

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 602	Press Mis.
24-25 24-25	
Dated 14.5.1860	19

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
for the month of May 1860.*

No. 24. Read the letter from J. R. BOYSON, Esq., Government Solicitor, Madras, to the Chief Secretary to Government, Fort Saint George, dated 10th May 1860, No. 481.

Dated 14th April 1860, No. 446, Judicial Department. 1. I have the honor to acknowledge the Proceedings of Government noted in the margin and the papers that accompanied them.

2. I have since been in communication with the Collector of Madras, the Commissioner of Police and T. Moottoosawmy Moodelly, and having obtained from them all the further information that it was in their power to afford and from T. Moottoosawmy Moodelly the perusal and inspection of his Title Deeds, I arrived at the conclusion that Government could not resist T. Moottoosawmy Moodelly's claim to the Building at Tondiarpettah (and the ground on which it stands), occupied as a Police Tannah, with the slightest prospect of success, and that Government must either relinquish the occupation of it, or take it on lease from month to month or for a term, or purchase it by private arrangement from T. Moottoosawmy Moodelly if the price could be agreed upon, or take it for a public purpose under Act VI of 1857.

3. I then submitted the papers for the consideration of the Advocate General and conferred with him on the subject and he wrote the opinion of which I annex a copy.

4. I have ascertained from the Commissioner of Police that he thinks the more desirable course will be to rent the Building in preference to making it the property of Government either by purchase or acquisition under the Act.

5. I have reason to believe that T. Moottoosawmy will let the Building to Government at a moderate rent.

6. I therefore beg to suggest that I be authorized to conclude an arrangement of this nature.

7. I return the papers that accompanied the Proceedings of Government above noted.

COPY—OPINION.

According to Ramanooja Iyer's statement, which appears corroborated by all the other information in this case, it seems clear that the Building in question has existed in its present locality for the last 50 years, and has been occupied as a Tannah (or rather half of it) for between 20 and 30 years under permission from the present claimant's family.

Their title cannot now be successfully contested, though there seems little reason to doubt that the erection of the whole Building was originally a trespass and encroachment on the Public Road.

If the Building is now required it must be rented or purchased, or taken for public purposes by Government.

(Signed) THOS. SYDNEY SMYTH,
Advocate General.

(True Copy.) (Signed) J. R. BOYSON,
Government Solicitor.

May 8th, 1860.

No. 25. ORDER THEREON, 14th May 1860, No. 602.

The Government Solicitor is authorized to enter into an arrangement with T. Moottoosawmy Mudali for renting the Tannah Station House in question on behalf of Government.

(Signed) T. PYCROFT,
Chief Secretary.

Exd, F. Cartledge.

Just

No: 602 - 14 May 1860.

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JF

The Govt. Solicitor
" Commr. of Police.
" Civil Auditor
" Asst. General

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