

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

123-124	G.O. No.	769	Press
			<u>Mis.</u>
	Dated	13 - 5 - 19	1867

8/9

Not to be folded or roughly handled

mep

Proceedings of the Madras Government, Judicial Department,

13th May 1867.

No. 123. Read the following abstract of a petition from SOORIAH NARAYANA JUGAPATI RAZU, Zemindar of Kottam Taluq, Godavery; dated 4th February 1867.

States that his Memorials addressed to the Home Authorities, complaining that the District Magistrate destroyed his cannons or guns kept in the Fort of Peddapuram, and paid him no compensation for the same, according to the letter written by him (Magistrate), have been returned to him by the Collector, with intimation that he (petitioner) should submit the Memorial through the Government of Madras.

2. Submits the endorsement of the Collector, together with the returned Memorials.

3. Prays that Government will kindly forward them to the Home Authorities, and procure him redress.

To

THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA.

The humble Petition of VUCHAVOYA SOORIAH NARAYANA JUGAPATI RAZU BAHADDOOR, Zemindar of Peddapur Taluq, in the Godavery District, attached to the Madras Presidency.

MAY IT PLEASE YOUR EXCELLENCY,

With due submission I beg to lay before your Excellency the following statement, with a view to be relieved from the ocean of injustice which I have been plunged in.

2. The Collector, Godavery District, had stated in his Inayatnamas* that I should mention the number of cannon in my possession, as well

* Dated 7th January and 18th February 1864, respectively.

† Dated 26th February 1864.

as their price, because the Government will take up the cannon and pay me the price. I did, accordingly, submit, with my reply†, list of the cannon, expressing my desire to leave five of the cannon in my possession, a matter of privilege allowed to other Zemindars, and requesting that the sum of Company's Rupees 1,34,000, being the value of 11 guns, should be paid to me. But the same authority further issued an Inayatnama, dated 23rd February, to say that the cannon should be destroyed, leaving at my disposal the fragments. I again wrote to the authority on 30th June 1864, protesting against the execution of the orders in question, as it is a matter of bare illegality to deprive me by force of the cannon, which my forefathers had acquired at a great deal of cost of money and trouble, and representing that the Government can get possession of them upon paying a reasonable price for them; but, before a conclusive reply was given to me, the Officer who was appointed by Government came to Peddapur. This Officer, though requested by my Vakeel, declined to suspend destroying the cannon, only until receipt of the orders of the Government on my petition addressed on the subject. I had, consequently, put the whole of my cannon in possession of the Officer, and had recourse to a petition to the Madras Government, dated 11th August 1864, praying for instructions that the value of the destroyed cannon be paid to me; but they returned it with an endorsement, dated 7th September 1864, concurring with the Collector's opinion, and referring me to apply to the Collector for the price of the fragments at the value of old metal. Having thereby undergone glaring injustice,

‡ Marked A. B. C. D. E. F.

herewith I beg to submit six papers‡, being copies of correspondence between me and the Collector and Government, on the subject of the

cannon, and to subjoin my reasons, with hopes of being rendered redress by your Excellency.

3. Four centuries ago my forefathers had, during the era of the Mahomedan rulers, acquired the Peddapur Zemindary Estate (which was then yielding profit of 20 lakhs of Rupees) and the cannon, as remuneration of their various labors. The Estate which forms the portion of

the Divisions of the Northern Circars had subsequently become the British Possession, who, in the formation of the permanent assessment, had fixed over this Estate exorbitant assessment, which gradually exhausted it, through public sales to which it was rendered subject owing to the small resources to satisfy public demands, so that, up to A. D. 1838, a small portion, consisting of seven Estates, subject to peishush of two Lakhs of Rupees, was left in my possession. This too had subsequently met the same fate, and reverted to Government in 1847, when I requested both the Collector and the Board of Revenue, by several petitions, to allow me to hold a portion of the Estate, according to the privilege shown in cases of several wronged brother Zemindars, but in vain. Now the endorsement of the Madras Government on my petitions regarding the cannon, which formed the subject of the correspondence above alluded to, adds greatly to the grievance which I had already met with in the case of Peddapur Zemindary Estate. I have, therefore, thought it more expedient to lay before the philanthropic feet of your Excellency the grievance, as the only remedy which your poor subjects at regions remotest from the Throne can have with hopes of relief.

5. The cannon is a portion of the property acquired by my ancestors. The Madras Government were pleased to allow certain Zemindars to retain part of their cannon, but in my case exception was made, and I was given endorsement to apply to the Collector for the price of the old metal, if I do not retain the fragments. Here, your Excellency can easily determine how great an illegality is the Minute of Government in my case.

6. Should the fact of destroying some of the cannon of the other Zemindars be offered as an example to the destruction of mine also, the variety of contrasts observed by Government in my case will not admit analogy to it, because a portion of their cannon was allowed them as they requested; besides those Zemindars have been in possession of their Estate, and enjoying great benefit, pomp, and respect, while the Government deprived me of my ancient Zemindary Estate, a proceeding which rendered me, as well as my family, quite strangers to every wealth as has been enjoyed by brother Zemindars. Had the Madras Government used equity by extending the same liberality to me, both as respects the Zemindary Estate and cannon, as had been shown to other fellow Zemindars, I could not feel regret. My main object in asking the Madras Government for the price of the cannon has been to invest the funds in the Government, in order that the interest to be got thereon may form part of the means of support for myself and my family till I may be rendered redress by your Excellency regarding my ancient Zemindary, because I have no other property of so much value except the cannon in question. Your Excellency can consider it to be illegal and arbitrary for the Madras Government to decline my request for the value (as per my account) of the cannon which was surrendered to them in obedience to their orders, though they had been my ancestral property, and to offer me the price of old metal for fragments, after their destruction. In point of legality, the British Government ought to have first paid me for the cannon the due value which they were worthy to when in good order prior to destruction, by ascertaining the value, and then to have used them according to their discretion. Anything of even great value can never be worthy of its original price if destroyed. Your Excellency may fancy from the foregoing facts how far the proceeding of the Madras Government, in forcing the destruction of the cannon against my consent, and then offering me the price of old metal has been consistent to the principles of justice. The indigent state which I have been reduced to, owing to the deprivation of the Zemindary Estate which my forefathers had held at the time when the British possessed India, rendered it necessary for me to ask the value of the cannon, with an anticipation that the funds may afford me aid in supporting my family, as above alluded to. This prayer the Government refused to grant. If the mother devour on her young ones, can the latter escape it? No. In the same manner if the rulers under whose patronage we live should render us no redress, where can I get justice? How can I preserve my respect in the eye of equal Zemindars? I discharged large debts contracted by my forefathers on the cannon, and decreed against them by Courts.

7. Your Excellency expressed, in A. D. 1858, the conviction that your Excellency should render redress to the Indian Zemindars, if they bring to your notice any injustice which may be done by the inland Authorities. I believed that promise, and have the pleasure to

bring to the notice of your Excellency the grievance I was exposed to, and pray your Excellency will be pleased to issue instructions to the Local Government that I shall be paid the value, according to my account, for the cannon destroyed, in Government Securities, and thus support myself and my family, by paying me, and down to my family, the interest which accrues thereon. I trust my petition to be laid before your Excellency, touching the ancient Zemindary Estate, will also be dealt with the like indulgence from your Excellency. For such act of favor, I remain, &c.

TOONY,
3rd July 1865.

(Signed) శూరియ నారాయణ జగపతి రాజు బాహదూర్.

A.

To
RAJAH SAHEB MAHORBON DOSTAN STREE RAJAH VUCHAVOYA
SOORIAH NARAYANA JUGAPATI RAZU BAHADOOR, Zemindar of
Talug Kottam.

With reference to the instructions of Government, conveyed in Minutes of Consultation, No. 634, dated 14th May 1861, I have to inform you that the Conductor (Mr. J. B.) appointed for destroying cannon is about to come to Peddapur, to execute his functions, and to request that you will, therefore, deliver him such of the 16 guns reported to have been in Peddapur as are unserviceable for further use in order to be destroyed, and also communicate to me the value of the guns, as the Government will pay you the same.

AMLAPOOR.
7th January 1867.

(Signed) H. MORRIS,
Acting Magistrate.

B.

To
JAMES FRASER, Esq.,
Collector of the Godavery District.
STREE RAJAH VUCHAVOYA SOORIAH NARAYANA JUGAPATI RAZU BAHADOOR,
Zemindar of Peddapur Talug, presents salams.

HONORED SIR,

I am quite well, and wish to hear your well-being.

2. I am in receipt of your two Inayatnamas, respectively dated the 5th January 1864 and 18th instant, the first stating that as the Conductor (Mr. J. B.) has been coming to Peddapur, in order to destroy the 16 guns reported to have been lying in Peddapur Fort, in accordance to the instructions of Government, conveyed in the Minutes of Consultation, under date the 14th May 1861, No. 634, and that as the price of the guns will be paid by Sirkar, the same should be communicated, and the second calling for early reply to the first Inayatnama.

3. The Amildar lately wrote to me on the subject of the cannons, in accordance to the orders of the Magistrate, and in my reply, under date the 20th February 1861, I stated certain circumstances to which the then Magistrate tacitly acquiesced by his not offering any objections. For particulars, please refer to that letter. Anything notwithstanding, I am always obedient to the orders of the Sirkar. The guns have been quite in good order, but not worn out to render them liable to destruction. Formerly, they had been used in several battles. They have been still fit for further service. This fact will, upon inquiry, be proved genuine. Out of the whole three cannons viz., two called "Rama Lutchmanuloo" lying on "Tallaburugu," or part of the Fort, and one "Amoghastrum" lying on "Satte Burugu," or another part of the Fort, have been in worship from the time of my forefathers. Besides these, there have been seven large, and six Rakhalas, or small guns, of which two I lately requested the Collector, in my Urzee, dated 8th September 1856, to allow to be at my gate, in order to be shot for saluting great gentlemen whenever they may be pleased to come, and also on occasions of festivals in my house. I accordingly now beg to solicit

your permission to allow in my disposal the two small guns, and the three large cannons under worship, as above alluded to.

4. The remaining seven large and four small guns I am ready to spare to anybody to whom your Honor may give orders. As to their price, I have to state in obedience to your instructions—

5. My forefathers had held large estate when this region became British Possession, who apportioned heavy assessment on the Estate. My ancestors had never ceased complaining against the matter to the Government. They sacrificed all their personal property before acquired to the public demands, as long as it existed, owing to the resources of the Taluq being inadequate to satisfy the demands. Then they contracted loans to the extent they were able to procure for the same purpose. Afterwards, they having become unable even to get loans, several Estates had gradually, one after another, been sold by Government for the arrears of peishcush, so that the whole of the Zemindary was entirely exhausted. This subjected us to great shame in the eye of our fellow Zemindars. Plenty Urzees were addressed to the local authorities, but with no legal reply. I have, therefore, determined to make appeal to higher authorities.

6. All the brother ancient Zemindars in the District have been in possession of their respective Estates to their great profit and luxury, with the exception of myself, whom the Government deprived of the Peddapur Estate, thereby rendering me destitute of every benefit. Not only this, even the allowance fixed to me has not been liberal, but scanty, in consideration of the state of our Zemindary; nor is this hereditary, but on life tenure only. If your Honor view our case with the eye of law, I believe your Honor can judge what great injustice my family underwent, as well as the fact of their having become destitute of further means to lead a respectable life after me.

7. It was known that the three large cannons, viz., "Rama Lutchmanuloo," and "Amoghastrum" had cost about 60,000 Rupees to my ancestors, and that the then Nabob and Tippoo Sultan, as well as some others, had offered a larger sum for these three, but my ancestors declined to give up the cannon.

8. It was also known that the remaining eight large guns did cost eight thousand Rupees each, and the Rakhahas three thousand Rupees each.

9. Although I was in possession of the Estate for some period, I could not have any profit. Moreover, I gave about one lakh of Rupees to Godivaru, according to the Decree of Sudder Udalt Court, in liquidation of a debt alleged to have been contracted on account of the Zemindary Estate; and I also spent large sums for the repair of the Fort and some other purposes. No property, except the cannons, was left for me. During the time of my forefathers, the Government had used, when occasions presented, to take the cannons, and cause them to be replaced in the Fort, when done with. If the same course be followed in the present case also, I will never have occasion to feel regret for the destruction of my cannons, and the Government also need not incur value thereof. I, therefore, humbly pray that your Honor will, under the foregoing circumstances, be pleased to allow the foregoing five cannons without destroying, and to settle the price of the remaining guns, and to recommend to the higher authorities, so that it shall be paid to me. If it is sanctioned, I hope to invest the funds in the Government, because the interest on the Bond will form an income for the support of my family, till my case for the ancient Zemindary be favorably decided by the higher authorities.

10. I further beg to state I have just received your Inayatnama, dated 23rd instant, stating that the price of the fragments for old iron will be paid, or they will be left at the disposal of their respective owners. Your Honor is well aware that a thing if destroyed cannot fetch the due value which it could while in good order. My ancestors had acquired the cannon, at cost of great deal expense. Except the cannon I have got no other personal property connected with the Zemindary Estate. All the other personal property had been spent for the demand of public revenue. I stated in the foregoing lines everything regarding the value of the cannon, and, in conclusion, pray your Honor will be pleased to take the foregoing statement into favorable consideration, and issue instructions accordingly.

26th February 1864.

(Signed) V. S. N. JUGAPATI RAZU,
Zemindar.

C.

To

JAMES FRASER, Esq.,

Collector and Magistrate of the Godavery District.

Urzedast of STREE RAJAH VUCHAVOYA
SOORIAH NARAYANA JUGAPATI RAZU
BAHADOOR, Zemindar of Kottam.

SIR,

In reply to your Inayatnama, dated 27th instant, requesting that I shall early communicate my intention as to whether I like to retain the fragments, or want their value, because you have received instructions from the Madras Government, under date the 14th instant, to inform me the fact of the Government having declined to keep undestroyed some of the cannons lying in the Peddapur Fort, as requested in my petition to the Government, I beg to state as follows:—

2. I did learn that the request of Pittapur Zemindar and some others, to permit them to retain, without destroying, some guns, was granted by authorities. Out of the cannons we have in the Fort, three, viz., "Rama Lutchmanuloo" and "Amoghastrum" are much valuable, and have been worshipped. I, therefore, requested the authorities to keep in my possession, without destroying, the three cannons, as well as two Rakhahas, or small guns, in order to be shot, on occasions of saluting great authorities as your Honor, and when grand feasts occurred. In such case, if the authorities shall not grant my request, what can I do?

3. In my petition to Government, dated 12th April, I stated, besides the subject of the cannon, that my successors have not permanent means of support after me, for their being the descendants of ancient Zemindary family, owing to its being reverted to Government; that the cannons only are the property left to me for the Estate, of which the debts to a great amount were liquidated by me; that the Government have never conferred on me such favors as were done to other equal Zemindars, who have, therefore, been in possession of their Estates, and enjoying benefit, to the progress of which I and my family find no probability; and that, if the cost which was originally incurred to my forefathers for the cannon above alluded to, be favored to me, I shall invest the money in the Government Treasury, by which we can have some means of support. But it does not appear from your Inayatnama what the Government have decided on the other subjects of my petition. I have, therefore, been at loss to give my decided reply to your Inayatnama till I shall become aware of the intention of Government regarding my request for the value of the cannons in question.

4. I am always obedient to the commands of the rulers; and am not inclined to throw any obstacles in the way of execution of orders of authorities.

5. Your Honor is, I believe, well aware of the ancient circumstances of our Zemindary. As events have rendered me to be single in every respect among my equal Zemindars, I am induced to ask for the price of the cannon, with an anticipation that the funds, if given, may likely form certain means of support to my family.

6. I, therefore, pray your Honor will be pleased to take my request into your kind consideration, and submit my petition with your favorable recommendation to the Government, so that the value of the foregoing cannons may be paid to me. Please peruse.

13th June 1866.

D

To

THE RIGHT HONORABLE THE GOVERNOR IN COUNCIL,

Fort Saint George.

Urzedast of STREE RAJAH VUCHAVOYA
SOORIAH NARAYANA JUGAPATI RAZU
BAHADOOR.

MY LORD,

With reference to Inayatnama to me from the Magistrate, Godavery District, regarding the matter of destroying my cannons lying in the Peddapur Fort, I addressed two Urzees to the

authority, requesting that five guns should be left in my disposal, as was done in cases of other Zemindars, and that the remaining cannons may be taken, and their price be paid to me, and one to your Government, dated the 12th April (before the destruction of the cannons) with the same request. While I was in expectation for a favorable reply from your Government, a gentleman, empowered to destroy cannons, came to Peddapur, where my Goomastah, by my order, informed him the fact of my having addressed a petition to Government on the subject, and, at the same time, requested him to suspend destroying the cannon pending their reply, but he did not withhold his proceedings, and destroyed the whole of my cannons, leaving the fragments on the spot, which the Magistrate frequently has been ordering me to take off, because, if not, the Government will possess them. I regret I could not succeed in any of the prayers on subjects for which I expected my petition to your Government will meet with favorable reply. I have never infringed the orders of Sirkar in any matter. Even in the present case I merely requested the authorities to allow me few of the cannons in my possession, being my ancestral property, and to pay me reasonable price for such as the Government take. This, I believe, is not inconsistent to legality. The Magistrate says that the fragments will be given to me. Anything can never fetch after destroyed the same value which it was worth while in good order. The cannons bear much value, and they are the only property left for my family on account of the ancient Zemindary Estate. If the Government should illegally and arbitrarily refuse paying even the price of such property, can there be any remedy for your poor subjects living under the patronage of British Government? The payment of such sum does not matter much to the ruling authorities; but the poverty to which I was reduced, owing to the deprivation of my ancient Zemindary Estate without due allotment of maintenance by Government, in the manner as was done in the cases of other Zemindars, has only induced me to request for the value of the cannons, they being the only property we reserved from the Zemindary Estate reverted to Government. My object for this request is to invest the funds in the Government, for permanent means of support. I conceive it to be the only result of the bad constellation of my stars, that my request for the value of my ancestral personal property took by Government has been declined. To British Government belong the virtues of philanthropy and impartiality. I, therefore, humbly pray your Excellency will be pleased to take this as well as my former petitions on the subject into favorable consideration, so far as to give instructions to the local Magistrate that the value of my cannons, as was before mentioned to the Magistrate, viz.,

For 7 cannons, at 8000 Rupees each...	56,000
„ 4 Rakhalas, at 3000 Rupees do. ...	12,000
„ the capital cannons called Rama Lutchmanuloo and Amoghastrum, desired by me to be left in my disposal, but since destroyed by the Officers. ...	60,000
„ 2 Rakhalas, at 3000 Rupees each ...	6000
	1,34,000

total Rupees one lakh and thirty-four thousand, be at once paid to me. As the fragments are still on the spot, your Government may, prior to such instructions, ascertain their value through the competent officers for the purpose. The Magistrate first communicated to me that such of the cannon as are unfit for further use be given up to the Conductor for being destroyed. In reply, I reported to him that there are none fit for destruction. The truth of my statement should have legally been ascertained, by scrutinizing which of the cannons is worn out, and which is in good order. Without following such a reasonable way of proceeding, the whole cannons were indiscriminately destroyed. Notwithstanding which, my request is for payment of price. In conclusion, I respectfully pray your Honorable Government will take my statement into favorable consideration, and grant my foregoing prayers. I cannot write any more on the subject to the authorities, who are well aware of all laws. Please peruse.

Toony, 11th August 1864.

(Signed) STREE RAJAH SOORIAH,
NARAYANA JUGAPATI RAZU BAHADOOR.

E.

Abstract of petition from STREE RAJAH VACHAVOYA SOORIAH NARAYANA JUGAPATI RAZU BAHADOOR, Zemindar of Kottam Taluq, in the Godavery District, to Government; dated 11th August 1864.

States that the Magistrate having issued orders to break the guns in the Fort of Peddapuram, he wrote to him and to Government, remonstrating, and requesting that, as other Zemindars were permitted to retain a few guns, the same privilege might be extended to him.

That he received no answer to the letter and the representation to the Conductor.

Requests that the price of all his guns may be paid to him as compensation as per his account, i. e.—

		RS.
For 7 large guns at.....	8,000 Rupees each	56,000
„ 4 small do. at.....	3,000 „	12,000
„ 3 large do. at.....	20,000 „	60,000
„ 2 small do. at.....	3,000 „	6,000
	Total...	1,34,000

No. 2228 of 1864.

The Government have already, in their Order, No. 879, of 14th June, stated their approval of the destruction of the cannon.

If the Zemindar has not retained the fragments of the guns, he is entitled to receive the value of the old metal, on application to the Magistrate.

FORT SAINT GEORGE,
7th September 1864.

By order.

Dy. Secy. to Govt.

F.

To RAJAH SAHEB MOHORBON DOSTAN STREE RAJAH VUCHAVOYA SOORIAH NARAYANA JUGAPATI RAZU BAHADOOR, Zemindar, Kottam Taluq.

I received no answer to my Inayatnama, desiring you to make over to Conductor (Mr. J. B.) the guns unfit for use you have at Peddapur, for destruction, letting me know the value thereof.

2. As I am in need of knowing their value before they are delivered for destruction, send me a report immediately on the subject.

RAMACHENDRAPUR,
18th February 1864.

(Signed)

Magistrate.

No. 124.

ORDER THEREON, 13th May 1867, No. 769.

The Memorial submitted with this petition will be forwarded to the Secretary of State.

(True Extract).

Chief Secretary.

Exd. J. H. Burns.

మనం ఇంకా చాలా దూరంలో ఉన్నాము. మనం ఇంకా చాలా దూరంలో ఉన్నాము.

మంత్రములను విశేషముగా లాభము వాని మునుష్యు

[illegible]

శివశక్తిని ప్రార్థించి
 దిగ్భాత్రానికై వచ్చినట్లు
 వ్రాసినట్లు

give to us the power
to do what we want to do

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 ১৯৩৭

379 or
Awa 20

[illegible]

on 10/10/67

for 10/10/67

Inc 455/67

Order that the foregoing memorial
be forwarded to the Secretary of State
for the purpose of being
considered.

13th May 1867 No 769.
The Memorial sub:
mitted with this Petition
will be forwarded to the
Secretary of State.
Fort Saint George 12th March/67.
By Order.
J. Brauer
As Under Secretary.

Letter to Eng. Secy. 10th May 1867.
by the Calcutta with infor-
mation that he (petr.) should
submit the Memorial
through the Govt. of Madras.

Submits the End of
of the Calcutta - together
with the returned Me-
morials.

Prays that Govt. will
kindly forward them to
Home Authorities and
procure him redress.

123. 124.
29th May

Pro. 13th May
No 455 of 1867
From Sooriya Charaya
na Jagapate Prados,
Muzendar of Cotam
Talug, Godavari.

Dated 4 Febry
Recd 11 1867
16 Enc. No 1001
No 1001

States that his Memo-
rials addressed to Home
authorities complaining
that the District Magistrate
destroyed his Cannons or
Guns kept in the Fort
of Peddapuram & paid
compensation for the same,
him no ~~redress~~ ^{redress} ac-
cording to the letter written
by him (Magistrate), - have
been returned to him