M.R.O. 1—33,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 76	Press ~~His.~~
30-31	
Dated 16. 1—	~~11.1858~~

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 19th January 1858.

No. 30. Read the following letter from C. F. CHAMIER, Esq., Acting Register to the Court of Sudder Udalut; to T. PYCROFT, Esq., Chief Secretary to Government, dated 7th January 1858, No. 1.

SIR,

I am directed by the Judges of the Sudder Udalut, to forward the accompanying copy of an answer given by the Senior Pundit of this Court, on the subject referred to in the Extract from the Minutes of Consultation, dated the 10th Ultimo, No. 1608.

(Signed) C. F. CHAMIER,
Acting Register.

Answer of the Senior Pundit of the Court of Sudr Udalut.

Where Sapindas (kinsmen allied by funeral cake) or Sogotras (men of the same Gotra or general family) may not exist, or tho' existing, may not be approved, it is customary that the son of a daughter or of a sister (if there be one in existence) should be taken in adoption.

Authorities.

Dutta Meemamsa by Sree Rama Pundita which runs thus—"Hence, the texts of Sounaka, &c., which direct Bramins to adopt as sons the offspring of Sapindas, or, on their failure, of Sogotras, but not of any other castes, are intended merely to give them preference, but not to prohibit others. 'Of all classes [among their own] kinsmen only, and not otherwise; or a daughter's son or a sister's son, who are affiliated by Soodras always in distress.'" The meaning of this text is this—"Let all the classes adopt sons only from among their own kinsmen and no other; but in distress, let them adopt a daughter's son or a sister's son. As regards Sudras let them do so always."

Vythenatha Deetchetyum otherwise called Smrite Mookta Phalum Ch. on social life. "Of all classes [among their own] kinsmen only, and not otherwise, or a daughter's son or a sister's son, who are affiliated by Sudras, when in distress." The meaning of this text is this—"Let all the classes adopt sons from among their own kinsman or a daughter's son or a sister's son. As regards Sudras, let them adopt a daughter's son, &c., when in distress."

Veyavahara Mayook Ch. on adoption.

The settled rule is that by Sudras shall be affiliated only the daughter's son and sister's son, and, on their failure, other boys, but it is not ruled that Sudras alone shall adopt daughter's and sister's sons. Hence it is plain that the adoption of daughter's and sister's sons is permitted also for the other classes. It is likewise sanctioned by the custom obtaining among "Sistas" or men acting in strict conformity with the law.

(Signed) APPANNA SASTRY,
21st December 1857. *Senior Pundit, Sudr Udalut.*

(True Copy.)

(Signed) C. F. CHAMIER,
Acting Register.

No. 31. From T. PYCROFT, Esq., Chief Secretary to the Government of Fort Saint George; to Lieutenant Colonel T. MAUGHAN, Political Superintendent, Kolhapoor, dated 16th January 1858 No. 76.

SIR,

In reply to your letter of 1st December 1857, No. 1072, I am directed by the Right Honorable the Governor in Council to forward the accompanying copy of an answer obtained from the Senior Pundit of the Court of Sudder Udalut, to the enquiry therein contained, respecting the adoption of a daughter's son by the Brahmins.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Dispd. 22d

Judicial Department

No 76

To

Lieut-Col: T. Maughan
Political Superintendent
Kolhapoor.

Sir,

In reply to your letter of 1st Decr/57 No 1072, I am directed by the Right Hon'ble the Governor in Council to forward the accompanying copy of an answer obtained from the Senior Pundit of the Court of Sudder Udalut to the enquiry therein contained respecting the adoption of a daughter's son by the Brahmins.

Fort St George,
16th January, 1858.

In Dy to Cons 19th Jany
Judicial 1858 Depart

No. 76

To
Lieut Coll T. Maughan
Political Superintendt
Kolhapoor

d/16 January/58.

Cons No. 26-27
15-12-57

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