

*Howe* (191 P) Department.  
*Education*  
*Ordinary* SERIES.

G.O. No. 685

DATED 28-5-19

[Despatch Abstract.]

Acquisition

Declining to reconsider the orders already passed directing the acquisition of the house property required for the Calavala Ramandjam Chetty High School, Purusawalkam.



## BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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## FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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Home (Edn) No. 550 B  
15

Cochin State, Trichur,

15th March 1919.

From



B. B. Smither Esq.,

Special Engineer, Cochin Government,

TRICHUR.

To

The Secretary Home (Education) Department,

Government of Madras.

Sir,

(R)

Writing on behalf of my mother and brother, with reference to G.O.No.167 dated 10th February 1919, Home (Education) Department, copy of which was given to me by my tenant, Mr.Hart, as I, one of the owners of the properties mentioned in the above quoted G.O., have not, up to date, received any regular official information of this intended acquisition, in spite of the fact that I have petitioned the Collector on the subject nearly a year ago, when I received second hand information from my tenant, I have the honour to request you will be good and kind enough to now at least furnish me with full particulars relating to this proposed acquisition, with all correspondence on the subject, and to state why, in the opinion of Government or any of the individuals concerned in the matter, the acquisition of my properties in particular, for the location of a private Indian school, side by side with an Anglo-Indian school, and not two furlongs off from other Indian Christian and Hindu schools, should be deemed necessary; and how it comes that this has been made a case in which the Land Acquisition Act can be made applicable, it being plainly obvious that the education of any individual cannot be classed as "Public Purpose", in the same manner as the construction of a road, canal, park or, line of Railway would be; for, while the latter is for the use of the public at large, a use directly subservient to public necessity and convenience, the former, though it may be incidentally beneficial to the public, fundamentally serves private interest, and so makes as much difference between the two purposes as there is difference of meaning between right and wrong.



Let me inform you at once and for all time that my mother brother and I, joint owners of the above said property, finally and flatly refuse to relinquish our properties, or any part thereof, and consider this acquisition wilful, unjustifiable and opposed to Public policy. The most precious of human possessions to every one of us is Just Law, and I fail to see how this acquisition can be made justifiable. The purpose, as already pointed out, can, by no stretch of imagination, be classified as "Public Purpose", and, therefore, the case is not one in which the Land Acquisition Act can be applied. I have furnished the Collector of Madras with other sound reasons which I will here set forth for your reference.

1. It is curious to note that the authorities of the C. Ramanujam Chetty's High School have moved government for the acquisition of my properties without having first consulted me on the subject.
2. At the time of application the Director of Public Instruction was not made aware of the relative positions of my property, the Doveton Boys' and Girls' High Schools and other Indian schools, and has since expressed surprise and regret in not having been furnished with this important information, but having recommended the acquisition, he was not inclined to right the wrong that was done.
3. It is not clear where the necessity comes in to acquire these particular plots, so irregularly situated with reference to the plot first purchased for the school, and intersected with roads.
4. Why has it been deemed fit to locate this Indian school in the very midst of an Anglo-Indian Quarter of the city?
5. Is it not a superfluous huddling together of schools to bring this school and place it alongside of the Doveton College and within two furlongs of ~~xx~~ other Indian Christian and Hindu schools which already meet the requirements of the locality?
6. Is it not known that the students attending the school under reference come mostly from Egmore and Kilpauk and that the



school is, therefore, not centrally situated?

7. The locality is highly congested as matters stand, with a market not 100 feet off. The latrines that will be needed to meet the requirements of 600 students or more will certainly not improve the sanitary conditions of the place. The Thasildar of Madras, during an informal visit, endeavoured to induce me to part with the property on the grounds that the locality was unhealthy and that Government would grant me land in Kilpauk, better situated. Why should not the school go there?

8. Consider how Doveton College is situated! When the same can be done in this case, and the school located to better purpose in an open spot in the centre of the student population, why have the authorities taken such a violent fancy to my property?

9. If the school authorities will not be convinced of the error that has been undoubtedly committed in locating the school in the wrong place, as was pointed out by the Inspector of Schools sometimes back, and will persist in making that error greater, why did they not avail themselves of the opportunity of purchasing the property which adjoins the school on the east, and is much larger than mine, and was lately in the market? This is far more suitable and convenient, since it would form one quadrangular block, with Vepery High Road running on the north side; but the authorities did not fancy this as the price was high, and they hoped to have my property cheap by inducing Government to force an acquisition. Again, had Mr. Seddon's property been acquired, and if further land, <sup>were</sup> deemed necessary, that lying on the west might have been purchased and a portion of an objectionably congested area relieved.

10. When and where are these acquisitions to stop? For the school is bound to expand, as its history proves.

11. The school, which was first contained in one building, now occupies two if not more buildings, about a furlong apart, all of which were once private Anglo-Indian dwelling houses. The provision of residential houses in the locality is more a 'Public Purpose' than the provision of a school, and it is a regrettable fact



to note that residences in Vepery are, one by one, being converted into Cineama-theatres, Oilman stores, Schools, Tinker's and Cobblers' shops. Regarding the school, I suppose we will soon have a hostel to be attached to it located in another Anglo-Indian house a mile off.

12. These properties have been in my family for over one hundred years, having been acquired, before the taking of Seringapatam by my great Grand Father, Lieutenant Healy, who fought and bled in sixteen battles for the H.E.I.C. Service, and was maintained by my Grand Father, Major Mires-Wright, and my uncle, Major-General James Kelly, both of whom fought and bled through the Indian Mutiny, and all of whom served the Government faithfully.

The sweetest, dearest spot on earth is Home, and the authorities have, not only set their hearts on a neighbour's land, but, regardless of the feelings and sentiments of others, and the heartache and sorrow they are causing the owners by attempting to deprive them of their ancestral home, have moved Government to force this acquisition in an irregular / manner.

Under these circumstances, I implore and pray Government, in the name of Sacred Justice, to set aside this application as being objectionable on Sanitary, Social and Educational grounds, wilful, fanciful and unjustifiable, and to better reward the humble services of those who were among the first to help in building up this Empire.

I have the honour to be,

Sir,

Your most obedient servant,

P.W.D. Special Engineer, Cochin

Government, Trichur.

Copy to The President, Anglo-Indian Association, Madras.  
Copy to the Director Of Public Instructions, Madras.  
Copy to the Collector of Madras.  
Copy to M.R. By. C. Ramanujam Chettiar Avl., Madras.



to note that residences in Terey are, one by one, being converted into Chinese-theaters, Chinese stores, Chinese, Indian, and Chinese. Regarding the school, I suppose we will soon have a notice to be attached to it located in another Anglo-Indian house a mile off.

12. These properties have been in my family for over one hundred years, having been acquired, before the taking of Seringapatam by my great-grandfather, Lieutenant Kelly, who fought and died in sixteen battles for the E.I.C. Service, and was rewarded by my great-grandfather, a British Officer, and my uncle, Major-General James Kelly, both of whom fought and died through the Indian Mutiny, and all of whom served the Government faithfully.

The Government, desiring to get on earth in India, and the authorities have not only not taken notice of a neighbouring land, but are anxious of the feelings and sentiments of others, and the hereditary and narrow they are causing the owners by attempting to deprive them of their ancestral home, have moved Government to force this acquisition in an irregular manner.

Under these circumstances, I implore and pray Government in the name of Sacred Justice, to not make this application as being objectionable on Sanitary Social and Educational grounds, without, financial and unaffordable, and to reward the humble services of those who were among the first to help in building up this Empire.

I have the honor to be,  
Sir,  
Your most obedient servant,  
P.W.D. Special Engineer, Cochin  
Government, Trichur.  
Copy to the President, Anglo-Indian Association, Madras.  
Copy to the Director of Public Instruction, Madras.  
Copy to the Collector of Madras.  
Copy to W.D. & O. L. S. Madras.

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P.S. 4-1,500-8-2-19.

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PRIVATE SECRETARY'S OFFICE, MADRAS.

Edu 862 B  
29.4.19



Memo. No. 53-P.

Transferred to the Secretary to Government, Home (Education)

Department, for favour of disposal.

ENCLOSURES:

7

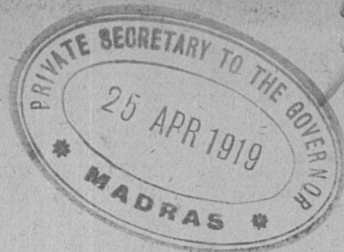
(By order of His Excellency the Governor.)

Cotacmand,

The 26th April 1919.

Aditya  
Private Secretary.  
C.P.





Trichur.  
Cochin State  
23<sup>rd</sup> April 1919

From R. D. Smith Esq.  
Trichur  
Cochin State



To The Private Secretary  
to  
His Excellency the Governor of Madras.  
Camp. Stone House Hill  
Ootacamund.

Sir, In submitting herewith a petition addressed and enclosed in a separate cover to His Excellency the Governor and Copies of a portion of the Correspondence, which has taken place between me and certain officials in connection with the proposed acquisition of my property for the location of the B. Ramanujam Chetty's High School, I have the honour to request you will be good enough to place these papers before His Excellency and issue an order to stay the acquisition Proceedings till His Excellency's pleasure has been made known in the case.

I have not all the papers with me as I left Madras since the case started; but to the best of my knowledge, the facts are briefly as follows:—

I do not know when the school authorities made

Handwritten initials

being objectionable on sanitary social and educational grounds  
willful, malicious and unjustifiable, and to secure reward the  
humble petition of those who were among the first to help in building up this Empire.

I have the honour to be,

Sir,

Yours most obedient servant,

P. V. D. Special Engineer, Cochin

Government, Trichur.

Copy to the President, Anglo-Indian Association, Madras.  
Copy to the Director of Public Instruction, Madras.  
Copy to the Collector of Madras.  
Copy to M. V. C. Ramanujam Chetty, A.M., Madras.



Application for my properties; but, at the time of so doing, they Carefully suppressed certain important facts which would have led the Director of Public Instruction to reject this application. These I have mentioned in the petition.

2. They also represented to the Director that a private purchase was not possible as the proprietor was a widow and the ownership complicated, which facts would lead to legal difficulties.

3. My first knowledge of the acquisition was through the Revenue Inspector. I have not received any official information on the subject, and all I have learnt of the case is through my tenant Mr Hart. The only letters I have received are from the collector and are in reply to my letter addressed to him.

4. You will notice that, in G. O No 162 dated 10-2-19 Home (Education) Department, no reference is made to my petition to the collector which I asked him to place before Government.

5. It is now over a month since I addressed the Secretary to Government Home (Education) Department, and sent copies to the collector, and the Director of Public Instruction; but have not received any reply. In view of this fact, and the foregoing, I am constrained to submit that the action of the authorities has been irregular.

copy at p. 3  
under

4/pbl-4 and  
le. 550/B  
cited to H. 2.  
W. B. No. 48  
on 20/3/19

6. I have endeavoured to state my case as clearly and as briefly as possible to His Excellency. There is just one more fact I may mention. The will of my Grand-mother Mrs Miers-Wright distinctly enjoins us not to sell or otherwise do away with the property.

7. As there is no pressing necessity for this particular acquisition, and in view of the facts I have set forth, I earnestly pray His Excellency will be pleased out of consideration for the services rendered and the blood shed by my forefathers, who were among the first to build up this Empire, to save this ancient ancestral home and render the last days of an aged widow happy and thus reap the blessed reward of the just.

I have the honour to be,  
Sir,

Yours most obedient servant

J. L. Smith  
23/4/19.



8/ 9

Copy of G.O. No. 167 dated 10.2.19 (Home (Education) Department).

Read the following:—

Petition from the Anglo-Indian Residents of Vepery dated 12-3-18

Order:

The Government have carefully considered the representations made by the Anglo-Indian Association of South India and the Anglo-Indian Residents of Vepery and Purasawalkam, and they are of opinion that the sites required by the authorities of the C. Ramaniyam Chettiar's High School, Purasawalkam, and specified in the sketch submitted by the Director of Public Instruction should be acquired under the Land Acquisition Act 1894.

2. The Government will also be prepared to give a grant not exceeding one-half of the total cost of acquisition

P.T.O.



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3. The Collector of Madras is requested to submit  
at an early date a draft notification for publication  
under Section 6 of the Act.

(Sd) R. Ramachandra Rao  
Secretary.

(Enc Copy)

*Enclosed*

10 copy of C. 550/R-  
Pb 1-4 ante  
Letter dated 27<sup>th</sup> February 19 from R. D. Smith Esq. <sup>10</sup>  
Cochin State to the Collector of Madras.  
With reference to G.O. No. 167 dated 10.2.19 Home  
(Education) Department. I have the honour to request you  
will please let me know whether my petitions to you on  
the subject were laid before the Government. It is curious  
to note that though two other petitions were read, no  
mention is made of my appeal to you. I have also to  
request you will be good and kind enough to order that  
Copies of all Correspondence including my letters and petitions  
to you, on the subject under reference, be furnished to me to  
enable me to take further action in the matter.

Let me once more appeal to Our Benign British  
Government. I will be brief and not take up your valuable  
time. The properties Government Contemplate acquiring  
were purchased by my Great-Grand Father before the  
Seizure of Singapore (1792) Lieut Healy. He fought and  
bled for the H.E.I.C.S. in 16 battles.

These properties were maintained by Major William Miers-  
Wright and Major-General James Kelly, who fought and bled  
through the whole of the Indian Mutiny. Through thick and thin,  
through poverty and sorrow, we have held to these properties  
refusing many handsome offers. Now when these properties  
have become the sole means of livelihood to a poor widow  
and her fatherless children, the Honourable British Government  
will snatch it from them for the paltry purpose of locating  
an Indian School in the midst of an Anglo-Indian quarter  
of the City. I have clearly pointed out sound objections  
on sanitary, political and social grounds, but my  
representations have been tied with red tape and  
shelved without reference. This is the return that the  
oldest European Residents in Madras get in return for  
the hard and faithful services rendered to their Government.  
There is no sweeter sovered spot on earth than Home.  
I appeal to you, Sir, in the Name of the Most Holy God



in the Name of all that dying man may hold dear and sacred, I appeal in the Name of God's divine justice which works slowly, but surely, Spare the grey head of an aged widow from going to the grave in sorrow, Spare her children the pang and sorrow that must follow on parting with a home dear with childhood memories and that has been in the family for so long a period as 100 and odd years. This acquisition is absolutely unnecessary and wilful as the school will be out of place and can be located easily and to better purpose in the Centre of its student population which exists in Kilpauk and Regmore.

(True Copy)

J. L. C. C.

Letter dated 13<sup>th</sup> March 1919 from R. D. Smith Esq. Indian Cochin State to the Secretary, Home (Education) Department, Government of Madras.

"With regard to the property of my mother and brother with reference to G. O. No. 167 dated 10<sup>th</sup> February 19, Home (Education) Department, Cochin of which was given to me by my tenant, Mr. Hart, as I, one of the owners of the properties mentioned in the above-mentioned G. O., have not, up to date, received any regular official information of this intended acquisition in spite of the fact that I have petitioned the collector on the subject nearly a year ago, when I received second-hand information from my tenant, I have the honour to request you will be good and kind enough to, now at least, furnish me with full particulars relating to this proposed acquisition, with all correspondence on the subject, and to state why, in the opinion of Government, or any of the individuals concerned in the matter, the acquisition of my properties in particular for the location of a private Indian school, side by side with an Anglo-Indian school, and not too far from the Indian Christian and Hindu schools, should be deemed necessary, and how it comes that this has been made a case in which the land acquisition act can be made applicable, it being plainly obvious that the education of any individual cannot be classed as "Public Purpose", in the same manner as the construction of a road, canal, park or line of railway, would be, for while the latter is for the use of the public at large, a use directly subservient to public necessity and convenience, the former, though it may be incidentally beneficial to the public, fundamentally serves private interest, and so makes as much difference between the two purposes as there is difference of meaning between right and wrong.

Let me inform you, at once, and for all time,

J. L. C. C.



that my mother, brother and I, joint owners of the above-said property, finally and flatly refuse to Relinquish our properties, or any part thereof, and Consider this acquisition will be unjustifiable and opposed to Public Policy. The most precious of human possessions to every one of us is Just Law, and I fail to see how this acquisition can be made justifiable. The purpose, as already pointed out, can, by no stretch of imagination, be classified as "Public Purpose", and, therefore, the case is not one in which the Land Acquisition Act can be applied. I have furnished the Collector of Madras with other sound reasons, which I will here set forth for your reference:—

1. It is curious to note that the authorities of the C. Ramaniyapur Chetty's High School have shewn Government for the acquisition of my properties without first having consulted me on the subject.

2. At the time of application, the Director of Public Instruction was not made aware of the relative positions of my property, the Doveton Boys' and Girls' High Schools and other Indian Schools, and has since expressed surprise and regret in not having been furnished with this important information, but, having recommended the acquisition, he was not inclined to right the wrong that was done.

3. It is not clear where the necessity comes in to acquire these particular plots, so irregularly situated with reference to the plot first purchased for the school, and intersected with roads.

4. Why has it been deemed fit to locate this Indian School in the very midst of an Anglo-Indian Quarters of the City?

5. Is it not a superfluous huddling together of schools to bring this school, and place it along

side of the Doveton College and within two furlongs of other Indian Christian and Hindu Schools which already meet the requirements of the locality?

6. Is it not known that the students attending the school under reference come mostly from Egmore and Kilpauk and that the school is, therefore, not centrally situated?

7. The locality is highly congested as Dr. Little's Stand, with a market not 100 feet off. The latrines, that will be needed to meet the requirements of 600 students or more, will certainly not improve the sanitary conditions of the place. The Tahsildar of Madras, during an informal visit, endeavoured to induce me to part with the property, on the grounds that the locality was unhealthy, and that Government would grant me land in Kilpauk, better situated. Why should not the school go there?

8. Consider how Doveton College is situated! When the same can be done in this case and the school located to better purpose in an open spot in the centre of the student population, why have the authorities taken such a violent fancy to my property?

9. If the school authorities will not be convinced of the error that has been undoubtedly committed in locating the school in the wrong place, as was pointed out by the Inspector of Schools, sometime back, and will persist in making that error greater, why did they not avail themselves of the opportunity of purchasing the property which adjoins the school on the east, and is much larger than mine, and was lately, in the market? This is far more suitable and convenient, since it would form one quadrangular block with Vepery High Road running on the North side, but, the authorities did not fancy this as the price was high, and they hoped to have my property cheap by



15

inducing Government to force an acquisition. Again, had Mr Seddon's property been acquired, and if further land deemed necessary, that lying on the west might have been purchased, and a portion of an objectionably congested area relieved.

10. When and where are these acquisitions to stop? For the school is bound to stop and its history proves.

11. The school, which was first contained in one building, now occupies two, if not three buildings about a furlong apart, all of which were once private Anglo-Indian dwelling houses. The provision of residential houses in the locality is more a "Public Purpose" than the provision of a school, and it is a regrettable fact to note that residences in Vepery are, one by one, being converted into cinema-theatres, bazaar stores, schools, linkers and cobblers' shops. Regarding the school, I suppose, we will soon have a hostel to be attached to it located in another Anglo-Indian house a mile off.

12. These properties have been in my family for over one hundred years, having been acquired before the taking of Singapore by my Great-Grandfather Lieut. Healy, who fought and bled in sixteen battles for the H.E.I.C. Service and was maintained by my Grandfather, Major Miers-Wright, and my uncle Major-General James Kelly, both of whom fought and bled through the Indian Mutiny, and all of whom served the Government faithfully.

The sweetest, dearest spot on earth is home, and the authors who have not only set their hearts on a neighbour's land, but, regardless of the feelings and sentiments of others, and the heart-ache and sorrow they are causing the owners by attempting to deprive them of their ancestral home, have induced Government to force this acquisition in an irregular manner.

(3) 16

13

Under the circumstances, I implore and pray Government in the name of Sacred justice, to set aside this application as being objectionable on Sanitary, Social and Educational grounds, wilful, fanciful, and unjustifiable and to better reward the humble services of those who were among the first to help in building up this Empire.

(True Copy)

By  
C. V. V. V.



Letter dated 13<sup>th</sup> March 1919 <sup>117</sup> A 566/19 from the Collector  
of Madras to R. D. Smith Esq. Trichin Cochin State.

" Land acquisition - Piorasawalkam R.S 781-805 <sup>14</sup>  
(C. R. C. High School) Yours of 7<sup>th</sup> March 1919.

I do not know why you want the number and date  
of my letter with which I conveyed your objection to  
Government. The letter was D. No 664/B and G. of 18 dated  
17.1.19.

2. Government have now sanctioned the acquisition.  
So I must decline to correspond with you further in regard  
to your objection to the acquisition."

(True Copy)

Yours faithfully  
J. J. J.



Letter dated 16<sup>th</sup> March 1919 from R. D. Smith Esq. Madras, Cochin  
State to the Director of Public Instruction, Madras. 18

"I have the honour to forward, herewith, Copy of my letter dated  
13<sup>th</sup> instant, addressed to the Secretary to the Government of Madras,  
and to enquire if it is the policy of your Department to advise the  
hires - i.e. acquisition of Anglo-Indian dwelling houses of long  
standing for the location of Indian schools or for the satisfaction  
of the fanciful requirements of their managers. What Education  
stands for, and the manner in which it is wending its way here,  
is so obvious as to need no comment, but I should certainly fight  
 shy of any education that does not take into consideration human  
passions, sentiments and the finer feelings, and deems as  
necessary for its purpose the destruction of homes made dear  
by a thousand and one memories over a century old. The provision  
of human dwellings would be, in the opinion of any ordinary  
intelligent, of first consideration, and when a community has, in  
course of time, settled down, in mutual agreement, in a locality  
it is hard to conceive what necessity could arise, under ordinary  
circumstances, to displace its dwellings unless the necessity was  
absolute necessity, acknowledged by common consent, it would be  
nothing short of an act of vandalism to displace a dwelling house.  
What would you think of a school who goes about knocking down the  
nests of birds under the pretext of becoming a naturalist; or, for the  
matter of that, what do you think of the Vivisectionist who, in the  
"sacred" interests of "science", destroys the life he has no power to  
create, and, while wasting time and money in trying to reverse the  
hands of Nature tries to prove that disease propagates health.  
Under the Vaccination Act, the body of a healthy infant



is assaulted, and its fume blood polluted with a disease laden pus  
poison, which is said to propagate health. Is this justifiable in  
view of the facts that no advocate of this filthy practice can guarantee  
the results, or affirm that no Vaccinated, re-Vaccinated or re-re-  
Vaccinated person has died of Small-pox? Apart from moral  
justification, before any act can be applied, the absolute necessity  
for its application should be proved, and I assert that neither you nor  
Government, nor any other individual can establish the absolute  
necessity for the acquisition of my properties in particular, or claim  
any peculiar advantage by locating the school in its reference  
in half-a-dozen Anglo-Indian homes, each half a mile off from the  
rent, in the centre of an Anglo-Indian population and about two  
miles off away from its student population.

Schools should be accommodated in specially-designed  
buildings, and it would be cheaper and wiser to select an open  
plot of land centrally situated, and not cram them into structures  
built for a widely different purpose. My bungalow is certainly  
not suited for a school, and has been merely put in as a link to  
the open plot of land adjoining Lovelace College. The offers of  
purchase, I have received of late for this plot have become a  
veritable nuisance, and, judging from the irregular procedure  
adopted in applying for my properties, I am constrained to think  
it is, disguise it as you may, a sort of last effort of a dying man.  
My property is dear to me with a thousand memories handed down  
through four generations, and Government can never compensate me  
for this and the heart-ache and sorrow that will be caused to my  
aged mother. I will never agree to this wanton acquisition, while  
you can advocate the selection of an open plot of land, for school  
and hostel, in a healthy spot more centrally and conveniently situated.

(True Copy)

W. S.  
Linn





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16

The Right Honourable Sir Freeman Freeman Thomas  
Baron Willingdon of Rotton P.C. G.C.S.I., G.C.I.E.

Cooroor of Madras  
Cooroor's House

Camp. Ootacamund.

The petition of Richard Smith, Special Engineer  
Cochin Government, India.

Most Respectfully Sheweth:—

That it has been proposed to acquire your  
petitioner's property for the location of the  
C. Ramaniyam Chetty's High School vide G.O. No. 167  
dated 10.2.1919 Home (Education) Department.

2. That your petitioner begs to point out the following  
objections to the acquisition.

a. The school is Indian owned and Indian  
managed to serve purely Indian interests, while  
the locality chosen is in the heart of an Anglo-  
Indian quarter of the City.

b. Your petitioner's property adjoins the Doveton  
College. There would be, therefore, side by side,  
an Anglo-Indian school and an Indian school.  
While the Doveton College meets the Anglo-Indian  
requirements of the City, there are existing on the  
 outskirts of this locality, other Indian Christian  
and Hindu schools which serve the interests of  
the Indian population of Poonamkudi and  
Choolai.

c. The students attending the C. Ramaniyam  
Chetty's High School come mostly from Poonam  
and Kilpauk. The school is therefore not  
centrally situated with reference to its  
student population. This was pointed out



of land more Centrally situated with reference to the student population in a less congested area, on which could be built one large school house and hostel, and still leave room for a playground, and desist from the practice of acquiring Anglo-Indian houses all separated from one another by a considerable distance, and putting them to a use they were never intended for. For example, the Docton College is housed in a building specially erected for the purpose in a spacious compound in a healthy locality.

7. That if the authorities of the C. Ramaniyam Chetty's High School will not be convinced of the error they have committed in locating the school in the wrong place, as was pointed out by the Inspector of Schools, and will persist in making that error greater, they could have, at least, availed themselves of the opportunity of purchasing the property which adjoins the school on the east, and is much larger than your petitioner's property, and was lately in the market. This is far more suitable and convenient since it would form one quadrangular block, with Vepery High Road on the north. If further land were necessary, that lying on the west might be purchased and an objectionably congested area relieved.

8. That the authorities of the C. Ramaniyam Chetty's High School did not fancy the property mentioned in para 7 since they would have to deal with a male proprietor who wanted a fancy price, which another has given and constructed a cinema on the ground in front of the bungalow, but, instead, selected your petitioner's property, as they would, then, have only an aged widow whose objections could easily be disposed of under the Land

Acquisition Act, and the property obtained for almost a song.

9. That this is not a case in which the Land acquisition act can be applied. For, in the first instance, an absolute necessity of purpose would have to be established and secondly public utility. The education of a private individual cannot be classed as a public purpose in the same manner as the construction of a road or canal, a park or a line of railway would be; for while the latter is for the use of the public at large, a use directly subservient to public necessity, and convenience, the former, though it may be incidentally beneficial to the public, fundamentally serves private interests.

10. That your petitioner craves your Excellency to consider the provision of dwelling houses, more of a public purpose than the provision of schools, and it is not known when this price-meat acquisition of dwelling will stop at the rate it is going on.

11. That the location of this Indian school in the centre of an Anglo-Indian community will neither be desirable nor will it tend to raise the value of house property, nor render them fit much longer as dwelling homes.

12. That your petitioner's property was first acquired before the taking of Serangapatam by your petitioner's great-grandfather, the late Lieut. Luke Healy, who was one of the first to enter the breach, and who had since fought in sixteen battles. He was a Roman Catholic and had the property consecrated by a Bishop. The property has been added to and taken care of by your petitioner's grand-father, the late Major William Mierowright I.A., and the late Major-General James Kelly I.A. your petitioner humbly trusts these latter two officers served right through the



Indian Mutiny and rendered Signal Service to their Government. Your petitioner's father, the late Major T. Smith, also served his government faithfully in the Public Works Department.

13. That your petitioner's family, of good birth, is one of the oldest in India. That the male members, to a large extent, have served the Government in one department or other. That your petitioner's property, acquired at the sweat of the brow has been in the family for over a Century and has grown dear with many recollections. It has been good days and bad days and has been retained through times of prosperity and adversity alike and now is enjoyed by your petitioner's widowed mother who is aged.

14. That your petitioner's family have from time to time, received many handsome offers of purchase, but have declined to part with this property. These offers have become a Veritable nuisance. Your petitioner is at present paying the Corporation of Madras a House Drainage and Lighting tax of nearly Rs 15/- per annum on a vacant plot of land rather than sell the property. No money offer can compensate for the sorrow and heart-ache that the loss of this ancestral home will cause.

15. That your petitioner craves your Excellency to take his petition into favourable consideration, and in view of the fact that there is no absolute necessity for acquiring these particular plots so undesirable for accommodating a school, that it cannot be a wise policy to acquire dwelling houses piece-meal, while an open block of land better situated and more suitable to accommodate the entire school house, hostel and play ground maybe acquired, and in view of the fact that your petitioner's property has been long standing and in the family's peaceful

enjoyment for over a Century, and lastly, that no money offer can compensate for the heart-ache and sorrow that will follow the loss of this ancestral home, and Cancel the acquisition order and permit your petitioner to continue in peaceful enjoyment in token of recognition of the faithful services rendered by his forefathers.

Trichur  
19<sup>th</sup> April 1919

For  
19/4/19.



Subject.

Re: objection to the acquisition of a house property for the L.R.C. High School, Pottasarakkam

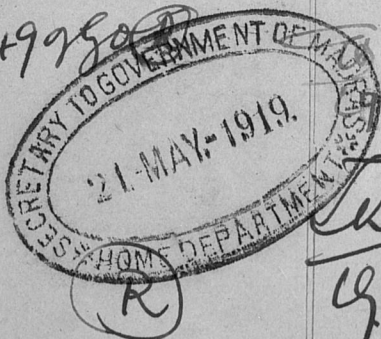
pp 184 34 of G.O. at (R)

\* on 11.3.19

Re: 55 of B, from R.D. Smith Esq., d/13.3.19.

From the papers with G.O. No. 167 Edn, d/10th Feb. 1919 it will be observed that there was a volume of (including one from Mr. Smith (pages 42 to 49) 102.6) objection against the acquisition of the house property in question. On the strength of the unanimous opinion of the D.P.C. and the Coll. of Madras to the effect that the objections set up were frivolous, the Govt. ordered the acquisition and a draft notice under Sec. 6 of the Act has also been recently published in the Gazette: Vidya G.O. No. 167 Edn, d/10th Feb. 1919 + No. 269 Edn, d/3rd March 1919.

2. Submitted that the case may be circulated to H.E. the Government for orders as to whether, in view of the ~~objection~~ <sup>note</sup> protest lodged by Mr. Smith, the Govt. would reconsider the orders as to acquisition already passed after mature deliberation. Mr. Smith's objection having already been fully considered perhaps he may be informed that the Govt. are not prepared to reconsider the orders already passed in G.O. No. 167 Edn d/10th Feb. 1919.



Returned with Thanks

Aloul  
19-5-19.

H. S.

20/3/19

20/3/19



NOTES.

Subject.

House property notified for acquisition for the L.R.C. High School, Purasavalkam.

Lo-550/B

Swice notd: (1-4/5)

Edn no 8620-7  
7-5-19



Edn no 862B-2  
16-5-19

Home (Edn) 21

Lo-862/B, from R.D. Smithes Esq., 23.4.19.

A similar protest from Mr. Smithes was received in office last March and circulated to H.E. with connected papers on the 20th inst in Home Dept. Box No. 48. It has not yet returned to office. Submitted that this may be brought to the notice of the P.S.-G.

5-5-19

16-5-19

7/5/19

PSE/107

The file referred to is with the Director of Public Instruction who visited the site before leaving Madras and proposes to discuss the file with the Hon'ble Member.

14-5-19

This is also forwarded to Mr. 10 be attached to the main file

16/5/19

W.P.9/107

W.O. Camp No 35/19 9 19-5-19

I visited the site in question before leaving Madras and since discussed the matter with the Hon. member in charge Education. I am of



opinion that the acquisition should be gone on with. The school, which has about 800 pupils in its rolls, is at present housed in three different places, separated by distances of 200 or 300 yards, two of these houses being on opposite sides of the main Puarawakan High Road, while the other is in a side street running at right angles to this Road. The accommodation provided is not only unsuitable but it is insufficient, so that new buildings are essential. I shall treat the <sup>resistance</sup> reasons against acquisition set forth in the letter of Mr. Smith on 5.13.3.19.

1. 2. There is nothing on record to indicate that the Director was not aware of the relative position of the schools in the neighbourhood of the property in question, the presumption is otherwise; nor is there any record <sup>an</sup> of expression of surprise or regret on the part of Sir Henry Stone or Mr. Duncan. I have expressed neither.

3. The property is divided into two portions by a side road in which there is extremely little traffic; the smaller portion will be used as play ground, the larger portion for the main school buildings.

4. The school is located in what used to be <sup>an</sup> ~~the~~ Anglo-Indian quarter of the city, but <sup>is</sup> ~~is~~ no longer an exclusively Anglo-Indian quarter. Of two residences in the immediate neighbourhood, one is occupied by Mr. Rungtcharian, Corporation member of the Legislative Council and the other by a Hindu.

p. 2, c. 4.

p. 2, c. 4.



p. 2, c. f.

p. 3, c. f.

Men Hart &  
 Callaghan are them-  
 selves both Anglo-  
 Indians.

LD  
 27-54

5. Darton College, which is about 300 yards away, is a school for Anglo-Indians; not more than 15% of its pupils may be Indians. The only High School for Indians in the neighbourhood is the Vepery S.P.G. High School, which has more than 900 pupils on its rolls and is a full quarter of a mile to the East of the site proposed for the C.R.C. High School. To the West of this site there is no complete High School nearer than Pambore. On the way to Pambore and some little distance from this site there is a Middle School - the E.L.M. Fabrics School - with more than 400 pupils on its rolls.

6. The students come from every part of the neighbourhood, and the <sup>school</sup> certainly does obtain boys from Kilpatrik which is quite near. A train line runs along the Puarawellam High Road and the trains are used by boys coming for some distance to this school. The site is central for the boys who attend school, the majority of whom do not reside far from it. Puarawellam is thickly populated, and has a large pupil population.

9. The Inspector of Schools some time back was Mr. Hart, who is the tenant of Mr. Smithers in the house which it is proposed to acquire. The present Inspector, Mr. Callaghan, strongly recommends the site and the most suitable available.

11. A plot of well pulled land, but the land acquired should suffice for it, provided that

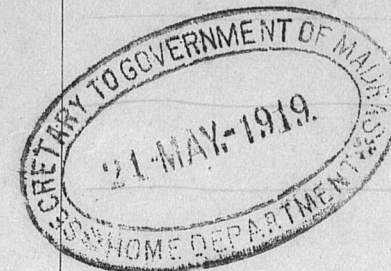


the buildings are suitably sited

24

*[Signature]*  
16.5.19

Office of the J.P.D.



The J.P.D. has given

full and sufficient reasons for proceeding with acquisition. The notification for

acquisition has already been published,

but it is not known in what stage the proceedings stand now. Mr. Smith

may be informed that the Govt. have given careful consideration to his

memorial, but are not convinced that there is any case for reconsidering the

orders in G.O. No. 167 & 168 of 10th Feb. 1919.

2 A draft order is subd.

*[Signature]*  
22.5.19

*[Signature]*  
23.5.19

*[Signature]*  
26/5/19

H.M.

*[Signature]*  
27



This Excluding may like to see - as the Anglo-Indian community have made so much fuss about this.

G.O. 269 & 270  
3-3-19

and made a further enquiry

(R)



D

Box 9  
27-5-4

Sectt. II, 8 (a)-160,004-16-1-17.

NOTES.

Submitted

25

W. 27. 5. 4

He

I see no reason to reconsider

W. 27. 5. 19

987578

W



Seckt. II-10 (a) - 5,002 - 13 <sup>V</sup> 1-19 (6)

14 one

(32)

191

191 .

READ ALSO:—

þþl-k,  
c.1

Special Engg., Cochin Govt., Trichur

PPS-2  
e

191

ORDER.

M. 55.

No. 685, dated 28.5. 1919

Max. R. D. Smithwest vs

Raynie was the older sister of the

acquisition of certain horse prop  
 erty Le. R. C. High School,

~~Parasitalkine may be re-considered.~~

and made a special inquiry  
on the subjects

informed that the Govt.:

have carefully considered

his memorial<sup>s</sup>, but see no sufficient  
reason to reconsider the order <sup>is</sup>  
~~dissatisfying~~ ~~appearing~~ the acquisition of  
the house property in question.

22-5-69

$\frac{C_2}{23.52}$

26/5/49

To ~~H. R. D.~~ J. Smithson Esq.;

Copy to the D.P.I.

# Roll no. of Madras



When given for copying

When copied

When examined

When signed

191

READ AGAIN G.O. No.  
191

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DETTO.

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

N.B.—

A = Copy in full.

B = Not to be copied.

P = Copy abstract only.

Q = Copy heading only.