

Education and Public Health

(1947) Department.

is. SERIES.

G.O. NO. 254 Adn.,

254

Dated

14-2-1947.

[Despatch Abstract.]

Land Acquisition-Indore District-Saiyali Taluk-L.I.C. High School,
Saiyali-Site for playground-Declaration under section 6 of the Act-
Published.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Revenue Department
Subject

Land Acquisition - (Tanjore) - Shiyali taluk and town - R.S.
Nos. 439/2 and 3 for playground to the L.A.C. High School, Shiyali -
Draft declaration - Submitted.

Ref.No.I.67/47-1

dated the 22nd January 1947.

Station: Madras
From

C.A. Ramakrishnan Esq., I.C.S.,
Joint Secretary, Board of Revenue.

Sir Gerald Priestley K.C.I.E., I.C.S., Commr. of Land Rev. & Irrigation.

Read:- From the Collector of Tanjore, No. R.Dis.9958/46 dated 23-12-46.

REFERENCE

Submitted to the Government.

2. In the circumstances reported the Board agrees with the Collector and recommends that the objections to the acquisition may be overruled and that the draft declaration under Section 6 of the Land Acquisition Act may be approved and ordered to be published in the Gazette.

for Jt. Secretary.

To the Secretary to Government, Education & Public Health Department
with enclosures.

v.c/22.1.

9/24/11

R.Dis. 9958-46.

Collector's Office, Tanjore
dated 23-12-1946.

From:

Khan Bahadur Muhammad Ismail
Sahib Bahadur, B.A.,
Collector, Tanjore.

To:

The Secretary, Board of Revenue,
Land Revenue & Irrigation,
Madras.

Sir,

Sub: Land Acquisition (Tanjore) - Shiyali taluk & town
play-ground to the L.M.C High School - report under
section 5A and draft declaration under section 6 -
submitted.

Ref: G.O. Ms. 1666 Education & Public Health dated
28-8-46.

--o--

The notification under section 4(i) of the Land Acquisition Act was published at pages 402-403, Part I-B of the Fort St. George Gazette dated 10-9-46. There are no variations between the notification and the draft declaration except in the name of the owner viz., Nageswara Mudaliar instead of Nageswaramudayar due to an error in print. The correct name has been noted in the Draft Declaration. No erratum is therefore necessary.

2. Ownership: The lands are classed as Inam dry. They are comprised in T.D. No. 104 belonging to Sri. Nageswaramudayar temple represented by Raju Mudaliyar, the trustee for the time being. The site is used as play-ground by the school from 1938. The last lease deed executed by the correspondent of the school is dated 27-12-45. The period of the lease is two years from 27-12-45. There are no religious buildings, tombs or grave-yards on the lands.

3. Objections: The notices under section 5A of the Land Acquisition Act were published and served in the manner prescribed in the Act. Raju Mudaliyar, the trustee of the temple put in a petition on 25-10-46 objecting to the proposed acquisition. The Revenue Divisional Officer issued notices for 7-11-46 to the objector, to the correspondent and to the Divisional Inspector of schools for hearing the objections. On the date of hearing the trustee appeared and deposed that he had nothing to add to what he had already stated in his petition dated 25-10-46. The correspondent filed a statement by way of reply to the objection petition.

ii) The objections are:

1. That the acquisition is not for a public purpose and the cost not met out by public revenues.

2. That the temple does not own very considerable properties and that the site is absolutely necessary for the upkeep and maintenance of the institution.

3. That in 1931 proceedings were started for the acquisition of the same site for the use of the Panchayat Board, Shiyali and that on the objection of his predecessor the matter was dropped as it was found that the site was not liable for acquisition.

4. That the authorities of the L.M.C High School took the lease of the site in 1945 on a specific contract that they should not apply for the acquisition of the site.

iii) The objections are met with below:-

Objection (1): The acquisition is for the provision of a play-

P.T.O

24. In the circumstances stated above, I recommend that the objections may be overruled and that the draft declaration may be approved and ordered to be published in the Fort Saint George Gazette.

play-ground to the students of the L.M.C High School, Shiyali. The need for a play-ground is keenly felt. The site is already used as play-ground by the school. The Government in their order G.O. No. M.S. 1668 Education and Public Health Department dated 28-3-46 sanctioned a contribution of one anna from Provincial funds towards the cost of the acquisition. The objection may, therefore, be over-ruled.

Objection (2): As contended by the correspondent the plots are classed as dry. They are situated in an out of the way place, their only qualification being that they are very near the school. It is neither a business locality nor a residential locality. Hence these properties are not very essentially necessary for the upkeep of the temple. The compensation amount may be invested in the purchase of a better lands for the better upkeep of the temple. This objection does not therefore deserve consideration.

Objection (3): No records are available to show that the acquisition was started in 1931 and was subsequently dropped.

Objection (4): The lease deed executed in 1938 contained a condition that the acquisition of the lands should not be applied for. There is no such condition in the subsequent deeds executed in 1943 and 1945. Hence the objection cannot be entertained now.

iv) The only other point not dealt with above, but mentioned in the objection petition is in regard to the value of the land. This will be decided at the time of award.

5. I enclose the records noted below:-

- 1) Report under section 5 A in duplicate.
- 2) Copy of the report of the Revenue Divisional Officer, Mayavaram R.Dis.3635-46 B dated 18-12-46.
- 3) Draft Declaration under section 6.
- 4) Objection petition of Raju Mudaliyar dated 25-10-46.
- 5) Statement filed by the correspondent of the school on 7-11-46.
- 6) Notice under section 5A published and served.
- 7) A combined sketch in duplicate.
- 8) Lease deed dated 12-4-1938 (3 sheets of which the 1st sheet is stamped paper valued Rs.1-3-0)
- 9) Lease deed dated 27-12-43. (3 sheets of which the 1st sheet is stamped paper valued at Rs.2-0-0., the 2nd sheet is stamped paper valued at Re.1/, and the third on plain paper.)
- 10) Lease deed dated 27-12-1945 (3 sheets the first two sheets on stamp papers valued at Rs.2/- and Re.1/ respectively and the third on plain paper.

H.C.M. Mc Laughlin,
for Collector.

for Collector.

GR3/31-12.

NOTIFICATION.

R.F. XVIII-A-8-15,006-17-10-40.

UNDER section 6 of the Land Acquisition Act His Excellency the Governor of Madras hereby declares that the land specified below and measuring acres 2.35, be the same a little more or less, is needed for a public purpose, to wit, for playground for the L.M.C. High School, Shiyali, and under sections 3 and 7 of the same Act, the

Revenue Divisional Officer, Mayavaram is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. Under sub-section (1) of section 17 of the Act His Excellency the Governor of Madras further directs that the possession of the said land may be taken on the expiry of 15 days from the date of the publication of the notice mentioned in section 9 (1) of the Act. A plan of the land is kept in the office of the Rev. Divl. Officer, Mayavaram and may be inspected at any time during office hours.

SCHEDULE.

District.	Taluk.	Village.	Description of land, wet or dry, inam or poramboke, with Survey or Paimash number.	Name of owner or occupier.	BOUNDARIES OF THE LAND REQUIRED TO BE TAKEN UP.				Extent to be taken up.
					North.	East.	South.	West.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Tanjore.	Shiyali	50. Shiyali.	R.S.439/2 Inam Dry.	Owner: Sri. Nageswaramudayar.					ACS.
				Trustee Sri.A.P. Raju Mudaliyar.					Ac. C. 0- 30
				Occupier: 1. I.M.C. High School, Shiyali represented by A.N. Devanesan correspondent. (2) Amirthalinga padayachi, s/o Govindapadayachi.					

NOTE.—The provision under the urgency clause should be deleted when not required.

[P.T.O.]

Copy of the report of the Revenue Divisional Officer, Mayavaram
R.Dis. 3635-46 B dated 13-12-46:

Sub: Land Acquisition - Shiyali taluk and town - play-ground
to L.M.C High School - D.D and valuation statement -
submitted.

Ref: Your Re. 9953-46-B7 dated 30-11-46.

I submit herewith D.D and valuation statement for the acquisition of 2.35 acres of land comprised in R.S Nos. 439-2 and 439-3 of Shiyali village in Shiyali Taluk. The lands proposed for acquisition are required for the provision of a playground for the L.M.C High School, Shiyali. The acquisition proceedings were started at the instance of the correspondent, L.M.C High School, Shiyali.

2. The notification under Sec.4(1) of the L.A. Act was published at page 402-403 of Part I B of the Fort St. George Gazette dated 10-9-1946. There is no variation in the enjoyment, ownership and extent published in the notification and that noted in the D.D except the error in print of the name of the owner as Sri. Nageswara Indaliar instead of Sri. Nageswaramudayar.

3. Area: Only entire subdivisions are involved in the acquisition. The registered area is adopted. No discrepancy in the registered extent is reported.

4. Ownership: The lands are classed as Inam Dry in T.S.No.104 belonging to Sri. Nageswaramudayar temple represented by Raju Mudaliar trustee for the time being. The site is used as play-ground at present under a lease deed executed by the correspondent on 27-12-1945. The period of lease is two years from 27-12-1945.

5. Buildings, wells, trees, etc., other than lands for which compensation is to be paid in addition:--

There is a house with mud walls and thatched roofing measuring 36 x 19 Sq. links in the western corner of R.S.No. 439-2. The roofing alone belongs to Amirthalinga padayachi. It will be worth Rs.20/- A statement showing the No. of trees standing on the land and their value is enclosed. The total value of the trees is Rs.341-14-0. The trees belong to the temple.

6. Valuation: The sites proposed for acquisition are inam dry lands. They will have to be treated as house-sites as they are situated within the panchayat board area and very near to dwelling houses. They were only two sales of housesites and buildings in the vicinity for the last three years. These sales include lands and buildings thereon. The first was a sale of 20 cents with a building for Rs. 8500/- The value of the building alone is reported to be Rs.8500/-. The low value is due to the fact that the transaction was made to clear off old debts. The second was a sale of 2 cents with a building for Rs.800/- The building is worth Rs.600/ and the balance of Rs.200/- for the land measuring 2 cents is too much. The lease amount payable by the High School to the owner of the land is Rs.180- per annum for the enjoyment of the land and the usufruct of the Coconut trees on it. There are 36 Coconut trees on the land of which 34 are yielding. The annual income from these 34 trees is Rs.17 at the rate of Re. 0-8-0 per tree. Deducting this from the lease amount the lease value of the land alone comes to Rs.163/- The capitalised value at 20 years income comes to Rs.3260 or Rs.130-14-0 a cent. As the value of the lands has gone up and as the site is a valuable one fit for house-sites, the Tahsildar estimates the value at Rs.4,700 at Rs.20- per cent. I agree with him.

Notice under Sec. 5 A of the Land Acquisition Act were published in the prescribed manner and served on the interested persons. Raju Mudaliar trustee of the temple put in an objection petition. Notice was issued to the objector, to the correspondent, and to the Divisional Inspector of Schools fixing 7-11-46 as the date for hearing the

P.T.O

District.	Taluk.	Village.	Description of land, wet or dry, inam or pottamboke, with Survey or Paimash number.	Name of owner or occupier.	BOUNDARIES OF THE LAND REQUIRED TO BE TAKEN UP.				Extent to be taken up.
					North.	East.	South.	West.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
			R.S. 439-3. Inam Dry.	Owner Sri. Nageswara Mudayar.					ACS.
				Trustee: Sri.A.P.Raju Mudaliar.					2--05
				Occupier: L.M.C High School Shiyali, represented by A.M.Devanathan correspondent.					
				Total.					2-35 acre

(True copy)

S. Seshu Appa
for Rev. Divl. Officer. 2-1-12

23/12/46
22/12/46
23/12/46
Collector

NOTE.—The provision under the urgency clause should be deleted when not required.

2-
objections. On the date of hearing, the trustee stated that he had nothing to add to the objection petition dated 25-10-46. The correspondent L.M.C. High School filed a statement by way of reply to the objection petition.

The objections are (1) that the acquisition is not for a public purpose (2) that the income from the site and the trees standing on it are necessary for the upkeep of the temple which is a public institution and (3) that the authorities of the L.M. High School have taken on lease the site on a specific contract that they should not apply for the acquisition. The first objection will not hold good as the acquisition is only for a public purpose viz. provision of playground for the High School. The second objection has no force as the compensation may be utilized for the purchase of other lands. The third objection is not supported by records. The lease deed executed in 1938 contained such a condition but the subsequent deeds executed in 1943 and 1945 do not contain such a condition. The other points mentioned in the objection petition are (1) that the land is worth Rs.10,000/ and that the trees on the site are worth Rs.2,000 and (2) that acquisition proceedings started in 1931 on behalf of the Pa-nchayat Board were dropped as it was found that the site was not liable for acquisition. The estimated value which is reasonable is noted in para 6 above. The value suggested by the objector is unreasonable. No records are traceable regarding the acquisition proceedings stated to have been dropped.

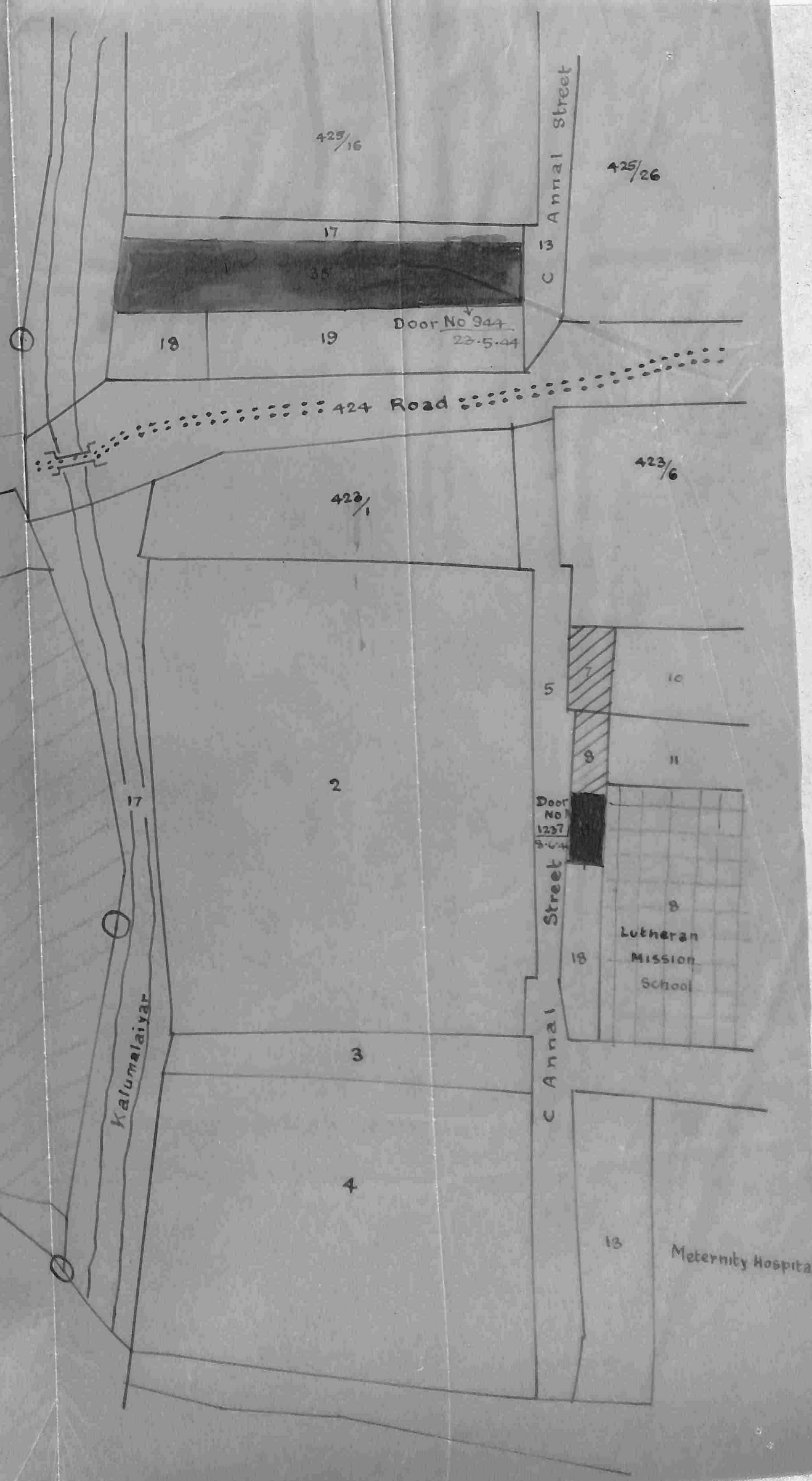
The survey records are being sent to the District Surveyor for scrutiny.

(True Copy)

for Collector.

-37-
 VALUATION SKETCH
 50 SHIYALI VILLAGE
 SHIYALI TALUK
 TANJORE DISTRICT

6



Copy to
 M. S. S. S.
 M. S. S. S.

1927

50 SHIYALI VILLAGE

SHIYALI TALUK

TANJORE DISTRICT

438 Road

439/2

429

439
3

439/4 Channel

440

No 52 Tadalankoil

Copy by
Museum
in 1.1.67

425/16

425
26

Door No 944
23.5.44

:424 Road :: : :

423/

423/6

Doc
No
1767
5-6-4

Lutheran Miss
School

C. Annal Street

Maternity Hospit
21

Dis. 9953-46.

Collector's Office, Tanjore
dated 23-12-1946.

From:
Khan Bahadur Muhammad Ismail
Sahib Bahadur, B.A.,
Collector, Tanjore.

To:
The Secretary, Board of Revenue,
Land Revenue and Irrigation,
Madras.

Sir,

Sub: Land Acquisition (Tanjore) - Shiyali taluk & town
play-ground to the L.M.C. High School- report under
section 5A and draft declaration under section 3 -
submitted.

Ref: G.O. M.S. 1666 Education & Public Health dated
23-8-46.

The notification under section 4(1) of the Land Acquisition Act was published at pages 402-403, Part I-3 of the Fort St. George Gazette dated 10-9-46. There are no variations between the notification and the draft declaration except in the name of the owner viz., Nageswara Mudaliyar instead of Nageswaramudayar due to an error in print. The correct name has been noted in the Draft Declaration. No erratum is therefore necessary.

2. Ownership: The lands are classed as Inam dry. They are comprised in P.D.No. 104 belonging to Sri. Nageswaramudayar temple represented by Raju Mudaliyar, the trustee for the time being. The site is used as play-ground by the school from 1938. The last lease deed executed by the correspondent of the school is dated 27-12-45. The period of the lease is two years from 27-12-45. There are no religious buildings, tombs or grave yards on the lands.

3. Objections: The notices under section 5 A of the Land Acquisition Act were published and served in the manner prescribed in the Act. Raju Mudaliyar, the trustee of the temple put in a petition on 25-10-46 objecting to the proposed acquisition. The Revenue Divisional Inspector issued notices for 7-11-46 to the objector, to the correspondent and to the Divisional Inspector of schools for hearing the objections. On the date of hearing the trustee appeared and deposed that he had nothing to add to what he had already stated in his petition dated 25-10-46. The correspondent filed a statement by way of reply to the objection petition.

11) The objections are

1. That the acquisition is not for a public purpose and the cost not met out by public revenues.

2. That the temple does not own very considerable properties and that the site is absolutely necessary for the upkeep and maintenance of the institution.

3. That in 1931 proceedings were started for the acquisition of the same site for the use of the Panchayat Board, Shiyali and that on the objection of his predecessor the matter was dropped as it was found that the site was not liable for acquisition.

4. That the authorities of the L.M.C. High School took the lease of the site in 1945 on a specific contract that they should not apply for the acquisition of the site.

111) The objections are met with below:-

Objection (1): The acquisition is for the provision of a play

P.T.O.

play-ground to the students of the L.M.C High School, Shiyali. The need for a play-ground is keenly felt. The site is already used as play-ground by the school. The Government in their order G.O. No. M.S 1868 Education and Public Health Department dated 28-3-46 sanctioned a contribution of one anna from Provincial funds towards the cost of the acquisition. The objection may, therefore, be over-ruled.

Objection (2): As contended by the correspondent the plots are classed as dry. They are situated in an out of the way place, their only qualification being that they are very near the school. It is neither a business locality nor a residential locality. Hence these properties are not very essentially necessary for the upkeep of the temple. The compensation amount may be invested in the purchase of a better lands for the upkeep of the temple. This objection does not therefore deserve consideration.

Objection (3): No records are available to show that the acquisition was started in 1931 and was subsequently dropped.

Objection (4): The lease deed executed in 1933 contained a condition that the acquisition of the lands should not be applied for. There is no such condition in the subsequent deeds executed in 1943 and 1945. Hence the objection cannot be entertained now.

iv) The only other point not dealt with above, but mentioned in the objection petition is in regard to the value of the land. This will be decided at the time of award.

4. In the circumstances stated above, I recommend that the objections may be over-ruled and that the draft declaration may be approved and ordered to be published in the Fort St. George Gazette.

5. I enclose the records noted below:

- 1) Report under section 5 A in duplicate.
- 2) Copy of the report of the Revenue Divisional Officer, Mayavaram R; Dis. 3635-46 B dated 13-12-46.
- 3) Draft declaration under section 6.
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- 9) Lease deed dated 27-12-43. (3 sheets of which 1st sheet is stamped paper valued at Rs.2-0-0., the 2nd sheet is stamped paper valued at Rs.1/- and the third on plain paper).
- 10) Lease deed dated 27-12-1945. (3 sheets the first two sheets on stamp papers valued at Rs.2/- and Rs.1/- respectively and the third on plain paper).

H.C.M. Mc Laughlin,
for Collector.

B.O

for Collector.

GRS/31-22.2

Copy to the Correspondent of the L.M.C. High School, Shiyali with a copy of the draft declaration for submission to the Government. The Education and Public Health Department through the Head of the department. The valuation statement enclosed may be countersigned and send to the Revenue Divisional Officer, Mayavaram. Copy to the Revenue Divisional Officer, Mayavaram. The valuation has been approved and the valuation statement is being sent to the correspondent for counter-signature and transmission to him. The failed to submit a topographical sketch in duplicate for submission to the Board. To save delay the sketch had to be prepared in office.

C.C. No.45/46 dated 4/1/47.

Copy of letter No. R. Dis.9958--46 dated 23/12/1946 from the Collector of Tanjore to the Secretary, Board of Revenue, Land Revenue and Irrigation, Madras.

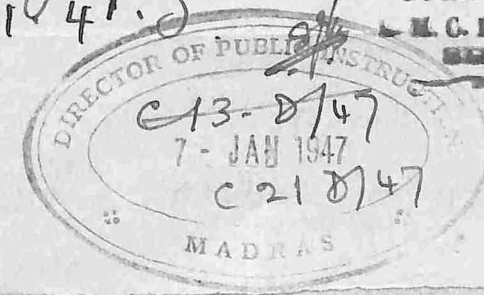
Submitted to the Director of Public Instruction for favour of recommendation and submission to the Government in the Education and Public Health Department.

Shiyali,
6.1.47.

Ardevanisan.

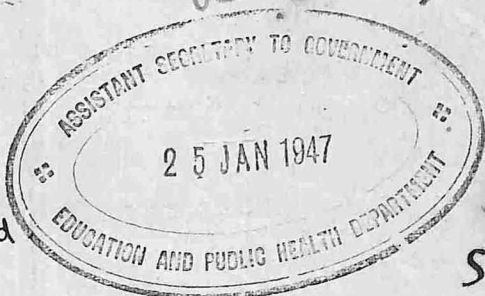
CORRESPONDENT.

M. C. HIGH SCHOOL,
SHIYALI



Re. 2391 D2/46.

Submitted



to Director of Public Instruction.

The ~~Secy~~ Secretary to Government
Education and Public Health Dept.

Statement to be jointly prepared by an Officer of the Department requiring land and an Officer of the Revenue Department and to be signed by the District Collector—cont.

F. XVII-A.9.

Name of owner or occupier.	Selling price of similar lands in the vicinity.	ESTIMATED VALUE OF					Fifteen per cent addition allowable under section 23 (2) of Act I of 1894.	Total compensation payable.	REMARKS.
		Land.	Houses.	Wells.	Trees.	Total.			
(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)
	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	
Owner Vagewaramudayan Trustee in A. P. Raju Mudaliar occupiers K. R. E. High School Shingali Amrithalinga Padayachi 8/0 Mrida Padayachi in 2 waver and trustee Majas itan (1) occupier K. R. E. High School Shingali	PER ACRE. cent Rs 20	600	20	-	100	720	108-0	828-0	Approved 23/12/46
	- do -	4100	-	-	241-14	4341-14	651-4	4993-2	
						5061-14	759-4	5821-2	

21.12.46.

For Rev. DC. Officer.

Statement to be jointly prepared by an Officer of the Department requiring land and an Officer of the Revenue Department and to be signed by the District Collector.

R.F. XVIII-A-9.

Department requiring land.	Purpose for which land is required.	Taluk and Village.	PARTICULARS OF LAND REQUIRED.				
			Whether ryotwari, inam or zamindari with description, dry or wet.	Boundaries.	Number of field.	Area.	Assessment or rental.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
L.M.C. High School Shiyali	For a play ground for the school	Shiyali Taluk Shiyali village	Inam Dry	N.R.S. 438- E 423-17 424 438	R.S 439-2	0.30	
				S 439-3. W 431-1			
				N 439-2 E 423-17 S 439-4 W 439-1	R.S 439-3	2.5	
						2.35	

(P.T.O.)

548/131

60
11/12

Land Acquisition - Tanjore Dt - Shiyali Taluk - L.M.C. High School, Shiyali - site for playground - Declaration under Section 6 of the Act - published

Read:

G.O. No. 1668 Edu. S. 28.8.46

From the Board of Revenue, Ref. No. 1.67/47

S. 22/1/47

G.O. No. Ms. 254 Edu. dated 14-2-47

The Government agree with the Board of Revenue that the objection to the acquisition of the land required for a playground for the L.M.C. High School, Shiyali be overruled. The draft notification under Section 6 of the Land Acquisition Act submitted by the collector of Tanjore is

approved and is forwarded to the Superintendent, Government Press, for publication, in English in the Port St. George Gazette.

2. After acquisition is completed and possession is taken of the land, the collector of Tanjore is requested to issue an order of alienation. ~~It is requested to adopt the conditions of alienation enclosed with such or the terms already agreed upon by the modifications as may be necessary.~~ Correspondent of the L.M.C. High School, Sridip.

Mm
28/1/47
1882
28/1/47

Note: - Revenue may see before issue

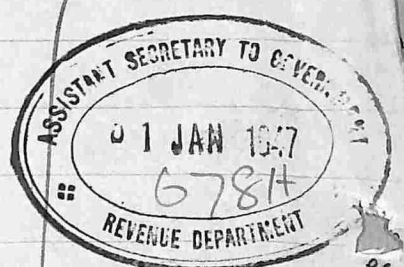
Mm
28/1/47
1882
28/1/47

W
ag. 1.47

W
ag. 1.47

Rev

Rev Dept



To
The Board of Revenue
The Coll. of Tanjore
with copy of order
The S.G.P. (unintentional)
enclosure for publication
in P.S.G.C.

The D.O.I.
28/1/47
28/1/47
(Keep a copy & declare with file)

28/1/47

To us

The draft order on pp 1-2 ante may be perused and the file returned to E & PH

S.M.
24/1/47
1/2/47
1.2.47

Thrs F. Sec
re para 2
of the draft

KPS
2/2/47

The conditions of alienation are at pp 9-10 of G.O. 1668 Rev D. 28-8-1946. Condition (9) is incomplete. It should provide for payment of any amount that may have been paid to the Govt for the front or the value of the land at the time of alienation whichever may be less of. Condition (1) of G.O. No 1295 Rev D. 18-9-1946. The conditions also have not been properly drafted. It may be suggested to E & PH Dept to send to the coll.

a correct copy of the minutes of alienation
as in Co 1995 letter 16-9-1946 & (C)
~~let~~ adopt those minutes with such
modification as may be necessary.

2-2-47

Dr. 2/2 EAPH (M)

Rev 06784/47
8/2/47

Please see the remarks of Revenue
above. Para 2 of the draft has been revised totally
~~A draft memo below is for approval~~

may now issue

12-2-47 S (M)

14/2/47



13