

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1498

Dated 17th July 1895

INDEXED.

[Despatch Abstract.]

TANKS AT ETTIYAPURAM AND KALUGUMALAI VILLAGES.

Passing orders on letter from the District Magistrate of
Tinnevely submitting copies of orders passed by him prohibiting the use
of certain ---- attached to the Ettiyapuram zemindari for other than
drinking purposes.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	4181		95				

1895

Department.

TINNEVELLY *St Magt's* OFFICE.

From

The *District Magt*

Tinnevely.

To

The Chief Secretary to

Government

Fort St. George.

Dated

Received

2nd
4

Judicial Dept
April
No. *423*

1895

ENCLOSURE.

APR. 1895

Submitting copies of orders passed by him prohibiting the use of certain tanks at Ettayapuram and Kalugumalai villages

1894/95.

Public of 94 50 72 Similar notices in 1894/95 by the Chief Secy.

Cio

80900. 13.4.94

Spa

801561. 6.8.91

and amount 19/2

Refce only 820 12-4-95

The Dist. Magt is requested to state what scale the sketch accompanying his letter is drawn.

10.4.95

The D.H. Sinnerely desps 12/4/95

Whereas it appears that the Gumara
Jeppakulam at Kalugumalai has been
set apart by the Gemindar of Ettaya-
-param for the supply of drinking water
and that it will tend to the preservation
of public health if this tank is protected
against other uses, the public are hereby
under section 144 Criminal Procedure Code
prohibited from bathing or washing their
persons or washing clothes or vessels or
cattle in the aforesaid tank. This order
will continue in force for 2 months from
15th April 1895.

Trinervelly
28th March 1895

(Signed) A. W. B. Higge
District Magistrate

(True copy)

100
11685
18.

Chokkanna
for District Magi
2-4

Whereas it appears that the Jeppakulam
in S. no. 285 at Ettayapuram has been
set apart by the Zemindar of Ettayapuram
for the supply of drinking water and that
it will tend to the preservation of public
health if this tank is protected against other
uses, the public are hereby under section 144,
Criminal Procedure Code, prohibited from
bathing or washing their persons or
washing clothes or vessels or cattle in
the aforesaid tank. This order will
continue in force for 2 months from
15th April 1895.

Trinerelly }
28 March 1895 }

(Signed) A. W. B. Higgins
District Magistrate

(True copy)

Chatterjee
for District Magist

2-4-

hs
26.9.95

28

Whereas it appears that the Jeppakulam in
S. no. 118 at Ettayapuram has been set apart
by the Zemindar of Ettayapuram for the
supply of drinking water and that it will
tend to the preservation of public health
if this tank is protected against other
uses, the public are hereby under section 144
Criminal Procedure Code, prohibited from
bathing or washing their persons or washing
clothes or vessels or cattle in the aforesaid
tank. This order will continue in force
for 2 months from 15th April 1895.

Trinacelly,
28th March 1895

(Signed) J. W. B. Higgins
District Magistrate

(True copy)

620
1895

Ch.

Ch. for District Magistrate
2-4-95.

Trinervelly District Magistrate's Office

1699 Dated 2nd April 1895.

From

A. W. B. Higgins Esquire,

District Magistrate of
Trinervelly,

To

The Chief Secretary to
Government,
Judicial Department,
Fort St George.

Sir,

I have the honor to submit copies of orders passed by me on the 28th March 1895 under section 144 of the Criminal Procedure Code prohibiting the use of certain tanks at Ettaiyapuram and Kalugumalai villages attached to the Ettaiyapuram Zemindari for other than drinking purposes, and I request that the Government will be pleased to make those orders perpetual.

2. As will be seen from the enclosed sketch

Sketch, there are several other tanks in both villages available for bathing and washing purposes.

I have the honor to be,

Sir,

Your most obedient servant,

A. W. B. Higgins

District Magistrate.

1495

Tinnevely District Magistrate.

Tinnevely, 14th June 1895.

No 884-95

From

CURRENT NO. 2939

A. W. B. Higgins Esquire,

District Magistrate of

Tinnevely.

To

The Chief Secretary to

Government,

Judicial Department.

Fort Saint George.

Sir,

In reply to Government memorandum no. 820 dated 12th April 1895, I have the honor to state that the sketch therein referred to is a tracing from the Revenue Survey Village plan prepared to a scale of 5 chains to an inch, i.e. 16 inches to one mile.

I have the honor to be,

Sir,

Your most obedient servant,

A. W. B. Higgins

District Magistrate.

1576

15-6-95

ial Dept

Refce No 820/95 & papers

3
Tinnevely St Magistrate's Office
CURRENT NO. 2939
From

The District Magistrate
Tinnevely

Cu. No. 1699 + 2939/95.

For orders.

CHIEF SECRETARY
19. JUN. 1895
GOVERNMENT OF MADRAS
To Government
Judicial Dept
Fort St George

Dated 14th June 1895
Recd 19th June
Enc: " No 884 of 95

Submitting that the sketch
referred to is a tracing from
the Revenue Survey Village
plan prepared to a scale of 5
chains to an inch

19/6
20/6

over

[G.]
[21]
200-8-2-95.

Judicial DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated 189 , No.
Again G.O., dated 189 , No.
Current No. of 189 , dated from

Current No. 1699 of 1895, dated 2 April from the D.M. Tinnevely.
2939 14 June

ORDER.
Mis

See revised
draft order
20/6
17/7

The following notification will be
published in the Fort St-George + Tinnevely
District Gazette:—

Notification:

Whereas it appears that the Kumara
Tappakulam at Kalugumalai, & the Tappa-
kolams in S. N. 285⁺¹¹⁸ at Ettayapuram
have been set apart by the Zaminadar of
Ettayapuram for the supply of drinking water
and that it will tend to the preservation
of public health if these tanks are protected
against other uses, the Govt in Council is pleased
under sec. 144 of the Code of Crl. Procedure,
to direct that the orders of the D. Magistrate,
Tinnevely, dated the 28th March 1895, prohibiting
all persons from bathing or washing their persons
or washing clothes or vessels or cattle in the
aforesaid tanks in the Tinnevely D., be made

* This order is not now in
force as it is more than 2 months
old.
20/6.

P.T.O.

-permanent.

cial Sept

Notifying under sec. 144

prohibiting the use of public
tanks in the Territory

To
The D.M. Timmely. Qto.
Gazette. (not in).
note for orders.

As to whether the D.M.'s proposal
may be approved & the orders made permanent?
Perhaps there may arise some difficulty for
want of a tank in the immediate vicinity of
that in S. n. 285. There are tanks
within about a quarter a mile
of those that which is to be reserved.

During the delay on the part
of the Dist. Magistrate (which has not
been explained) in replying to
a reference dated 10th April
this order which he seeks to have
made permanent has expired
(on 28th May) and cannot be of any effect.

22/6/95
When the matter must be dropped unless
the D.M. revives it. But in these
circumstances any precedent for action given

* Kind show can the Jems.
be said to own these apparently
public tanks in such a way
as to have authority to set
them aside for drinking or any
other purpose?

24/6/95

24/6/95

[5]

Papers to be read in Proceedings:—

Jud. DEPARTMENT.

Again G.O., dated 18, No.

Again G.O., dated 18, No.

Current No. 1699 of 18 95, date from

Current No. 2939 of 18 95, date from

D.M., Timmely

Order. Of 17th July 1895 No. 1498
The orders passed by the Dist.
Magistrate under C.P.C. s. 144 repealed by
force of time on the 15th June & it was
not until the 19th June that his second
letter reached G.O. It is consequently
impossible to make the orders permanent
unless they are re-issued by the Dist.
Magistrate. - In the event of his desiring
to take such action it should be
explained how the Zamindar of Etga-
pura can be said to own these ap-
parently public tanks in such a
way as to have authority to set them
aside for drinking purposes or any
other specified purpose.

(from orders)

16/7/95 12.4.95
Cot. 19/4
The D.M., Timmely. Qto.

See note

The precedent issued by D.M.
relates not to the making permanent
of repealed temporary orders but to the
issue of orders reserving tanks for
drinking purposes. Search for some
such precedents now then put up
when the D.M. replies to this, if he does

Please Supp. 20/7/95
12.4.95

1905 18.9.90
15.11.97

Pro and Crp
S. M. 55

O.S.
Yvia
(from order)

H. do.

Please return to me with full

21/7
17/7

For full Refers with refer to note within

M.O.

Please see
last note within
start of precedent of the kind
if any

When given for copying _____
When copied _____
When examined _____
When signed _____

189.

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.