63 cents, 3.45 cents) 216/B9 (16 cents), 216/B-10 (28 cents).

When our mother died in November, 1961, we (her seven sons and two daughters) surrendered our rights in her properties by a registered document to our father and, when he died, there was a **“Will” showing his purported intention that properties in his name were, again, to be equally shared by the ten sons.**

There was a rider to take care of our sister, Pahi for the rest of her life, marry off her daughter Chellakutty, also provision of an amount of Rs.5000/- earmarked for our brother (minor) Gopal's education. Appa had excellent tenants cultivating the lands for him.

When Appa died on 13 -11-1962, the ten sons jointly executed a Power of Attorney (POA) that was also registered to Ganesan to manage the entire properties and wealth and to render accounts.

This was decided because, in spite of special tutorial support, Ganesan had discontinued studies at High School stage itself, and was not inclined to venture out, like the other male siblings. Those days, it was also very difficult to get jobs even for the well-educated. The size of the family wealth was considered more than adequate to run the small number in the family, as before, comfortably.

Chellakutty was married in Chennai in March, 1963, Sivaramakrishnan arranged the alliance, all by himself. Only Pahi, Gopalan and Ganesan lived at Josier House. Ganesan was married in 1967 or so. Gopal also gave up studies at PUC stage and moved to Bombay, where Sahasranaman got him employed in Tatas. He was very intelligent, worked hard and came to Officer level there before he died, prematurely.

While Ganesan managed the properties, in Kalpathy, Pahi ran the home. I had re-located at Cochin from mid-1965 and used to visit home, frequently. **On my advice, Ganesan was instructed to maintain regular accounts of income and expenditure.** Since all of us brothers were employed outside, and visited home only very briefly, **Ganesan was left free to manage all the wealth.** He has yet to account for all that he did with regard to these properties, extending to about 200 acres of land, located at various strategic points in Palghat. **At current valuation, these would be worth over 100 Crores !**

Here is a link to one such land in a website of Palana Hospital at Palghat which belonged to the family:

http://www.paalana.com/index.php?option=com_content&view=article&id=66&Itemid=18

I know these lands (each land acquired by Appa, had an interesting saga of his brilliant mind and hard work) were taken over by Government in the later years, by paying a huge compensation of 12 years rental, to the owners. Ganesan had received such compensation for all our lands, on the basis of his authority as the POA Holder of the brothers. Enclosed is sample of a Notice received by him from the Land Tribunal for determination of the amount etc. (we have a few others of larger lots of lands). **What did he do with all that money?**

SM 108/36
Ref C 199

RPAD

SPECIAL TAHSILDAR,
Land Reforms, Cochin
Dated - 12-9-36

Notice

Smt. Manomani
w/o Balakrishnan
Kalamparambu, Pudukkottai
v/s

Sri. K. V. Vaidhya Nathan
s/o Viswanatha Iyengar
2/25, Puthiya Kalpathy
Palakkad
(authorised agent)
3 others

Land owners
Defendent

Take notice that the above case stands posted to 20-9-36
at 10 AM in the court of the Land Tribunal, Cochin

You are requested to appear before the Special Tahsildar, either in person or by authorised agent to prove your claims and objections. If you fail to appear in the above said date and time the case will be disposed in your absence.

Pudukkottai
25/2 - 0 00 cents

Special Tahsildar
L R Cochin

Besides, the house was full of huge vessels of all kind for use during feasts, and festivals, for feeding cattle, huge copper pot-boilers for boiling paddy (Vatta Chombu), three of them, huge vessels for storing grains etc., bronze Urulis, rose-wood planks brought from our own land at Malampuzha, teak-wood everywhere, four barns, etc. Also rosewood furniture gifted to Raman, Krishnan and Manian families after their marriage, Thottils, Cots etc.

Everything except the Siva-puja in the house has disappeared without a trace.

Ramesh took away some to his Bombay House and Suresh some to Germany. All this happened in about ten years after our parents died, except what Ramesh/Suresh took during the last two or three years. Not only that, Ramesh wrote to me that his father was borrowing money at 60% interest to run the home! And this, for conducting the Poonals, Betrothals and other functions, whereas the truth is that the concerned brothers fully funded all such expenses.

In my own case, I still have bills of expenses given by Ganesan and acknowledgment of advance payment and refund of balance.

Surely, the Josier Wealth was not that small to be frittered away that fast, as claimed by Ganesan and Ramesh!

In July 2011, very **soon after my heart attack**, Ganesan visited me and raised the question of settling ownership of Josier House, where his family had been residing. His excuse being that the house needed major repairs and, unlike on two past occasions, he did not like his brothers and their families to fund it and set it right for him.

Although, I suspected his timing for this discussion, I readily agreed to give away my share- free to him. I said I was interested only in a small part of the land at the river-end to enable Vasu (who owned the adjoining land) **build a Josier memorial** on which he was keen.

When he asked me to take this up with the other co-owners- (Raman, Krishnan and Sahasranaman had surrendered their shares in the house, earlier, in favour of the rest for valuable consideration) - I declined and asked him to do this himself.

At his request, I helped him with the draft of a letter and fixing a price of Rs.35 lacs for the property, i.e. Rs.5 lakhs per share. This was the going price in the village then. Ganesan, later, told me Sivaramakrishnan had reservations and, wanted this question to be decided by Gen-next. Kamala and Uma sought my advice; I told them that they should decide for themselves, only I had decided to give up since I had, already built a house in the village. I believe Ganesan tackled them, himself.

A few weeks later, Ganesan came back and wanted to discuss how he wanted to rebuild the house.

I asked him first to pay up everyone's share, get proper surrender documentation completed in his favour, get the building-plan approval etc. before attempting to proceed with reconstruction.

Ganesan was upset, and said that **other branches may receive the money but not execute the surrender deed.** I then said, FOR THE FIRST TIME, that he had only **himself to blame for this distrust.** Ganesan had not rendered any account so far, of the farm-lands and other items of wealth, entrusted to his management care under the POA.

Ganesan shouted and said that all of the branches had enjoyed his hospitality at Josier House during their numerous visits, and the outrageous statement that I had conducted Upanayanam for all my sons, Satish stayed with him for two years for studies at Victoria College etc, and that these would be a complete set-off.

I emphasised that the issues were different, and needed to be addressed seriously. May be he had claims against others, but there should be a proper reckoning of accounts and a set-off. Ramesh has recorded the same claim (at paragraph 15) in an e-mail to me (reproduced below.)

Ganesan left disappointed. It is now clear to me that he wanted to swallow the Josier House also without any payment, and I had stopped it from happening.

On 27 Jan 2014, at 09:12, ramesh K Vaidynanathan <kv_ramesh@hotmail.com> wrote:
**(WITHOUT PREJUDICE: NOT TO BE USED IN LEGAL PROCEEDINGS,
INTENDED FOR THE ADDRESSEE ALONE)**

(PRIVATE & CONFIDENTIAL: INTENDED ONLY FOR

**SRI. K.V. NARAYANMURTI AND NOT TO BE TRANSMITTED TO ANY OTHER
PERSON)**

Dear Periappa,

I found your email message only this Sunday when I was cleaning up my hotmail inbox. I don't use that hotmail email address regularly.

I read and re-read your message several times over to make sure that I am reading what I am reading. Cutting through the careful wordplay, in essence, you have made a very serious and outlandish charge that my father's ongoing torture at the hands of his elder brother's family is because of a shaapam for defrauding his siblings! I still cannot believe that it came from you and am still reeling under it.

Let me at the outset say that I am not exchanging this email with you from an uncle-nephew relationship standpoint and would therefore not want the contents of this email to be judged from that prism. I have had great respect and regard for you as my periappa all my life and my disagreement with you is confined to this one particular issue. I am only presenting my point of view that you need not necessarily agree with. Since my family never got a chance to share its side of the story before being bombarded with a barrage of cases (7 and counting), this email is necessarily a long one.

Just as you have asked your email to be treated as privileged communication, I ask that you extend the same courtesy to this email. Just as you wanted to set the record straight, I too wanted to. Just as you wanted to satisfy your conscience through your message, I too wish to. Given the state of affairs and the ongoing legal proceedings, I am compelled to mark this email as "without prejudice".

Let me at the outset get a few hygiene factors out of the way first before I deal with the pitiable contents of your message.

1. *You have asked to have the final word and want no one to speak after you. You use big words like conscience and Charama Shloka ignoring that others have feelings and conscience just like you. You want us to keep quiet and suffer silently as you pile on accusation after accusation against my father. Actually this reminded me of your last son's email from last October when he also similarly warned me against sharing his email with anyone. You showed your present supposedly confidential email to your sons, who will of course not lose any opportunity to use it to further hurt my father. Of course, you still want us to think highly of your sons, so you even conveniently include a line about how they dissuaded you from sending your malicious email.*

2. *You omit and distort the facts in your email. You attribute to my father a desire to buy out the Josier House from his brothers, even though it was you that mooted the idea which my father then accepted after offering you a first right of refusal. My father would rather die before he asks for anything for himself, leave alone the Josier House. You were even upset when you asked him why he was delaying the buyout of the house and offered to advance money if my father did not have any.*

Most importantly, you forget the fundamental cause of all that has befallen my parents by trying to paint these deliberately caused events as some great grand Josier family tragedy or shaapam or some curse. You know very well it is none of these things, since there is only one and exactly one small part of the Josier family that is suffering and bleeding here and there is only one and exactly one small part of the Josier family that has caused all the suffering.

3. *Based on the close similarities between your son's email from a year ago and yours today, I am constrained to draw certain inferences on who is to blame for at least indirectly causing all this hurt to my father. The ones you claim to have been 'steamrolled' on the Josier House sale were further provoked by false assertions such as how I was not born in the Josier House! Before you announced this great falsehood about my place of birth on your website, did you bother to check what happened back in October 1973 with either my father (who was nearby at the time of birth) or my mother (who delivered me in the Koodam of Josier House)? Let me remind you that my unit of the family lived more than 150 years collectively in Josier House, much more than anyone else can claim. You instigated your children further by telling them (broadcast of course on your website) how hurt you are by the repairs my father started on the Josier House. Let me refresh your memory that when the architect from Coimbatore came to discuss the proposed repairs of the Josier House, my father promptly invited you to join the discussions. You asked him to proceed as you had no suggestions to make.*

4. *Why were the repairs necessary? The tiled roof was perpetually leaking making it impossible to live there in the monsoons. The mud walls would not have withstood another monsoon and the electrician made it clear that even a 3 phase electricity connection was not possible with the present mud wall. We have all suffered electric shocks from time to time. The wall on the thavaram side had started collapsing as it was directly exposed to the rains over the years because of your second son's open plot. The cat, maranai, cockroach, frog and other reptile invasions only exacerbated the situation. The two burglaries in the house (by breaking open the koodam roof) terrified my aged parents so much so that they were subsequently cocooned in Nezhi after 9 pm. My diabetic mother is forced to suppress nature's call at night so as to avoid opening three doors to reach the toilet in the backyard. The flooring was completely damaged thanks to all the above factors. Minus the ceiling, walls and the flooring, what remains? Is Josier House a museum or a dwelling house? As is evident from my father's circular to the co-owners, he wanted them to continue to stay with him in Josier House notwithstanding the release of their ownership interest and was making it safe for their living as well. Did anyone bother to check with him before you sent that provocative email to your children on your unhappiness with the repair work? Should you not have confronted us directly so that we will have had the opportunity to explain the above circumstances to you?*

5. *If all this misery is a divine curse on my father and the protagonists are only foot-soldiers in a holy war ordained by the almighty, why is an innocent lady like Uma being sued? Why are Raja and Shankar being sued? Why is my mother being sued? Again, if the grievance is confined to the repair work, why is your third son claiming ownership rights over the house?*

6. *Your second son also mentioned to my father that all this was caused by my forwarding the email from your last son to Suresh and then by him in turn writing to your children and later to you. Just so you are aware of the timeline of what happened and why:*

a. *On 17 October 2012, two RTI applications were filed through a private organisation called the Kerala Heritage Preservation & Protection Council asking various questions on the Josier house repair work, in preparation for the legal action*

b. *On 21 October 2012, your third son wrote me the email accusing my parents*

c. *On 23 October 2012, Suresh wrote to your children about your third son's email*

d. *Between 23 October and 30 October 2012, your second son and first daughter replied to Suresh saying they do not support the initiative of your third son but of course no one did anything to resolve the matter.*

e. *Between 23 October and 30 October 2012, we did not let my parents know about these communications since we felt it was an empty threat and because my father would immediately have wanted to involve you.*

f. *Between 23 October and 30 October 2012, your third son visited my parents under the pretext of wanting to see the progress being made with the Josier house repairs and my father innocently gave him a conducted tour of all that was planned and your third son took plenty of pictures (and video perhaps) of the house and of my father which he subsequently used in his court proceedings.*

g. *Suresh informed you about these communications only after October 31, 2012 when he saw that the matter was getting out of hand and we felt maybe only you would be able and willing to help.*

h. *So, even as he sent us the accusatory email on 21 October 2012, your son had already initiated action with the authorities to stop the work. All these excuses being bandied about - that if only this or that email was not forwarded to this or that person, none of this would have happened - is pure nonsense.*

7. *You never denied all the false accusations of fraud and cheating leveled by your son in his email. My father begged you to intervene on countless occasions yet you say in your email that no one, just no one, has asked how to solve it! Even in your reply to Suresh's email from last year, you only said your son has no locus standi; you never said his accusations about my parents are completely false. Now, you provoke your sons further by showing a further laundry list of accusations against my father with purported 'authentic' quotations from decent men long deceased!*

Look at the contrast in my father's reaction. When I asked my father what your reaction was to the reckless allegations made in your third son's email of October 2012, he described how you told him "you were so pained to read the initial part of the email that you did not even proceed further to read the allegations". He readily believed this and continues to believe so to this date!

8. *You surely know that your meeting with me in the temple was promptly distorted and communicated per email by your first son to your third son (with the added message 'Amma will call you to talk about it...') who then promptly used that email in his court proceedings against my father! Notwithstanding this, my gullible father believes your word that your family has disowned your third son!*

9. *I have also seen the serious accusations you have leveled about my mother in your emails to other Josier family members. And yet you sarcastically refer to my one line comment in Facebook saying how hurt I am by the backstabbing, even though I accused or named no one.*

10. *I bet you are aware that periamma first repeatedly urged my father to telephone your third son who then tape recorded his conversation with my innocent father and then played it to your second son and god knows who else, who then told my father that he does not believe my father's version of the conversation since he heard something different in the tape recorded version!*

11. *Have you heard about how your third son talked my innocent father into giving him a conducted tour of the Josier House (a day or two after writing that terrible email to me which we had then not told our father about!) and used that pretext to take pictures which he then used in his legal efforts against my father? What kind of family tapes family conversations and takes pictures of uncles to use against them in court?*

12. *If you really cared for my father or loved him, you could easily have stopped your family from doing what they are doing to my parents. Please don't try to tell us now how to make our father feel better after your family cunningly kicked him out of the house he lived in all his life; see if your advice can be of use to those who need it more. However stressful they may be, the temple activities that my father is involved in are his only distractions these days, after your family shattered his dreams of a 75th birthday celebration and a pool for his grandson at Josier House in August 2013.*

13. Now to what you accuse our family of. When I say my family I refer to my father, my mother, my brother and our spouses and children – at least we are together and speak with one voice. When you accuse my father in one email, when your son accuses my parents in another, when you write to a third family member accusing my mother of being behind all that is happening to my father, when you tell everyone who walks into your house what a poor lawyer I am, please be aware that you are hurting our family as a whole, not one person at a time. We all take offense simultaneously and we are all grieving because of what you and your children are doing to my parents.

14. You claim credit for stopping all our late uncles and cousin from going after my father. Have you not noticed that their families and descendants now and always have been much closer to my parents and love them more than your family has ever done...why would they hold such feelings about my father and not tell their children to stay away from him? It is clear it is only you and your family (not deceased souls who cannot contradict your claims) who believe that my father is a fraud and that is why you are hurting him in his old age. My father steadfastly defended you and fought with his brother K.V. Sahasranaman and other directors when they accused you of funding your elder daughter's wedding through cash advances from the waste suppliers of Palakkad paper mill. He has many other such items that he will take to his grave, out of profound love and affection for you.

15. You claim that my father's deceased brothers and nephew have hurled serious allegations against my father of suppression of assets, borrowing against his brother's property and failure to render accounts of family land and wealth. If he did accumulate a lot of wealth in this manner, where is all that money? Not that we love him any less for his failure to ensure a 'rich endowment' for his sons nor have we ever made him feel helpless, because of his old age, in regulating our conduct. While he did his best to send his two kids to school and run a household with his 600/- rupee monthly salary, he did have to borrow at 60% interest on occasions from private money lenders to supplement the cost of scores of poonals, weddings, seemanthams and nischidharthams for his siblings over the years.

He also borrowed * from time to time to pay the wages of the hapless workers of Palakkad paper mill, when he was curtly told to pay the wages after selling the cardboards.

Note:* (If this is true then such payments ought to have reflected in the Audited Balance Sheet of the Paper Mill that is available with me).

16. You have repeatedly boycotted different sections of the family at different times, you have written big circulars asking family members to ignore their personal relations with and love for each other and instead obey your orders to boycott this poonal or that wedding and you have brooked no other opinions within the family - decade after decade. Why was no circular sent by you in support of your younger brother, who served you and your family all his life like a servant?

17. *You speak in your email of the homogeneity that was built, painstakingly, by you and your brothers. You often spoke to me about how you took the initiative in your generation to hold the family together and that someone from my generation should take on that role of keeping the Josier family flag flying high. Let me tell you, the entire kalpathy village that was once jealous of our unity and success is now laughing at us. It may be a good idea to introspect on who is responsible for this.*

18. *In spite of all that your family has done to hurt my parents, I wish you all good health, mental peace, and a quiet retired and spiritual life in your modern bungalow in the Kalpathy heritage village. What **my** uneducated parents have taught me is that one should respect all elderly people and one should not even dream of hurting any of them. If we have not done anything even after 7 cases being filed against our family, it is because my father has brought me and my brother up to obey his words, even if we don't agree with it.*

19. *It might of course be useful for you to reflect where and how you failed because your family clearly and passionately believes in hurting elderly uncles and aunts trying to live out the remainder of their lives peacefully.*

With respectful regards and love,

Ramesh

Thereafter, without any notice to anyone including myself, and without either any payment or surrender documentation in his favour, our ancestral home, Josier House - several hundred years old - was **BULL-DOZED** in a few minutes on 19 - 10 - 2012. I came to know this later in the day, also my attention was drawn to an e-mail announcement by Ramesh, with photograph of the bare-land, and the intention to build anew.

I recorded my emotional feelings in a letter to Usha (available here).

http://www.narayanmurti.com/4_39_josier_house.php

I was shattered that a great tradition had fallen to dust, unceremoniously, in a few moments. Kalpathy being a declared Heritage Village, such demolition also needed prior Govt. Recommendation,, which was absent in this case. Also, Ganesan being only a co-owner on that day had no right to demolish the house. He got my share only on 3-11-2012 and a few other shares only in March-April, 2013. I cannot understand, in what capacity he decided on this course, when there were other co-owners.

All this happened when Ramesh was present and with his supervision and advice. This almost looked like a challenge to me and, **an attempt to foreclose anyone else bidding for the ancestral house or claiming value for their share.**

When, later, he was faced with a case in the High Court, **Ganesan rushed first to get my surrender deed executed (even without payment) and of the others in March or so, of 2013 !**

To my knowledge, **Ganesan has rendered no accounts** to any one, of the family wealth- entrusted to his care, till date. True, I did not ask him at any time because I was well-off in my job, had enough other responsibilities in my family, and did not mind risking it.

Some of the other **siblings (Raman, Krishnan, Kontha Mani and Rajan) who did need it**, prompted me; I suggested they handle their own interests, directly, with Ganesan. This was, I admit, a soft line to adopt -may be, because of our affectionate relationship. Thanks to our parents' blessings, my family has continued to have a comfortable life. At age 85 plus, I continue to be in reasonably good health - also able to keep up a correspondence. Only my hearing and eye-sight is a bit impaired, and I need to guard against any excitement.

The position in law is that Ganesan continues to be the Attorney for all the living brothers and for the estates of the deceased brothers. Neither side has cancelled the Instrument; it continues to be in force.

Therefore, **Ganesan cannot, in any event, escape from the legal liability of accounting for the huge ancestral wealth entrusted to his care.**

The risks are very real and cannot be ignored.

In fact, I am considering initiating action in this matter, while I am still alive, so that the wishes of our revered parents to, equally, benefit all their children may be fulfilled by the next generation.

Ganesan has anticipated this and caused his lawyer to file a Caveat in the Palghat Court against any such action.

On 3-11-2012, Ganesan took me to the Registrar's office, where, as promised, I **signed the document surrendering my share to him, without receiving any payment.**

The same day, in the after-noon, he gave me another agreement to sign, under which he would sell 4 cents land @ 3 lakhs per cent (the same price rate fixed for Josier House land).

On 9 -1- 2013, Ganesan transferred to me only 3.8 cents land (instead of 4 cents, ostensibly, because he wanted to deny me the right of access to the well) and, the same day, I paid, as per his request, the differential amount of Rs.6.4 lakhs into his Canara Bank account.

On 26 - 7 - 2013, Ganesan brought a Notary Public to my house and at his demand, I signed an affidavit - even without reading its contents. I did so in order that he may not shout and bawl, as in several instances previously and, especially when a stranger Notary-Advocate was present.

Unknown to me, my son Satish, on seeing Ramesh's announcement of the demolition in the e-mail dated 19 - 10 -2012, had raised some questions, referred to Ganesan's mismanagement of the Josier wealth etc. in his letter to Ramesh dated 21 - 10 - 2012. This was brought to my notice on 31 - 10 - 2012 by Suresh.

Immediately, I wrote to him, stating that neither Satish, nor Suresh or Ramesh had any 'locus standi' in the matter, also that we brothers would handle our affairs, while we are living.

I advised that Satish be fought frontally, in Court, and proved wrong, if they can.

The correspondence exchanged is also enclosed. **I felt later, on reading the letters that, while what Satish had said was not factually wrong, it was not proper for him to raise this and with another junior, Ramesh.** These should be handled only by us, the brothers.

Two related points need to be mentioned:

One: Even though Ganesan had transferred 3.8 cents of Josier House land to me on 9 - 1 - 2013, and had only 6.2 cents to build on, on the same day - after the transfer was registered - he had, knowingly, filed a building plan for approval , with the Town Planning Board, falsely showing 10 cents as still owned by him and also by placing a Possession Certificate and revenue record that wrongly showed him to be the absolute owner of 10 cents.

Faced with a court case, where his authority to demolish the ancestral house was challenged by Satish, he must have been advised to document my surrender of right to him, and get me out of the way, and make the court case in fruituous.

If the building plan was approved, then Vasu would not be able to include the 3.8 cents land again, while applying for his building-plan approval and my purchase of the land for Vasu may not serve the purpose.

Two: Ganesan took advantage of Vasu's plot -custody for long, with him, knocked down the front road-side wall, encroached about 3 feet all along on to his land and started new construction, even without mine or Vasu's written consent as required by law.

Ganesan must have thought that, since my wife and I do not go out due to old age, and Vasu being far away, this might go unnoticed. But, Vasu came last November (2013) for the Car-festival and noticed this, and asked to know how this had happened.

After the festival, on my request, Vasu visited Ganesan in the local Hospital, where Ganesan was admitted - to enquire about his health and ask if any help was needed.

Ganesan and his wife shouted at Vasu for no reason, and in spite of his request to calm down.

Ganesan threatened he would file some kind of false criminal complaint against Vaidhy (Vasu's son studying at Princeton, USA) whom Ganesan had not seen since his Upanayanam many years ago, and another fake case against Satish for allegedly being responsible for Sitaraman dying, while he was on ventilator support in CBE hospital.

Vasu, not knowing why this shouting happened, came home very, very sad and upset, and told me firmly that he would, henceforth, deal with his property and that I should not interfere. I agreed. When **Vasu found that his plot had been encroached upon significantly, and built on,** he returned to USA, appointed an Attorney and filed a case to set aside the **encroachment.**

When the Court officials or some Government Authority came on 2 - 4 - 2014 for spot-inspection and started questioning Ganesan, he rushed to see me and asked me to go over and tell the officials that what had been done at Josier House and Vasu's property had my approval and consent, which was not true. I refused flatly saying, this was Vasu's order, that he (Ganesan) had himself created the situation by mishandling Vasu at the hospital, and threatening him, unjustly.

Ganesan then started shouting, calling me names, accusing me of cheating the brothers etc. My wife was watching this, helplessly. I was totally shaken, palpitating, I ordered him out, never to come again to see me.

At my age, and with my track-record in the family and the world outside, I do not see the need now to prove or disprove anything. People are free to judge me on the basis of my words and actions. I have only tried to help, to lead the family from the front, not hide like a timid onlooker. May be, I looked abrasive, uncompromising in style sometimes, but the intention was, always, welfare in the family.

I have faithfully recorded the factual story of the ancestral Josier Wealth and how one man (Ganesan) alone swallowed it entirely, and is asking for more. It is my intention to place this statement in a sworn affidavit before an Oath Commissioner/Notary Public for future references by any one of you. I am convinced our parents in Heaven do not accept or approve of what Ganesan did. Particularly so, since all thirteen children were alike for them, especially for our mother.

I pointed this out to Ramesh in my letter (reproduced below) and asked him to go for an astrological prasnam and find out what had gone wrong for Ganesan. See further below my email to Ramesh my response when he raised insinuations against me on Facebook and accosted me in the temple.

From: Kvnarayanmurti <kvnarayanmurti@yahoo.com>
Date: 27 January 2014 10:41:44 GMT+05:30
To: ramesh K Vaidynanathan <kv_ramesh@hotmail.com>
Subject: **Re: Dear Ramesh,**

Ramesh,

You are only confirming my worst fears about the 'curse'. I am sad that of my nine brothers and two sisters, it is only Ganesan who is deprived of the fullness of life, throughout. Even though his sons are among the most successful Josier children, they are not able to ensure a hassle-free retirement for their parents. Believe me, my brother deserves better, he also knows me inside out. Do ensure that at least his future lives are better. Introspection and 'pariharakriyas' are essential. Only you, the two sons, can help. You are combative, a good debater, am proud of you. There is much I have learnt from you.

Narayanmurti.

And my Previous email to Ramesh.

Subject: Dear Ramesh,
From: kvnarayanmurti@yahoo.com
Date: Tue, 7 Jan 2014 10:46:20 +0530
To: kv_ramesh@hotmail.com

Dear Ramesh,

I happened to see your curt remarks on the year past, marked specially for me. I do not operate in the Face Book, so do not know how to open the same and read your full comments. However, I could see that I was also targeted and got the sting. You are entitled to your views and I respect your judgment.

After we met, briefly, at the temple in November, I came home and decided to write to you the enclosed letter. Mohan and Vasu who were both with me read it and felt that I should not send it. I now feel that this should have been sent, at least to keep the record straight. I repeat, you are entitled to judge me, but then you should also grant me the right to defend.

This is meant to be my final message (Charama sloka) only to satisfy my conscience, so DO NOT, PLEASE, REPLY AND DRAG ON THE CONTROVERSY.

Narayanmurti.

Dear Ramesh,

Our encounter in the temple on 15th was brief, but telling. I could gauge the hurt feelings in the family. Frankly, I had felt the same over the past few months' developments. They do no good to anyone, only cause anguish to us the old and decaying ones, and can only damage the homogeneity that was built, painstakingly, by myself and my brothers. Everyone of the Josier clan, to-day is very well off, the younger generation has only added lustre and good-will to the family name. Is there an evil eye, a curse?

I do not wish to attribute blame that can only harden positions, with no solution in sight. At the same time, I wish to repeat my disapproval of the steps taken by my son. They were unnecessary, irrelevant and destructive. They have caused irreparable damage.

Surprisingly, no one, just no one, has asked how to solve it. I talked to Satish, wrote to him conveying my anguish and asking him to retrace his steps, only to realise the generation-gap between us. Surely, he cannot be doing all this for any material gain -he is my richest-endowed son. cannot fathom. If this had happened, when I were younger, I might have opted for an astrological 'prashnam' for guidance.

Therefore, I believe that out-of box thinking may be needed. The court cases cannot hold water that is what I think. It can only delay matters. Already, valuable time is lost, construction costs have increased, and Ganesan has been living in rented house for too long.

If I may make a passing comment, in retrospect, I feel the sequence of the past events leading to Ganesan becoming the full owner of Josier House, may have been rushed through, priorities scrambled and, some in the family feeling they were being steam-rolled. May be, given another chance, when Ganesan raised the question of the future of the house (this was when I was convalescing after my heart-attack) I should advise him to maintain 'status quo ante', that is, he continues to stay there for life as hitherto and leave the ownership problem to be sorted out by the generation next. In fact, Sivaramakrishnan did raise this point and wanted it to continue as it is, so that all members will continue to have access to it. Ganesan, of course, would do whatever repairs were needed, at his cost. Instead, I readily consented to his suggestion, conveyed my dis-interest in taking over the house, even dictated the draft of the letter to the other coparceners asking their comments.

I should also mention that before they died, my brothers Krishnan and Raman used to pester me to ask Ganesan to render accounts of the family land and other wealth which he was managing under a Power of Attorney, and I evaded saying that they could take this up directly with Ganesan. Konthamani used to shout at me and say Sitaraman and I were shielding Ganesan. Once, I even asked Konthamani to get out of my presence.

Similarly Sivaramakrishnan, mildly, Rajan very vocally complained about the suppression of assets, on several occasions. Sitaraman suspected that Ganesan had given away the Kuppiah house document to secure some debt, that was why the original sale deed was missing from Ganesan's custody. Otherwise, he wanted to will away the house to him but, instead, gave it to Adarsh, by his will. This is why I suspect that there could be a curse, otherwise, why should my brother have to live in rented houses in Kalpathy, where the family own (-ed) seven houses. Why should he agree to buy a house in the KSK Nathan building, and later withdraw? A lot to ponder and rationalise.

In retrospect, it is also possible to fault the bull-dozing of the interior portions of Josier House, before completion of the documentation, approval of building-plan etc. which created the need for renting a house to live. But then, whoever believed that ghosts would rise from the rubbles ! We get wise after the damage is done.

And, now, my opinion is (1) fight the cases legally, and prove Satish wrong and to face the consequences, (2) try to get the building-plan approvals from the authorities and (3) very important, in my opinion, keep your parents with you in Mumbai, so that Ganesan has some change and, with it, some peace of mind. I always felt, used to hint to him also sometimes, that he was straining himself, unmindful of his health and age. Let the younger generation take over and manage the temple and the Grama Samooham. He has shown the way. He needs rest and relaxation.

I love my brother very much, he totally reciprocates this, and we both like to have a peaceful time. You are free to reject every word of what I have written. I only want you to know that they come from my heart. Am sure, you will treat this as privileged communication, meant only for your reading. You are free to do whatever you feel is necessary to protect your interests.

Love.

Periappa

Sent from my iPad

Instead of appreciating my concern which was backed by essential facts to support it, Ramesh wrote me a long and abusive reply. (reproduced above).

If Ganesan has any self-respect, reverence for his parents - his sons should help him to introspect and decide this - he should **come out with the whole truth about the disappearance of the ancestral lands and other wealth, render up-to-date accounts and give benefit to the other co-sharers, rather than look for **phony set-offs and counter-claims** like “hospitality charges” on brothers and their families, or falsely claiming to “fund” their family functions and calling this a “set-off”.**

He may have had an excuse when he squandered the family wealth, foolishly, but why should he look for escape routes now and want to hide, when he can afford to render justice to his brothers, even though, belatedly. This, I believe, is the ART OF LIVING, and living with dignity. This is what our parents lived for and taught us and I would expect of him. Would he? Time will tell.



I pray and invoke our parents' blessings on all of us for our welfare in the future.

K.V. Narayanmurti

Please point out any errors/omissions made in this family tree chart.

Satish has only two cases going on. They are:

1. A Suit before the Munsiff Court Palakkad for restoring "Josier House" to its pristine condition and not undertake any further construction.
2. A Writ Petition challenging the Building Permit issued for the repair of Josier House.

Vasu has filed only one Case where I have joined cause with him:

Vasu and I seek revocation of the building permit issued to Ganesan since it is based on misrepresented facts. There are therefore only three cases in all. One before the Munsif Court and Two before the High Court. These relate to the violation of building regulations and misrepresentation before the Municipal Authorities.