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MADRAS RECORD OFFICE.

Government of Madras.

Judl DEPARTMENT.

G.O. No. 533 Press / Mis.

Dated 2-7- 1862

26/22

69-71

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, *21st July* 1862.

Read again the following papers :—

Proceedings of Government, in the Financial Department, dated 8th October 1859, No. 569.

Proceedings of Government, in the Financial Department, dated 16th December 1859, No. 686.

Read also the following Petitions :—

No. 69. To His Excellency the Honorable the Governor in Council,
Fort Saint George.

The humble Petition of PRATAPA SIMHA PARSUPANI SATUPATI, the adopted Grand-son of RANEE SEVAGAMI NAUCHIAR, daughter of MUTTU RAMALINGA SATUPATI, late Zemindar of Ramnad.

Most Humbly Sheweth,

That being the only rightful heir to the property of the deceased Zemindar Muttu Ramalinga Satupati, (which has been kept in deposit in the General Treasury,) Petitioner most respectfully solicits the attention of your Excellency in Council to the following circumstances, an impartial consideration of which will convince your Excellency of the truthfulness of Petitioner's statements as well as of the propriety of the grounds on which his representation is based.

Petitioner's father Kungiasawmy Satupati was, whilst he was yet young, in fact in his infancy, adopted by Ranee Sevagami Nauchiar, agreeably to Hindu laws and customs. Long after his adoption he got married, and he got Petitioner and his elder brother now deceased.

That his adoption was regular, real and legal, is deducible from the subjoined circumstances.

In 1830, both his adoptive father Vigiagopala Satupati, and adoptive mother Rance Sevagami Nauchiar, executed a Will in favor of Petitioner's father, making over to him all their real and personal property.

In the same year they granted him a Muktiyar or general power of attorney, empowering him to superintend the whole of their affairs, or in other words to take personal charge of the whole of their property.

On the illness of Vigiagopala Satupati in 1836, he addressed the Collector, requesting that authority to confirm Petitioner's father in the enjoyment of the property in his possession.

In the same manner, whilst Ranee Sevagami Nauchiar was on her sick-bed in 1849, she also addressed the Collector, the Board of Revenue and Government, soliciting that the whole of her property may be confirmed in the possession of her adopted son Kungiasawmy Satupati, Petitioner's father.

In reference to their Will, Muktiyar, and petitions the Collector instituted a strict and close enquiry, and after satisfying himself as regards the validity of the adoption, made over all the property to him. He died in 1850, and after further enquiry the farm lands, Kavil and Ambalam Mirassies belonging to the deceased Ranee Sevagami Nauchiar were made over to Petitioner's brother Pereaswamy Taver in 1855.

But in doing so, the jewelry which Muttu Ramalinga Satupati had on his person when he was taken to Madras where he died, was deposited in the General Treasury, but was not given either to Petitioner's grand-mother or father; and the reason why they did not ask for it was that Ranee Sevagami Nauchiar was so thoroughly absorbed in striving to obtain the recovery of the Zemindary, that she did not put forth her claim to the property in question. Had she done so, without question, she would have been placed in possession of it, and Petitioner's father would have inherited it. Her trust in Government was unbounded, and she felt assured that this property would be delivered over to her at any time without any difficulty. Further, Petitioner's father died in 1850, and soon after his elder brother, so that no opportunity was afforded them to prefer a claim to the said property.

Petitioner verily believes that Government will deal justly and mercifully towards him, and that the property in question will be made over to him.

In summing up the foregoing points, Petitioner would presume to submit :—

I. That his father was adopted in his childhood according to Hindu law and the usage of the country.

II. That he performed the funeral rites of his adoptive mother and father.

III. That he inherited, under her Will, all her property.

IV. That Petitioner's father was acknowledged by all blood connections and by the local authorities as the rightful heir to his adoptive mother.

V. That on their illness, both the adoptive father and mother of Petitioner's father addressed the Collector soliciting that he may be placed in possession of all their property.

VI. That the Collector after due and thorough investigation, placed Petitioner's father in possession of all their property, and,

VII. That after the demise of Petitioner's father, his brother Pereaswamy Taver was placed in possession of farm lands, Kavil and Ambalam Mirassies.

Petitioner therefore humbly and respectfully solicits that on a due consideration of the facts urged above and of the state of destitution to which he is reduced, that your Excellency in Council will be graciously pleased to commiserate his deplorable lot and poverty and pass an order directing the delivery to him of the jewelry belonging to his Great Grand-father Muttu Ramalinga Satupati, which is now in deposit in theGeneral Treasury.

And Petitioner as in duty bound, shall ever pray,

29th May 1862.

பறதாபசிம்ஹ பறசுபாணி சேதுபதி.

No. 70. To His Excellency the Honorable the Governor in Council,

Fort Saint George,

The humble petition of PRATAPA SIMHA PARSUPANI SATUPATI, the adopted Grandson of RANEE SEVAGAMI NAUCHIAR, daughter of MUTTU RAMALINGA,SATUPATI, late Zemindar of Ramnad.

Most Humbly Sheweth,

1. That in reference to his petition dated 29th May 1862, soliciting the restoration of the jewels in deposit in the General Treasury belonging to his great Grand-father, Muttu Ramalinga Satupati, Zemindar of Ramnad, Petitioner respectfully begs to submit the following additional particulars in support of his claim for the just and favorable consideration of your Excellency in Council.

2. The grounds on which objection is taken to Petitioner's claim to the property in question are two :—

1st. As respects the legitimacy of the 2nd marriage of Ranee Sevagami Nauchiar with Vigiagopala Satupati, and,

2nd. As regards the legitimacy of the adoption of Petitioner's father Kungiasawmy Satupati.

3. As regards to the 1st objection, Petitioner would humbly submit that there can be no question. For,

I. On the occasion of the 2nd marriage of Ranee Sevagami Nauchiar, the most solemn rites and ceremonies according to the laws and customs of the caste were duly and publicly performed.

II. It was acknowledged by all her relations, friends and neighbouring Zemindars, none of whom could nor did raise any objections.

III. Subsequent to the marriage, she filed a Suit for the recovery of the Zemindary of Ramnad, and the Provincial Court in their Decree recognizing her claims and the legality of her marriage, declared that she should be placed in possession of the Zemindary, and that Vigiagopala Satupati being married to her should enjoy all the rights and privileges as were enjoyed by the husband of the late Zemindarni Mungaleswara Nauchiar. This Decree was dated 13th December 1813, subsequent to which the adoption of Petitioner's father transpired.

IV. Had there been the least flaw in the 2nd marriage of Ranee Sevagami Nauchiar, it would have been instantaneously taken advantage of, as she was surrounded by the bitterest enemies who would have pleaded that as a bar to her claim to the Zemindary.

V. If there were any thing disreputable in her marriage, her relative the Zemindar of Shevagunga would not have admitted her relationship, and give her a village in her distress for her maintenance.

4. Relative to the 2nd objection as regards the legitimacy of the adoption of Petitioner's father Kungiasawmy Satupati by Ranee Sevagami Nauchiar and her husband Vigiagopala Satupati, Petitioner would submit the following unquestionable proofs which will clearly and distinctly demonstrate the reality and validity of his adoption.

I. Whilst yet Petitioner's father was in his childhood, he was adopted by Sevagami Nauchiar with the consent of her husband's brother, whose son he was, in the most public manner, in the presence of relatives, friends and Brahmins according to Hindu laws and Shastras.

II. Five years after the adoption, *i. e.,* on the 16th January 1819, the 2 sisters, Moothathal and Vellayathal, of Vigiagopala Satupati, executed a document in his name and that of Ranee Sevagami Nauchiar, his wife, that whenever these wished, they would give their daughter in marriage to the adopted son Kungiasawmy Satupati. This clearly shows that Petitioner's father was young and unmarried at the time. Nine years afterwards, *i. e.,* in 1828, Petitioner's father was married : he begot his eldest son in 1829, and in 1832, Petitioner, his 2nd son.

III. On the 7th August 1824, eleven Brahmins of Paroongaroonay in Ramnad in executing a Bond, acknowledge Petitioner's father as the adopted son of Ranee Sevagami Nauchiar and her husband.

IV. In applying to Mr. Collector Peters on the 2nd November 1827 for a Rahadari to allow Kungiasawmy Satupati to proceed to Madras, Ranee Sevagami Nauchiar and her husband stated that he was their adopted son, and in replying thereto, on the 30th November 1827, the Collector recognized him as such.

V. On the 14th March 1830, they executed a Muktiyar in his name, authorizing him to take charge of all their property and conduct their business ; and on the 26th May of the same year, they executed a Will declaring him their heir from his being then adopted son.

VI. In 2 Urzies addressed to Mr. Viveish on the 29th March and 14th April 1832, respectively, Ranee Sevagami Nauchiar and her husband acknowledged Kungiasawmy Satupati as their adopted son.

VII. Two other Urzies were addressed by Ranee Sevagami Nauchiar on the 20th and the 23rd November 1836, to Mr. Collector Blackburne, informing that official that her husband had died, and that her adopted son had performed his funeral ceremonies.

VIII. To the same effect she addressed the Judge of the late Zillah Court of Madura, and her Urzie was acknowledged by the Court on the 24th November 1836, in which Petitioner's father was recognized as her adopted son.

IX. On the 18th December 1837, Ranee Sevagami Nauchiar addressed Government stating Kungiasawmy Satupati was her adopted son.

X. In passing a Decree in O. S. 13 of 1844, the Mufti Sudr Amin recognized therein Petitioner's father as the adopted son of Ranee Sevagami Nauchiar, as also in the receipt given by the said Court to their Vakil on the 24th February 1844.

XI. Moreover, three Urzies were presented to the Collector, Board of Revenue and Government by Ranee Sevagami Nauchiar before her demise, that Kungiasawmy Satupati was her adopted son, requesting all her property to be delivered over to him after her death.

To Government in No. 410 of 1849.

XII. The Head of Police of Ramnad wrote to the Assistant Magistrate on the 14th June 1849, that Petitioner's father was fully proved to be the adopted son of the deceased Ranee Sevagami Nauchiar and her husband Vigiagopala Satupati, that he performed their funeral obsequies and that he was consequently their heir.

XIII. The Collector on the 20th March 1849, issued an order directing the collection of the cess on the 4½ Inam villages from Kungiasawmy Satupati.

XIV. On the 2nd July 1849, the Collector directed all the property belonging to Ranee Sevagami Nauchiar to be given to her adopted son Kungiasawmy Satupati, and on the 10th October of the same year, ordered the delivery of all her Punnay or farm lands to him; after the death of Kungiasawmy Satupati, the Collector issued order under date 26th March 1853 for the restoration of the Punnay lands and the payment of the Samibhogam whilst they were under Circar attachment by a mistake, thereby recognizing the son of the adopted son's right, Petitioner's elder brother, to them.

XV. The Collector in his Report to the Board of Revenue, under date the 31st July 1849 fully and distinctly admits that there was *prima facie* evidence of the reality and legality of the adoption of Petitioner's father Kungiasawmy Satupati, by Ranee Sevagami Nauchiar and her husband Vigiagopala Satupati, and on the strength of which evidence, that officer made over all the property to him.

5. Innumerable other proofs could be adduced in substantiation of the actual adoption of Petitioner's father, but that Petitioner fears he will be imposing on the time and patience of your Excellency in Council by too great a prolixity.

Petitioner humbly trusts however that from all the foregoing facts it will be clearly apparent to your Excellency in Council, that there was no question of the legality of the 2nd marriage of Petitioner's grand-mother Ranee Sevagami Nauchiar and that the most unquestionable proofs have been adduced as respects the adoption of Petitioner's father by Ranee Sevagami Nauchiar and her husband Vigiagopala Satupati.

6. The legality of both the marriage and adoption being proved, there can be no reasonable objection to the delivery of the jewels or their proceeds from the General Treasury to Petitioner who is the legitimate and lineal grandson of the adoptive parents of his father.

7. This property would have been enjoyed hereditarily by Petitioner's father had his adoptive mother simply asserted her right thereto, which was unquestionably her's, but from her confidence in the benign British Government and from her being thoroughly engaged in seeking the recovery of her Zemindary, she protracted the releasement of the jewels in question. If she had released these jewels during her life time, at her death they would have naturally descended to her adopted son Kungiasawmy Satupati in common with the rest of her property, and there would be no question now as to his right thereto.

Petitioner therefore humbly solicits that your Excellency in Council will be condescendingly pleased to take this petition into consideration in connection with his petition of the 29th May 1862, as the present one contains a fuller detail of all the facts bearing on his case, and pass orders directing the restoration of the jewels of his great Grand-father Muttu Ramalinga Satupati to him.

For which act of justice and mercy Petitioner as in duty bound, will ever pray.

11*th June* 1862.

பறதாபசிம்ஹ பறசுபாணி சேதுபதி.

No. 71. ORDER THEREON, 21st July 1862, No. 533.

The Petitioner claims certain jewels the property of the deposed Zemindar of Ramnad who died, in confinement, in Fort Saint George in January 1809.

2. The deceased Zemindar was deposed by the British Government on account of his rebellion and his sister was after the escheat, allowed to succeed to the Zemindary. At the time of the Zemindar's death, his sister claimed the jewels as heir to all his property, real and personal, and Mr. Parish then Collector of Madura supported her claim, and recommended that the jewels should be given up to the persons deputed by the Ranee to receive them. The Collector made this recommendation on the ground that the Ranee at the time of her brother's deposition had been recognized by the Government as sole heir to his property real and personal. Great importance was attached by the Ranee to the possession of these jewels, because according to the custom of Southern countries such articles descend immediately to the person succeeding to the Zemindary. The deposed Zemindar at the time of his death left a daughter named Sevagami Nauchiar, two widows and several concubines and natural children, but it does not appear that they laid claim to the jewels. Certain creditors of the deposed Zemindar, claimed this property which was in the custody of the Town Major, at the time of the Zemindar's death, but he, acting on the advice of the Advocate General refused to deliver them up. They were placed afterwards for safe custody in the Government Treasury, and it does not appear that any steps were taken to decide as to the ownership until 1859, when the Government, reviewing a detailed statement of the various deposits in the General Treasury, directed that a reference be made to the Collector of Madura to ascertain whether there were any representatives of the deposed Zemindar of Ramnad to whom these jewels could be made over.

3. The Collector Mr. Clarke submitted his report on the 19th November 1859, and on the 16th December 1859 the Government, upon a consideration of the circumstances represented, in regard to the claims formerly advanced to the property, and to those existing at the time of the report, directed that the property be sold by public auction and the proceeds carried to account, subject to any claim that should hereafter be established. The jewels were accordingly s realized Rupees 12,851-2-6. It is to the proceeds of this sale that the present Petitioner Simhu Parsupani Satupati lays claim as adoptive grand-son of the daughter of the deposed Zemindar of Ramnad.

4. In Mr. Clarke's report, dated 19th November 1859, the various claims to the property as existing at the time the daughter of the deposed Zemindar, Sevagami Nauchiar, died are stated to be contained in a report made by Mr. Parker the Collector of Madura in 1851, Mr. Clarke agreeing with Mr. Parker thought it unnecessary to add to his arguments.

5. The claimants as described in Mr. Parker's report were—1st, Saithoo Narasoo Nauchiar; 2nd, Pereaswamy Taver, son of Kungiasawmy Taver (and brother of the present Petitioner); 3rd, Puttabiramaswamy, son of the deposed Zemindar, by a concubine; and 4th, the actual Zemindar of Ramnad. There were also certain Brahmins who claimed on other grounds than those of heirship.

6. 1st claimant was a daughter by a former wife of the 2nd husband of the deposed Zemindar's daughter, her first husband being alive and having been divorced by his wife.

7. Mr. Parker considered this 1st claimant's right very questionable under Hindu Law. Even if the second marriage of the Zemindar's daughter could be held to be valid, for it was merely the right of a step-daughter to inherit her step-mother's property.

8. As regards the *2nd claim* that of the son of Kungiasawmy Taver. This individual, was stated to have been adopted by the daughter of the deposed Zemindar. Exception is taken to this claimant, inasmuch as adverse parties represented that the adoption was made when Kungiasawmy exceeded the age prescribed by Hindu Law for the adoption of Sudras, and because if the 2nd marriage of the daughter of the deposed Zemindar was as stated invalid, any adoption made by her and her 2nd husband would be null and void.

9. The 3rd claimant being an illegitimate son was held to have no right.

Proceedings of the Madras Government, Financial Department,
21st July 1862.

10. In regard to the claim of the present Zemindar—the Collector remarks that no legitimate blood-relations of the deposed Raja or Zemindar are living. The Zemindary itself is held by the widow of an adopted son of the adopted son of the sister of the deposed Zemindar, while the personal property of his own daughter has descended to an adopted son.

11. To this daughter of the deposed Zemindar, Sevagami Nauchiar, the present Zemindar stands in the relation of the widow of a grand-son, by adoption, of a father's sister. The Collector questions the accuracy of the fact stated by Mr. Parish, that at the time of the escheat, the sister of the deposed Zemindar, was both put in possession of the Zemindaree, and constituted sole heir to all the Zemindar's property, real and personal; so that the Collector only regards the claim of the present Zemindar as that of a relation to Sevagami Nauchiar the deposed Rajah's daughter.

12. The Collector further sees no ground for regarding the jewels in question as "regalia" of the Ramnad Rajahs or Poligars, and therefore he considers the 2nd claim as most entitled to consideration. This second claim is that of the sons of Kungiasawmy Taver, the alleged adopted son of Sevagami Nauchiar the daughter of the deposed Zemindar. The Collector adds that they must prove that their father's adoption was real and legal.

13. The Government are unable to agree with the Collector Mr. Clarke in the view taken by him as to the claim of the present Zemindar. She claims the property in question, as being the representative of the Ranee, sister of the deposed Zemindar. This Ranee, at the time of the escheat, and when she was put in possession of the Zemindary, was said by the then Collector Mr. Parish, who was perfectly acquainted with the circumstances of the case, to have been declared by the Government sole heir to her brother's estate real and personal, and it is difficult to understand why the jewels, in question, were not on the Zemindar's death delivered to the persons deputed by his sister the Ranee to receive them. The Governor in Council directs that the Petitioner be informed that his proper course is to file a suit against the Ranee of Ramnad for the property he claims, and that unless the Petitioner prefers this claim within six months from the date of this Order, the property will be delivered by the Government to the Ranee of Ramnad, as the proper owner thereof.

(Signed) A. J. ARBUTHNOT,
Acting Chief Secretary.

Exd. F. Cartledge.

On the 26th May 1830, Corresponding with the 15th Vyasee of the year Vikrothee this bill was executed by Streemuttoo Heranea Gurbha Yajee Ranee cola Hoothoo Vejaya Ragoonada Ranee Sathoopati Seevagami Nauchiar and her husband Streemuthoo &c. Pertaupa Sumha Vijia Gopaula Satupati Rajah to our adopted son Kangiasawmy

Whereas, as we are become beyond the age of bearing Children, according to Hindu law and the usages of Caste and Country we have publicly adopted you as our adopted son, and as you are heir to our estate and property, you alone are the heir to the Zemindary of Ramnaad and to every thing appertaining to it which we have hitherto enjoyed, for which we paid an annual kist of 94733 Pagodas to the Honorable Company and which is now under litigation. - Should the litigation be decided and either reverts to us during our life time or subsequent to it, to our own Sirruthatoo (private) Seethanantal &c. 4 1/4 Villages mortgaged to Bickajee Row and to all our other property and to our [illegible] and Ceremonies as such you and your heirs alone after our death as stated above, are to enjoy the whole of the above enumerated Estate in perpetuity; you are further duly to perform all our funeral rights and maintain the Charities performed by us and our forefathers; besides you are also to perform ~~some~~ Charities on your own account and become honorable in the eyes of Government and the public at large.

In this manner this Will we have executed of our own free will in a sound and healthy state of body and [illegible]

This will was written [illegible] thoosawmy

(Signed) Streemathoo Ranee Satupati Sevagamy
Nautchiar

" Streemathoo Prathapah Sinha Vijiagopaula
Satupati Rajah

Witnesses

(Sigd) Chinnasawmy Rajah
" Thanatotee Ramoo Thaver.
" Iyasawmy Thaver
" Soobaroya Thaver
" Taraunjee Thaver
" Vithram Runga Rajah
" Sama[illegible] [illegible] Rajah
" Shaik Davood Commandant
" Troithun Ramasawmy Iyen

On the 14th March 1830, agreeing with the 3rd of Pungoonee, the year Verothe this Mookhtiyar namah was executed by Ramanadapoorum Streemattoo M. R. Ry. Hiranea Gurbha Yajee Raveecoola Moothoo Vejaya Ragoonatha Ranee S[illegible]oopati Sevagamy Nautchiar and her husband S[illegible] Prathapasimha Vigiagopaula Sathoopati R[illegible] our adopted son Kaungiahsamy. –

[illegible] as you are the heir to all our estate, property &c. [illegible] whatever you may transact, or execute in Madras in our name, we will consider the same was transacted and executed by us in person. –

In this manner this Mookthear namah was executed by our free will. – This was written by Lutchmye Naroyana Pillay, Samoogum Royasum

(Signed) Streemattoo Ranee Sathoopati
Sevagamee Nautchiar. –

" Streemathoo Prathapa Sinha
Vijiagopaula Sathoopati Rajah

Witnesses

S/ Nachiappa Chetty Merchant of Ramnaad
" Sunbaiyah, Samoogum Pashcar.
" Rajagopaul Pillay Samoogum Head Royasum

This document was registered in the Book marked C No. 61 in the Zillah Court of Madura dated 18th March 1830, corresponding with 7th Pungoonee of the year Verodee. –

On the 16th January 1819 this Kararnamah was executed to the Zemindar of Ramnaad Stanaatha Heranya Gurbah Yaji Ravecoola Moothoovejya Ragonatha Rannee Satupati Sevagamee Nautchiar and to her husband Streematha Vejaya-Gopaula Satupati Maharajah by Moothathaul and Vellayauthaul the Sisters of the said Vijia Gopaula Satupati Maharajah &c.

Whereas although I Vellayauthaul agreed to bestow in marriage my own daughter Velleycunnoo Nautchiar to Rangiasawmy your adopted Son, and I Moothathaul agreed to bestow in marriage my own daughter Poonamalaycunnoo Nautchiar to Iyasawmy Thaver, the younger brother of the above Rangiasawmy, Contrary to this settlement and Contrary to family connection in Consequence of some family dispute we intended to bestow our daughters on aliens to the family. — The same Coming to your notice, you sent for us, and in the presence of our relations you requested of us to grant you a Deed of dissolvency stating that there is no family tie between you and us. — This grieved us much on our asking you in various ways to forgive us our fault this time, you agreed, and requested us to grant a Kararnamah agreement to the effect that we will not in future thus misbehave ourselves; Consequently we have executed this Kararnamah to you. —

Therefore, whenever you wished you

are not only as above stated to marry the said Vullakunnoo Nautchiar to the said Kangiasawmy and the said Hoomaunelay kunnoo Nautchiar to the said Iyasawmy Daver, but also whatever daughters may in future be born to us, we will bestow them also in marriage according to your own pleasure.—

Should we at any time act contrary to this and you exclude us from the family, then we are to grant you a Deed of Dissolvancy and be excluded. In this manner this Kararnamah agreement was executed by our free will

(Signed) The × Mark Moothathaul
" The × Mark of Vellingathaul
Written by Rajagopaula Pillay, son of
Veera Permaul Pillay.

Witnesses
(Sigd) Thanacotee Ramadaven
" Rooty Iyah Daver
" Soobaroya Daver
" Iyasawmy Daver
" Nagalinga Daver
" Veerasawmy Daver

From
Rose Peters Esqre
Magistrate of Madura

A Rathareee issued for the information of all Police Officers, Mazumdars, Mettoo Peons, and Village Natamagars.—

Whereas as Kangiasawmy the son of Ranee Satupati Shevagamy Nautchiar Zemindar of Ramnad is about to proceed to Madras from Shevagunga accompanied by 20 Men, 10 Coolies, 6 firelocks, 20 Spears, 10 Swords, 2 Carts 4 Horses, 2 Palankeens, and 2 Bullock Coaches, you are to see that they are not obstructed by any one in the way

(Signed) R. Peter
Magistrate

30th November
1827

No. 1615 of 1862.

To,

His Excellency the Honorable
the Governor in Council,
Fort St. George.

The humble petition of
Pratapa Simha Parsupani
Satupati, the adopted grandson
of Ranee Seevagami Nautchiar,
daughter of Muttu Ramalinga
Satupati, late Zemindar
of Ramnaad. —

Most humbly Sheweth,

1 That in reference to his petition dated 29th May 1862, soliciting the restoration of the jewels in deposit in the General Treasury belonging to his great grandfather, Muttu Ramalinga Satupati, Zemindar of Ramnaad, Petitioner respectfully begs to submit the following additional particulars in support of his claim for the just and favorable consideration of your Excellency in Council. —

2 The grounds on which objection is taken to Petitioner's claim to the property in question are two:—

1st as respects the legitimacy of the 2nd Marriage of Ranee Sevagamy Nautchiar with Vigiagopaula Satupati, and

2nd as regards the legitimacy of the adoption of Petitioner's Father Rangiasamy Satupati.

as

3 As regards to the 1st objection, Petitioner would humbly submit that there can be no question. For

I On the occasion of the 2nd Marriage of Ranee Shevagaum Nautchiar, the most solemn rites and ceremonies according to the laws and Customs of the Caste were duly and publicly performed.—

II. It was acknowledged by all her relations, friends and neighbouring Zemindars, none of whom could nor did raise any objections.—

III Subsequent to the Marriage, she filed a suit for the recovery of the Zemindary of Ramnaad, and the Provincial Court in their Decree recognising her claims and the legality of her Marriage, declared that she should be placed in possession of the Zemindary and that Vijiagopaula Satupati being married to her should enjoy all the rights and priveleges as were enjoyed by the husband of the late Zemindarni Mungaleswara Nautchiar. This Decree was dated 13th December 1813, subsequent to which the adoption of Petitioner's father transpired.— ✕

IV. Had there been the least flaw in the 2nd Marriage of Ranee Sevagami Nautchiar. it would have been instantaneously taken advantage of as she

was

was surrounded by the bitterest Enemies who would have pleaded that as a bar to her claim to the Zemindary.—

V If there were any thing disreputable in her Marriage— her relative the Zemindar of Shevagunga would not have admitted her relationship and give her a Village in her distress for her maintenance.—

4 Relative to the 2nd objection as regards the legitimacy of the adoption of Petitioner's father Rangiasamy Satupati by Ranee Sevagami Nautchiar and her husband Vijiagopaula Satupati Petitioner would submit the following unquestionable proofs which will clearly and distinctly demonstrate the reality and validity of his adoption.

I Whilst yet Petitioner's father was in his childhood he was adopted by Sevagami Nautchiar with the consent of her husband's brother, whose son he was, in the most public manner— in the presence of relatives friends and brahmins according to Hindu laws and Shastras.—

an alleged translation of this is put up.

II Five years after the adoption i.e on the 16th January 1819, the 2 Sisters, Moothathal and Vellayathal, of Vijiagopaula Satupati, executed a document in his name and that of Ranee Sevagami Nautchiar, his wife, that whenever these wished, they would give their daughter in marriage to the adopted son Kangiasamy Satupati. This clearly shows that Petitioner's father was young and unmarried at the time. Nine years afterwards i.e. in 1828 Petitioner's father was married: he begot his eldest son in 1829, and in 1832 Petitioner, his 2nd Son.—

III On the 7th August 1824 eleven Brahmins of Paroongarooway in Ramnad in executing a Bond, acknowledge Petitioner's father as the adopted son of Ranee Sevagamy Nautchiar and her husband.

IV In applying to Mr. Collector Peters on the 2nd November 1827 for a Rahadari to allow Kangiasamy Satupati to proceed to Madras, Ranee Sevagami Nautchiar and her husband stated that he was their adopted son and in replying thereto, on the 30th November 1827 the Collector recognized him as such.

V On the 14th March 1830 they executed a Muktiyar in his name, authorizing him to take charge of all their property and conduct their busineſs; and on the 26th May of the same year, they executed a Will declaring him their heir from his being their adopted son.

VI In 2 Urzies addreſsed to Mr. Viveish on the 29th March & 16th April 1832 respectively, Ranee Sevagami Nautchiar and her husband, acknowledged Kangiasamy Satupati as their adopted son.—

VII Two other Urzies were addreſsed by Ranee Sevagami Nautchiar on the 20th and the 23rd November 1836, to Mr. Collector Blackburne, informing that official that her husband had died, and that her adopted son had performed his funeral ceremonies.—

VIII To the same effect she addreſsed the Judge of the late Zillah Court of Madura and her Urzie was acknowledged by the Court on the 24th November 1836, in which Petitioner's father was recognized as her adopted son.—

IX On the 18th December 1837 Ranee Sevagami Nautchiar addreſsed Government stating Kangiasamy Satupati was her adopted son.—

X In paſsing a Decree in O. S. 13 of 1844, the Mufti Sudr Amin recognized therein Petitioner's father as the adopted son of Ranee Sevagami Nautchiar, as also in the receipt given by the said Court to their Vakil on the 24th February 1844.—

To Govt. in No. 410 of 1849.

XI Moreover three Urzies were presented to the Collector, Board of Revenue and Government by Ranee Sevagami Nautchiar before her demise that Kangiasamy Satupati was her adopted son, requesting all her property to be delivered over to him after her death.—

XII The Head of Police of Ramnaad wrote to the Aſsistant Magistrate on the 14th June 1849, that Petitioner's father was fully proved to be the adopted son of the deceased Ranee Sevagami Nautchiar and her husband Vigiagopaula Satupati; that he performed their funeral obsequies, and that he was consequently their heir.—

XIII The Collector on the 20th March 1849 iſsued an order directing the Collection of the ceſs on the 4¼ Inam Villages from Kangiasamy Satupati.—

XIV On the 2nd July 1849 the Collector directed all the property belonging to Ranee Sevagami Nautchiar to be given to her adopted Son Kangiasamy Satupati, and on the 10th October of the same year, ordered the delivery of all her Punnay or farm lands to him; after the death of Kangiasamy Satupati the Collector iſsued order under date 26th March 1853 for the restoration of the Punnay lands and the payment of the Sambhogam whilst they were under Circar attachment by a mistake, thereby recognizing the son of the adopted Sons right, Petitioner's Elder brother, to them.—

XV The Collector in his Report to the Board of Revenue under date the 31st July 1849 fully and distinctly admits that there was prima facie evidence of the reality and legality of the adoption of Petitioner's father Kangiasamy Satupati, by Ranee Sevagami Nautchiar and her husband Vigiagopaula Satupati, and on the strength of which evidence, that Officer made over all the property to him.—

5 Innumerable other proofs could be adduced in substantiation of the actual adoption of Petitioner's father, but that Petitioner fears he will be imposing on the time and patience of your Excellency in Council by too great a prolixity.—

Petitioner humbly trusts however that from all the foregoing facts it will be clearly apparent to your Excellency in Council that there was no question of the legality of the 2nd Marriage of Petitioner's grandmother Ranee Sevagami Nautchiar and that the most unquestionable proofs have been adduced as respects the adoption of Petitioner's father by Ranee Sevagami Nautchiar and her husband Vigiagopaula Setupati.—

6 The legality of both the Marriage and adoption being proved, there can be no reasonable objection to the delivery of the Jewels or their proceeds from the General Treasury to Petitioner who is

the legitimate and lineal grandson of
the adoptive parents of his father.—

7 This property would have been
enjoyed hereditarily by Petitioner's father
had his adoptive Mother simply asserted
her right thereto, which was unquestionably
hers but from her Confidence in the
benign British Government and from
her being thoroughly engaged in seeking
the recovery of her Zemindary, she protracted
the releasement of the Jewels in question.—
If she had released these jewels during her
life time, at her death they would have
naturally descended to her adopted
son Rangiasamy Satupati in common
with the rest of her property, and there
would be no question now as to his
right thereto. —

Petitioner therefore humbly
solicits that your Excellency in
Council will be condescendingly pleased
to take this petition into Consideration
in Connection with his petition of the
29th May 1862. as the present one contains
a fuller details of all the facts bearing
on his case, and pass orders directing
the restoration of the Jewels of his
great grandfather Mutoo Ramalingam
Satupati to him. —

For

For which act of Justice and
mercey Petitioner as in duty bound
Will ever pray,

11th June 1862.

Finl 1862 Deptt
No 1615 of 1862.

21 July 6 N 573

From Pratapa simha Parsupani Satupati, the adopted grandson of Ranee Sewagami Nautchiar daughter of Muttu Ramalinga Satupati late Zemindar of Ramnad.

14 96

Dated 11th
Recd 13th 25 June 1862

With 2 enclosures.

No 596

Reiterates the statement of his former petition dated the 29 May 1862 soliciting the restoration of the Jewels deposited in the General Treasury & belonging to his great grand-father Moottoo-Ramalinga Seetapaty the Zemindar of Ramnad.

Supports his claim to the said Jewels by adducing various circumstances which prove beyond all possibility of Doubt, the legitimacy of the marriage of his grand mother Rani Sevaaamy Natchiyar, & the legitimacy of his (petitioner's) father's adoption Rangiasamy Setupaty.

Submits copies of certain Documents.

Prays for the restoration of ~~the~~ Jewels alluded to.

C 12th July
R 17 " Fwdd to Engr 17th July No. 14 of 62

To,

P. P. Hutchins Esqre.
Acting Deputy Secretary to Government
Fort St. George

Honored & Respected Sir,

In reference to my petitions of the 10th j[illegible]e 1862, soliciting the restoration of the jewels in deposit in the General Treasury belonging to my great grand father Muttu Ramalinga Satupa permit me most respectfully to solici your Honor's attention to the 4 enclose Translations of 4 principal original documents in confirmation of my adoption. A mere glance at these papers will convince your honor tha my adoption was real and valid and that I only am entitled to the jewels in question. — I fervently trust that by the influence of your clear, impartical and righteous judgement, I will be put in poſseſsion of my rights - I humbly request that you will be graciously pleased to lay these papers before His Excellency in Council in Connection with my previous petition. —

I remain

Honored & Respected Sir

Your most obdt. & Humble Servt.

14th June 1862.

1

Im. No 1615 of 1862

with them enclosures [illegible] [illegible] [illegible]

not the [illegible]

Fin. 1862 D
No 596

Fin. 1862 Dptt.
No 1476 of 1862 (3)
2 July

From Pratapasinha Parsupani Setupati the adopted grandson of Ranee Sevagami Nauchiar daughter of Muttu Ramalingam Setupati late Zemindar of Ramnad.

~~No 593~~ 590

No 595

Dated 29th May
Recd. 2d June } 1862.

States that Moottoorama Lingam Setupaty, the father of his (petitioner's) grand mother, having gone to Madras & died there, his jewels were taken possession of, and deposited in the General Treasury. -

Prays that as his late father was the adopted son of Ranee Sevacami Natchiar the daughter of the said Moottoo Rama Linga Setupati & consequently succeeded to all her property by the order of the Collr; - and as he (petr.) is now left as a sole heir to succeed to all her property, - the Jewels in question which are now deposited in the General Treasury, may be delivered over to him. -

fg

Fin. Lr. to Engd. 17th July
No. 14 of 1863 -

C 12 July.
R 17 "

For Orders —

Memorandum

Petn No 1476, & 1615 of 1862

Public Dept.

The Petitioner claims certain jewels which were sold under the orders^x^ of Govt, subject to any claim that might hereafter be established.

^x^ Financial G.O. No 686 of 16 Decr 1859.

[illegible] by Dept
21 July /62
G.O. No 593

2. The Jewels seem to have been *private* property of the deposed Rajah of Ramnad, who died during his confinement in Fort St George in 1809. As personal property they would have descended first to his widow, and after her to his daughter, the Sivagámy Náchiár who died 13th Feby 1849. In 1851 & 1859 reports were submitted by the Collectors on the claims of various parties to her estate, and Government disallowed all their pretensions either to her real, or personal property. In both reports the present petrs cl[illegible]s pass under review.

See Mr Clarke's letter recorded in procs. above quoted.
& Mr Parker's of 1st April/51

3. He is, or says he is, the second son of Kangiasámy Tevar, the alleged adopted son of Sivagámy & her *second* husband. Mr Parker takes two Exceptions to the validity of the adoption:— first that the second marriage of Sivagámy

See Paras 7, 8 of his letter

was illegal, and therefore any adoption by her & her so called husband wd. be void; secondly, that the adoption in itself was ~~illegal~~ invalid because Kangiasámy was beyond the legal age. It is the object of the petitioner to refute these objections. He argues that the marriage was celebrated with all due formalities, & acknowledged by all the friends of the family, & he affirms that his father's adoption took place in his (the father's) infancy, & was universally recognized, & unquestioned.

4 Mr. Parker's objections appear to have been founded on the assertions of a rival claimant, a relation, so it is not strictly true that the adoption was undisputed. But Kangiasamy was put into possession of some of Sivagamy's property, ~~an~~ as no one has sought to eject him, it may be presumed that his title was recognised, or at least that no one cared to contest it. He seems to have been Sivagámy's second husband's nephew

5. As for the documents now produced, the will & the power of attorney were known to Mr. Parker when he decided against Petr's. claim. There is nothing to show that the other documents are genuine. If they are, one would go to show that Kangiásámy was adopted before he was married, & therefore, presumably, within the legal age. The other merely shows that he was called the adopted son of Sivagámy in 1827, or three years before the date of the will.

6. Mr. Clarke thought that the Petr. had a better right than the other claimants, but he would not recommend his recognition until he could prove that his adoption was real & legal.

7. Petitioner tries to explain his delay in making the application by stating that Sivagámy was too much absorbed in her great stake, the Zemindary, to give a thought to the jewels, & that Kangiasamy, & his successor (petitioner's brother) d. ~~almost~~ soon after they came into possession. There seems no reason to doubt that the jewels would have

been given to Sivagamy, if she had taken the trouble to apply. If so, the only question is whether the adoption was, or was not legal. Should the [illegible] be required to establish [illegible]lidity in a court of [illegible]aw, or should his claim be again referred for report to the Collector, or for a legal opinion.

19 June 62

I do not see any good grounds for the adoption taken by Mr Clarke in [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

to the property [illegible] is now [illegible] [illegible] [illegible] [illegible] [illegible] it would appear [illegible] [illegible] [illegible] [illegible] [illegible]

Financial Depᵗ

Proceedings of the Madras Govt

Read Petⁿ ~~1615~~ presented by Pratapati Sinhu Parsupani Satupati adoptive grandson of Ranee Sivagami Nautchiar daughter of the late Zemindar of Ramnad Muttu Ramalinga Satupati. (Here enter 14764 1615 of 1862)

Read again Pro: of Madras Govt Financial department dated 8th Oct. 1859 (Here enter 569. of 1859)

Read again Proceedings of Madras Government Financial dept. d/ 15 Dec. 1859 ~~as No 686~~ (Here enter No 686. 1859)

Order thereon 21 July 1862 No 533.

The petitioner claims ~~the~~ ~~jewels~~ certain jewels the property of the deposed Zemindar of Ramnad who died, in confinement in Fort St George in January 1809.

W. M

The deceased Zemindar was deposed by the British Govt. ~~and~~ on account of his rebellion and his sister was after the escheat, allowed to succeed to the Zemindary. At the time of the zemindar's death his sister claimed the ~~property~~ jewels as heir to all his property real and personal and Mr. Parish then collector of Madura supported her claim, & recommended that the jewels should be given up to ~~[illegible]~~ the persons deputed by the Ranee to receive them. Great importance was attached by the Ranee to the

The collector made this recommendation on the ground that the Ranee at the time of her brother's deposition had been recognized by the Govt as sole heir to his property real & personal.

possession of these jewels because according to the custom of southern countries such articles descend immediately to the person succeeding to the Zemindary.

The deposed Zemindar at the time of his death left a daughter named Sivagami Nanchiar - two widows and several concubines and natural children, but it does not appear that they laid claim to the jewels. —

Certain creditors of the deposed Zemindar, claimed this property which was in the custody of the Town Major, at the time of ~~his~~ the Zemindar's death. but he, acting on the advice of the advocate

General refused to deliver them up. – They were placed afterwards for safe custody in the Govt Treasury and it does not appear that any steps were taken to decide as to the ownership until 1859. when the Govt, reviewing a detailed statement of the various deposits in the general Treasury, ~~became~~ directed ~~to~~ that a reference be made to the Collector of Madura to ascertain whether there were any representatives of the deposed Zemindar ~~Rajah~~ of Ramnad to whom these jewels could be made over. –

2

4

The Collector Mr. Clarke submitted his report on the 19th November 1859 and on the 16 December 1859 the Government, upon a consideration of the circumstances represented, in regard to the claims formerly advanced to the property, and to those ~~none~~ existing, ~~at the time the~~ at the time of the report

H directed that the property be sold by public auction and the proceeds carried to account, subject to any claim that ~~may~~ should hereafter be established. The jewels were accordingly sold and realized Rs. 12857.2.6. It is to the proceeds of this sale that the present Petitioner — Pratapa Simha Parsupani Satupati lays claim, as adoptive grandson of the daughter of the deposed ~~rajah~~ Zemindar of Ramnad.—

In Mr. Clarke's report d/ 19 Nov. 1859. the various claims & the authority ~~are then described~~. as ~~as~~ existing at the time the daughter of the deposed Zemindar, Sevagami Nanchiar died. ~~are~~ are stated to be contained in a report made by Mr. Parker the collector of Madura in 1857. Mr. Clarke agreeing with Mr. Parker thought it unnecessary to add to his arguments.

The claimants as described in Mr. Parker's report, were
1st Seithookurasoo Nauchiar
2nd Pereaswamy Taver, son of Mungiasawmy Taver (and brother of the present Petitioner)
3rd Puttabiramaswamy son of deposed Zemindar, by a concubine, and
4th the actual Zemindar of Ramnad

There were also certain Brahmins who claimed on other grounds than those of heirship.—

1st claimant was a daughter by a former wife of the 2nd husband of the deposed Zemindar's daughter, ~~the~~ her first husband being alive & having been divorced by his wife.

Mr. Parker considered this 1st claimant's right very questionable under Hindu Law. ~~It being~~

Even if the second marriage of the Zemindars daughter could be held to be valid, for it was merely the right of a step daughter to inherit her step mothers property.

As regards the 2nd claim that of the son of Renugiaswamy Taver: This individual ~~adopter who~~, was stated to have been adopted by the daughter of the deceased Zemindar.

Exception is taken to this claimant, inasmuch as adverse parties represented that the adoption was made when Renugiaswamy exceeded the age prescribed by Hindoo Law for the adoption of Sudras, and because the if ~~validity of the~~ 2nd marriage of the daughter of the deceased Zemindar was, as stated, invalid ~~questionable~~ ~~and therefore~~ any adoption made by her & her 2nd husband would be null & void.–

The III claimant being an illegitimate son was held to have no claim in right.

In regard to the claims of the present Zemindar — The Collector remarks that no legitimate blood relations of the deceased rajah ~~Zemindar~~ or zemindar are living. The Zemindary itself is held by the widow of an adopted son of the adopted son of the sister of the deceased zemindar ~~rajah~~ – while the personal property of his own daughter has descended to an adopted son –

To this daughter of the deceased Zemindar ~~Rajah~~, Sevagami Nauchiar, the present Zemindar stands in the relation of the widow of a grandson, by adoption, of a fathers sister.

47(87)

The Collector questions
the accuracy of the fact
stated by Mr. Parish –
that at the time of the
Escheat, the sister of
the ~~Rajah~~ deposed Zemindar, was both
[illegible]
but in possession of
the Zemindary, & constituted ~~the~~ sole heir to
all the (~~Rajah's~~ Zemindari) property,
real & personal; so that
the Collector only regards
the claim of the present
Zemindar as ^ ~~a relation~~ that of a relation
to Sevagami Nanchiar
the deposed Rajah's
Daughter.

The collector further sees
no ground for regarding
the jewels in question as
"regalia" of the Ramnad
Rajahs or Poligars.–
And therefore he considers
as most entitled to consideration
~~that~~ the 2nd claim ^
This 2nd claim is
~~namely~~, that of the
sons of Ramaswamy
Taver, the alleged
adopted son of Sevagami
Nachiar the daughter
of the deposed ~~Rajah~~ Zemindar, –

The collector adds ~~provided~~ that they
must ~~can~~ prove that their
fathers adoption was
real and legal.–

Order ——— The Government are unable
to agree with the Collector Mr. Clarke
in the view taken by him as
to the claims of the present Zemindar,

She claims the property in question as being the representative of the Ranee sister of the deposed Zemindar.

This Ranee, at the time of the escheat and when she was put in possession of the Zemindarie, was said by the then Collector Mr. Parish, who was perfectly acquainted with the circumstances of the case, to have been declared by the Govt. sole heir to her brother's estate real and personal and it is difficult to understand why the jewels in question, were not on the Zemindar's death delivered to the persons deputed by his sister the Ranee to receive them. The ~~Govt~~ Govr. in Council

~~are of opinion that~~ directs that the Petr. ~~should~~ be informed that his proper course is to file a suit against the Ranee of Ramnad for the property he claims, and that unless the Petr. prefers his claim within six months from the date of this order, the property will be delivered by the Government to the Ranee of Ramnad as the proper owner thereof.

To the Collector of Madura for communication to the Petitioner. - 3 5

Despd 22d PM

12 Copies of this order [illegible] in the [illegible]

Finl. Lr. to Engd.
17th July No. 14 of 1863

Financial 1862 Dept.

No. 533.

Proceedings of Govt.

F N 1007 of 62

Dd 21 July 1862

Passing Orders on the Petition of the adoptive Grandson of the daughter of the late Zemindar of Ramnad claiming certain jewels the property of the deposed Zemindar of Ramnad who died in confinement in Fort St George in January 1809

69 @ 71