M.R.O. 1—77,006—8-6-37.

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MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 511 Press Mis.

235-236.

Dated 26-3- 1874.

2/8

Not to be folded or roughly handled

CTK

Proceedings of the Madras Government, Financial Department,
26th March 1874.

No. 235. Read the following Proceedings of the Board of Revenue, dated 3rd March 1874, No. 466 :—

Read the following letter from J. B. PENNINGTON, Esq., Acting Collector of Trichinopoly, to J. GROSE, Esq., Secretary to the Board of Revenue, dated 16th February 1874, No. 29 :—

I HAVE the honour to report, for the information of the Board, that the Municipal Commissioners for the Town of Trichinopoly having resolved to build a latrine at Urayur, a suburb within the Municipal limits, on a piece of vacant ground, one Appavu Pillai and Rangaiya Pillai objected, and laid claim to the ground, and urged that they had purchased it of one Nagalinga Chetti in 1867. The matter was referred by the then Collector Mr. Whiteside to the Tahsildar for enquiry, and the result was an order by Mr. Whiteside on the Tahsildar's report to the effect that Nagalinga Chetti, the seller, had no right to the land, and that the Municipality was at liberty to erect a latrine on it. The latrine was accordingly built in 1872. Both Appavu Pillai and Rangaiya Pillai, the claimants for the land, sued the Collector in the Trichinopoly District Munsif's Court, and as I was preparing to submit to the Board a draft answer to be filed, the Government Vakil after studying the case informed me that, as his opinion, the case could not be defended successfully. In the meanwhile the said Appavu Pillai and Rangaiya Pillai presented a petition to me as Collector to get Mr. Whiteside's order cancelled, and expressed their willingness to withdraw the suits. On being spoken to on the subject, they further agreed to give up to the Municipality the piece now occupied by the latrine, with ten feet all round for planting trees, but claimed their costs in the suits.

2. As it appeared to me, on a perusal of the records connected with the case, that it was not capable of a satisfactory defence, in the present rather uncertain state of the law as to *Gramanattam*, I have agreed to get Mr. Whiteside's order cancelled; but refused to give them their costs.

3. A translation of the Tahsildar's report and copy of Mr. Whiteside's order thereon, and a translation of the plaints filed by the claimants in the Munsif's Court, are herewith forwarded, and I request the favour of the Board's orders on the subject.

ENCLOSURE No. 1.—Translation of Tahsildar's report.

ENCLOSURE No. 2.—Copy of Collector's order, dated 27th January 1872.

ENCLOSURES Nos. 3 and 4.—Translation of plaints filed by the claimants.

SUBMITTED for the orders of Government.

2. In 1872 the Acting Collector, Mr. Whiteside, granted to the Municipality of Trichinopoly a piece of Gramanattam land as a site for a public latrine which was subsequently erected. The grant was made contrary to the orders of Government (Board's Standing Order No. 51 of 1867) and notwithstanding that the land was claimed as private property. To recover the land the claimants have instituted two suits which Mr. Pennington considers indefensible.

3. Plaintiffs, however, are willing to relinquish their claims and withdraw the suits on condition that Mr. Whiteside's order is cancelled and their costs paid. The land is valued in the plaints at Rupees 1,240, and the suits involve the removal of the latrine.

4. The Board suggest that the Municipality be advised to pay plaintiff's costs.

(True Copy and Extract.)

(Signed) J. GROSE,
Secretary.

No. 236. ORDER THEREON, 26th March 1874, No. 511.

The President of the Trichinopoly Municipality will report whether the Commissioners have any objection to pay the plaintiff's costs under the circumstances reported in the Board's Proceedings.

(True Extract.)

D. F. CARMICHAEL,
Acting Chief Secretary.

To the President of Municipal Commission, Trichinopoly.
,, Board of Revenue, with four enclosures returned.

C. V. Ramu
on the removal of latrine
P.S.

Revenue Department.

Proceedings of the Board of Revenue
Dated 3d March 1874, No 466.

Read the following:—

No. 29.

From The Collector of
Trichinopoly
To The Secretary to the Board of
Revenue, Madras.

Sir, I have the honor to report for the information of the Board that the Municipal Commissioners for the town of Trichinopoly having resolved to build a latrine at Erayur a suburb within the Municipal limits on a piece of vacant ground, one Appaun Pillai and Ranjiah Pillai objected and laid claim to the ground, and urged that

that they had purchased it of one Kaghaliga Chetti in 1867. The matter was referred by the then Collector Mr. Whiteside to the Tahsildar for enquiry, and the result was an Order by Mr. Whiteside on the Tahsildar's report to the effect that Kaghaliga Chetti the Seller had no right to the land and that the Municipality was at liberty to erect a latrine on it. The latrine was accordingly built in 1872. Both Appavoo Pillai and Rungiah Pillai the claimants for the land sued the Collector in the Trichinopoly District Munsiffs' Court and as I was preparing to submit to the Board a draft answer to

to be filed, the Government Vakeel after studying the case informed me that, as in his opinion, the case could not be defended successfully. In the meanwhile the said Appavoo Pillai and Rungiah Pillai presented a petition to me as Collector to get Mr. Whiteside's Order cancelled and expressed their willingness to withdraw the Suits. On being spoken to on the subject, they further agreed to give up to the Municipality the piece now occupied by the latrine with no fee all round for planting trees, but claimed their costs in the Suits.

2. As it appeared to me, on a perusal of the records connected with the case, that it was not capable of

of a satisfactory defence, in the present rather uncertain state of the law as to Grama Nattam, I have agreed to get Mr. Whiteside's Order cancelled, but refused to give them their costs.

3. A translation of the Tahsildar's report and copy of Mr. Whiteside's Order thereon, and a translation of the plaints filed by the claimants in the Munsiffs' Court are herewith forwarded, and I request the favour of the Board's Orders on the Subject.

I have &c.
Signed J. B. Pennington
Ag. Collector.

Tuticorin Collector's Office
16th February 1874

To
The Secretary to the
Board of Revenue
Madras.

Submitted

Submitted for the Orders of Govern-
-ment.

In 1872 the Acting Collector, Mr. Whiteside, granted to the Municipali-
-ty of Tuticorin a piece of Poramboke land as a site for a public latrine which was subsequently erected. The grant was made contrary to the Orders of Govern-
-ment (Board's Standing Order No. 51 of 1867) and notwithstanding that the land was claimed as private property. To recover the land the claimants have instituted two suits which Mr. Pennington considers in-
-defensible.

Plaintiffs however are willing to relinquish their claims and with-
-draw the Suits on condition that

that Mr. Whitesides' order is cancelled and their costs paid. The land is valued in the plaints at Rupees 1240, and the Suits involve the re-moval of the latrine.

The Board suggest that the Municipality be advised to pay Plaintiffs' costs.

I have the honor to be,
Sir,
Your most obedient
humble Servant,
J. Grote
Secretary

To
The Secretary to Government
Revenue Department
with 4 original Enclosures
to be returned.

W. D. Gun. Locker
Capt. & Adjutant

Pondy 1874 Dept
Int. No. 725

Proceedings of the
Board of Revenue

Dated 3d }
Despd 3 } March 1874.
Recd 4th }

No 507

Submitting for orders of Government report of Collector of Trichinopoly in institution of a suit by certain parties for recovery of a piece of Gramanatham land made over to Trichinopoly Municipality as a site for a Public Latrine and suggesting that Municipality be advised to pay plaintiff's Costs.

C 13/3.
R 17—
C 17—
R 23—
C 23—
R 24—

26 Paras 7th Regn

The Municipal Commissioners of the Municipality of Trichinopoly will please to consider the Commissioners very objection to the plaintiffs suit with the Municipality and direct us what we should do in the matter

Dated 30th March 1874
To the Board of Revenue
Madras

I would not admit that the case is in the Civil Court but would fix the Commissioners the Gramanatham aforesaid. I do not see how the Commissioners the Municipality can pay Costs

"Dept Sets" 1874

Govt. of {1874} Madras.

Financial.

To the Presdt. Mund. Commrs.
Trichinopoly
Dea

G.O. 26 Mar., 1874, No. 671.

Nos. 235. 236.

Trichy. Munsy. The Presdt. requested to report whether the Commrs. have any objection to pay the Plaintiffs' Costs in the Suits instituted agt. them for recovery of the piece of the Grama Natham land made over to them by the late Collr, for the erection of a Latrine.