M.R.O. 1—77,006—8-6-37.

(1) Number of pages 10.

(2) Date of repair 11-2-38.

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 54 Press / Mis.

69-70

Dated 24-1- 1863.

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69.70

Not to be folded or roughly handled

11-2-38

Proceedings of the Madras Government, Financial Department, 24th January 1863.

No. 69. Read the following letter from SRI MUTH PRATAPA SIMLA PARSUPANI SETUPATI, adopted Grandson of Rani Sevagami Natchiar, late Zemindarni of Ramnaad ; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated 17th January 1863.

With humble submission I beg to represent that the grosset injustice has been done me, which has not its equal in the history of the British administration in India nor in any other part of its extensive empire. Property to which I have the most unquestionable right, and which I have clearly and distinctly proved, is about being made over by an unjust order of Government to the so called Rani of Ramnaad, a party who has not the smallest title of a claim and has not possession of the jewels, whilst I have been directed to sue her for their recovery. I respectfully submit that this order was passed without any attention or consideration having been paid to the irrefutable grounds set forth by me in the several petitions I have presented to Government with regard to my undeniable claims, and without any reference to the facts furnished. After deed research of all the records bearing on the case, by Mr. Collector Clarke, an able and experienced Officer, who was a length of time in the District and was thoroughly acquainted with the merits of each claim, in his report to Government of the 29th November 1859, wherein in paragraphs 17 to 21 he totally disallows, without any reservation the claims of the Zemindarni, and in paragraph 22 admits that I alone, if any, am the rightful heir to the property in question. I feel confidently assured that if Government were candidly and impartially to reconsider my case they would at once acknowledge my claims, but having in the first instance passed a wrong decision they are apparently determined to abide by it without respect to right or justice. As a dernier resort I have appealed to the Secretary of State for India by a Memorial dated 19th December last, through the Government of Madras. Pending the decision of that august authority from whom I have every reason to anticipate the cancelment of the unjust order of Government, I have solicited the proceeds of the jewels to be still reserved in Government deposit; and a compliance with this prayer will not be injurious to any one, inasmuch as the jewels have been in the hands of Government already for more than half a century. On the contrary it will obviate the unwished, uncalled for alternative of my instituting proceedings against the authorities, as I must necessarily do, and as I have been advised to do by my Counsel, in the event of Government being determined to give effect to their unjust order by making over the proceeds to the wrong party. In that case they alone will become accountable for the ultimate delivery of the proceeds to me, as it is obvious that I can have no legal claim against the Zemindarni or any other stranger to whom Government may choose to make them over.

But as I have already stated that I have no desire nor inclination to involve myself in a ruinous law suit with the authorities, I therefore most humbly solicit your Honor in view of my rightful and hereditary title to the property, to be graciously pleased to procure me an order directing the proceeds to be retained in deposit pending the decision of the Secretary of State.

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No. 70. ORDER THEREON 24th January 1863, No. 54.

The Petitioner's case, it is observed, has been referred to the Advocate General for his opinion, and until that opinion is received, no order will be passed for the payment of the money.

2. The proceeds realized by the sale of the property referred to having been carried to account, it will be necessary now that a claim has been preferred to the payment of the amount, viz., Rupees 12,851-2-6, to make provision for it in the Budget for 1863-64. The Accountant General will accordingly enter it under the head to which it is properly debitable.

Vide letter from the Sub-Treasurer, dated 27th April, No. 1,510, recorded in Proceedings of Government, 4th May 1860, No. 187.

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

Exd. T. McMootry.

To,

The Honorable A. J. Arbuthnot Esq^re.
Chief Secretary to Government
Fort St. George

Honored Sir,

With humble submission I beg to represent that the greatest injustice has been done me, which has not its equal in the history of the British administration in India nor in any other part of its extensive empire. Property to which I have the most unquestionable right, and which I have clearly and distinctly proved, is about being made over by an unjust order of Government to the so-called Rani of Ramnaad, a party who has not the smallest tittle of a claim and has not possession of the jewels, whilst I have been directed to sue her for their recovery. I respectfully submit that this order was passed without any attention or consideration having been paid to the irrefutable grounds set forth by me in the several petitions I have presented to Government with regard to my undeniable claims - and without any reference to the facts furnished — After deep research of all the records bearing on the case - by Mr. Collector Clarke - an able and experienced officer - who was a length of time in the District and was thoroughly acquainted with the merits of each claim — in his report to Government of the 29th November 1869, wherein in paras 17 to 21 he totally disallows — without any reservation the claims of the Zemindarni, and in para 22 admits that I alone - if any - am the rightful heir to the property in question. I feel confidently assured that if Government were candidly and impartially to reconsider my case they would at once acknowledge my claims, but having in the 1st instance passed a wrong decision they are apparently determined to abide by it without respect to right or justice. As a dernier resort I have appealed to the Secretary of State for India by a Memorial dated 19th December last through the Government of Madras. Pending the decision of that August Authority from whom I have every reason to anticipate the cancelment of the unjust order of Government I have solicited the proceeds of the jewels to be still reserved in Government deposit; and a compliance with this prayer will not be injurious to any one - inasmuch as the jewels have been in the hands of Government already for more than half a century - On the contrary it will obviate the unwished, uncalled for alternative of

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my instituting proceedings against the Authorities - as I must necessarily do - and as I have been advised to do by my Counsel, in the event of Government being determined to give effect to their unjust order by making over the proceeds to the wrong party. In that case they alone will become accountable for the ultimate delivery of the proceeds to me, as it is obvious that I can have no legal claim against the Zemindarni or any other Stranger to whom Government may choose to make them over.

But as I have already stated that I have no desire nor inclination to involve myself in a ruinous Law Suit with the Authorities, I therefore most humbly solicit your Honor in view of my rightful and hereditary title to the property, to be graciously pleased to procure me an order directing the proceeds to be retained in deposit pending the decision of the Secretary of State. -

I beg to remain.

Honored Sir,

Your Most Obedient and humble Servant

[redacted]

Sri Mutta Pratapa Simha Parupani Setupati
Adopted Grandson of Rani Sevagami Nachia
late Zemindarni of Ramnaad

1st January 1863

Financial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read Petition from
Shri Gratapa Simlu
Cursupani Setupati

(Dated 17th January 1863)

Order 24th January 1863 No 54

The Petitioner's case,
it is observed, has
been referred to the
Advocate General
for his opinion, & Govt
until that opinion
is received, no order
will be passed for
the payment of the
money.

2 The proceeds
realized

To the Secretary to Govt
dated 17th July 1863

Suit of 3rd Feby

From
The Advocate General
Forwarding Certificate
Certificate Enclosed

Dated 17th July 1863
Rec'd 18th do

Read Letter from the Secretary to Government, dated the 17th instant, forwarding the decision of the Supreme Court on his reference of the 3rd February last, regarding the claim of Ramasawmy Pillay to the proceeds of the Zemindary of Ettiapooram sold for arrears of Peishcush due thereon.

Ordered, that the Letter from the Secretary to Government, dated the 17th instant, with the Enclosure, be forwarded to the Advocate General for his opinion.

realized by the sale of the property referred to having been carried to account, it will be necessary, now that a claim has been preferred to the payment of the amount viz: Rs: 13,851-2-6, to make provision for it in the Budget for 1863/64. The Accountant General will accordingly enter it under the head to which it is properly debitable.

Vide letter from the Sub Treasurer dated 27th April No 1510 recorded in Proceedings: 4th May 1863 No 157

To Str Pratapa Simhia Varunpani Setupati

Accountant General

Esp. 1 — 2 + 100-5

dispd. 26.

dispd. 26.

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

dict/ 3. Lby.

Finl 1863. Department.

No. 54

PROCEEDINGS OF GOVERNMENT.

F. S. 321 of 63

Dated 24th January 1863

Observing that the Petitioner Shri Pratapa Simha Parasupani Setupati case has been referred to the Advocate Genl for his opinion and that until the opinion is received no orders will be passed for the payment of the money & that the proceeds realized by the sale of the property referred to viz Rs. 12851-2-6 is to be paid from the Budget for 1863/64.

7876] Madras—Printed at the Government Press.

realized

69 of 70