

Home (1917) Department.
Education

Ordinary SERIES.

G.O. No. 1446

DATED 17 11 17

[Despatch Abstract.]

Acquisition of land.-

Approving the _____ required for the construction of a building for the Nadar's secondary school, Porayar, Tanjore district, sanctioning a grant of Rs. 1,947 for the purpose and publishing in the Fort St. George Gazette a draft notification under section 6 of the Land Acquisition Act.

Home (Education) DEPARTMENT.

C.F.—29.



Received 10-JUL-1917 191 . Registered Recd 17-7-1917.

Subject.

Recommending the acquisition of a site for the construction of a building for the Nadar's Secondary School, Poraiyar, Tanjore District.



ENCLOSURES.

No. _____
Spare copies _____

Re No. 4560/16

Station Madras, Dated the 13th July 1917. 191x

From (Name) The Hon'ble Mr. J. H. Stone, M.A., F.R.S., C.I.E.
(Designation) DIRECTOR OF PUBLIC INSTRUCTION.

To The Secretary to the Government of Madras,
H O M E (Education) Department.

Sir,

The Correspondent of the Nadar's Secondary school, Poraiyar, Tanjore District, applied to me for aid towards the cost of purchasing a site and constructing a building for the school. He was asked to take action with regard to the purchase of the site and to submit the title deeds for the same for scrutiny by the Government Solicitor. The site proposed to be purchased is the property of the Nadar's family and there is some difficulty in making a valid sale of this site to the school on account of the existence of miners in the Nadar's family. The Correspondent therefore requests the application of the Land Acquisition Act for

2
acquiring the site in question, vide his letters No. 319 dated 15-5-1917 and 356 dated 20-6-17 (copy enclosed) with the sketch referred to the former. In these circumstances, I have the honour to recommend that the site in question may be acquired under the Land Acquisition Act and that a grant not exceeding one-half of the total cost of acquisition may also be sanctioned.

I have the honour to be,

Sir,

Your most obedient servant,

N A Ariene

For Director of Public Instruction.

Copy of letter from the Correspondent, Nadar's High School, Poraiyar, No. 319 dated 15-5-1917.

" I have the honour to request that you will be pleased to recommend to the District Collector Tanjore, to acquire the site given below under the Land Acquisition Act for the ***** construction of a school building for the Nadar's High School, Poraiyar, as the commencement of the work is delayed by the Correspondence and as the school stands in urgent need of a building. I am prepared to pay the cost of the site on acquisition. Survey Nos 460 A & B; extent of land 4 acres 5 cents; wet or dry? Dry. Boundaries: East Public Road and Pichai Maistry house. North Kesava Chetty temple garden and mission garden. West. Nadar's High School play ground. South. Houses of Bangalam Narayanaswami Naidu, K.V. Pathnavathi Ammal, Ayyathurai Pillai, Narayanaswami Pillai, Nadar's School and Mission cart stand. Owner. M.R.Ry.T.Guruswami Nadar Avengeal. Remarks:- The title deed stands in the name of the ***** deceased Mr.T.Vellathambi Nadar, the undivided brother of Mr.T.Guruswami Nadar who is the managing member of the family. A rough sketch is also forwarded.

3 3
Copy of letter No. 356, dated 20-6-17, from the Correspondent, Nadar's Secondary School, Poraiyar, to the Inspector of Schools, Sixth Circle, Tanjore.

With reference to R.C.No. 710 T/17, dated 19th June 17, communicating a copy of the Proceedings of the Director of Public Instruction R.C.No. 4560 of 16, dated 14th June 1917, I have the *** honour to represent that Mr.T.Guruswami Nadar has 2 nephews by his eldest brother the late Rao Bahadur T. Rathaswami Nadar and 5 by his elder brother T.Vellathambi Nadar in whose name the site now stands. One or two of these nephews are adults and four or five minors. The minors are represented by different guardians for different purposes. Some guardians are willing and some are not willing to part with the site. I fear some may not sign the sale deed. This is the only site now found to be convenient for the erection of the school building.

2. If Mr.Guruswami Nadar sells the land on behalf of himself and the minors &c., the party who receives the amount will have to attest the sale deed. It cannot be said now whether the amount goes to clear a simple debt, mortgage or a Court decree or who the party to receive the amount is, as different persons point out different parties.

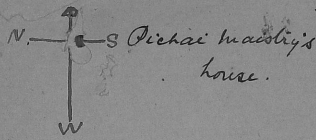
3. As the site is necessarily required for the school, I have applied for acquisition of the same under Land Acquisition - Act, so that all sorts of difficulties and encumbrances will be got over.

N A Ariene

FOR DIRECTOR OF PUBLIC INSTRUCTION.

64
13.7.17
M. S. V.

Public Road.



Mission Catech. School.

Thos. a. Kelly
Teacher & gardener.

Wilson's Garden.

Survey. No. 460. A & B.

Extent: 4 acres 15 Cents.

Nadar's School & Play Ground

Bangalore
Nadaiyana Sam.
Nadai.

K. V. Path. marathi
Arumai.

Hyatt's school

Nadar's school



CMS 1380

Cur

Referred to the Collector of
Tanjore for remarks as to -
① Whether the owners of the sites
which it is proposed to acquire under
the Land Acquisition Act have
any, and if so, what objections to
their acquisition,
② Whether any serious difficulties
stand in the way of the authorities
the school purchasing the sites by
private negotiations, and
③ Whether a valid and clear title
to the property cannot be secured
otherwise than through the applica-
tion of the Land Acquisition Act.
2. If, in the opinion of the Collector,
the application of the Land Acquisition
Act to the case is justified, he
is requested to submit a draft
notification for publication under
section 6 of the ^{Act} Land Acquisition Act, 1894.
3. The D.O. is requested to report
whether the authorities of the school
have

1/2

Home (Gen) Department

CMS 1380

Cur

635-18724.7.7

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section 6 of the ^{Act} Land Acquisition Act, 1894.
3. The D.O. is requested to report
whether the authorities of the school
have

2/6

have enough funds for building on the site when acquired and when ^{are} they likely to undertake the ~~construction~~ construction of the building.

7-7-17 To
9-7-17 23-7-17
24/7/17

To, The Collector of Tanjore with current in original to be returned with reply
S.P.D.

[Faint, mostly illegible text from the reverse side of the page]

B

7

Home (Education) DEPARTMENT.



Received 13 AUG 1917 191 Registered 191

Subject.

Submitting a report with reference to endorsement No. 638 B1 dated 24-7-1917 in connection with the acquisition of a site for the Nacar's High School, Porayar.

ENCLOSURES
No. 11
Spare copies

RC No. 4560 of 1916

Station M.A.G.R.A.S., Dated the 11th August 1917

From (Name) The Hon'ble Mr. J.H. Stone, M.A., F.R.H.S., C.I.E.,

(Designation) Director of Public Instruction, Madras.

To The Secretary to the Government of Madras,

Home (Education) Department.

For the Right Hon'ble The Secretary of the Collector of Tanjore to Mem. No. 638 B-1, 24-7-17 may be awaited.
Mr. B. 17 23/7/17

Sir,

[Handwritten signature]

With reference to paragraph 3 of the your endorsement No. 638 B-1, dated 24th July 1917, in connection with the acquisition of a site for the Nacar's Secondary School, Porayar, I have the honour to report that the authorities of the school have enough funds for building on the site when acquired and that they are prepared to commence the construction of the building within 6 months

Months from the receipt of the order sanctioning the grant.

I have the honour to be,

S I R,

Your most obedient Servant,

Ratnam

for Director of Public Instruction.

T.V. N.

3-1A.

HOME (EDUCATION) DEPARTMENT.



Subject.

Submitting a draft notification under section 6 of the Land Acquisition Act for the land to be acquired for the construction of a building for the Nadar's Secondary School at Porayar.

ENCLOSURES
No. <i>13 sheets</i>
Spare copies

R.Dis. No. 800/Rev. of 17

Station *Tanjore*, Dated the *3rd* November 1917.

From (Name) *J. R. Huggins Esquire, I.C.S.*

(Designation) *Collector of Tanjore.*

To The Secretary to the Government of Madras,
Home (Education) Department.

Sir,

Adverting to Government endorsement No. 638-B-1, dated 24th July 1917, regarding the acquisition of land required for the construction of a building for the Nadar's Secondary School at Porayar, I have the honour to state that the land referred to in the Director's report is comprised in S.Nos. 420 A & B and a portion of S.No. 461 A/1 (Nathan) of Erukatanjeri village. The land belongs to the Porayar Nadar's family which is an undivided one and whose present managing member is Mr. T. Guruswami Nadar, the Proprietor of the School. His two elder brothers, Ratnaswami Nadar and Vellatambi Nadar are dead, and they have two and five sons respectively all of whom are minors with the exception of Bala-Guruswami Nadar

10/

Delaguruswami Nadar, the eldest son of Vellathambi Nadar. The minor sons of these two deceased brothers are represented by different guardians, the former by Marimuthu Nadar of Conjeevaram, the maternal uncle of the boys, and the latter by Janaki Ammal, the mother of the minor boys. The family is heavily involved in debts and a number of suits and decrees ready for execution are said to be pending against them. Whether these debts will bind all the members of the family is a matter on which they and the guardians ^{do not} seem to agree. Both the adult members of the family and Janaki Ammal on behalf of their minor sons have consented to part with their land and Marimuthu Nadar has also been requested to state if he has any objection to the acquisition. The Divisional Officer is ^{also} being requested to issue a registered notice to him and file the postal acknowledgment with the records. In view of the highly complicated nature of the family affairs which are not fully understood and of the fact that the Proprietor of the school is himself the managing member of the joint family, I think that it is quite possible that the minors may afterwards question the validity of the sale as against them. Further, the Government Solicitor, Madras, who was consulted in the matter is of opinion that the proposed sale is not for a purpose recognised to be binding on the minors under the Hindu Law (Copies of Government Solicitor's letters etc. bearing on the subject produced by the correspondent of the school are enclosed). In the above circumstances it seems to me ~~to~~ better to acquire the land under ~~Section~~ Act I of 1894 in order to obtain an indefeasible title to the property.

2. A draft notification under section 6 of the Land Acquisition Act is accordingly submitted herewith for favour of approval and publication in the Port Saint George Gazette.

3. The Director of Public Instruction may be asked to provide the necessary funds for the acquisition.

I have the honour to be,
Sir,
Your most obedient servant,

M. S. K. 17
For Collector.

18 11
No. 217.

Poraiyar, 7th May 1915

From the Correspondent,

Nadar's Secondary school, Poraiyar.

To

The Inspector of schools,
6th circle, Tanjore.

Sir,

I have the honour to bring to your notice that this school has not hitherto drawn any for building grant and the proprietor was spending large amounts in the extensions of the building. The present building is hardly sufficient for the school and consequently a part of the school is located in a separate building about 100 yards off though that building also is not well ventilated as known to you.

2. The Director of Public Instruction in his Proceedings Ref. on C. 3796 of 14 dated 1.5.14 approved the general proposal regarding the building grant for the Nadar's school and asked me to forward plans and estimates.

3. I got the plan and estimate from the Executive Engineer Cauvery division Tanjore on the 24th July 1915 and forwarded the same to your office on the 25th July 1915 along with my No. 360 dated 25th July 1915.

4. The Director has in his Proceedings Dis. No. 5483 of 1913 dated 20.9.1915 informed that the application could not be considered owing to insufficiency of funds, but that it would be taken up as soon as funds are available and returned the plans and estimates alone retaining the application in his office.

5. As it is very difficult for me to pull on with the existing building which is hardly sufficient as no building

12/
suitable for school purposes is available for rent near the present premises and as there is every chance of the school bring greatly strengthened as soon as it is provided with a suitable accommodation. I am even prepared to construct the building as soon as the sanction of grant is received even though the grant may not be paid now owing to insufficiency of funds, provided I get the amount of grant required for the purchase of the site alone as soon as the site is purchased. The plans, estimates 2, compass survey of the site 1 are herewith submitted.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- K. Sami aiver,

Correspondent.

True copy

K. Sami aiver
correspondent

17
16
9
Ref. on C. No. 4560 of 1916.
Dated 30.6.1916.

Proceedings of the Director of Public Instruction.

The Correspondent is requested to be good enough to submit the title deeds relating to the site proposed to be purchased with a Registrar's encumbrance certificate for the last 12 years. All vernacular documents should be accompanied by English translation.

Sd/-- J.H. Stone,

Director of Public Instruction.

True copy

K. Sami aiver
correspondent

17/14
Copy of letter No 1371 ~~dated~~ dated 9th October 1916
from the Government Solicitor Madrás, to the Director of Public
Instruction.

I have the honour to acknowledge receipt of your
letter No. 4560 of 1916 dated the 4th October 1916 with
enclosures which I herewith return.

2. I beg to request that you will let me know of whom
you propose to purchase the site and the extent boundaries
etc., of the land. The only title deed sent with your letter
is a sale deed from one Chinnasami nadar in favour of ----
Vellathambi nadar dated the 16th January 1892, and it does not
appear whether the sale is to be by Vellathambi Nadar in
favour of Nadar's Secondary school, Poraiyar.

3. The encumbrance certificates are only from 1904 to
1916 and do not show the dealings with the property between
1892 and 1904.

True copy
Khanis Ang
Cotes/poulent

November 1916 to the Director of Public Instruction Madras.

I have the honour to acknowledge the receipt of your letter Ref. on C. No. 4560 of 1916 dated 15.11.1916 with enclosures which are returned herewith.

From the documents sent I gather that the property now intended to be purchased is included in the deed of a sale dated 16.1.1892 executed by Chinmasami nadar in favour of Vellaithambi Nadar. The deed of sale of 1892 does not give any Survey numbers but from the boundaries therein set out and as stated by the Correspondent I presume this is so.

3. It appears that Vellaithambi Nadar is dead and M.R.Ry T. Gurusami nadar is the manager of the family. It is not stated if there are minors, or adult co-parceners in the family nor does it appear why the sale is made. A manager cannot exercise a right of sale or a right of mortgage beyond his interest unless when there is a family necessity, or unless he obtains the consent of adult members who are competent to contract. I am unable therefore to advise without further facts on the legality of a sale by the Manager

4. It will be sufficient if there is a covenant by the Vendor as suggested by the Correspondent that there were no dealings with the property between 1892 and 1904.

*True copy
Samuel
Correspondent*

19 16
12

Letter from the Government Solicitor, No. 10 dated 2nd January 1917, to the Director of Public Instruction.

I have the honour to acknowledge the receipt of your letter Ref. on Cur. No. 4560 of 1916 dated 21st December 1916 with enclosures which are returned herewith.

2. I have perused the Correspondent's letter No. 523 dated 9.12.1916 copy forwarded with your letter above. In this case though the title is in order up to a certain point, a difficulty arises through the existence of minors, the sons of M.R.Ry T. Gurusami Nadar's brother. As the proposed sale is not for a purpose recognised to be binding on the minors under Hindu Law, I am of opinion that the sale by M.R.Ry. T. Gurusami Nadar will not convey in law more than his share in the property. Please see paragraph 3 of my letter No. 1630 dated 22nd November 1916.

True copy
K. Lamin
Correspondence

195
Re. No. 558 T of 16.

20-17
Tanjore, Dated 19th March 17

From

W. C. Douglas Esq. M.A.,

Inspector of schools,

Ag. in 6th circle Tanjore.

To

The Correspondent,

Nadar's Secondary school, Poraiyar.

Sir,

With reference to your letter No. 153/10.3.17 I have the honour to bring to your notice that before I submit your request to the Director, you must be prepared to satisfy the condition laid down in the application for building grant, i.e. item No. 1. "Whether the title to the property is clear and in order". The Government Solicitor is not satisfied that you have fulfilled this condition. Vide Director's Proceedings R.C. No. 4560/16 dated 2.3.17. Further, you have said that the sale deed will be executed as pointed out therein. In these circumstances the question of recommending building grant for the school must wait till the execution of the sale deed, on the lines indicated by the Government Solicitor.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- W.C. Douglas,

Inspector of schools, 6th Circle

True copy
Blair
Correspondent

95
Read the following:----

21/18
14
From the Government Solicitor, Madras No. 560 dated 24th April 1917.

I have the honour to acknowledge receipt of your letter No. 4560 of 16 dated 20th April 1917 with draft sale deed and translation.

2. I have perused the translation which is not satisfactory and it does not state what is the consideration, nor what is the debt which is discharged by the sale, nor are other particulars given of the bond referred to, and I am of opinion that the guardian of the minors ought to be a party to the deed.

3. I return the enclosures to your letter.

True copy
Correspondence
True copy
Transmit
Correspondence

Proceedings of the Director of Public Instruction.

R.C. No. 4560 of 16 dated 14th June 1917.

Read the following paper:---

From the Inspector of schools, 6th circle R.C. No. 710 T/17
dated 18th May 1917.

With reference to his Endorsement read above, the
Inspector is requested to be good enough to ascertain and
report why the requirements mentioned by the Government
Solicitor (vide Proceedings R.C. No. 4560/16 dated 3rd May
1917) cannot be complied with.

True copy
V. Ravi Aiyar
Correspondent

FORM OF DRAFT DECLARATION.

Under Section 6, Act I of 1894. His Excellency the Governor in Council hereby declares that the Land mentioned in the following Schedule and measuring more or less, to be the same a little more or less, is needed for a public purpose, to wit, for ^{for the Nadar's High School, Porayar} Construction of a School Building; and under sections 5 and 7 of the same Act. the Revenue Divisional Officer, ^{Vazhan} Mayar, is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land.

2. A plan of the land is kept in the office of the Revenue Divisional Officer, ^{Vazhan} Mayar, and may be inspected at any time during office hours.

SCHEDULE.

District.	Taluk.	Village	Description of Land, Wet or Dry, Usual or Poramboke, with Survey or Palnash number.	Name of owner or Occupier.	BOUNDARIES OF THE LAND REQUIRED TO BE TAKEN UP.				Extent to be taken up.	Estimated Cost of the Land to be taken up and the authority sanctioning it.
					North.	East.	South.	West.		
Tanjore	Mayavaram	Orikkattanjeri	Dry Government 460 A + 13	1. T. Gurusami Nadar. Missa Farden and Muthusami Nadar minor sons of deceased Kati- nasami Nadar by maternal uncle and Guardian Marimuthal Nadar 2. Balagurusami Nadar son of Vellathambur Nadar 3. Kanakasabai Nadar Raja Nadar Jambunesa Nadar Vellayaraja " Minor sons of Vellatambi Nadar through their Mother and Guardian Tanaki Ammal Do ——— Natham Poramboke 461 A - 1	Pichai Maistry; house and a Kasava Cotti temple Farden S.N. 459A A Compd in S.N. 461A Classed as Nathan Pichai Maistry; house S.N. 461A Nathan Pelli road S.N. 461A Nathan Mission Cart Stand S.N. 461A Nathan S.N. 460 Tolce again Total	Nadar High School Ayappa = Sami Pillai's house K.V. Nadar School Nathan Sami Nathi's house all are = prired in S.N. 461A Nathan Mission Cart Stand S.N. 461A Nathan S.N. 460 Tolce again Total	Acs. 3.77 0.28 4.05	Ra. 3822.93 3885.67		

Heads of law

Approving the — required for the construction of a building for the Nadas's Secondary School, Botayar, Talpore dt. sanctioning a grant of Rs 1947 for the purpose & publishing in the Fort St. George Gazette a draft notification under Sec. 6 of the L.A. Act.

READ AGAIN G.O. No. _____, dated _____ 191

READ ALSO:—

C. No. 6380, From the SPD, No. 4560 / 16, dated the 13-7-1917.

81010 179 4560 16 11-8-1917

1394 OS Collector of Tanjore 800 Rev " 3-11-1917

ORDER.

Miss

No. 1446, dated 17-11-1917

The Govt consider that the site required by the authorities of the Nadar's Secondary School, Porayar, measuring 4.05 acres and specified in the Collector's letter read above, should be acquired under the Land Acquisition Act, 1894, and they are pleased to sanction a grant not exceeding Rs 1,747 or one-half of the actual cost, whichever may be less towards the cost of acquisition.

2. The draft notification submitted by the Collector of Tanjore with his letter read above with the packet in the Fort St George Gazette.

3. The Collector is requested to call upon the authorities of the school

to deposit in the treasury the sum of Rs 1948, or such larger amount as may be found necessary on actual determination of the award.

4. After acquisition the property should be conveyed to the management of the school by a formal deed of conveyance to be drawn up in consultation with the Govt. Solicitor.

3895-6-7.
1947-0-0
1948-6-7



To, The Collector of Tanjore.
... S.P.D.
... A.G.
... Rev. Dept.
... S.P.D. with notice for publication in the Gazette.

Cancelled
20/11/17



Revenue n.d. for acceptance.

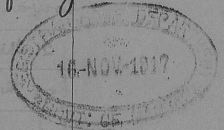
CA
11.11.17
12/11/17

Rev. Dept.

To recs.

Subd. that the draft may be accepted.

GP
15.11.17
16/11/17



Home (Est) nco.

Home (Est) Department.

Issue
11/11/17

When given for copying
When copied
When examined
When signed

191

READ AGAIN G.O. No. 191

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.-

A = Copy in full.
B = Not to be copied.
F = Copy abstract only.
Q = Copy heading only.