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Sectt. II-27-50,008-27-10-41.

1948

S + P. H

(194~~2~~) Department.

~~8~~ SERIES. Ms.

G.O. No.

~~606 P.H.~~

Ms. 1734 Edn

Dated. 10-7-48

Dated

~~28-7-1942~~

[Despatch Abstract.]

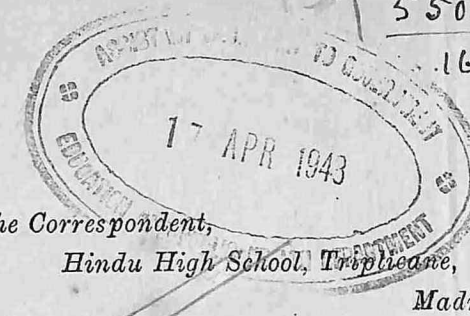
Land Acquisition - (Madras) - Triplicane - Site for
a playground - Hindu High School, Triplicane - Declaration
under section 6 of the Act - Published.

Back papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
G.O.	1956	Edn	6.9.47.				

Further papers.

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



550/47/48
16.4.48

HINDU HIGH SCHOOL
TRIPPLICANE

Dated 14th April 1948.

From

The Correspondent,
Hindu High School, Triplicane,
Madras.

To

The Secretary,
Education & Health Dept.,
Fort St. George,
Madras.

Sir,

Subject:— Land Acquisition of R.S.No.2724/1.

svn/28211

As per Collector's letter No. 843/47/A7 d/15-11-47 a sum of Rs.2515/- was remitted to the Treasury for acquiring the land R.S.No.2724/1. on 21-11-47. If possession of the site acquired is given to the school early in June, it can be cleared and prepared as playground for which purpose acquisition has been made. It is requested that the proceedings may be expedited and site delivered to us as early as possible.

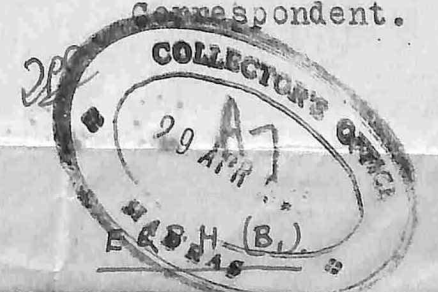
I have the honour to be,

Sir,

Your most obedient servant,

G. P. S. S. S. S.

Correspondent.



Copy to

The Collector of Madras,
Madras.

Encl No. 28211 B, /48-1 Edn d/24-4-48

Referred to the Collector of Madras

for remarks

(Per order)

To

The Collector of Madras

Assistant Secretary

11/5/48
28/4/48

6 2/ B1
D. PALMANABHAN ESQ., I.C.S.,
COLLECTOR OF MADRAS,
MADRAS.

No. A.7.1551/48

3
To The Secretary to the Govt.,
Education & Public Health
Dept., Fort St. George.
Dated 3/6/48.

Sir,

8 - JAN 1948
LAND ACQUISITION - Madras - Triplicane - Site for a play ground-
Hindu High School, Triplicane.
Govt. Endt. Edn. No.28211/B1/48-1 Edn. dated 24/4/48. - p1 ante

42830
Sum
A draft declaration in duplicate in the matter was submitted to
the Government through the Board of Revenue along with my R.Dis.843/47
dated 15/1/48. The Board of Revenue in its proceedings I.361/48-1
dated 13/2/48 has called for certain particulars. I am submitting
a reply to the Board to-day. The acquisition proceedings will be
expedited after the draft declaration is approved and published in
the Fort St. George Gazette.

The endorsement received from the Government and also an ex-reminder
on the subject are resubmitted herewith.

E. S. Nappiah,
S. B. 48
FOR COLLECTOR.

Ks

The draft declaration sent through the Board of Rev
may be awaited till 1-7-48.

by 11/6/48
11/6/48

Sum
512
E & P. H. (B1)

12/6/48

C.F. 98.

Education & Public Health DEPARTMENT.

REMINDER.

To THE Collector

have the honour to invite
I am directed to invite
invite

attention to

No. 26211 B, 148-1 Edn, dated 24.4.48 and

to request that the reply to it may be expedited
to request that this reminder may be returned at once
with information as to—

- (1) the stage at which the matter now is, and
- (2) the date by which a reply may be expected, and
- (3) the circumstances which have caused the delay.

Office E & P. H.

Station Fort St George

Dated 24.5.48

Signature,

for Asst. Secy to Govt.
Designation.

SUBJECT.

Acquisition - Land acquisition - R.S. No.
2724/1, for Hindu High School, Madras -
Delivery of Site early in June - Request for.

6

REPLY.

To The

C.P. 26

3

REVENUE DEPARTMENT.

Subject.

Land Acquisition - (Madras) - Triplicane - Site for a play-ground - Hindu High School, Triplicane - Draft Declaration - Submitted.

Board's L.Dis.I-361/48,

Madras,

Dated 25th June, 1948.

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

V.N. Kudva Esq., C.I.E., I.C.S.,
Commissioner of Land Revenue, Excise & Prohibition.



From the Collector of Madras R.Dis.843/47, dated 15-1-1948. - p 9 infra
From the Collector of Madras A7-1551/48, dated 4-6-1948.

Submitted to the Government.

47865
SWH ✓

2. In the circumstances reported, the Board agrees with the Collector and recommends that the objections to the acquisition may be over-ruled and that the draft declaration under Section 6 of the Land Acquisition Act submitted by him, may be approved and ordered to be published in the Fort St. George Gazette.

3. The Collector of Madras is directed to collect the remaining one half of the cost of acquisition at a very early date, from the school authorities, as the Government have not sanctioned any contribution towards the cost of acquisition, except a nominal contribution of one anna to legalise the acquisition proceedings.

Mc
for JOINT SECRETARY.

✓ Encl.
To the Secretary to Government, Education & Public Health Department with enclosure.

To the Collector of Madras.(para 3 only).

HA/VS
9/6
CLP/26.6.

From
D. Padmanabhan Esq., I.C.S.,
Collector of Madras,
Madras.

To
The Secretary to Government,
Education & Public Health
Department, Madras. THROUGH
The Board of Revenue (L.R.),
Madras.

Sir,

R.Dis. 843/47 dated 15th January, 1948.

LAND ACQUISITION - Madras City - Site for a play ground - Hindu High
School - Triplicane.
Ref:- G.O. No. 1356, Education dated 6th September, 1947. (V)

The notification under Section 4(1) of Act I of 1894 was published at page 472 of Part I-B of the Fort St. George Gazette dated 7-10-1947. The notices under Sections 4(1) and 5-A were duly published.

2. Sofia Bi, the owner of the land did not object to the acquisition. But, Magbool Hussain Saheb, a tenant of the premises under a registered deed for three years has objected on the grounds that he cannot be evicted without proper proceedings before the house Rent Controller under the Madras Rent Control Act XV of 1946 and that at any rate he is not liable to be evicted without proper compensation being paid to him. The first objection cannot hold good in cases of acquisition and the second objection will be duly considered at the time of award enquiry. Therefore, I recommend that the objections may be over-ruled.

3. I submit Draft Declaration in duplicate, for approval and publication in the Fort St. George Gazette together with the served copy of 5-A notice and the petition of objection.

4. The Management of the school has agreed to the conditions of alienation stipulated in the enclosed statement and remitted into the Madras Taluk Treasury Rs. 2515/- being one half of the estimated cost of acquisition.

P.T.O.

-2-

5. There is no discrepancy between the 4(1) notification and the Draft Declaration.

CRB/16-1-1948.

for COLLECTOR OF MADRAS.

NOTIFICATION.

Under Section 6 of the Land Acquisition Act 1 of 1894, as amended by Act XXXVIII of 1933, His Excellency the Governor of Madras hereby declares that the land specified below and measuring 2034 Sq. Ft. be the same a little more or less, is needed for a public purpose to wit, for a play ground for the Hindh High School, Triplicane. and under Sections 3 and 7 of the same Act, the Personal Assistant to the Collector of Madras is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. A plan of the land is kept in the office of the Collector of Madras, Old High Court Buildings, First Line Beach, Madras, and may be inspected at any time during office hours.

Madras.

District

Madras

South Taluk

Village.

Triplicane.

Government dry R.S. No. 2724/1 belonging to||
Sofl Bi alias Choti Bi
TENANT: Maghool Hussain Sahab

2034 Sq. Ft..

CRB/16-1.

for COLLECTOR OF MADRAS.

Madras 13.11.1947

13/11/47

97

From. Magbool Hussain
64. Muffi Amvillo Sahib St.
Tropicane, Madras.

To. The Personal Asst. to the
Collector of Madras.

32, Re: your notice under Sec 5 A of the
Land Acquisition Act I of 1874 as
amended by an ending Act-XXXVIII of 1923.
Survey No. 2724/1.

I beg to state that I am the
tenant occupying the building comprised
in the above Survey number. I was served
with a notice by your office on 16.10.1947
to lodge my objections within 30 days to the
above requisition.

I beg to submit that as a tenant
I am not liable to be evicted from my
occupation of the premises without the proper
proceedings before the House Rent Controller under
the Madras (Buildings Lease/Rent) Control Act
XV of 1946.

Further I beg to submit that I am
tenant under a registered deed of agreement
dated 10.10.1947 & my tenancy is secured for
a period of 3 years & I am not liable to be
evicted within the said period, at any rate
without proper compensation being paid to
me.

I, Magbool Hussain do hereby declare that the above
Statement are true.

Notice under Section 5-A of the Land Acquisition Act I of 1894 as amended
by the Land Acquisition Amendment Act XXXVIII of 1923.

Notice is hereby given that the land specified in the appended schedule and situated in the village of *Truph cane* in the taluk of *Madras South* in the district of *Madras* is needed or is likely to be needed for a public purpose, to wit, for a *play ground to the Hindu High School* in accordance with the notification under section 4 (1) of the Land Acquisition Act I of 1894 as amended by the Land Acquisition Amendment Act XXXVIII of 1923 published by Government at page 472 of Part I of the *Port St. George Gazette*, dated *7-10-1947*. All persons interested in the land are accordingly required to lodge before the *Personal Assistant to the Collector of Madras* within *30* days from the date of *publication of the above notification* a statement in writing of *their* objections, if any, to the acquisition of the said land.

Any objection statement which is received after the due date or which does not clearly explain the nature of *the sender's* interest in the land is liable to be summarily rejected.

Objections received within the due date, if any, will be enquired into on *13-11-47* at *11 AM* in the *Madras Collectors office* when *the objectors* will be at liberty to appear in person or by pleader *old High Court Bench* and to adduce any oral or documentary evidence in support of *their* objections.

SCHEDULE.

Survey number.	Description.	Extent required.	Reputed owner.
<i>2724/1</i>	<i>Gout dry</i>	<i>2034 - approx</i>	<i>Sopie Biab's Choti Bi</i> <i>Tenant</i> <i>Maghoor Hussain Sahib</i>

for copy

Per. Asst to the Collector of Madras

Received a copy of H.O. & S.A. notice under
L.A. Act.

1) Noorullah Baidhe
son & agent of
Sofia Bi Bi Sahiba
15/11/47

(Power of Attorney Regd. as doc. no. 56/37
of 29.6.1937).

2) O. Jeyo (SS) Nagbhol
Mussain.
15-10-47

3) M. Chidambaram.
22/10/47.

Pasted a copy on the spot on 15.10.47

With: 1) 40/27/120
72, Nufft Anirullah Sahib.

2) Noorullah Baidhe
418 High Road
Triplicane

Pasted a copy on the notice board of
D.3. Sec House Police Station.

With: A. Singaram. He 2357.
57-157 x/47

Pasted in this office notice

Board.

Angadilammam
29/11/47
M. Mice

certified that the notification
under section 4(1) and 5 A of the
Land Acquisition Act has been
served as per the instructions
laid down in the Land Acquisition
Manual.

R. S. G. S. S. S.
29/11/47

29/11/47

Conditions of alienation.

1. The land shall be used as a playground for the Hindu
High School, Triplicane and for no other purpose.

2. No building shall be constructed on the land without
the previous permission of the collector of the district.

3. The Government may resume the land wholly or in part,
with any buildings thereon, if in their opinion, the land is
required for a public purpose or for conducting mining operations.
In the event of such resumption, the compensation payable for the
land and trees shall be the amount paid for them by the alienee
at the time of the acquisition, including the 15 per cent solatium
or the value at the time of resumption together with 15 per cent
thereof, which ever may be less. If there are buildings on the
land the Government shall pay compensation for them in accordance
with the provisions of condition 5.

4. In the event of resumption of the land under condition 3
the compensation payable for the buildings and other improvements
shall be the amount paid for them by the alienee at the time of
the acquisition including the 15 per cent solatium or their value
at the time of resumption by the Government together with the
initial cost or the value at the time of resumption, whichever may
be less, of any buildings erected and other improvements effected
on the land by the alienee in accordance with the terms of the
alienation plus 15 percent of such cost of value.

5. In the event of the infringement of any of the conditions
of alienation, or in the event of the voluntary relinquishment of
the land by the alienee, the Government may resume the land if it
is required for a public purpose or if the Government consider that
it should be returned to the original owner. If the Government
decide not to exercise this power and inform the alienee accordingly,
the latter may dispose of the land in any manner he likes subject
to his repaying to the Government the amount of any grant made by
them towards the cost of the lands and of the buildings or other
improvements. In the event of the resumption of the land under
this condition the compensation payable to the alienee shall be the
value of the land at the time of acquisition (less the 15 per cent
awarded for compulsory acquisition) or its value at the time of
resumption, whichever may be less together with the value of build-
ings and other improvements, at the time of resumption. If there
are buildings on the land, which the Government do not require
the alienee shall remove the buildings at his cost. In the event
of the grantee refusing to remove the buildings the Government may
remove them and realise the cost of the removal by the sale of the
materials.

6. Full land revenue shall be levied if at any time any net
income is derived from the land or if any of the condition of
alienation is infringed. In the latter case, the land revenue
shall be levied from the date of infringement, the decision of the
Collector on the question whether a net income is derived or not,
shall be final.

Special conditions.

1. The Government may resume the land wholly or in part with
any buildings thereon if the school is not recognised or if the
recognition once granted is subsequently withdrawn.

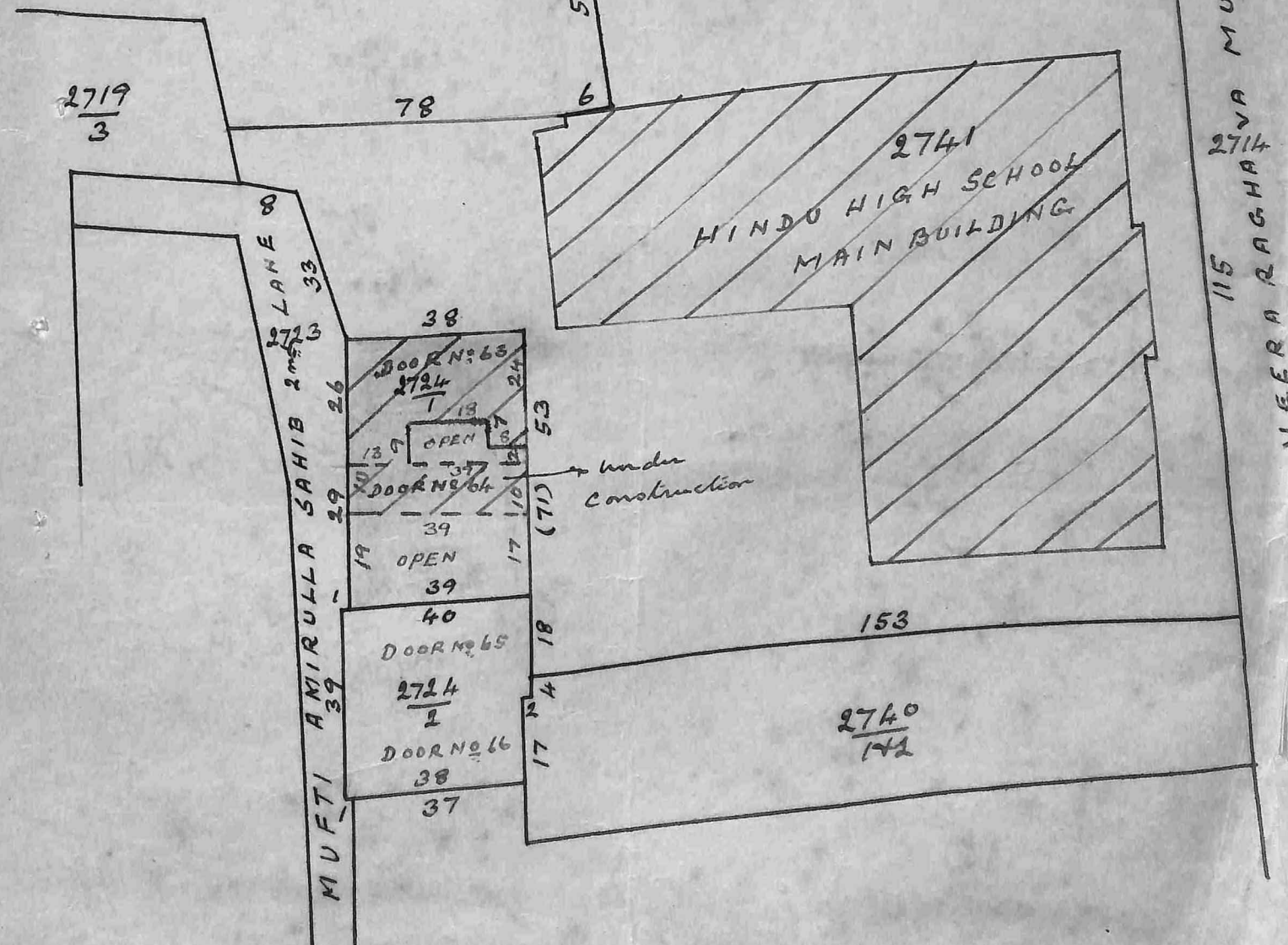
2. The amount of any grant made by the Government towards the
cost of the land of the buildings or other improvements should be
deputed deducted from the compensation payable to the grantee in
the event of the resumption of the land.

3. The playground shall be open to pupils of all castes and
communities.

G. V. Subramanian
Secretary, Hindu High
School, Commilla
Triplicane

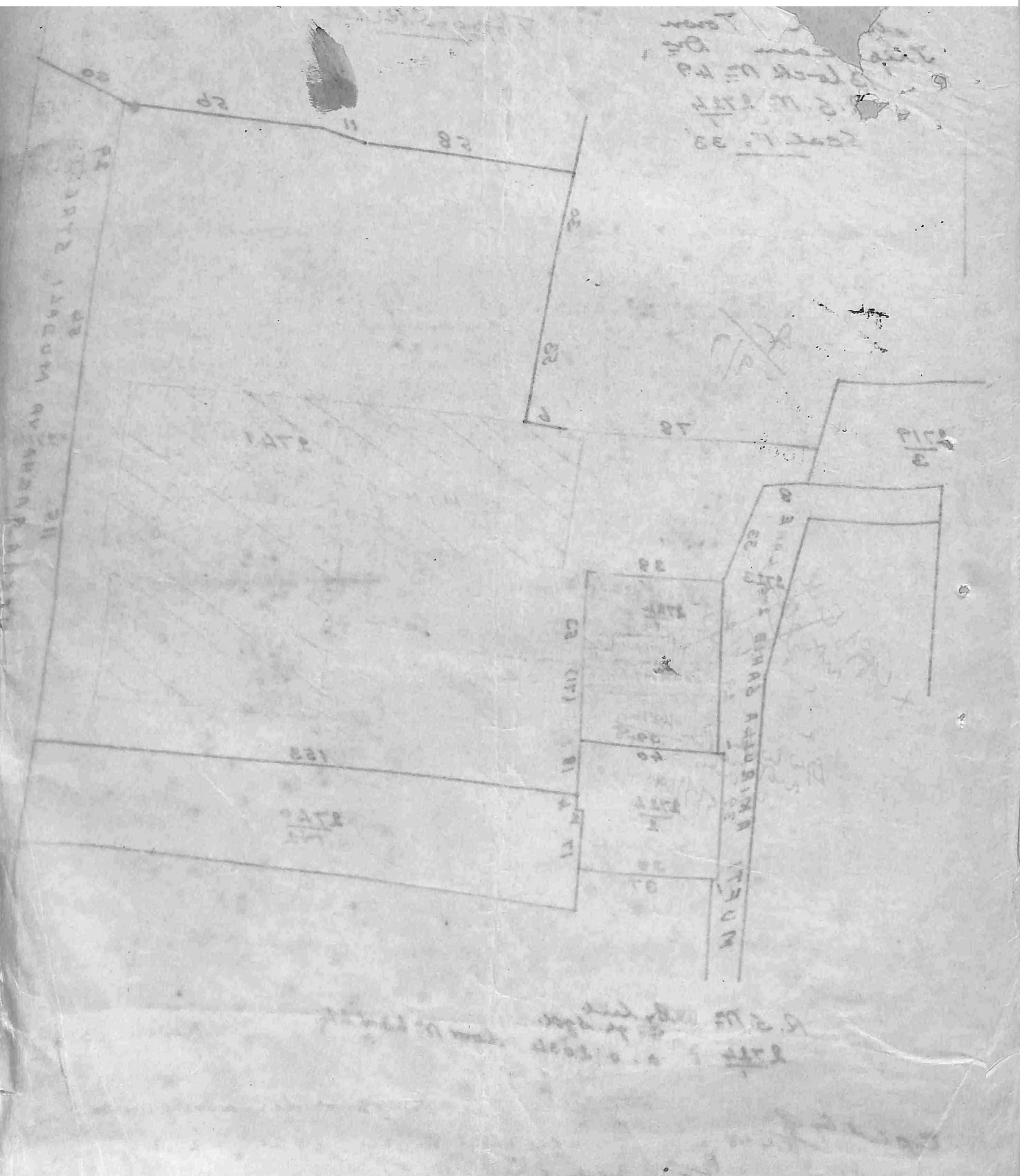
ch nas Town
 Trip cam Dr
 Block No. 49
 R.S. No. 2724
 Scale 1" = 33'

Topo Sketch 10



R.S. No. 2724
 2724 : o.o. 2034 door No. 63 & 64

Copied by 5.4.48
 5/4/48



E & P.H (B.)

C: No. 28211 B, 1/48.

Land Acquisition - (Madras) - Triplicane - Site for a play ground - Hindu High School, Triplicane - Declaration under section 6 of the Act - Published.

Read G.O. No. 1956 Edn d/ 6.9.47.
From The Board of Revenue No. L. Dis J- 361/48 d/ 25.6.48

G.O. 1734 Edn A 10.7.48
MS.

The Government accept the recommendation of the Board of Revenue that the objections to the acquisition of the site for ^{use as} a play ground for the Hindu High School, Triplicane, be over-ruled.

2. The draft declaration under section 6 of the Land Acquisition Act, submitted by the collector of Madras with his R. Dis. 843/47, d/ 15.1.1948 is approved and forwarded to the S.G.P. for publication in English in the F.S.G. Gazette.

+ copy of S.G.P. not to be sent to the Board of Revenue with notification only 15/7/48
The S.G.P. (with copy of R.D.) 15/7/48
The Board of Revenue 3-7-48

5-7-48

Note. The draft order may be sent to Revenue Deptt U.O. for acceptance.



E & P.H. U.O. NO.

28211 B, 1/48-2
6.7.48

R38.05F
7-JUL 1948

To U.S.

The draft order above may be accepted and the file returned to E & P.H.

Rw UO 38765 P/48-1
8-7-48

7/7/48

E & P.H (B.)
28211 B, 1/48

Revenue Deptt.

12

10/10

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