

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 7/2.

Dated 4th Apr 1895.

INDEXED.

[Despatch Abstract.]

TUNI ESCHEAT CASE.

Approving the proposals of the District Magistrate, Godavari, to effect a compromise in the--.

met

BACK PAPERS.

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

FURTHER PAPERS.

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

18.08

11

Translation of the plaint

O. S. No 637
1896

M. R. R.

The District Munsiff
Puducherry

Plaintiff:- Konakauchi

Marasimham Inamdar June

Defendant:- Collector Cochin
in behalf of Secretary of State
in Council for India

1 The plaintiff mortgaged
his gold & silver jewels as
per schedule & with one hundred
= daravaru Venkamma for Rs
250 & got a registered deed
executed by her on 9-6-9

2 The said Venkamma after
wards died on 3-7-92 suddenly
without heirs. Immediately
after the plaintiff presented
a petition to the Sub Magistrate,
^{who has}
~~the said~~ officers, secured in
his office, through mediators
both the plaintiff's jewels &
the deceased's things

3 On the plaintiff's re-
presentation to the de-
pendant, of his claim
to the jewels in the
Sub Magistrate's Court
based —

on the registered deed
executed by the deceased
Venkamma, the defendant
passed orders for the de-
livery of only 11 jewels as per
the annexed Schedule B. out-
of the 19 jewels as per the registered
deed, on the plaintiff's pay-
ment of Rs 250. though the
fact that some of the jewels
as per the registered deed
had been melted & con-
verted into other jewels
by the deceased Venkamma
was recorded by the
defendant.

4. The defendant who took possession of the property as an executor, as the deceased has no heirs, is bound by law to receive from the plaintiff Rs 250 in ~~the~~ place of the deceased Vanhamme & to pay the deficit the current value (Rs 5-88) of the silver & gold things as per schedule.

5. The defendant who took possession of the deceased Vanhamme as property, on demand refused either to hand over all the jewels as per the annexed schedule & is as per the registered deed.

19
on payment of Rs 250 by the plaintiff or to pay the current price Rs 5-88 - -
[Gold at 18-8-^{Rs + P} a sovereign
silver & making charges ^{wages}]
The defendant has neither right nor reason to do

so.
6. The Plaintiff gave 2 months notice to the defendant according to law.

7. The cause of action arose at June 19-12-50 when the plaintiff's claim was rejected.

the plaintiff therefore
 prays for a decree with
 costs, subsequent interest
 & other remuneration which
 the Court considers that
 the plaintiff is entitled to.
 and to hand over the
 jewels as per schedule
 A to the plaintiff or to
 pay their value Rs 588-0-0
 on payment of Rs 250-0-0
 by the plaintiff according
 to the registered deed.

21-12-96

(In witness whereof)

Mogunandaram
 For the Magistrate

Schedule A

as p			
47	4	0	Rajidi and bhundravanka made of pure gold at Rs 18 1/2 per sovereign (weight in tolas)
3	0	0	silver plate for the above
5	0	0	wages for the above jewel
60	2	0	A pair of gold jumbi golusulu and kopper -golusulu (weighing 2 1/4 tolas)
6	0	0	wages for the above
27	0	0	A pair of gold karnapurulu & jumaraku (1 tola)
3	0	0	wages for the above
81	0	0	Gold Dakkeda (3 tolas)
6	0	0	wages for the above
16	4	0	A pair of galli bairisulu (5 + 5 weight)
2	0	0	wages for the above
128	12	0	A string of gold nannukollu with gold raki (4 3/4 tolas)
4	0	0	wages for the above
83	4	0	One gold gulla kante gumbi with rakis (1 1/4 tolas)
2	0	0	wages for the above
40	8	0	One pair of Danda Janepilu (1 1/2 tolas)
4	0	0	wages for the above
5	2	0	One zigini Killa (1/2 tola)
3	0	0	wages for the above
6	4	0	One Channanti Surru (1/4 tola)
1	-	-	silver piece attached to the above
2	0	0	wages for the above
9	6	0	Tamalapaku & mogabaku (0-0-0)
0	12	0	silver piece attached to the above
3	0	0	wages for the above

1200 One silver Vaddamam with ma
 200 wages for the above
 3500 One pair of silver Kadiryalu
 200 wages for the above
 600 One pair of Andalu.
 100 wages for the above.
 1800 One pair of Pavadalu.
 240 wages for the same
 800 One pair of Mattalu
 080 wages for the above

588 - -

(True copy)

M. Masundam
 For Stmaste

M
 8.2

2
 paid 11/1/95
 81/95

paid 2
 7/6

Def 798
 encl 995

24 magis takk 995
 Godanari 8/1/95
 Cocanada 8. 2.55

BOARD'S GEN. REG. NO. 381 OF 1895
 LAND REV. DEPT.

From

W. J. H. de Faria Esq.

Stmaste Cocanada.

To

The Secretary to the commissioners to the
 Board of Rev. L.R.

Sir,

I have the honor to report the following for orders.

One S. Venkannu; a prostitute died at
 Tuni on 3-7-92. intestate; and without
 heirs, leaving moveable property worth
 about Rs 513-4-9. One K. Narasimhan
 of Tuni laid claim to 13 gold and 6
 silver jewels, as per list enclosed,
 under a registered deed, by which
 Venkannu agreed to return, at any
 time within 20 years from the date of
 deed, these jewels mortgaged with her
 by the said Narasimhan for Rs 250
 and both parties agreed that the
 mortgagee might make personal use

* a & family

513-4-9

1200 jewels and that the mortgagor should
2 pay no interest for the money borrowed
3 but of the 19 jewels covered by the bond
only 7 gold and 4 silver jewels having
been found ^{with} by the deceased and Kara-
-simhau having failed to substan-
-tiate his allegation that the remain-
-ing jewels were converted by the
Mortgagor to her own use, it has
been notified in the 2d Gazette, among
other things, that the aforesaid 7 gold
and 4 silver jewels will be made over
to Karasimhau; and that the re-
-maining property will be escheated
to Govt., unless an injunction of a
court of competent jurisdiction pro-
-hibiting the same is produced
within 3 months from the date of
publication of the notice. Before the
3 months have elapsed, Karasimhau
has filed against Government O.S.
no 637 of 34 in the District
Court which has also issued an
injunction for the recovery of

the 19 jewels or their value aggregate
Rs 588 according to the present value
of gold, on his payment back of the
Rs 250 originally borrowed by him.
Karasimhau claims the remaining
jewels also on the allegation that
the mortgagor converted his own
jewels into these other jewels.

2. The registered deed entitled him to lay
claim to the jewels at any time within
20 years from the date of the bond
viz 9.6.30 ^{on further enquiry} and it has been found
that there is no evidence to repudiate his
claim and we must fail.

3. Karasimhau however proposes to
withdraw the suit, if we accede to
either of the following alternative proposals
one, that we should pay him the value
of the missing jewels viz Rs 225-8-0 plus
Rs 60 on account of costs till now
incurred by him, on his paying back
of the mortgage amount of Rs 250-0-0;
and the other, that we should return
to him all the remaining jewels as
per list, on his returning the Rs 250-0

* i.e. those found
in the deceased woman's
possession which were
not mortgaged to
by the plaintiff

not claiming anything on account
of the costs.

As the said jewels are valued at
Rs 268, the latter proposal will be
more profitable to Govt than the
former by Rs 17-8-0, I request
that the Board will allow me to
accede to it.

4 A translation of the plaint is
enclosed. The suit is posted to ^{the} 7th
instant but I have instructed
the pleader doing Govt work in
the court to apply for 6 weeks
adjournment.

(sd) W. J. H. Le Fanu.
District Magistrate Godavari

M. Masandam
For District Magistrate

8.2

776



Proceedings of the Board of Revenue

(Land Revenue),

Dated 14th February 1895.

No. 368, ^{Mis.} Routine.

READ Letter from the District Magistrate, Godavari
District dated 8th February 1895 No. 798.
mailed

Resolution

Submitted to Government in the
Judicial Department to which the letter
should have been addressed by the District
Magistrate under para 8 of G.O. No. 143.

(True Extract)

L. S. Vignish
Secretary.

To
The Chief Secretary to Government
Judicial Department with the letter.
Plaint & Schedule.

lum

Judicial

Sp. 1895. 26399 number

1895. 776
Board of Revenue
(Land Revenue),
MADRAS.

To
The Chief Secretary
Govt. I.D.

189/244

UNDER SECRETARY
16 FEB 95
PUBLIC

Proceedings, dated 14. 2. 1895,
No. 368
Mis. Routine.

Subject.
Submitting to Govt. in the J.D.
with remark letter from the
Collr of Godavari, requesting
permission to return certain
jewels of a deceased prostitute
seized as escheat to one, Karasim-
ham the mortgagor thereof.
Plaintiff in C. 634 of 1894
in the file of the St. Munisiff
of Paddarow on receipt of
the amount due from him.

So. 404
S.S. O please
Remission
25/19/2

Ref. only d/6. 3. 95 490 95
The Dist. Magistrate is requested
to report whether the jewellery
valued at Rs. 268 referred to in
the concluding sentence of para 3 of
his letter consists of articles
other than those mortgaged with the
deceased woman by K. Karasimham.
It is presumed that the proposal is
to give Karasimham the rest of the
property which she left behind her
but the Dist. Magistrate's letter is not
clear; the expression "all the
remaining jewels as per list"
in para 3 being apparently a
mistake, for the rest.

5/3/95

To
The Dist. Magistrate, Godavari
Desd 6/3/95

CURRENT No. 73

Cur No. 798
mag 6/3/95
d/16. 3. 95

GODAVARI DISTRICT,
COLLECTOR'S OFFICE,
Cocanada, 14. 3. 1895.

FROM

W. J. N. de Faur Esquire,
Dist. Magistrate,
Godavari District.

UNDER SECRETARY
16 MAR 95

TO

The Under Secretary to Government
Judicial Department.

SIR,

In reference to your memorandum no 490
d/6. 3. 95 regarding certain property
escheated to Govt., I have the honor to state
that the jewels valued at Rs. 268, referred to, in
the concluding sentence of para 3 of my letter,
under reference, consist of jewels other than
those mortgaged with the deceased woman, which
the mortgagor K. Karasimham, says, are the ones,
into which the missing jewels of those mortgaged
by him, had been converted.

2. As regards the presumption made in the con-
cluding sentence of the memo, I have to state
that the expression "all the remaining jewels as
per list" in para 3 of my letter, is tantamount
to "the rest of the property which she left behind
her" as all the movable property left by the
deceased worth about Rs 573-4-9 referred
to in my letter, consists of jewels alone.
I have

CURRENT No. 1379

Ref No 490/95
Revenue {1895} Department.

From *St magte*
The Collector,
Godavari District.

Ref No. 798
magte 1895

Dated 16.
Despatched 16 } -3
Received 20 } 1895.

SUBJECT.

Furnishing the infor-
-mation called for
in the under-
-tary's memorandum
No 490 d/6th march
1895 regarding the
Tuni escheat case

hite bank 21/2

I have the honour
sir
Your most obedient servant
(d) W. J. H. de Haan
St magistral

Mousser
For St magte.

UNDER SECRETARY
20 MAR 95

For orders
25/3/95 C.S.
The Post appron the Dist.
Magte's proposal to compromise the
suit on the payment of the mortgage
amount by the plaintiff.
*head only the rest of the
proceedings to the plaintiff and*

given for
ied
nined
d

[5]
48-21-12-93.

Journal DEPARTMENT

Papers to be read in Proceedings:—

Again G.O., dated 18 , No.
Again G.O., dated 18 , No.
Current No. 776 of 1895, dated 14 February from the Board of Revenue

Current No. 1379 of 1895, dated 16 March from the Dist. Magte of
Godavari

Order No 712 d/4 April '95.
The Post appron the Dist. Magte's
proposal that the suit should be
compromised on payment of the mortgage
amount by the plaintiff and delivery
to him of the remaining jewellery
valued at Rs 268.

26.3.95
24/4/95
The D.M., Godavari (P.T.) 6 APR 95
M.S.

Compromise of a
Sail

Cs

For orders

When copying _____
When _____ } 189.

READ AGAIN G.O., No. _____
189

CURRENT No.

ENCLOSURE TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

STATE OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—

- A = Copy in full.
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