L. & M.
9,000-8-8-96.

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 1268 M

DATED 6th August 1895

[Despatch Abstract.]

Land.

Declining, with remarks, to sanction, the sale of a piece of-------in the Trichinopoly Municipality to one Kuppuswami Aiyar of Varahaneri.

BACK PAPERS.

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

FURTHER PAPERS.

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

Municipal Chairman's Office
Trichinopoly 26th November 1894

No 27.

From
M. R. Ry. S. P. Rungaswami Ayyar Avl B.A. B.L.
Rao Bahadur
Chairman, Municipal Council,
Trichinopoly.

To
The Hon: The Chief Secretary
to Government,
Local & Municipal Depart,
Fort Saint George.

Thro' the Dy Collector
in charge of the Trichy Dt

accordance with G.O. No
dated 31st August 1888. I have
to solicit the sanction of
ernment for the sale by the
council of the piece of land descri
bed below to the party named
opposite to it. It forms a narrow
strip of ground between the main
wall of the petitioner's house and
the road and is therefore municipal
property. There is no public in
convenience as the land is situa
ted within the side drain of the

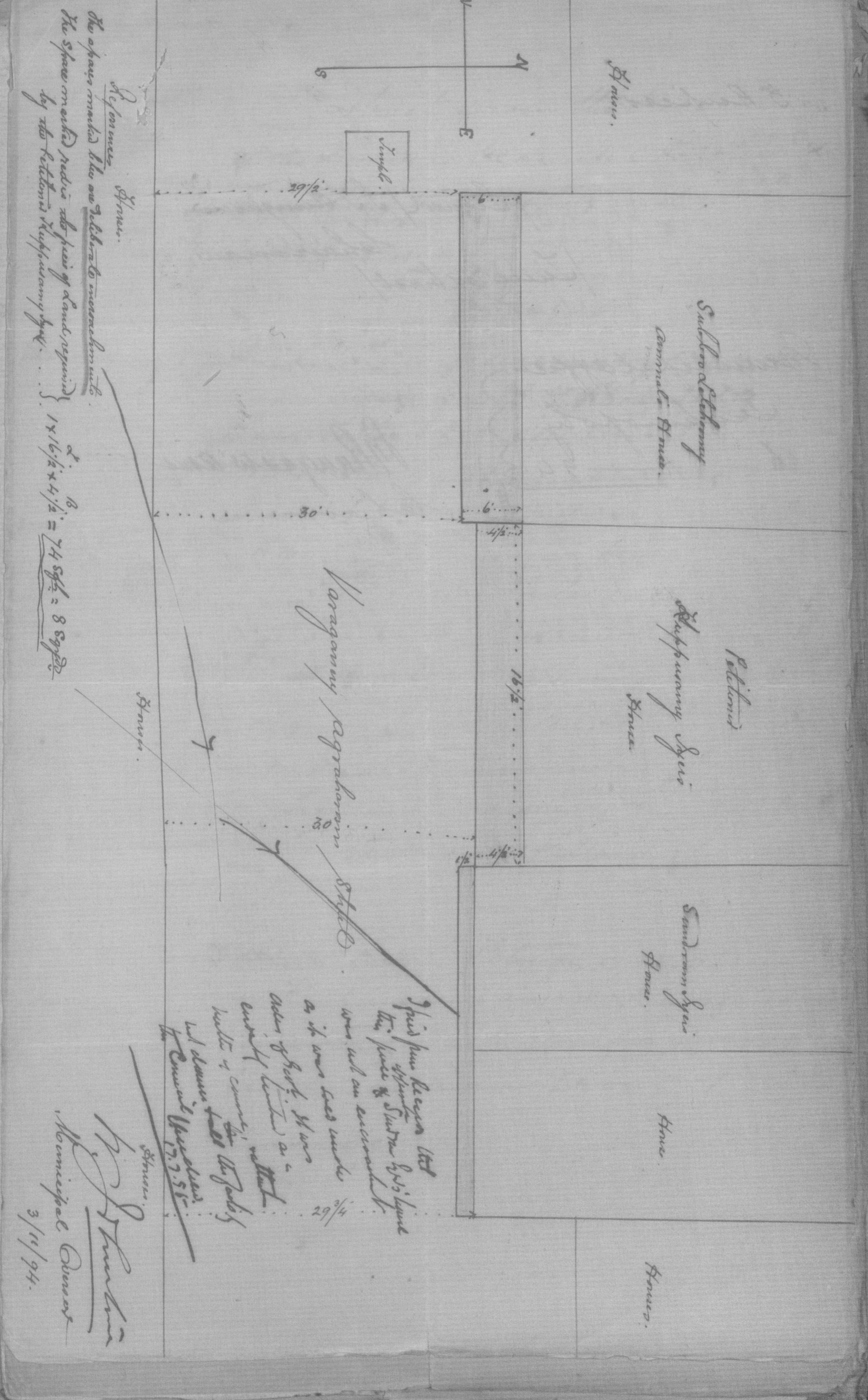
5 Rupees.

(Signed) S. T. Rungaswami
Chairman.
(True Extract)

Municipal office
Trichinopoly.
26 — 11 — 94.

S. T. Rungaswami
Chairman

4/2337 M of 95



Reference.
The spaces marked blue are deliberate encroachments.
The space marked red is the piece of land required by the petitioner Kuppusamy Iyer. ∴ 1 × 16½ × 4½ = 74 sq ft = 8 sq yds

This plan received [illegible] the piece of Street [illegible] was not an encroachment as it was used [illegible] [illegible] [illegible] [illegible] 17.7.95

[illegible] Franklin
Municipal Overseer
3/11/94.

c6200 / Rev of 94

From
M.R.Ry S.T. Ringaswami Iyer Avl
B.A. & B.L.
Rao Bahadur
Chairman, Municipal Council
Trichinopoly

To,
The Hon: The Chief Secretary
to Government
Local & Municipal Depth
Fort St George
Thro' the ~~Dy~~ Collector
Trichinopoly

Dated 26
Despd 27
Recd
} Nov 1894

No 27
Enc. 2

Soliciting the sanction of Government for the sale by the Council of a piece of land to one Kuppusami Iyer of Varaganeri

COLLECTOR,
30 NOV. 94
TRICHINOPOLY

Returned to the Head Quarters Deputy Collector for his opinion, (of the present inspecting) which he should have given before forwarding it. It is presumed that he merely initialled it, without writing "forwarded" or signing in full. Perhaps the clerk passed it as without orders.

2. In view of the fact that this is a crowded part of the town where cholera is often very bad, and the remarks of the Sanitary Commissioner about overcrowding, the opinion of the Dt. Med. & San. officer should be obtained as to the advisability of selling the land from a sanitary point of view.

3. It is presumed that according to the plan the portion in question is nearly on the same line as a large extent described as a "deliberate encroachment". The facts of these encroachments mentioned in the ~~plan~~ above should be enquired into, and it should be reported what action the Council took on the matter. If there are "deliberate encroachments," it is by no means clear why they should only be allowed to remain, while a further encroachment (so called) should now be sanctioned.

4. The matter needs full report.

[illegible]
[illegible]
6.12.94

Received No. 1895 / Rev of 1894

No.

Extract from the Proceedings of the Municipal Council, Trichinopoly passed at the meeting held on 30th May 1895.

Para 190 Read Letter no 6200 B Revenue dated 25th April 1895 from the Collector of Trichinopoly requesting that the council will be good enough to reconsider its resolution regarding the alienation of the land applied for by one Kuppusami aiyar of Varaganeri and to intimate to him its final decision at an early date.

× × ×

The Council sees no harm in selling the land to the petitioner. The alienation would improve the appearance of the street by pushing forward petitioner's house to be in a line with the adjoining houses. The Council thinks that the question of overcrowding does not arise in the case; for a pyal is an indispensable necessity to all native houses. Mr Ry Chellappa Chettyar & Mr Ry Vythelingam Pillai alone dissenting.

× × ×

(Signed) S. T. Ringaswami
Chairman.

(True copy)

Forwarded to The Ag Collector of Trichinopoly for information ~~and guidance~~

TRICHY MUNICIPAL OFFICE,
6. 6. 1895

S. T. Ringaswami
for Chairman.

as a rule on municipal ground
If the steps are allowed the vacan

Submitted for orders.

2334 11/6/95

Reply to R.C. 6200/Rev of 94

Municipal Councillors' Office,
Trichinopoly 6th June 1895.

No. 1805

From

M. R. Ry.
S. T. RUNGASWAMI AIYAR Avl., B.A. & B.L.,
Rao Bahadur,
Chairman, Municipal Council,
TRICHINOPOLY.

To

The Ag Collector
of Trichinopoly.

COLLECTOR AND MAGISTRATE TRICHINOPOLY
8 JUN 95

Sir,

With reference to your letter R.C. No 6200(b)/Rev. dated 25th April 1895, I have the honor to forward herewith a copy of the resolution of the council passed on the matter of selling a piece of land in front of his house to one Kuppusami aiyar of Varaganeri,

I inspected the locality with four other councillors and we are firmly of opinion that the house in question cannot be properly enjoyed unless the steps are allowed to stand where they now are. The house is high and the steps are necessary. In this Municipality all the steps and stairs leading into the house are as a rule on Municipal ground If the steps are allowed the vacan

Space now applied for may also be sold. It is no good to anyone but the petitioner. On the margin I have drawn a rough sketch of the position of affairs. The black quadrilaterals denote the extension of houses on the sides. On one of them is a pucka building. The red lines are where the steps now are and the white space is what is now wanted by the party.

As stated in the resolution the frontage will be improved by the sale. Besides, the pyal as you know serves a good many useful purposes in a Hindu house. It is the place where the most part of the time is spent by the inmates and it is very well as it is. For the inside cannot give as much pure air to breathe as the pial

It seems to me that a personal inspection by yourself is desirable. I believe you will come round to my view after that

I have the honor to be
Sir
Your Most obdt Servant
S.T. Krishnama
for Chairman

2469

2/2337 M of 95

Ell
869

Dis. No. 1829 of 95.
Rev:

Trichinopoly Collr's. ~~District Magistrate's~~ Office,
17th July 1895.

Local & Municipal Dept.
CURRENT No. 2337 M

FROM
J. Andrew Esquire,
~~DISTRICT MAGISTRATE~~ OF
Ag. Collector of Trichinopoly,

To
THE CHIEF SECRETARY TO GOVERNMENT,
Local and Municipal DEPARTMENT,

MADRAS.

SIR,

I have the honor to forward for the orders of Government letter (with its enclosures) addressed to it by the Chairman of the Trichinopoly Municipality No. 27 Dd 26th Novr. 1894 requesting sanction for the sale to Kuppusami Aiyar of a piece of ground measuring 16½ × 4½ ft. situated between the main wall of his house and the street, as well as his letter to me No. 1805 Dd 6th ultimo with its enclosure a copy of a resolution of the Council adhering to its opinion that the ground should be sold, I – being of a different opinion – having referred the matter to the Council for re-consideration. A sketch of the locality prepared by the Municipal Overseer accompanies the first of the above letters.

2. Since I joined this district, many cases of unauthorized encroachments

within Municipal limits have come to my notice, and a good deal of my own time, as well as that of other Revenue officers, has been taken up in inspecting and dealing with them. Some times a man begins by raising a temporary pial or shed; no notice is taken of it -- gradually the temporary structure is replaced by a permanent one, time goes by, and the matter is perhaps brought to notice when too late, when it becomes more or less impossible to prove the encroachment, and so the encroachment becomes a permanent obstruction. Nor is the Council, as it seems to me, at all alive to the necessity for sternly repressing such unauthorized encroachments and of insisting on permission being obtained before persons erect buildings &c on Municipal property. It is not long since a relative of a ward Councillor made an encroachment, and when the encroachment was brought to notice, not by the ward Councillor, but by means of a petition, the Council instead of showing its determination to put down unauthorized encroachments, &c resolved to allow the encroacher to take out a license for

A.T.

for the encroachment already made. This mode of putting a premium on unauthorized encroachments should be sternly repressed, and would-be offenders should be made to feel that deliberate unauthorized encroachments, even if unobjectionable, will not be allowed.

3. There are special reasons why encroachments should not be allowed in Trichinopoly. Dr. King in his notes of inspection (G.O. No. 2021/M. Dt 22d. Decr. 94 pages 1 & 2) remarks that in Trichinopoly the dwellings are "so crowded ---- the streets are frequently excessively narrow and ill-ventilated --- in this respect Trichinopoly is greatly behind other Municipalities ------ the Municipality should do their best to widen existing roads ---- and thus secure the desired perflation of the town site", and the Chairman has remarked on this that "dwellings "are indeed overcrowded and "the streets excessively narrow "and ill-ventilated. All available

space has been built upon."
The ground now in Question is in a very crowded part of the town — viz, Varaguneri which is often a hot-bed of Cholera.

4. There is another reason why encroachments should be strictly repressed in Trichinopoly. Some time or other a proper system of drainage must be introduced, and every single encroachment runs a chance of either preventing proper drains being laid, or else of increasing the cost by having to buy up the parts encroached upon.

5. It is true that in the present instance, the sale of the land will not cause any obstruction to traffic. But why? Simply because the owner of the house to the west was allowed to encroach on the street so much as to materially narrow it and thus obstruct traffic, and so the mischief has been done already. This encroachment was made some years ago, and it may be impossible to have it removed now. It seems to me very strange that the Council should thus lightly propose

to

to sell the land now in Question, under these circumstances, and especially when its overseer had in the plan expressly drawn its attention to this "deliberate encroachment". If a man improperly puts up an obstruction in a street, I do not think another should be permitted to add to it on the ground that the damage has already been done, and that a little more by way of encroachment will make no difference.

6. There is a further reason why I am opposed to the sale of the land in Question. When I inspected the place I asked why he encroached — putting up steps without permission, and the answer I got was that the Chairman had "verbally" granted permission. (It is not the only case in which I was told by an encroacher that the Chairman had given permission verbally:) On being asked about this, the

Chairman says "I am afraid I have given him ground for supposing he has my verbal permission. When the fact was brought to my notice, I believe I said that as it was proposed to sell the land to him, the step may be allowed to remain." If the Chairman recollects rightly he acted very irregularly in giving any sort of verbal permission, but from the last words "to remain" it would appear that at best the man had already made the encroachment without even waiting for the verbal permission. The Question now is - should he be rewarded for having improperly made this encroachment by being allowed to purchase the ground?

7. I must further add that should the Council find itself able to have the encroachment to the west removed, then the ground in Question would be of actual use as forming part of the public street.

8. The Council urges as a reason for allowing the sale that a pial is a

4

a necessity for a native house. That may be so, but if he wants a pial, he should erect it within the limits of his land, building his house accordingly. Otherwise any man may build the main wall of his house right up to the limits of the street and then ask for a portion of the street in order to erect a pial.

9. For all the above reasons, I consider that the land should not be sold. I would have no objection to the steps being allowed to remain, but only on the understanding that he has no right to the ground, and that he must remove them whenever required to do so by the Council. This might be when a drainage scheme is introduced.

I have the honor to be,
Sir,
Your Most obed^t. Servant,

A. Krishnaramaiyer
[illegible] Collector.

July

Local & 1895 Municipal Dept.
CURR No. 2337 M

From J. Andrew Esq.
ag. Collector of
Trichinopoly

To The Chief Secretary to
Government,
Local & Municipal Dept.
Madras.

Dis. No 1829/Sur of 95.

Dated 17th
Despd 19th } July 1895.
Recd. 20 JUL 95

Encs. 5.

Forwarding Trichinopoly Municipal Chairman's letter soliciting sanction for the sale of a piece of land to one Kuppusami Aiyar of Varaganeri, with Collector's remarks.

c. Circulate orders

1024 L 626-6-95
2021 L 22-12-94

L.M.
Misc.

Order.

6/8/95 No 1268 Mun

For the reasons given by the Collector in his letter read above, with which the Govt. entirely agrees the sale of the land in question cannot be sanctioned. ~~but~~ The steps already put up however may be allowed to remain on the conditions stated by him in para. 9. In order to prevent these conditions being forgotten he shd. pay the Council a rent of Rs 2. per ann. for them.

2. The Chairman is requested to report what steps the Municipal Council proposes to take to remove the encroachment to the west of the land ~~now~~ which is recommended for sale.

P.A.
24/7/95

30.7.95

31/7/95

I submit this letter for perusal as this an instance of the cool way in which encroachments are made and of the way in which Municipal Councils wink instead of putting them down.

I may mention that Mr Buckley the Sub Collr. of Chingleput who was by Order of Govt. sent to Conjeeveram to see into the matter of encroachments has mentioned in a private letter to me that they are legion and utterly disgraceful.

Shd. add to para 1 that in order to prevent the conditions being forgotten the man shd. be made to pay a rent of a rupee or two a year for the ground occupied by the steps

31/7/95

2/8/95

To The Chairman, M. C. Trichinopoly
Memo the Collr. of ~~Trichinopoly~~.

amended as ordered

23/7. Ackd

Despd 12/8/95

Issue W.F.

Back Paper, No. of 189

Further Paper, No. Aug 17 '96 of 189

Read again Order of Government, dated 189 , No , Miscellaneous.

Enclosures.

Checked by me & Mthn

Current No

Statement with ditto.

Order of Government

Statement with ditto.

Papers not filed up, being meant for despatch in original (not paged).

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

Copied by
Examined by S. N.

INDEXED.

Miscellaneous.

LOCAL AND MUNICIPAL DEPT.

G.O., DATED 6—8—95

No. 1268.M

When given for copying.

[Despatch Abstract.]

Land

Declining with remarks to sanction the sale of a piece of — in the Trichinopoly Municipality to one Kuppuswami Aiyar of Varahaneri

---

When given for copying
When copied
When examined
When signed
189 .

READ AGAIN G.O., No. DATED 189 ,

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.