



M.R.O. 1-5,006-16-10-50.

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MADRAS RECORD OFFICE

Government of Madras

Judicial DEPARTMENT

G.O. No.	1207	~~Press~~
~~B.P. No.~~		Mis.
Dated	19- 5	1894 ~~195~~

Not to be folded or roughly handled

✓-03

had the 6 Aug 1893

Secy
 in Council
 at George

Madrid

The humble petition of Mungahab, alias
son of of Moulree Mi Mohamed Nazir, alias
Sabir, late Nazir of Ellora in the Godavari district,
Humbly sheweth

The Commission is entitled
to the post of
of Lyon, above
of Elvire, and
the same on
are stated to

Your friend
his father Mr.
the 1st Nazir
Your petition
employed in
his younger
was a person

prosecution of full
petitioner's father, and
to himself. Your
petitioner brought a suit at
Court at Ellora, for
and sonship, a title
like father's proper
Law (vide copy of judgment hereto attached).

Whilst the case was pending, your petitioner
applied to Government for the post of Kaze
as well, but was informed in Endorsement
Memo No 929 dated 10th 1853 that the Govt
are not prepared.

For the Vazirship of
of original suit No 25.
pending before the
Honourable Vice, copy of.

2. - After winning the
wanted to resume the
case but owing to
could not do so.
brother died, and
leaving a minor.

her former

left by your
to appropriate it
and there fore
him in the substance
neglected his seniority
his share of his
according to Mohammedan

in his application
tell the result
as which is
Court of Ellora is
hereto attached.

Your petitioner
recution of his
obstacles, he
mean time his
aman died
incapable

relating to the

post of Kaze. Your petitioner is the
head of the family and is capable in every respect
to perform the duties required of a Kaze,
he respectfully prays that he may be
favoured with the vacant post of Kaze
together with the monthly allowance of Rs 50/-
attached thereto. Your petitioner
is employed in the office of the Collector
of Dhara (His Highness's Dominions)
as record keeper on a salary of Rs 500/-
per annum. Any reply written to him
at that address, will reach him.

For which a of kindness your petitioner
will, as in duty bound pray for your
long life and Prosperity.

2

Signatures of Mr. G. A. K. Ali

Proceedings of Madras Government
Read the following
From Miya K. li, dated 15th September 1885.
From the District Magistrate, Coimbatore, dated
5th March 18 N. 9

Cases 10th April 1886 No 929 Miscellaneous
Miya K. li will be informed that
the Government are not prepared to consent
his application The Nazirship of Ellore
till the present original Suit N. 25 of 1885
which is pending before the Sub Court of Ellore
is known. —

To Mr. P. S. S. S. S.
By Mr. C. S. S. S.
S. S. S. S. S.

June 5/88

In the Subordinate Court at Ellore
 Wednesday the Fifth day of May 1888
 Eight hundred, and eighty six.
 Present Mr R. Venkata Rangaiah Aungab
 Acting Subordinate Judge

Original Suit No 25 of 1888.
 Mr Yakkiahalli Sahib (Plaintiff)
 Versus

1. Syed Abdul Rahman Shah Sahib Kadri
2. Mr Lippa Sahib
3. M. Ammamissa Begum alias ~~Amir~~ K. B. Sahib
4. K. B. Ammamissa Begum alias Badar K. B. Sahib
5. Mr Amamulla Sahib alias Yakkiah Sahib
6. Syed Gulam Ambia Sahib
7. Zaiunnisa Begum alias Kammam Sahib
 having subsequently died her son and heir
 the "Defendant 8" Kammamissa Begum
 alias Jamma Begum, beg Syed Abdul Rahman
 Sahib 10 Dal Bet Sahib 11 Immah
 Mohamed Mubfurali Sahib

Defendants

This suit coming on for hearing the Court defined
 the following.

1. Judgment: This suit brought by the Plaintiff

189
Dept.
Enclos. No.
To
C. No.

Misya Kalyan, all & while against the defendants
1 to 10 to obtain, a decree compelling the
1st, 2nd, 3rd, 4th, 9th and 10th Defendants to make over to
him his one-fifth share (after deducting
the three Defendants one eighth share out of
the lands and fruit trees situated in the
Jaguer of Kootu Village and specified
in the Schedule A annexed to the plaint; as
also his share out of the Sile, Durankhana
and houses specified in the Schedule C.
The Plaintiff also seeks to recover from the
1st, 2nd, 3rd and 4th Defendants his share of the movable
property specified in the Schedule D. as also
5 $\frac{1}{2}$ Candies of paddy worth Rs 187-5-6
and ready money viz Rs 40-4- mentioned in
E. The Plaintiff also seeks to recover from
1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th and 10th Defendants his share
of the houses, Siles, godowns, Inam, betel and palmyra
gardens at Elloip and the lands fruit trees and
Mango and palmyra gardens at Kootu mentioned
in B. as also his share of the trees and profits
from wells, Kanth, Perambur lands, durankha
and annual taxes of the Kootu Jaguer
as well as of the N. Tappa (Tax) collected

collected from Kurma people and Gollanalla
(Shepherds). 596

2. — It is stated in the plaint that the
Plaintiff and the 9th and 10th Defendants who
are his uterine brother and sister respectively
are the children of his father, one Montan
Mohomed Meer Nazar, ali Sahib the late
Nazar of Elloip by his first wife; that the
1st and 2nd Defendants are his children by
his second wife; that the 3rd Defendant is
the Nazar's third wife; that the 4th Defendant
is his daughter by the third wife; and that
the 5th and 6th Defendants are Nazar's brothers
while the 7th and 8th Defendants are his sisters.
It is further averred in the plaint that
the Plaintiff's father died on the 1st April 1883
(that the 3rd Defendant is as a legal share
entitled to one eighth of his father's estate
and that the Plaintiff is entitled the one-fifth
of the residue; that the property specified
in the Schedule A. is that which fell to the
share of the Plaintiff's father in the
partition which took place thirty years ago
between him and the 5th 6th 7th and 8th.

Defendants, and their brother one Sallamayya
Sahib, and their mother Mussam Bube
Sahib, and at a subsequent Partition held
in respect of the property of Sallamayya
who since died. The aforesaid Mussam Bube
Sahib, died ten years ago. The shares did not
divine Mussam Bube Sahib's property but contain
to divide its income only. The Schedules
B. and C. refer the former to the property
which the late Kaze Nazar Sahib
held jointly with his brothers and sisters
and the latter to the property which as his
self acquired property was in his exclusive
possession up to his death and afterwards
in the possession of the 1st, 2nd, 3rd, 4th, 9th and 10th
Defendants. The 1st, 2nd, 3rd and 4th Defendants hold
the personal property mentioned in D. The 1st, 2nd, 3rd
and 4th Defendants appropriated to their own use
the paddy and ready money specified in E.
The 1st, 2nd, 3rd, 4th, 5th and 6th Defendants refused to give
the Plaintiff's share of the property. Hence
this action.

3. The 1st Defendant denies that his father
married the Plaintiff's mother who was a woman

Decd. 5-11

of Naima class in the Mithi form
and states that the Plaintiff ^{Gr} and
Defendants are therefore his illegitimate
children, and are not as such entitled
to inherit his (father's) property. That the
village of Kootur was given as jagir 150
years ago to those who hold the office of Kaze,
that the general superintendence over the
village in regard to the distribution of water
to the fields, and the cutting of the crops
pertaining to Kaze; that the Durankhana, house
and site and library at Elow Kanchan in the
exclusive possession of Kaze; as also the
Savany Channar of twelve paces the channel
and tank lands, Perumbolu and the trees
therein the village and yard sites and trees
therein the commission at 8 Annas a
Carid on crops raised and one Karady
of straw on every heap of paddy gathered
and the usual fees collected from Kanna
people at Kootur, that upon the death
of the 1st Defendant's father, his private
property was divided to the exclusion
of the property above enumerated.

That the ancestral house and site referred
to in the plaint fell to the share of the
5th and 6th Defendants who are in possession
thereof, that the part of the property is
being held jointly; that the Kormam
people and others have not paid the
1st Defendant Moterpha for the last
two years that the 1st Defendant's father's
share of the produce for Jushy 1292 and
his salary for the month of March 1883
were applied towards the funeral of his father;
that the income, claimed for Jushy 1293 was
applied towards payment of the 1st Defendant's
father's debt; that the income of the
Pralmayya tope at Ellor is hardly sufficient
to cover the cash payable thereon
to the Government that the income of the
Mango tope is a perpetuum;
that the value of the 1st Defendant's father's
share of the house is Rs 250 but
not 500 Rs. as stated in the plaint
that the rent collected from the
Ashrokhama godowns is being applied
towards defraying the expenses of Moharram

feast under the orders of the 1st Defendant's
paternal grand-mother. Hussain Bee Bee
by the 6th Defendant as Manager, and is not
divisible that the value of the moveable
property and the net income have been
exaggerated by the Plaintiff; that the
Kootu lands have been mortgaged to Sri
Rajah Mantupragada people for Rs 1500
and the interest thereon the same being
debt contracted by the 1st Defendant's father
4. - The 2nd, 3rd, and 4th Defendants deny that the
late Mir Nazir Ali Sahib married the
Plaintiff's mother by Nikah and state that
he is not entitled to inherit his property;
that the amount of the 3rd Defendant's dower
viz Rs 25 is the first charge upon the disputed
property which is divisible including
the net income of the Ashrokhama which
may remain after defraying the expenses
of the Moharram festivals which ought to be
conducted by the shares jointly; that
none of the property belongs exclusively
to the Office of Nazir as stated by the 1st Defendant;
that the Moterpha collected from the Shephura

consists of sheep and milk supplied by them
 during Mahomedan feasts that the annual income
 of the Kootoor lands is Rs 500: That the income
 of the Mungo Topu in Kootoor is Rs 10...
 per annum: That the amount expended
 on account of the funeral rites of Mir Nazaralli
 was Rs 300 only: That the house and
 site which are in the possession of the 5th and 6th
 Defendants were the joint property
 of the late Mir Nazaralli and of the
 5th and 6th Defendants; That the vacant site
 situated to the north of Dewankhana
 was purchased by Mir Nazaralli from his
 mother, and is divisible amongst the
 Defendants 1 to 4, and that the 2nd, 3rd, and 4th
 Defendants are not in the possession
 of the personal property of Mir Nazaralli.
 5. — The 5th and 6th Defendants almost support
 the 1st Defendants' statement.
 6. — The 7th and 8th Defendants support the Plaintiff's
 claim, and state that out of the property
 specified in the Schedule B. Their mother
 bestowed on the 8th Defendant, a Teluk house
 two rooms, a Verandah and a cooking room
 which

N
 2nd 5th 8th

which belong to her exclusively. —
 7. — The 9th and 10th Defendants did not appear.
 8. — The 7th Defendant having died her son was
 brought in as the 11th Defendant. He admits
 the Plaintiff's claim. —
 9. — The following issues were settled.
 (1) Whether the Plaintiff's mother Chandu
 was legally married to the late Kaze and whether
 the Plaintiff is his legitimate son.
 (2) Whether or not the Plaintiff's mother
 and the late Kaze Sahib lived as wife & husband.
 (3) Whether or not the Plaintiff's mother was
 a slave of the Kaze Sahib's mother Hussain Bee
 Bee Sahiba —
 (4) Whether the Plaintiff born of such a slave
 is entitled to inherit the property of the Kaze
 Sahib —
 (5) What was the property left by the
 late Kaze Sahib, and to what part is the
 Plaintiff entitled.
 (6) What property exclusively belonged to the
 Office of Kaze.
 10. — The following exhibits were filed by Plaintiff.
 A. Certified copy of the Akha No 43 which took

Place on the 23rd Jamadi ul Awwal 1257 ^{13th September 1838} between
Mir Nazar Ali and Chand Bee.

B. Letter from Mir Nazar Ali Sahib to the
Plaintiff under date 10th Ruzgan 1290 ¹⁸⁷³
intimating to him that he discharge of
the debt of Rs 300 incurred on account of
Plaintiff's marriage.

C. Do from do to do under date 6th
October 1877 stating that he was uneasy
about the Plaintiff's illness and praying
for his recovery.

D. Do from do to do under date 12th October 1877
congratulating the Plaintiff on his recovery.

E. - Do from do to do under date 17th October
1877 advising the Plaintiff to be careful about
his health.

F. Do from do to do under date 13th
Zeharwa 1294 ¹⁸⁷⁷ asking him to furnish
him with his son's photograph.

G. - Do from do to the Plaintiff under date
3rd Rubbi ul Awwal 1297 ¹⁸⁸⁰ asking him and his wife
to come over to Ellore.

H. - Do from do to do under date 19th Suffer
1299 ¹⁸⁸³ expressing his joy at the Plaintiff's

Successor in life at Hyderabad.

J. Copy of the statement furnished
in Fasly 1292 by the late Kurnam D. ⁹⁹
Subbarayana stating that Plaintiff's
mother was the Mha wife of Mir Nazar Ali.

K. Letter from Mir Nazar Ali Sahib
to the Plaintiff under date 25th September 1869
stating that he would consult with the Mohomed
Vaizullah Sahib and send precommemorative
letters on Plaintiff's behalf.

L. Do from do to do under date 3rd Jamadi ul Awwal
1288 ¹⁸⁷¹ intimating that he has sent Lal Bee
the 10th Defendant and her children to the Plaintiff.

M. - Do from do to do under date 22nd September
1870 informing him of a premtance of Rs 300
by Subbarayana about Kurnam on account of
Plaintiff's marriage.

N. - Do from do to do under date 19th October 1870
stating that he was glad to hear of his marriage
and desiring him to send marriage certificate.

O. - Do from do to do under date 7th July 1869
enclosing a currency note of 30 Rs value.

P. - do from do to do under date 16th October 1870
expressing his measures in not being able

to attend the Plaintiff's marriage.

D. do from do to do under date 13 Rajab 1288 ¹⁸⁷¹ informing him of the dispatch of a letter by containing Raufes —

R. do from do to do under date 14 July 1870 acknowledging the receipt of the Plaintiff's letter while he was uneasy about his situation —

S. do from do to do under date 18 October 1873 desiring him to send the Plaintiff's Nika Certificate —

T. do from 1st Defendant to Plaintiff under date 9 Shaban 1291 ¹⁸⁷⁴ requesting him to get him an employment at Mysore —

W. do from do to do under date 15 Rebiulawwal 1292 ¹⁸⁷⁵ regarding his appointment —

X. Certified copy under date 4 October 1882 furnished by the late Mir Nazir Ali Sahib of 10 Defendants' Nikah Certificate —

Y. Letter from Mir Nazir Ali Sahib to the Plaintiff under date 28 May 1869 desiring him to take care of his health —

Z. do from do to do under date 10 Jan'y 1873 expressing his gladness about the Plaintiff and

July 5, 1874

and the 1st Defendant being on friendly terms. V. do from do to do under date 3 Shaban 1293 ¹⁸⁷⁶ desiring the Plaintiff to give his daughter the name of his maternal Aunt namely Maria. —

Z. 1 do from do to do under date 23 Safar 1293 ¹⁸⁷⁵ informing him of the dispatch of some medicine for the use of Call Bee and enclosing a recommendatory letter on his behalf to Mohomed Ali Sahib. —

Z. 2 do from do to Mohomed Ali Sahib under date 25 Safar 1292 ¹⁸⁷⁵ requesting him to look after and bring on the Plaintiff.

A. C. Letter from Mir Nazir Ali Sahib to the Plaintiff under date 20 Rebiulawwal 1292 ¹⁸⁷⁵ expressing his great uneasiness of Call Bee's sickness and stating that his mother's 6 months' ceremony was celebrated.

B. B. Letter from do to 5th Defendant under date 2 Shaban 1289 ¹⁸⁷² expressing his joy to hear of the celebration of the Plaintiff's marriage.

C. C. do from do to Plaintiff under date 14 Z. Khanda 1289 ¹⁸⁷² desiring him to give his

daughter his great grand mother's name
Annia Bee Bee.

D.D. Letter from do do under date 5th Oct 1874
informing that Mohammed Khan and his family
went to Dichinopoly.

E.E. - do from 5th Defendant to Plaintiff under
date 4th Rabiulawal ¹²⁹⁶ expressing his and his
relatives' desire to see him and advising
the Plaintiff to come and see them.

F.F. - do from Mir Nazar Ali Sahib to Plaintiff
under date 29th ^{Prinigan 1294} ^{8th October 1877} expressing
his measures about the Plaintiff's sisters.

^{Enclosing}
and 50 Rupees currency notes.

G.G. - do from 6th Defendant to the Plaintiff
under date 9th Jarudussani ¹²⁹⁶ ¹⁸⁷⁹ condoling
with him on the death of his wife.

H.H. Letter from do Subbarayudu to the
Plaintiff under date 5th January 1876
mentioning that he has been perusing letter
written by him (Plaintiff) to his father (Mir
Nazar Ali Sahib).

I.I. Certified Copy of the statement under
date 1st August 1882 presented by the
present 5th Defendant in O.S. No. 130 of 1882

on the file of the Ellore District Munsiff
K.K. Letter from the 5th Defendant to the Plaintiff
under date 7th Shabaw ¹²⁹⁰ ¹⁸⁷⁵ desiring him
to take care of the present 1st Defendant
L.L. - do from Sheriff Sahib and the Defendants
1st Witness to the Plaintiff under date 20th
July 1870 stating that they had been perusing
the letter addressed to his father Mir Nazar Ali Sahib
H.H. - do from the 5th Defendant to the Plaintiff
under date 7th Khairah ¹²⁸⁷ ¹⁸⁷⁰ stating that
his wife (the Plaintiff's Amah) is sick.

N.B. Endorsement furnished to the Plaintiff
by the Head Dist. Collector of Godavery
under date 22nd February 1886.

O.O. Certified Copy of written statement
of the 6th Defendant Enlam Ambiah Sahib
as the 5th Defendant in O.S. No. 130 of 1882

P.P. S. - do presented by the present 2nd Defendant
in do do

Q.Q. Certified Copy of decree in O.S. No. 120
of 1883 on the file of the Ellore Munsiff
in which the Plaintiff Mir Yarob Ali
is mentioned as the son and representative
of Mir Nazar Ali Sahib (1st Defendant).

Certified Copy of the decree in Q. No 1057
of 1826 on the file of the Lakejilla Court
of Masulipatam under date 8 November 1827

By 1st Defendant -

I. Mka or Mazes Book kept from Nigri
1249 to Nigri 1264.

I. a. Endorsement under date 6 Jan. 1884
written in the 11 page of Mka Book by
Mri Nazar ali Sahib as Nazir to the effect
(That copy of No 24 was furnished to Shik
Dowd the bridegroom on his application.

II. - Letter from Plaintiff to Mri Nazar ali
Sahib under date 14th Shaban 1298
1881

III. - Do from do to do under date 16 Zehada
1298
1881

IV. Stampd Kararnama under date
20 November 1861 executed by Mri Nazar
ali Sahib to his father-in-law.

V. Stampd Sale deed under date
31st October 1847 executed by Hussain Bee Bee
Sahib a poor eldest son Mri Nazar ali
Sahib in respect of a Sika for Rs 1000

VI. - Account book of Kootom showing
the produce derived therefrom for Jali 1292.

VII.

VII. - Letter from Mri Nazar ali Sahib to
18
Defendants' 4 under date 26 November 1861

VII. - Do from do to do 12th Nov 1861

VII. - Do from do to do 1st November 1861

VII. - Do from do to do

VII. - Do from do to do

VIII. - Register of lands furnished to the Nazir
of Ellore -

VIII. - Marriage Mka book from Nigri 1264 to 1284

11. - The following witnesses were examined
By Plaintiff

1. Mahmud Syed Abdul Rahaman Sahib
(1st Defendant) 2. Mohomed Waizullah Sahib
3. Munschi Mohomed Abdul Khayyum Sahib
4. Mohomed Ruffizullah Sahib 5. Azizulla
Venkayya 6. Munschi Mohomed Mahfoz ali Sahib
7. Mohomed Hassan ali Khan Sahib 8. Mohomed
Abdul Moim Sahib 9. Kormana Venkata
Subbarama 10. Mri Yakub ali Sahib
(Plaintiff) - By Defendants

1. Fajir Mohomed 2. Loya Ramakrishna
3. Mri Annamallah alias Fakir Sahib
(5th Defendant) 4. Munschi Mohomed Azim Sahib
5. Syed Ambia Sahib (6th Defendant) 6. Ruchand

7. Inhomg house 8. Ma Chatarji 9. Ma =
= Lingulu 10. Mohomed Ibrahim 11. Lowdaga
Iwan Sahib

1, 2, 3, and 4 Issues

12. — The parties are Mohomedans of Sunni sect
residing at Ellou. The Plaintiff Mir Yakub Ali
Sahib claims as a lawful son of Mohori
Mohomed Mir Nazaralli Sahib who filled
the appointment of Town Nazir from 1251
Nigri up to his death which took place
on the 1st April 1883. The claim in this case
relates to the inheritance of the Property
Real and Personal which belongs to Mir Nazar
alli Sahib. —

13. — The 7th and 8th Defendants who are the sisters
of Mir Nazaralli admit that Yakub ali's
mother, Chandakee was the lawful wife of
their brother and that Mir Yakub ali and the
9th and 10th Defendants are his lawful children.
The 1st, 2nd, 3rd, 4th, 5th, and 6th Defendants who deny
Yakub ali's claim admit that he was born
to Mir Nazaralli of Chandakee where
there has been a permanent connection and
that Chandakee who had no connection with

any body else, died in the house of Mir Nazar
alli who performed her funeral rites. The
Defendants, also admit that ^{13th} ¹³ Yakub ali
and his brother and sister were born in
the house of Mir Nazaralli. These facts afford
a strong presumption in favor of the marriage
between Mir Nazaralli and Chandakee and of
the right of Mir Yakub ali to inherit from
his father as a legitimate son. See: Prince
and Price 58, and Shumso — Cow-Hiss v. Raj Jan
— Khanam T. See the P. & R. 157, and the onus of
establishing the contrary is thrown upon the
Defendants who dispute it. —

14. — Of the 11 witnesses examined by the re-
Defendant Mohomed Syed Abdul Rahman
Sahib, the 1st, 3rd, 5th, 6th, 7th and 11th witnesses state that
Chandakee did not marry any one. —

15. — The story told by the 1st, 3rd, 5th and 11th witnesses
Syed Mohomed, Mir Annamullah, alias Fakir
Sahib, Syed Ambia Sahib, and Lowdaga
Iwan Sahib is in effect this that in the year
Nandana, corresponding with 1832 Mir Nazar
alli's mother Ruseem Bee Bee purchased
Chandakee who came to Ellou along with

her mother from Mangalgi: That Mr Nazar
alli who was living jointly with his mother
until partition which took place
subsequent to the purchase cohabited with
Chanda who was his mother's slave without
performing the marriage with her.
That Mr Yakub ali and his brother
and sister who are the 7th and 10th Defendants
are the offspring of this connection; That
after the division Chanda and her children
were sent along with Mr Nazar ali
by Hussam Bee Beg and that they all
lived together until Chanda died some
17 or 18 years ago. Japi Mohomed and Sowdagur
Imam Sahib are, distantly related
to the 1st and 2nd Defendants. The 3rd and 5th witnesses
Mr Ammulah alias Fakir Sahib and
Syed Ambia Sahib are the paternal brothers
of Mr Nazar ali. However I feel myself
unable to credit their testimony. Japi Mohomed
at last stated that he had no personal
knowledge of the purchase of Chanda.
Japi Mohomed admits that he is now sixty years
old. He must have been of about 40 years
old

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old in the year Mandana when Chanda
alleged to have been purchased by Hussam
Bee. Japi Mohomed could not possibly
remember now what transpired more than
half a century ago in a family with whom
he is but distantly connected. Japi Mohomed
admits that upon his personal responsibility
he got to the 1st Defendant Mohomed Syed
Abdul Rahaman Sahib a loan of 500
from one Latimi Sethi Lubbharayudu and
he has collected the bond which was executed
to the lender for the debt. He is thus an
interested witness. His demeanour in the witness
box is unsatisfactory. There was not a single
question to which he gave a direct and
calmly Sowdagur Imam Sahib stated
in cross-examination that he does not know
whether or not Mr Nazar ali treated Chanda
as his wife and that she was gosha. The
witness then says that she was not gosha
before him and that he therefore cannot
clearing the vessel Imam Sahib's statement
is thus prevaricating. As to Ammulah
alias Fakir Sahib and Ambia Sahib

the former has given his daughter to the
1st Defendant in marriage. The latter's daughter
is married to the 2^d Defendant. The witnesses
are in fact as much interested in the result
of the suit as their sons-in-law. That they are
so is evident from the fact of their having
denied that Yashuballi resembles Mr. Nazar-
alli in features. Whereas Munshee Mohamed
Azim Sahib, the 4th witness for the defence
stated unhesitatingly that there was an
exact resemblance between them in shape.
Further the evidence of Amanullah and
Ambia are contradictory. Amanullah
says that Chanda was ten or twelve years
old when she was purchased by Mussam Be
Be; while Ambia states that she was
8 or 9 years old. Again Amanullah says
that about ten years after Sandana Mee
Nazaralli married the 1st and 2^d Defendants'
mother Fatma Be Be: that Mr. Yashuballi
was then 6 or 7 years old, and that his sister
Lal Be (1st Defendant) was older than
he by 2 years. Then Amanullah says that
Mr. Nazaralli married Fatma Be before

the partition took place. Contrary to this
Ambia states that two or three years after
the partition Mr. Nazaralli married
Fatma Be. This statement Ambia contradicts
and says "to my recollection is that the
Nazar Mee Nazaralli married Fatma Be
before the partition". Again Ambia who
admitted that Lal Be was older than Yashuballi
stated that the division took place 5 or 6
or 4 or 3 years after Yashuballi was born.
This is inconsistent with his own statement
and that of his brother Amanullah to the
effect that Yashuballi was 6 or 7 years old
when the marriage of Fatma Be was celebrated.
For both the witnesses agree in saying that
Fatma Be's marriage was the event which
preceded the partition although they don't
mention even approximately what the
period was which intervened between them.
It is certain however that Yashuballi who
according to their own admission was 6 or 7 years
old on the occasion of Fatma Be's marriage
could never have been younger at a subsequent
event namely, partition as stated by Ambia.

16. - I must now turn my attention to the oral and documentary evidence brought forward by Mr. Yathuballi.

17. - The evidence in support of Chand's marriage with Mr. Nazarpalli and of Yathuballi's legitimacy is that of numerous witnesses. The 2^d, 3^d, 4th, 5th, and 7th witnesses Mahomed Vaizullah Sahib, Mohomed Abdul Kayum Sahib, Mohomed Ruffizullah Sahib, Suggala Venkayya and Moulvi Mussanpalli Khan Sahib are men of respectable position and character. All of them are Mohomedans with the exception of Suggala Venkayya who is the brother of the late Neman. They are permanent residents of the town of Ellore except Mussanpalli Khan. Mohomed Vaizullah, Mohomed Abdul Kayum, and Mohomed Ruffizullah agree with Mr. Nazarpalli that Chand was his Nika wife. These witnesses and the 5th, 6th, and 7th witnesses state that Mr. Nazarpalli treated, recognized and acknowledged Chand as his Nika wife and her children as his legitimate children. Mohomed Vaizullah, Mohomed Abdul Kayum, and Mohomed Ruffizullah agree with Mr. Nazarpalli that Chand was his Nika wife and her children as his legitimate children.

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Abdul Kayum and Mohomed Ruffizullah are the Municipal Commissioners of this town. Mohomed Abdul Kayum is a Bench Magistrate. Mussanpalli Khan Sahib is the Head Clerk of the Ellore District Munsiff's Court. These witnesses presumably no motive to misrepresent the fact or to deceive the Court. The 6th and 8th witnesses are the sons respectively of the 7th and 8th defendants. The 6th witness had married the 1st and 2^d defendants' sister since deceased. The 10th witness Mr. Yathuballi is the Plaintiff and swears to the truth of his case. The evidence of witnesses for the prosecution is satisfactory confirmed by the Plaintiff exhibits A & B. 18. - Now A is a document of the very greatest importance, for it conclusively establishes the factum of the Nika marriage between Mr. Nazarpalli and Chand on the 23rd of Jamadinsan, Hijri 1254, corresponding with 13th September 1838 in the presence of two witnesses and a Vakil as prescribed by the Mohomedan Law. It appears from the endorsement which it bears to have been sent to Mr. Yathuballi on his application.

on the 26th October 1870 by Mr Nazar alli
in his capacity as Nazir as the true copy of the
Nika Certificate No. 43. The Contesting
Defendants admit that it is in the hands-
-writing of Mr Nazar alli and bears
his signature and Seal. They deny however
that the Nazir's Book bore entry of the
alleged Nika between Mr Nazar alli
and Chanda of which it purports to be
a copy and allege that that it is a spurious
copy got up in 1870 by Mr Nazar alli
merely to induce Yashubh allis father-in-law
who was a man of respectability in Hyderabad
to give his daughter in marriage to Yashubh
alli without any hesitation or respect
of his legitimacy of which he had entertained
doubt. In proof of this allegation the Defendants
chiefly rely upon the Nazir's Book (I)
as well as upon the exhibits II III and IV. -

19. - The peculiarity of the case seems to
depend upon that part of the evidence
which arises from the Nazir's Book; and
certainly if nothing more had appeared
to me except that that book had been produced,

that book appearing to have been regularly
kept and Chanda's Nika not being entered
there, it would have been such evidence as
would have had the greatest possible weight.
But when I look to the evidence by which
the Defendants attempted to show that the book
was kept it appears to me that all the
value of the testimony is removed. The evidence
consists of that of Mahomed Ayub Abdul Rahman
and of Syed Ambia Sahib. Mahomed Ayub
Abdul Rahman does not say a word as to
how the book was kept. All that he says
is that his father's Nika marriage with Chanda
is not entered in it. Ambia Sahib is the
only one who attempted to show how
the book was kept, and in what form
it was kept, but he signally failed
in his attempt. His evidence on the point
is full of prevancements and incongruities.
He stated the Nazir (Mr Nazar alli)
used to write Nikas on two books, that each
book contained entries of two years that
the concluding part is signed by Nazir
and that only one book was sent for exam-

The Arkar. Ambia also stated that his recollection is that there are two books written by Nazir and that the first book was supplied by Government. In opposition to these statements, Ambia says - The Govt. did not supply the Nazir with any blank book. The Collector or Judge got the books to the late Nazir from a former Nazir. The Collector did not affix his seals or signatures. These books were written by two "Naibs" i.e. Abdulla Sahib and Mohamed Ibrahim Sahib. The second book is in the hand writing of the Nazir. I don't recollect the second book was written by the "Naibs". Finally Ambia Sahib identified the book (F) as one of the two books kept by Dm Nazir Alli. The book does not bear out Ambia Sahib's assertion that its concluding part is signed by the Nazir. -

20. - The Plaintiff Yakubgalli who referred to the book states that the page which bore the entry of his mother's Mka (of which it is a copy) has been removed therefrom and that the book contains entries of Mka - but some

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performed in Jamadussani in almost all the years except in Rabi 1254 when his mother's Mka was performed. The whole value of the evidence bearing upon the book appears to me to depend upon this. Is there sufficient proof that there could be removal of the page which bore the entry of Chandas Mka as stated by Yakubgalli?

21. - There is no satisfactory evidence as to how the book was kept by the Nazir and as to how and when the Mkas were being entered therein. The book is so loosely bound as to admit of the pages being removed easily. This view receives a strong corroboration from the facts. - (A) The book is neither written by the Nazir in his own hand nor is it sealed and signed by him except when he gave on application a copy of the Mka to the parties concerned in the form of an endorsement to that effect as the case is with Ia in the book (B) The book which has been curiously page 2 at the top and bottom contains a wrong number viz 28 at the bottom of the twenty first page in which the disputed Mka

No. 13 is entire (C). The further lines of the Akas
No. 35 have been palpably interpolated in
the book (the first line at the extremity
of the twentieth page, and the second
line at the uppermost of the before mentioned
twenty first page) unlike the rest of the pages
whose edges are much wider (d). The Akas
of which the book purports to contain entries
have generally not been correctly numbered
with reference to the year in which they
took place (e). The numbers of the Akas
as entries in the before mentioned twenty
first page are grossly incorrect (f). While
the book contains entries of Akas in the month
of Jaminauriani of almost every year therein
mentioned there is admittedly no entry of any
Akas in that month of the Hijri of 1264
in which Chandas Akas is stated in A.
to have been celebrated and (g). The first
Defendant Mohamed Abdul Rahaman Sahib
who admits to have had the book in his
custody and produce the same in Court
has not explained the points above
enumerated.

22. The next documents which require
notice are II and III. Yakubzalli ¹⁹⁹² admits
that he wrote the letters II and III to his father
Mir Nazirzalli but denies that he wrote
in them the word "Jally" (Spurious) Mohamed
Vazirzalli says I prefered II and III. It seems
to me that the words "Jally" have been recently
written in them. Ruffizillah and Hissanullah
state that the words "Jally" in II and III differ
from the first of the writings.

23. Now it is important to see whether with
reference to the contents of the letter II there was
any necessity for Yakubzalli mentioning the
copy of the paper therein mentioned which
he wanted Mir Nazirzalli to transmit to him.
Not a "Jally" (Spurious) could appear from the
letter that (in consequence of the) circumstances, Yakubzalli
stated that the paper which was previously
sent to him by Mir Nazirzalli was lost together
with other property which was stolen and
requested him to furnish him with a copy for
his use for the reasons therein decided.
That the paper mentioned in II refers to A. is
admitted by the defendants. A must either be

Spurious document fabricated by Mir Nazar Ali
as alleged by the Defendants or a bonafide copy
of Mir Nazar Ali's letter with Chandra - as
stated by Yakub Ali. In either case it is
not necessary that Yakub Ali should have
introduced the word "fally" in the letter for both
of them as parties immediately connected
with it must necessarily have been cognizant
of its real nature without any special
mention being made of the same. Further
the word "fally" is evidently interlined in II
these observations apply also to the letter III
which Yakub Ali wrote Mir Nazar Ali
(after an interval of 2½ months from
and after II) asking him for the copy
of A. as it was not furnished to him.
In this letter also the word "fally" is interlined.
It seems to be a fair conclusion from the
circumstances in evidence that the word
"fally" has been illegally interpolated
in II and III with the intent of disproving A.
IV. - With regard to the arrangement IV
which is alleged to have ^{been} written in 1861
by Mir Nazar Ali in favor of his father.
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in law one Syed Amanullah Yakub Ali
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swears that it is not in his (Mir Nazar Ali's)
handwriting and that the 1st Defendant
Mohammed Syed Abdul Rahaman who has
in his charge the deed of this father affirms
it to the agreement. Yakub Ali also deposes
that the signature which the agreement bears
is his father's. Yakub Ali's statement on this
point is borne out by the sworn testimony
Mohammed Yuzuffah, Abdul Karim, Yuffah
(and Hussain, Ali Khan. Moreover Mir Nazar Ali's
disputed signature in the agreement does not
tally with his admitted signature in A. Rahman
Syed Abdul Rahaman and Syed Ambia are the
only witnesses who speak to the agreement IV,
but their evidence is discrepant and inconsistent.
Syed Abdul Rahaman states that Mir Nazar
Ali executed the agreement because Chandra
and the 3rd Defendant quarrelled. Ambia states
that Mir Nazar Ali executed the agreement
because a dispute arose between him and
the 3rd Defendant. The Head Asst. Collector
and respondent (N. K.) clearly disproves both
Rahaman's assertion that the late Head Asst.

Collector Mr. Pomer sent for his father's seal
and broke it directly after his father's death
no inference in favor of the Agreement IV can
therefore arise from [unclear] circumstance
of its bearing the admitted seal of Mr.
Nazaralli moreover the agreement makes
allusion of Yakuballi prominently while
his sister Lall Bai is the eldest of his alleged
illegitimate children nor can any weight
be attached to the evidence of the defence 4 and
10 witnesses who state that agreement IV is in
the handwriting of Nazaratalli and to the latter's
statement that it bears his father's attestation
nor are the exhibits VII, VII, to VLS and the
exhibits VIII which contain Mr. Nazaratalli's
undisputed signature of any avail to the defendants.
The 4 witness is involved in debt.

25. — The Nikah book VIII which is admitted by
Yakuballi to be in the handwriting of Mr.
Nazaratalli contains entries of Nikah from
April 1269, and throws no light upon the
point in dispute. —

26. — It appears from Lall Bai's Nikah
Certificate (V) that she was acknowledged

by Mr. Nazaratalli to be his daughter. —
27. — It appears from the letters B. C. D. E. F.
G. H. I. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z. A. B.
BB. CC. DD. and EE. addressed by Mr. Nazaratalli
to Mr. Yakuballi for a space of thirteen years
from 1869 to 1882 that Mr. Nazaratalli discharged
the debt of 300 Rs incurred on account of the
marriage of Yakuballi and forwarded annuity
notes to Yakuballi on two different occasions
for his expenses, that Mr. Nazaratalli had
high regard for, and took kindly interest in
the welfare of Yakuballi and of his wife
and children; and that Mr. Nazaratalli
communicated his desire to Yakuballi that
the latter should give his children the names
of his relations. ²⁸ Mr. Nazaratalli clearly states
in his letter H to one Mr. Muneer Mohamedalli who
was residing at Hyderabad that Yakuballi was
his son and expressed his earnest wish about
his advancement in life and requested the addressee
to take care of his son. —

29. — Mr. Nazaratalli stated in his letter BB to
his brother the 5th Defendant Aminullah that
he had forwarded B. Nikah Certificate A. O. H.

Yakub allis mother and that he was
happy to hear of the celebration of Yakub
- allis marriage. —

30. — Again Amamallah stated in M. M.
that his wife was Yakub allis Chachai
(paternal uncles wife).

31. — It appears from J. W. and K. K. that
Abdul Rahuman Sahib, and his uncle
Amamallah earnestly requested Yakub
alli to see that Abdul Rahuman is provided
with some appointment in Hyderabad.
Abdul Rahuman clearly states in J. that
Yakub alli was his eldest brother. He
also calls Yakub allis wife to be his (Rahuman)
elder brother's wife and desires him to convey
his thanks to her. It appears from K. K.
that Amamallah had made mention in it
of Yakub allis father though his name
was not mentioned therein. —

32. — By E. C. Ambai Sahib requested Yakub
alli to come out to Ellor to pay a visit
to himself and others. It appears from J. & W. that
Ambai meant Mir Nazat ali who was
his elder brother to be the father of Yakub alli
although

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although his name is not mentioned therein
33. — He & L. S. are letters sent by Yakub alli
by third parties residing at Ellor. It appears
from those letters that the addressors meant
that Mir Nazat ali was Yakub allis father
who is referred to in H. H. as Nazir. The defence
is witness Munshi Mohomed Azam Sahib
is one of the addressors of L. S. which is admitted
by him. —

34. Yakub alli is also mentioned in J. as the
son of Mir Nazat allis Nika wife. —

35. — In the seventeenth para of the written
statement presented by the present defendant
Amamallah as defendant in C. S. No. 130 of 1884
which was instituted in the Court of the District
Magistrate of Ellor by Yakub alli against
the present defendants for the recovery
of the property real and personal now in
dispute and which was not presented
there by reason of Plaintiff having been returned
to him for want of jurisdiction, the Amamallah
Sahib admitted that his brother Mir Nazat
alli sent a document to the people of the
tribe named, to effect a marriage

between her and Yakub ali by meeting the
objection of illegitimacy imputed to Yakub ali.
Amanullah did not admit in his written
statement in the present that the fact of
Mir Nazir ali having sent the paper
to the people of Yakub ali's wife last stated
that the story of Mir Nazir ali having sent
a document in connection with Yakub ali's
marriage is false. This shows that Amanullah
is prepared to deny what he once admitted
in a verified statement in favor of Mir Yakub
ali. —

36. — Again Amanullah's statement
as to K.K. is grossly evading. He at first stated
that he might have written the first page of K.K.
He afterwards stated that he does not recollect
whether or not he wrote it. He denies having
received the postal letter (B.B.) from his brother
Mir Nazir ali. B.B. is proved by Syed Abdul-
Rahman to be in the handwriting of Nazir ali
Syed Abdul Rahman and Ambar both
prove that K.K. is in the handwriting of
Amanullah. —

37. — It appears from D. 2 that the Mir Yakub ali

was brought here in Oct. 12th of 1883 on the file
of the Ellore District Munsiff as one of the
legal representatives of Mir Nazir ali who
was made 1st Defendant and it is he who
the suit was pending. Yakub ali is distinctly
mentioned in D. 2 as Mir Nazir ali's son
by his first wife. The present 1st, 2nd, 3rd, 4th, 9th and 10th
Defendants were also Defendants in that case.
38. — There is little doubt that these documents
show that Mir Yakub ali was acknowledged
and treated by his father Mir Nazir ali as
by all the members of the family as a legitimate
son. It is not that he was on any particular
occasions recognized by his father, but that he
always appears to have been treated on the
same footing as the other legitimate sons. —
This treatment alone is legally sufficient to
to establish Yakub ali's claim to inherit
the property in dispute — Mac. Prince & Priest, 11
262, 299, 500, 301, and see the cases of Mahomed
Bair Khan & Musiani Khan Bahadur V. Shurformi,
Regnum 8. Nov 2 etc 136 and Khagorom v. Mian
V. Roohum Jahan I.C.R. II Col. 152. —

39. — It certainly seems a most improbable

Circumstance that Mr. Nazari who according to the evidence of the witnesses on both sides was a gentleman of position at Ellor would have cohabited with Chanda without performing the Nikah marriage particularly where such a line of conduct on his part would have as stated by the Plaintiff's witnesses disqualified him for the post of Kazi which he was reputedly holding for a number of years and ventured to fabricate a misview to securing a match to Yankuballi as alleged by Syd. Abdul Rahaman and his witnesses namely Amamullah Sahib and Amalia Sahib whose evidence is opposed to their own conduct and written admissions. It is clear from the evidence of Mahomed Vazirullah Sahib (1st witness for the prosecution) that Mr. Nazari sent Yankuballi a bonafide copy of his Nikah with Chanda to relieve the people of the bride from all doubts as to her legitimacy which was more presented to them.

10. It is not likely even according to the evidence of Mahomed Sydalul Rahaman that Yankuballi would be called Mrs Yankuballi as the

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the case is now, if he ever can illegitimate is son of his father as the ^{word} "son" denotes a member of a respectable family. — 24

11. — Upon the whole, then, dealing with it as a bonafide copy of the Nikah No. 43 — between Mr. Nazari and Chanda and as conclusive evidence of her marriage and the legitimacy of Mrs Yankuballi and weighing the evidence and probabilities in favor of Mrs Yankuballi's case against the evidence and the probabilities in favor of the defendants, have come to the conclusion that the former so preponderates over the latter that I ought to find the issues 1st 4th for Mrs Yankuballi. — 5th and 6th issues

12. — It appears from the Counter Schedules 1, 2, and 3 presented by Syd. Abdul Rahaman along with his written statement that there is no dispute between him and Yankuballi as to the extent of the immovable property specified in Schedules A, B and C excepting the Palampate situated at Ellor which is mentioned in B. as item No. 13 which according to the Schedule A is measured

57 cents only, nor is there any dispute as to the extent of Yakub Ali's share. And Abdul Rahaman affirms in the sixth para of his written statement that the Sadawaty Chenu which consists of 12 acres in Kothur and moterpha or tax claimed on the palmyra and date trees situated in the village and on the Pumbolu lands (unsuitable for cultivation) as well as on the lands of Chenu and the moneys paid by Golla and Korma people every year, and Dewankhana at Ellore, appertain to the Office of Kaze and that in as much as he, Abdul Rahaman holds the Office of Kaze he is entitled to hold them exclusively. This is denied not only by Yakub Ali but all by the Defendant who is the witness brother of Abdul Rahaman as well as by the 3^d Defendant who is their step-mother and her daughter the 4th Defendant. The money paid by Golla and Korma people and the moterpha tax due upon the Palmyra and date trees are claimed by Yakub Ali as items Nos 9, 8 and 10 mentioned in the Schedule E. —

43. — Aged, about Rahaman upon whom the burden of proof lay, entirely failed to refute himself of the same. The evidence of his witnesses 1 to 8 on the points is unworthy of belief. The 1st witness is the Fajri Mohomed referred to above. In his examination in chief Fajri Mohomed stated that the lake Kaze and his brothers divided them properly, that the Dewankhana, books and Sadawaty Chenu were not divided that they were always in the exclusive possession of the lake Kaze Mir Nazarpalli and that his father too had possession thereof, that the villagers of Kothur used to give Kaze half a rupee for each prothy of paddy as "Bajukarcha" that is to say, and that it is usual for the shepherds and means to the Kaze a sheep and milk on the occasions of Purnima and Bakrid. In cross-examination Fajri Mohomed says & deposes "I recollect the year in which division took place between the Kaze (Mir Nazarpalli) and his brothers. Myself and Suggirala Subbarayudham acted as mediators who

"Munthal Ka was executed thus by the Kaze
"and his brothers. No partition deed was
"drawn. A list of lands was then written
"and signed by the Kaze and his brothers.
"We also signed the list the 2 witnesses Panna-
"Kistharyya states that Dewankhana
"was usually in the possession of those who
"hold the office of Kaze, and Sadawath Churn
"is in the possession of the Kaze who used
"to distribute the produce thereof to Fakirs
"and Brahmans. The witness also deposes
"to the payment to the Kaze of eight annas
"per foot of water Bapi Karchai and to the
"supplying him with milk and sheep
"on account of Pannzan and Buthred. The 3
"witness Amanullah says no partition deed
"was written. Lists were written and signed
"with specifications of their shares. At the
"partition the Kaze and we got land in Kothan.
"The (Kaze) kept the Dewankhana. -
"The books were not divided. The 2 witnesses
"stated that the late Kaze used to tell him
"that he had been applying the income
"of Sadawath Churn towards charity. They

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6 witnesses say -
"The Dewankhana Sadawath Churn and
"Motupha on Prankhe land, and the Pannzan
"derivable from the Gallavalli and others belong
"to the Kaze. The income is applied towards
"charitable expenses. The books were not
"divided between the late Kaze and his brother.
"The witness states that the Dewankhana
"belongs to the late Kaze (that he (witness)
"was present when partition took place
"some 40 years ago and nothing was set a
"part as the Kaze's exclusive property.
"This is at variance with the evidence of
"Bapi Mohomed as well as of the 2, 3, 4, and 6
"witness the effect of which is that Sadawath
"Churn, and Dewankhana were set apart
"for the exclusive enjoyment of those who
"hold the office of Kaze. Again it is
"explained by Kye Salub Raham an
"why he did not produce the list which it
"appears from what Bapi Mohomed and Amanullah
"states were written and signed when the
"partition took place. The list will, if produced
"be undoubtedly a conclusive evidence in

proof of Eyed Abdul Rahmans assertion.

The testimony of Eyed Ambia 6th Defendant who was examined as the 5th witness is inconsistent with that of the rest of the witnesses, for he says: The Dewankhana and both men kept with the Nazir and were not divided. The Nazir has nothing more connected with the Nazirship. The Sadawanti Cheno was brought by my paternal grand father. No. The land was set apart in my grand-father's time for charitable purposes. Its income is being applied towards charitable expenses." Ambia also stated that Sadawanti Cheno is kept for common charity that beatta of the Sircan peons is defrayed from the common funds, that he (witness) cannot appropriate the income thereof towards his private expenses that is the land was allotted for charity that the 1st Defendant, and his brother can apply the income towards charity and their private expenses. —

44. — On the Plaintiff's side his 5th and 6th witnesses state that the 1st Defendant applies

the income of the Sadawanti Cheno for his private expenses. —

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45. It is clear from the decision of the Appeal Court No 157 of 1826 on the file of the late Manipalpatan Zillah Court that the village of Kooton was bestowed by the ruling authority on the grantee without any reference to the Office of Nazir. The Plaintiff in that case is admitted to be the brother of the late Naziralli's grand father. His decision is certainly binding upon Eyed Abdul Rahman and clearly refutes his absolute right to the Sadawanti Cheno or to the Moterpha and fees paid by Colla people and others. —

46. — It appears from the Sabitdar (V) that Mr Naziralli purchased from his mother in 1847 a site situated to the north of Dewankhana and that the said site and Dewankhana are his self-acquired property and in the absence of any evidence that it was reserved for the exclusive possession and enjoyment of the members who hold the office of Nazir it is divisible among all the members including Naziralli. —

47. - The 5th and 6th Defendants (Ammullah
(and Anbia) have by the evidence of the
Defence 1st, 6th and 7th witnesses made out their
Case that the house and site mentioned
as item No 14 in the Schedule B. belongs
to them absolutely having got them at the
partition between them and their brother
Mr Nazayalli some thirty years ago.
Their evidence is supported by that 1st, 4th, 6th and
8th witnesses for the prosecution. It is also
the avowment of Yakub ali that the
division took place between his father and
other members. -

48. It also appears from the evidence of the
6th and 7th witnesses for the defence that the
Ashoor Khana which consists of three godowns
was allotted by Mussam Bee Bee for the purpose
of conducting the Moharram festival and that
the 6th Defendant, Anbia, continues to manage
the affairs of the Charity. This is admitted
by the Plaintiff's 3rd witness who states that
no Municipal Tax is levied from the godowns
as charitable endowments. This is manifest
therefore that the Ashoor Khana cannot
properly

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properly lie, thence and Yakub ali allow
a share. The 6th Defendant, will ¹⁸⁹⁷ ¹⁸⁹⁷ ¹⁸⁹⁷
continue to keep proper Accounts of the
receipts and disbursements connected
with the Charity and conduct the same
as heretofore subject to the approval of
other members including Yakub ali. -

49. - Out of the item No 13 I perceived incorrectly
as 14th in the Schedule B. The 8th Defendant claims
a tiled house, two rooms in the Verandah
and a kitchen situated on the Western portion
and which are in her occupancy as having
been bequeathed upon her by her mother
Nasim Bee Bee. This is denied by Yakub ali.
His 4th, 8th and 9th witnesses speak to the gift
but their evidence is not entitled to much
weight. The 4th witness has no personal knowledge
of the gift. The 8th witness is the son of the
8th Defendant. The 9th witness lives at Vattor
which lies at the distance of four miles
from Ellore. Syed Abdul Rahaman says
that himself and his family live there jointly
with the 8th Defendant and that he merely
continues to receive rent of the rooms with

The consent of her brothers. Annamella and Ambia who are the surviving brothers of the 8th Defendant were not questioned on the subject by her Vakils although they were in the witness box and although she (Annamella) denied her right to any portion of the house and site in the 5th para of her written statement. If there was any truth in the plea of gift set up by the 8th Defendant her brothers must have been aware of the same.

50. - Yakkuballi claims his one 8th share of the stock-right in the moveable property worth Rs 462-8- mentioned in his Schedule D. Syed, Abdul Rahaman by his counter schedule A. 4, admits possession of twenty nine articles only. The only witness who speaks to the personal property on behalf of Yakkuballi is his 8th witness. His evidence does not prove Yakkuballi's allegation either as to the quantity or value of the moveable property specified in D. Syed, Abdul Rahaman has not mentioned in his Schedule A. 4 the price of the moveable property. He also stated in the witness box that he cannot specify the value even approximately.

The evidence of Syed Mohamed, and of Annamella shows the value of the moveable property left by Mui Nazakatalli to be 200 Rs. 295 25
51. - Yakkuballi cannot therefore get more than what is admitted in the Schedule A. 4 or more than his share the 200 Rs. which appears from the testimony of the depositions witnesses to be the price thereof nor can he prove the profits of the lands mentioned in the Schedules A. & B. and of the betel garden mentioned in the Schedule B. at a higher rate than what is admitted by Syed Abdul Rahaman in his Schedule A. 5. Yakkuballi and Syed Abdul Rahaman agree as to the amount claimed in respect of the item No 8 mentioned in Schedule E. No 10 stands No 11 in E. Syed, Abdul Rahaman admits Yakkuballi's share out of the salary of Mui Nazakatalli as Nazir for March 1883 and contends that Yakkuballi is entitled to his share out of the 577-8- which was drawn by him Syed Abdul Rahaman in his official capacity as Nazir in the form of his father for eleven months from April 1883 to February 1884.

Syed Abdul Rahaman's contention is, I am sure
right, for it is obvious that since Syed
Abdul Rahaman was, as entitledly appointed
by the Government as Nazir is entitled to
draw the salary attached to the appointment
As to items No 9 and 10 specified in the schedule
E. The Counter schedule No 5 is silent but
as Syed Abdul Rahaman took no exception
in his written statement as to the amount
claimed by Yakuballi in respect of those
items he (Yakuballi) is entitled to recover
his share of the amount. —

52. — With regard to the books Yakuballi
is entitled to get his share excepting those
which are now bound in Law books connected
with the Office of Nazir. —

53. — Syed Abdul Rahaman affirms and
Yakuballi denies that a sum of Rs 524 —
was incurred on account of the funeral
expences of their late father. It appears
from the oral evidence adduced by Syed
Abdul Rahaman that Rs 300 is the
amount actually expensed on that account. —

54. — As to the debt of 1150 Rs which

Syed Abdul Rahaman alleges is due to
Mantripragada people by Mr Nagaralli;
Yakuballi denies the debt. It is however
opened to Syed Abdul Rahaman to establish
by a separate suit the truth of the
debt as against Yakuballi subject to these
observations. I find the fifth issue for
Yakuballi and the 6th issue against Syed
Abdul Rahaman. —

55. — For this reason I disallow the Plaintiff's
claim to the house and site in the possession
of the 5th and 6th Defendants and the 1st Defendant's
Salary. The residue is decreed to the Plaintiff
with subsequent mesne profits subject
to the modifications above pointed out,
with proportionate costs. The Plaintiff
will pay the Defendants the cost on the
amount disallowed. —

١١

(Sd) Venkata Rangarajar
Sd Subordinate Judge

[G]
9
5,000-147-93.

Current No.

DEPARTMENT.

From

Mir

1439-1-6-86 m
1336-7-7-81 his
1909-14-9-81
Zakaria Ali

No.

Dated 6th August 1893

Received 17th — Do —

Enclosures 2.

SUBJECT.

Requesting to confer on him
the post of Nazee of Ellore
in the Godanari District.

R24/8
L225/8.

Received pending receipt of
H. A. No. 10000 on petition presented
to the S. D. Magistrate by the same petitioner
which has been forwarded to the S. D. A. in
with this office memorandum no. 185
18.5.93.

Gp 1439: 1-6-86 mis
929: 10-4-86
2393: 7-9-93
1909: 14-9-81
1336: 7-7-81
2055: 24-5-80
923: 23-7-60 sc
1475: 3-11-59
1112: 10-10-48
347: 6-7-48 mis.

Endorsement

Referred to the S. D. Magistrate
of Godanari for remarks after
consultation with the leading Muhammad
of Ellore. (By order)

24/8/93

Allutterworth.

Under Secretary

ootacamund. }
31st Aug 1893 }

To the S. D. Magistrate, Godanari
25/8.

109.

119

Current No. 131
mag

GODAVARI DISTRICT, 3
MAGISTRATE'S OFFICE,
Cocanada, 14 December 1893
Recd: 2^d do 32

FROM

S. H. Pym, Esquire,
District Magistrate,
Godavari.

TO

The Chief Secretary to
Government.
Judicial Department.
Madras.

SIR,

I have the honour to report as directed
in endorsement 1528
31.8.93. on Current No. 3477
Judicial
Return with
enclosures.

2. The petitioner has established his legitimacy
as son of the predecessor of the late Karji as
far as the law Courts can establish it. This would
make him lawful brother of the late Karji and
presumably also older brother, for though this
point is not actually adjudicated upon in
the Sub-Court Judgment, there seems no doubt
that the petitioner was several years old when
the marriage of the late Karji's sister took place,
and the connection between petitioner's mother
and the late Karji's father seems to have been
formed while the father was still living in his
mother's house.

3. The leading Mussalman of Ellore however
were unanimous at a meeting called in denouncing

the legitimacy and requested that the minor son Mir Muhammad Sajjad of the late Kazi should be appointed. He is 6 years old and the request of the kinsmen and of his mother is that Mir Muhammad Sajjad Ali should be deputy. He has been it seems doing the duties since the death of the late Kazi, and was a younger brother of his.

4. It is remarkable that no mention was made of the petitioner when the late Kazi was selected. The petitioner explains that he was absent at the service of the Kazi but this does not seem a sufficient explanation either of his failing to put in a claim or of the absence of any reference to his existence in the inquiry.

5. There is an allowance hitherto attached to the post - vide G.O. 2373 h's para 2 as to which I request that ^{19.83} orders may be passed when a Kazi is selected. The Kazi has jurisdiction in the taluks of this district west of the Godavari river.

I have the honour to be

Yours most obedt servant

Sd/ S. H. W. P. M. 2

21.10.83

W. H. P. M.

420 for 8th Nov

Revenue {1894} Department.

From

The Collector,
Godavari District.

Ref. No. 181
magt of 73

Encl. - one

Dated 8/6

Despatched 9/6

Received 12/6

12 February 1894

CHIEF SECRETARY
12 FEB. 1894

SUBJECT

reporting the circumstances
under which the allowance
attached to the office of the Kharaj
of the same came to be sanctioned

12/6
20/2

For et Comp. }
26 Feb 94 }

To
The Collr of Krishna.

22/2



in O/S says that he used to do
this work when he was in
Masulipatam

[Encl.]

5311/93 +

no 3479, 5311/93 + 755 of 94.

Encl. - one

4/6

Referred to the Collector of Krishna

with the request that he will make early
enquiries + report fully under what cir-
-cumstances the allowance in question came
to be attached to the office of Kharaj of
the same.

12/6
24/2

(By order)

Under Secretary

Under Secretary

10/4

10/4

From

H. A. Haffell Esquire
District Magistrate
Godavari

To

The Chief Secretary to
Government Judicial
Madras

Sir,

In reply to the Government official
Memo no 1407 of 24th ultimo, I have the
honor to report that the grant of Rs 32/8
in question is the salary attached to the
office of Cazeer of the same and was sanctioned
in para 6 (item no 9) of the Extract from
the Minutes of Consultation of the 10th Oct
1893 no 112. Its history and origin will
probably be found in the Board's Report
of the 6th July 1893 no 349 read in the
above Minutes of Consultation but

There is no record of them in this office
as Ellore was formerly part of the
late Masulipatam District the records
of which are now in the office of the
Collector of Krishna District

I have &c
H. W. H. Appell
Sd Magr.

W. H.

Amto for Sd Magr.

Dec 872

Krishna District Magistrate
Office, Masulipatam

From,

30th March 1894.

J. A. Atkinson Esquire, 378

District Magistrate, Krishna

To The Chief Secretary to Government,
Judicial Department,
Madras.

Sir,

In returning Government Endorsement
No. $\frac{380}{26-274}$ on letter No. $\frac{181}{Magr.}$ dated 9th February
1894 from the District Magistrate Godavari, I
have the honor to state that the order of Govern-
ment, dated 25th April 1828 which seems to
have authorized the grant of the allowance refer-
to is not forthcoming in this office records. It
is therefore impossible to say under what circum-
stances the monthly allowance of Rs 52-8-0 was
attached to the office of the Ellore Causar.

2. Such information as can be traced in this
office in connection with the said allowance is
noted below. B. P. No. $\frac{349}{6-7-48}$ quoted by Messrs
Happell & Wynne was the one read in extract
from minutes of Consultation No. $\frac{1112}{10-10-48}$. Para 1

of the letter you thus. Under the explanation
offered in respect of this item in the Board's
Proceedings & in the Correspondence therein noted
sanction is granted for the charge & for the
payment to Meer Nazam Ali of the salary of
Rs 52-8-0 per mensem attached to the office
of the Causse of Cellore." This was in reply to a
reference made by the Collector of Kistna to the
Secretary to the Board of Revenue in No. 44 request-
20-5-48
ing sanction of Government to a charge among
others, of Rs 577-8-0 objected to by the Civil Auditor
in the case of the Causse of Cellore, and in the
statement submitted by the Collector therewith
against the name of the then Causse, Meer Nazam
Ali, the column headed "date of authority"
was filled up as "From the Board of Revenue
dated 18th January, 1836." This B. D. was as
follows: "The Board authorize the payment
of the salary attached to the office of the Causse
of Cellore amounting to Rs 15 pagodas per mensem
to Meer Nazam Ali from 17th December 1835
as requested in the Communication of the Zillah
Magistrate of Masulipatam, copy of which accompanied

the foregoing letter." The Communication of the
Zillah Magistrate of Masulipatam referred to in this
B. D. was of 17th December 1835 & ran as follows:
"Accordingly to the orders of Government under
date 25th April 1828, I have the honor to
inform you that on the 12th October 1835, the
Provincial Court of Appeal for the Northern
Division sanctioned the appointment of
Meer Nazam Ali to the situation of Causse
for the town of Cellore, under orders of
Sudder Adawlat dated 7th October 1835, &
request you will issue him the allowances
attached to that office from this date."

I have the honor to be

Sir
Your most obedient servant,

District Magistrate

1874

Judicial Department

From

The District Magistrate

Kistna.

To

The Chief Secretary

to Government, Judicial Dept

Madras.

Dated 30-3-94.

Recd DEPARTED
4 APR 94

Dis. No. 256 of 94.

Enclosures 6

Informing that it is impossible to say under what circumstances the monthly allowance of 52-8-0 was attached to the office of the Collector of the Government order that authorized the grant is not forthcoming in the office records.

(For order)

10/30/4

For order

(with file)

General Record papers

Ref memo 5311/93

21-3-94

papers marked with

Sp. 1439: 1.6.86 via Tnd.

929: 10.4.86

2393: 7.9.83

1909: 14.9.81

1336: 7.7.81

1553: 1.12.60

923/4: 23.7.60 +
Recd 800 of 1826 etc.

Judicial DEPARTMENT.

C. No. 3479, 5311 of 93 and
755 of 1824 of 94.

Dated

189

FOR ORDERS.

The foregoing papers relate to the office of Kazi of Ellore and were delayed as reference has to be made to the District Magistrate of Godavari & Kistna as to the nature & origin of the allowance attached thereto. But none of them has furnished a complete report on the case.

The history of the case as can be gathered from the records available is as follows:-

In its Proc. of 6th July 1878 n. 349, the Board of Rev. while submitting for the orders of Govt. with its remarks opinion a detailed statement of certain items retrenched by the Civil Auditor in his accounts for fasle 1252 received from the Collector of Masulipatam, said regarding item no 93 - Rs 577-8-0 - "the appointment by the Sadr Adalat of Meer Nasir Ally as Kazi of Ellore having been reported by the Collector to the Board & their authority requested for the payment of the allowance attached to the office, it was accordingly granted. The payment retrenched & the continuance of the allowance ~~was recommended~~ is recommended by the Board for the sanction of Govt."

The Govt. thereupon in Exec. of 15 Oct. 1878 n. 1112 sanctioned, under the explanation offered by the Board, the charge & the payment to Meer Nasir Ally of the salary attached to the office of Kazi of Ellore.

Handwritten notes in the center of the page, possibly a signature or initials.

Prior to 1880 when the present Kasi Act XII of 80 came into force, Kasis were appointed according to the ancient rules. In these times, the "modern districts" were called "Zillahs" & "Circars". The great grandfather of Meer Nasir Ally, was originally appointed by the Moghul emperors to be Kasi of the Ellore Circar. All the portion to the west of the river Godavari which formed the limit of that Circar was under his control, and ever since continued to be so under the control of the successive Kasis. ~~The names of these Kasis were not in these days -~~ ~~substantiated by any authority, nor were they required to obtain the names from any Govt. giving them control over the local areas subject to their jurisdiction.~~

In July 1880, some of the Muhammadan presidents of Rajahmundry applied to Govt. for the office of Kasi. These applications were referred to the D. Magistrate of Godavari in G.O. 21.8.80 no 2055, T. 11. & he was also asked to ascertain with reference to sec. 2 of Act XII of 1880, whether any considerable number of the Muhammadan community in Rajahmundry desired the appointment of Kasi & if so to report the names of one or more persons who may be deemed fit to be appointed as such. The D.M. in his reply thereto reported that the ancient practice of dividing the Godavari district into two Circars, (1) Taluks west of the Godavari (Ellore Circar) & (2) Taluks east of the Godavari (Rajahmundry Circar) might be maintained & that Meer Nasir Ally be continued as the Kasi of the Ellore Circar. This was approved by Govt. and Moulvi Muhammad Meer Nasir Ally Sahib was ^{formally} appointed under sec. 2 of Act XII of 1880 to be Kasi of the Taluks to the west of the Godavari - viz T. 11. 27 July 1881.

no 1336 mis.

On the death of Meer Nasir Ally in April 1883, Mr. Somer, the then Dy. Magistrate of Godavari recommended, after convening a public meeting of the Mussulmans of Ellore & taking their unanimous consent, that his son Moulvi Muhammad Saïyid Abdur-rahman Shah Sahib Qasir be appointed Kasi in succession to his father & that the usual allowance of Rs 52-8-0 p. (which was drawn by members of that family who were Kasis before him for several generations), may be continued. The then D. Magistrate having fully concurred in these recommendations, Govt. in its Pro. of 7 Sept. 1883 no 2393 mis. T. 11, appointed Moulvi Muhammad Saïyid Abdur-rahman Shah Sahib Qasir, accordingly, as Kasi of the Taluks to the west of the Godavari & the payment of the salary of Rs 52-8-0 was also continued.

In a petition of 15th Sept. 1885, contained under cover of G.O. of 10.4.86 no 929 T. 11, Meer Yakub Ali, the eldest son of the late Kasi - Moulvi M. Meer Nasir Ally - claimed the Kasiship as his, asserting that he was the eldest son & the proper heir to his father Nasir Ally & that his younger brother Saïyid Abdur-rahman by a second wife wrongly usurped his rights while he was employed.

at the time at Hyderabad under the Nizam's
Govt. On referring this petition to the DM
for his remarks, Mr Thompson reported that
the question at issue - whether the pet^r Yakub
Ali was a legitimate son of the late
Munshi Mr. Nasar Ali - was under enquiry
in the Ellore Sub-Court in O^r n^o 25 of 85
relating to the shares in the estate of the late Kazi
+ that the pet^r may be told to come up
again, if he chose, when that suit was
settled. Accordingly the Govt. in G^o of 10th ap.
86 n^o 929 mis, informed Mr Yakub Ali
that the Govt. "are not prepared to consider
his apply for the Kaziship of Ellore till the
result of O^r n^o 25 of 85 which is pending
before the Sub-Court of Ellore is known".

On 6th Aug. 93, he again came up to
Govt., forwarding a copy of the Judgment of
5th May 1886, in which Yakub Ali's ~~claim~~
~~legitimacy~~ was declared to be
~~to, amongst others, the 1st defendant's salary~~
~~established.~~
~~Accordingly the salary attached to the Kaziship~~
~~was discontinued.~~ He explains the delay
in appealing to Govt. as due to "domestic-
obstacles" + requests that he may be app^t
Kazi, which place is now vacant owing to
the death of Sayyid Abdul-Rahman Shah
Sahib Gariv.

In n^o 5311/93, the DM in reply to a
reference made to him on the above petⁿ
states that the pet^r (Yakub Ali) has

*. vide n^o 3479/93 the first of the
current read above.

29th 110
established his legitimacy as son of Nasir
Ali. The lawful + elder brother of
^{So far as the law courts can establish it}
Abul Rahman Shah, but that the leading
Muhammadans of Ellore unanimously
enjoy the legitimacy + request to have Abul
Rahman's minor son Mir M^r Buzlai
as their Kazi. Further, as the eldest minor is only
6 years old, they propose to appoint Meer M^r
Sayyad Ali, a younger brother of the deceased
Kazi (Abul Rahman Shah) as deputy, to
do the duties of the Kazi.

Orders have also been passed with regard
to the continuance or otherwise of the allowance
attached to the office. Though a full report
of the origin^{history} of this grant is not traceable,
it is clear from the statement of allowance
granted by Kazi forwarded to the Govt. of India
with G^o of 1st Decr 1860 n^o 1538, that the office
of the Kazi of Ellore, having been created during
the time of Alamgir, Emperor of Delhi, carried
with it an allowance of 15 $\frac{1}{4}$ Pagodas, which
was subsequently reduced by Govt. to 15.

~~These expectations were raised~~
~~in the minds of the Kazi and his family~~
~~as a result of the grant of the office~~
~~by the Emperor of Delhi~~
~~God's service to the God's service~~
~~and by the Emperor of Delhi~~
The allowance was
granted by a Native &

confirmed by the British
Govt. The terms of the
grant & confirmation
are not ascertainable
from the records apparently
but, on the face of it,
there is nothing to justify
Govt. in withholding the
allowance. It must therefore
it is Subm^d, be continued.
As to the person to be
appointed Qazi - the
claim of Yaqub Ali must
apparently be disallowed
as he is not acceptable
to the leading Muhammadans,
& there is no hereditary right
to the office of Qazi.

Mir Muhammad Sajjad
Ali may therefore be
appointed to be Qazi
during the minority of
Mir Muhammad Buxsar?

11 May.

Approved

BS

11/5/94

300-28-5-94.

From

Judicial DEPARTMENT.

C No 6070, 6273, 6520 of 94 +
537 + 546/95.

Dated

189

FOR ORDERS.

Attention is invited to the history of
the Ellore Gariship contained in G.O. 19th May 1894,
No. 1207, Tudd, Mis. In that G.O. the Govt. appears
in accordance with the wishes of the leading Muham-
madans, Mir Muhammad Sajjad Ali to be
Qazi during the minority of Mir Muhammad
Buxsar in the taluk to the west of the Godavari,
& directed that the salary of Rs 52-0-0 per
annum attached to the office should continue to be paid to
"the Qazi" i.e. Mir M. Sajjad Ali.

Subsequently, in October 1894, some of the
leading members & others of the Muhammadan
community, Ellore, represented to Govt. that they
had learnt that some of the leaders of an
opposite faction had requested Govt. to pay
only a part of the salary to Qazi Mir M.
Sajjad Ali & to reserve the remainder in Govt.
in favor of the minor & his sister till the minor
reaches his majority. etc.; and advised that
as such allegations were false, no such
change might be ordered. Thereupon, the
Govt. told the petrs. that their requests
would be duly considered if & when the
memorial referred to is received - vide G.O.
of 29 Oct. 94, No. 2570, Tudd, Mis.

G.O. 6070, 6273 of 94. & G.O. 546 of 95 are
petitions, the first two from the members of the Muham-
madian community of Ellore & the third from the paternal
grandfather of the minor Qazi, protesting against
the continuance in office of the acting Qazi -
Mir Sajjad Ali - & requesting that in the
interests

On referring this & the two counter petitions -
 Ca. 2 6070 & 6273/94 to the D.M. of Gavarani
 for investigation & report that officer has
 reported, in Ca. 537/95, that there are two
 factions among the leading members of the
 M.D. community at Ellore, one in favor of
 and the other against the present Gazi-Sajjid
 Ali, that the petrs against him are the
 result of ill feeling towards him, & that the main
 objection to Sajjid Ali's holding the appointment
 is that he will not spend a major portion
 of the salary attached to the office on the educa-
 tion & maintenance of the minor & his elder
 sister, as he previously promised to do but will
 appropriate the whole income himself.

No. 62546 of 95 excepted which
was recently received; it seems unnecessary
to refer this for report; the subject
matter being similar.

The C.S. has instructed this
point - ~~Send the C.S. to~~
~~that it is not possible to~~
~~the other side of the~~
~~down, say~~ The man
should get the pay for the
period for which he has done
the work. Ask the D.M.
for the dates

2. Vite au 6665 +
6659/94.

Another point calling for orders is as to whether the Sect. Genl ^{may} be told to authorize the Godavari Treasury Dy. Collector to pay the salary, with arrears, to Sajjad Ali, if it is decided up that he should get the whole salary, refta from what date. This is a question which must go to the Dist. Magistrate for report; we do not know up to what date the allowance has ~~been~~ been paid, nor to whom it was last paid.

The main contention is similar to that which so often arises in the case of village officers; a Karam dies leaving a minor son, whose guardian recommends as jamasta some one who privately promises to pay Rs. 3 or 4 a month for the maintenance of the minor; the nomination is accepted, & the jamasta refuses to pay the contribution, where-

7/12/13/1/95

the guardian complains that the panchayat is neglecting his work, & nominates some one else. The nomination is always "nearly always repeated with the remark that he is doing the work as related to all the emoluments, & the minor gets nothing. The analogy holds with respect to this case since it is impossible to ascertain the terms of the original grant; & there is nothing to show that it was of a personal nature confined to A.B. & his heirs.

D
19.2.95

The Col. has sent up a number of unnecessary enclosures & should be told so.

D I submit that the 18.2 petitions against Saffad Ali should be refused and that he should be allowed to draw the pay of the off. on condition that he takes care of the minor and takes care of his duties to the manner of the minor's duties.

DD

I agree. The 21/2/95 Dist. Officer might be left to satisfy himself from time to time that the minor is being educated & his rights are being cared for.
22/2/95

Judicial DEPARTMENT.

Papers to be read in Proceedings:—

Again G.O., dated 18 / No.
Again G.O., dated 18 , No.
Current No. 3479 of 1893, dated 6th Aug. from Mir Yakub Ali.
" 5311 " " 1st Dec. " the D.M. Gopavari.
" 755 of 1894 " 8th Feb. " " " " "
Current No. 1824 of 1894, dated 30th Mar. from " " Krishna

390

Order 19th May 1894. N. 1207
Misc

After a careful consideration of

the papers read above relating to the office

of Garsi & the Govt. declines to is not prepared to appoint ~~the claim of Mir Yakub Ali to~~ in opposition to the wishes of the leading ~~the Garsi~~ and the following notice

appointing Mir Muhammad Sajjad Ali to be Garsi during the minority of Mir Muhammad Bursai will be published in the Fort St. George Gazette.
Notice:

UNDER the provisions of Section 2, Act XII of 1880, "An Act for the appointment of persons to the office of Kazi," the Right Honorable the Governor in Council is pleased to appoint Mir Muhammad Sajjad Ali (late Garsi) during the minority of Mir Muhammad Bursai, as Kazi in the taluqs to the west of the Godavari in the District of Gopavari.

The payment of the salary (Rs 52-8-0) attached to the office will continue to be disbursed to the Gasi.

(From order)

135 1/2
19/1/52 17 May

To
16/5
22/5
26/5
The Bm. Gidavari.
Mir Yakub Ali. 38 to 6 May 54
Gazette. (Nepal). 52/5
16/5

DESPATCHED

15-12-04

P 18

6070-194

6520164

no. 6565794 (2u)

№ 6859/94 ал,

587/95 (M.Gadavari)

798/95-9-3-75-532

[11]
1,500-27-2-04

ORDINARY, MS.

Journal DEPARTMENT.
G.O., DATED 19-5-94
No. 1207

INDEXED.

When given for copying. 25

[Despatch Abstract.]

Declining to appoint Sa-
yad Ali to the rank
of Colone in opposition
to the wishes of the head
Muhammadans, and
ordering publication
the Fort St George
of a Notification appo-
inting Mir Muhammad
Sajjad Ali to be Dar
during the minority
Mir Muhammad
Buzlai.

PRINTED

13/Jul
29/Jan 94