

(1948) Department.

SERIES.

G.O. NO. 2971 Edu.

Dated 26-11-48.

Closed
of
7/12

order is at p. 17 Cf.

[Despatch Abstract.]

Tanjore Dt. Mannaragudi Taluk and Town -
Jayalakshmi Vilas Higher Ely. Scho. of
Extension of playground - Declaration under
Section 6 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) - Mannargudi Taluk and Town - Jayalakshmi Vilas Higher Elementary School - T.S.No.2039 - Extension of playground - Draft Declaration Submitted.

Ref.I.3311/48-2 Station: M a d r a s. Dated 27th July 1948.

From P.M. Jayarajan Esq, Bar-at-Law, ICS, Secretary, Board of Revenue.

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

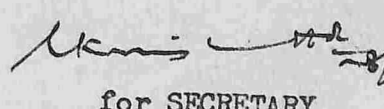
Read: Collr.Tanjore R.Dis.14649/47 dt.3-6-48.
,, Rc.B.7.14756/48 dt.7-7-48.

Reference:

Submitted to the Government.

2. The Board 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 the Collector may be approved and ordered to be published in the Fort St.George Gazette.



To  for SECRETARY.
The Secretary to Government, Education and Public Health Department
with enclosures.

PLG/27/7.
6/8/7

R.Dis.14649-47

From H.C.M. McLaughlin Esq.,
Collector of Tanjore,
Tanjore.



Collector's Office,
Tanjore, 8.6.48.

Secretary to the Board of Revenue
Land Revenue and Irrigation,
Madras.

Sir,

Sub: Land Acquisition (Tanjore) Mannargudi Taluk and Town -
Jayalakshmi Vilas Higher Elementary School - Extension
of play ground - report under section 5-A and declara-
tion under section 6 - Submitted.

Ref: G.O.No. 1909 Education and Public Health Department
dated 1.9.47.

The notification under section 4(i) of the Land Acquisition
Act was published at page 150 of Part I. of the Fort St. George
Gazette dated 9.3.48. The notices under sections 4(i) and 5-A
of the Land Acquisition Act were duly served and published
according to the rules. Objections were received and they are
dealt with separately below

2. K. Raghavachariar, the registered owner of T.S.No. 2039
the site to be acquired, and his brothers K. Rajagoala Ayyangar
and K. Soundararaja Ayyangar have put in objection petitions.
Of these, the petition of K. Soundararaja Ayyangar was received out
of time. The objection petitions and the counter filed by the
Manager of the School are enclosed.

(ii) Objection petition of K. Raghavachariar: The objector
states that, (i) the acquisition of T.S.No. 2039 is not necessary
as there are other properties bearing T.S.Nos. 2038, 2042, 2043
1984, and 1964 belonging to the family of the Manager which may
be utilised for the extension of the School if necessary.

(2) T.S.No. 2039 is required for himself and his brothers for the
construction of house.

(3) If the acquisition of T.S.No. 2039 is considered necessary,
the front portion may be left out and the remaining extent
alone acquired, and

(4) that in the event of the entire field, T.S.No. 2039 being
required, he may be given T.S.No. 1984 in exchange.

The sites in T.S.Nos. 2038, 2042, 2043, 1984 and 1964 are
already built upon by houses, and none of them is suitable for
the extension of the School and the provision of play ground etc.
T.S.No. 1964 and 2043 belong to the Manager and the other fields
are owned by his brothers who are separated from him. T.S.No.
1984 and 1964 are, further, on the opposite side of the road, and
thus removed from the School. T.S.No. 2039 is very narrow and
only one house and that too a small one can be constructed on it.
Each one of the three brothers (objection petitioners) is occupying
a portion of the common house in T.S.No. 1983. The space not
built upon is also divided among them and in each of these portions
a separate house can be built. As against this field, T.S.2039
is neither necessary nor more suited for building purposes by the
objectors. Further T.S.2039 has been lying waste all these years,
and the necessity for the construction of house on it has not been
proved. The Revenue Divisional Officer considers that the
acquisition of the portion of the site leaving the front portion
as suggested by the objector, would make the remaining portion
ugly and non compact. The Fourth point stressed by the objector
viz., exchange does not arise, as the land applied for in exchange
does not belong to Government but to the Manager and as a rule no
exchange is allowed and much less of private lands.

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(iii) In his objection petition Sri K. Rajagopala Ayyangar states that the existing accommodation in the school is sufficient and that T.S.No. 2039 is required for house building purposes. The need for the extension has been made out by the Manager and supported by the Educational authorities. The Revenue Divisional Officer inspected the site and has reported that the extension of the school is really necessary, that the play ground in T.S. No. 2072 is about 1 1/2 furlongs from the school and it is used by the bigger students. Water will stagnate in it during the rainy season. The play ground in the school premises is required for the smaller children and for girls. As regards the second objection, it has already been reported that the need for the construction of houses on this land is far remote.

(iv) The objection petitioner, Soundararaja Ayyangar, has stated stressed the very big points like his brother and they need no special mention.

3. In the circumstances outlined above, I recommend that the objections may be overruled, and the enclosed notifications may be approved and ordered to be published in the Fort St. George Gazette.

4. There are no variations between the notification under section 4(1) and the declaration now submitted in respect of notations or extents. As regards the objects, the names of K. Rajagopala Ayyangar, and K. Soundararaja Ayyangar were newly added and revised 4(1) and 5-A notices were served on them. Their objections have been dealt with in the previous paragraphs. This is a ryotward village and the land to be acquired viz., T.S.No. 2039 is classed as Government Dry. There are no wells, buildings, tombs, grave yards, etc. on the lands to be acquired.

5. The following records are submitted:

1. Objection petition of K. Rajagavachari dated 7-4-48.
2. Objection petition of K. Soundararaja Ayyangar dated 30-4-48.
3. Objection petition of K. Rajagopala Ayyangar dated 29-4-48.
4. Statements of K. Rajagavachari and K. Rajagavachari before the Revenue Divisional Officer dated 21-4-48.
5. Statement of K. Rajagavachari before the Revenue Inspector dated 4-5-48.
6. Statement of Varadachari before the Revenue Inspector d/20-4-48.
7. Served copy of notice under sections 4(1) and 5A.
8. Supplemental notice served.
9. Counter filed by the Manager dated 12-4-48.
10. Report of the Tahsildar of Mannargudi dated 5-5-48.
11. Statements of K. Rajagopala Ayyangar and K. Rajagavachari before the Revenue Divisional Officer dated 5-5-48.
12. Topographical sketches--two.
13. Copy of Revenue Divisional Officer's report dated 30-5-48.

6. A copy of the statement containing the conditions agreed to by the Manager was already submitted to the Government along with the notification under section 4(1). The Government ordered in G.O.M.S.No.1909 Education and Public Health dated 1-9-47 that an undertaking should be obtained from the correspondent of the school that he will pay such compensation for damages as may be determined by Government under Section 48 of the Land Acquisition Act, in the event of the correspondent not desiring to proceed with the acquisition. The correspondent has given that undertaking.

Dalraj Thomas,
for Collector. *K. P. Thiruvallu*
for Collector.

Ma. 9.6.

M 10/6

Copy of R.Dis.4106-47 Dated 30-5-48. of the Revenue Divisional Officer, Mannargudi.

Sub: Land Acquisition--Mannargudi Taluk and Town--Jayalakshmi Vilas Higher Elementary school--extension of and provision of garden-play ground etc--5 A report and D.D. submitted.

Ref: Your Rc.14649-47-E7 dated 6-3-48

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In pursuance of G.O.1909 Education dated 1-9-47 and the notification under Section 4(1) of the Land Acquisition Act published at page 156 of Part IB of the Ft.St.George Gazette dated 9-3-48 notices under sections 4(1) and 5A of the Land Acquisition Act were duly published and served as required by the rules.

2. In response to the notice issued, Sri K. Rajagava Acharya, the registered holder of the site to be acquired put in an objection petition. His brothers Sri K. Rajagopala Ayyangar and Sri K. Soundararaja Ayyangar to whom notices were issued supplementally also preferred objection petitions. The petition of Sri K. Soundararaja Ayyangar was not received in time. The objection petition with the counter petitions filed by the Manager of the school and the report of the Tahsildar are submitted herewith. I inspected the locality on 22-5-48 in company with the Revenue Inspector, the manager of the school and Sri K. Rajagavachari one of the objectors.

(i) objection petition of K. Rajagavachari.

His objections are (1) that the acquisition of T.S.2039 is not necessary as T.S.2038, 2042, 2043, 1984 and 1964 belonging to the family of the manager can be utilized for the school (2) that T.S. 2039 is required by him and his brothers for house constructions (3) that if T.S.2039 is considered necessary for the school, the portion in the front may be built out and the balance alone acquired and (4) that if the whole of T.S.2039 is necessary it may be acquired and T.S.1984 given in-exchange. The objections are dealt with below.

Objection (1) :- The sites 2038, 2042, 2043, 1984 and 1964 are already built upon and they are not suitable for the extension of the school. T.S.1964 and 2043 alone belong to the Manager. The other three S.los. belong to his brother who is separated from him. T.S.1964 and 1984 are also on the opposite side of the road.

Objection (2) :- Each one of the three brothers is occupying a portion of the common house in T.S.1983. The portion not built upon has also been divided among them. In each of these a separate house can be built. As against these T.S.2039 is narrow and only one house can be built on it and that too only a small one. The fact that the site has been lying vacant all along shows that the plea that it is required for the construction of a house is not genuine.

Objection (3) The taking away of the front portion will make the remainder ugly and non compact.

Objection (4) :- The grant of T.S.1984 in exchange does not lie with the manager as the site belongs to his brother.

(ii) Objection petition of M.K. Rajagopala Ayyangar:-

His objections are (1) that the existing accommodation to the school is sufficient (2) that the site T.S.2039 is required for house construction.

Objection (1) :- The Manager in his counter has explained the necessity for the extension and his request has been supported by the Educational authorities. My inspection of the school premises shows that the extension asked for is really necessary. The play ground in T.S. 2072 is about 1 1/2 furlongs from the school and is used by the bigger students. Water will stagnate in it during the rainy season. The play ground in the school premises is required for the smaller children and also for girls.

p.t.o.

Objection (2) :- This has been dealt with already in the objection raised by Sri K. Raghavachariar.

Objection

(iii) Objection petition to Sri K. Soundararaja Ayyangar.

This was received late. The objections raised are similar to those raised by his brothers Sri K. Raghavachariar and Sri M. K. Rajagopala Ayyar. In the circumstances stated above the objections raised by the three joint owners of the site do not deserve consideration and may be over ruled.

3. I submit herewith the Draft Declaration.

Area:- There is no variation in the extent to be acquired between the 4(1) notification and the D.D. now submitted.

Ownership:- In addition to the name of Sri K. Raghavachariar mentioned in the 4(1) notification it was brought to notice at the time of the preliminary enquiry that Sri K. Soundararaja Ayyangar and Sri M. K. Rajagopala Ayyangar also are the joint owners of the site. Supplemental 4(1) and 5A notices were issued duly served on them as required by the rules. The objections preferred by them have been dealt with in detail in para 2. above.

4. Valuation:- The land to be acquired T.S. No. 2039 is classed as Government Dry. Statistics of sale and valuation eyesketch are submitted herewith. It will be seen therefrom that the sales in the first three cases relate to sales of land with tiled houses. As the site to be acquired is a vacant one, the first 3 cases of sales are rejected. The sale in item 6 is reported to be a binami one. Hence it is also discarded. There remain items 4 and 5 alone. The sale in item (4) works out at the rate of Rs. 0--2--4 per Sq. ft. and that in item No. 5 works out at 0--1--4. The Tahsildar after inspection of the sites reports that T.S. No. 1734 relating to item No. 5 lies opposite to a temple and is said to be not thriving and so the amount fetched in the sale is too low to be taken into consideration. The sale in item (4) appears to be fair and reasonable and may be adopted. I also inspected the site on 22--5--48. I agree with the valuation.

Trees:- There are now 22 portia trees standing on the site. Their value has been worked out according to the forest circular.

There are no wells, buildings, tombs, graveyards or cemeteries on the site to be acquired.

5. The valuation statement and the records as detailed below are enclosed.

/True copy/

3/3 D. H. L. 10648
for Collector.

10/6/48

NOTIFICATION.

Under Section 6 of the Land Acquisition Act His Excellency the Governor of Madras hereby declares that the land specified below and measuring 7814 Sq. Ft., be the same a little more or less, is needed for a public purpose, to wit, for the extension of play ground and garden to the school and under sections 3 and 7 of the same Act, the Revenue Divisional Officer Mamargudi 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 Revenue Divisional Officer Mamargudi and may be inspected at any time during office hours.

Schedule.

District	Tanjore		
Taluk	Mamargudi		
Village.	S. Mamargudi.		
Description of land, wet or dry, inam or perambole, with survey or Paimash number	Name of owner or occupier.	Boundaries of the land required to be taken up.	Extent to be taken up.
T.S.No.2039	1.Sri K.Raghava chariur	—	7814
Govt. Dry.	2. „ K.Soundara raja Ayyangar		Sq. Ft.
	3. „ M.K.Rajagopala Ayyangar		

(Sd) C. S. Chidambaram Senu
Rev. Div. Officer.

31/5/48
C. S. Chidambaram
31/5/48

For Revenue Divisional Officer

31/5/48
To the Collector
in Collection

31/5/48
S. S. S. S.

Ed. H. (C)

The Secy. Gen Bd. of Rev.

Mf: Bd's Mf: 1. 320 / 8.2 d. 27-28
ve: the acq- of land for
the Jayalakshmi Vilas Higher
Edu. School, Hanumanagudi.

The ~~letter~~ letter of the collector of Tanjore Re. B. 7. 11756/18 dated 9.7.48 said to have been forwarded with the letter cited above, has not been received. Please have it sent now.

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4/7/68

REVENUE DEPARTMENT.
Subject:

LAND ACQUISITION - (Tanjore) - Mannargudi Taluk and Town - Jayalakshmi
Vilas Higher Elementary School - T.S.No.2039 - Extension of playground
Draft declaration.

Ref.I.3311/48-3 Station: Madras. Dated 15th Sept.48.

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

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

Read: Board's Ref.I.3311/48-2 dated 27-7-48.
Govt. Post copy of Telephonic message dt.4-9-48.

ASST. SECRETARY TO GOVT. REFERENCE:

20 SEP 1948

A copy of the Collector's letter No.Rc.14756/48-B7 dt.7-7-48 is
submitted to the Government.

for Joint Secretary.

To The Secretary to Government, Education and Public Health Department
with copy of Collector's letter.

PLG/15/9.

Copy of Tanjore Collector's No.R.C.14756-48 B7 dt.7-7-48 to the
Secretary, Board of Revenue, Madras.

Land Acquisition (Tanjore) Mannargudi Taluk and town Jayalakshmi vilas
Higher Elementary School - T.S.No.2039 - Extension of playground - draft
declaration - further report - submitted.

Ref: Board's Ref.I.3311-48-1 dt.29-6-48.

The Government have sanctioned a contribution of one anna from the
Provincial funds. A copy of the G.O. in which the 4(i) notification was
approved is submitted.

(sd) x x x
for Collector.

Copy of G.O. Ms.No.1909 dated 1st September 1947 of Education
and Public Health Department, Government of Madras.

Land Acquisition - Tanjore Dt. - Mannargudi Taluk and town - Jayalakshmi
Vilas Higher Elementary School - extension of playground - Notification
under section 4(i) of the Act - published.

Read: From the Collr. of Tanjore, No.128/47 B7 dt.26-6-47..
From the Director of Public Instruction, No.2214 B2/47 dt.2-8-47.

ORDER:

The draft notification under section 4(1) of the Land Acquisition
Act, (Act I of 1894) for the acquisition of the land specified in the
Schedule to the notification for the extension of the playground of the
Jayalakshmi Vilas Higher Elementary School, Mannargudi, will be published
in the Fort St.George, Gazette.

2. A contribution of one anna is sanctioned from Provincial funds
towards the cost of the acquisition.

3. Before the acquisition of the land is further proceeded with,

P.T.O.

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: 2 :

the Collector is requested to obtain an undertaking from the correspondent of the School that he will pay such compensation for damages as may be determined by Government under Section 48 of the Land Acquisition Act, in the event of the correspondent not desiring to proceed with the acquisition.

(By Order of His Excellency the Governor)

/True copy/

RR
16-11-48

FOR JOINT SECRETARY.

PLG/16/9.

15

Revenue Department.
Subject.

Land Acquisition-(Tanjore) Mannargudi taluk-and town Jayalakshmi
Vilas Higher Ele-School-Extension of play ground-draft declaration
Station: Madras.

Ref. I. 3311/48-4

d/ 18-11-48

From
G.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 and
Prohibition.

87036 Read: Board's reference I.3311/48-2 d/ 27-7-48
Collector of Tanjore Rc. 14756/48 B7 d/ 29-10-48

Reference:

The Board invites the attention of the Government to its reference cited above and it requests early orders in the matter.

for Joint Secretary

To the Secretary to the Government (E & PH) para (1) only.
To the Collector of Tanjore para 2 only.

APK
17/11/48

DRAFT FOR APPROVAL.

C.F. 16.

Edu. and P. H. Dept.

(C1)

Date.

Initials.

SUBJECT:— Land Acquisition

When received for fair copying ..

When copied ..

When examined ..

When signed ..

When despatched.

Tanjore Dt. - Mannargudi Taluk and Town - Jayalaxshmi Vilas Higher Elementary School - Extension of playground - Declaration under section 6 - Published.

READ AGAIN No. No. 1909, Edu., dated 1.9.1947.

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READ ALSO:—

No. 5672/48, From the Collr. of Tanjore, No. 14649/47, dated 8.6.1948.

Bd. of Revenue, Reg. I. 3311/48-2, 27.2/7/1948.

19

Order Ms. No.

Edu., dated

29.7.48

1948

The Govt. accept the

recommendation of the Board of Revenue that the objections to the acquisition of T.S. No. 2039 in Mannargudi Town for the extension of playgrounds for the Jayalaxshmi Vilas Higher Elementary School may be over-ruled.

2. The draft declaration under section 6 of the Land Acquisition Act submitted by the Collector of Tanjore with this letter cited above is forwarded to the Superintendent, Government Press, for publication in English in the Govt. Dt.

George

George Gazette.
Jm
15/11/48

DM
16/11/48

Note:- Revenue up. for
acceptance before me.

Jm
15/11/48

DM
16/11/48
Rev

To. US

Rev. up.



Please see G.D.P.H. note above.

2. Under Sect. Instruction 83, declaration
under Section 6 of the L.A. Act. had not be
seen in Revenue.

PP49-509
R 1145

3. The file may be returned to G.D.P.H.

Kie
19.11.48

DM
21.11.48

Csh
22/11

G.D.P.H.

E.G.H.

F.G.P.H. (C)

Rev 0064985

22.11.48

The draft overleaf may now issue.

Jm
23/11/48
24/11/48

DM
25/11/48

87040