[L. & M. / 9,000-8-8-95.]

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 1459 Mis.

DATED 7th September 1895.

[Despatch Abstract.]

Land.

Sanctioning the sale to one Subramaniasari of a piece of --------in the Tuticorin Municipality for Rs.200.

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 OFFICE, TUTICORIN.

Local & Municipal Dept.
CURRENT No. 2650 M

No 307

From

Captain T. H. Baker
Chairman Delegate
Municipal Council - Tuticorin

To

The Chief Secretary to Government
Fort St George - Madras -

Sir,

East of South Cotton Road, and South of Victoria street there is a piece of Nattham land measuring 4 acres + 80 cents vested in the Council under G. O. dated 26th May 1875, No 805 Revenue. This includes 23 cents of land which once belonged to one Vellia Tevar (deceased) and which was removed from his puttah about the year 1870 - and classified as Nattham - This site remained vacant until 11-11-1891 - when one Thiruvadi asary of Marakudi street commenced building upon it and his son Subramaniasary, as heir, was prosecuted for encroachment, the said Thiruvadi asary having died before prosecution was instituted - The defendant Subramaniasary produced certain documents before the

[illegible] Mis G.O. 24/6/75 No 1214

Magistrate establishing his claim to the land as it descended to him from his father who came in possession of it by purchase in Court auction on the 22nd May 1891 in satisfaction of a decree obtained in O.S. No. 740 of 1890 on the file of the District Munsiff's Court Tuticorin by a Chidambaram ambal against Sembulinga Nadan. The latter is said to have purchased the said land in 1885 from Kaliammai widow of the aforesaid Vellia Tevan and hypothecated the same to the said Chidambaram ambal. The Magistrate considering the documentary evidence adduced in the defence dismissed the case as one of civil nature. The matter was then forwarded to the Collector in this office letter No. 61 dated the 15th February 1892 and upon his advice it was put in the hands of one of the leading Vakils of the local bar to prefer a civil action against the man inasmuch as the Municipality was not made a party to the suit in which the above decree had been obtained. The Vakil wanted a copy of the plan submitted with the above G.O. as it would greatly help the suit in showing the boundaries of the land vested in the Council in which the 23 cents of land is included but it was not available even in the Government office.

G.O. 326
1-3-95

Meanwhile one of the members of the Council who is also a Vakil pointed out that the Municipality has to establish its right to the land by legal evidence and suggested the advisability of disposing of the land to the said Subramaniasary who is also inclined to have the matter amicably settled instead of going to Court. Two other Councillors also Vakils to whom the matter was referred agreed in this opinion and recommended the grant of the land to the Asary as he has erected a substantial building on it under the bona fide belief that he has a right to it and it is not of much use for any public purpose.

The Council agreeing with this proposal again referred the matter to another Sub Committee to arrive at a conclusion as to the value and extent of the land to be sold. The Sub Committee recommended the grant of the land as per plan herewith attached deducting the piece of ground occupied by the Municipal latrine

and

and its frontage which is a portion of the land referred to in the Sale Certificate of Subramania Asary. They also propose to recover Rs 200 from him as lump value of the land which measures about 1253 Sq yards. The report of the Sub Committee on the subject is also enclosed.

The Council have, in their meeting held on the 8th instant, adopted the recommendations of the sub Committee and resolved to dispose of the land to the said Asary for a consideration of Rs 200 after obtaining the Sanction of Government for the same.

I have therefore, the honour to request you will be so good as to move the Government to accord their Sanction for the disposal of the said land to the Asary for Rs 200—

A Copy of the resolution of the Council on the subject is submitted also.

I have the honour to be
Sir,
Your most obedt Servt
T. H. Baker
Chairman Delegate

Tuticorin 6th July 1895

Agreeably to the wishes of the Municipal Council we inspected & measured the land of Subramania Asary—

As per plan enclosed the whole land measures 1253 Square Yards which we estimate Rs 315 at 4 as a square yard and recommend, as a matter of Compromise, to hand over the land to him for Rs 200. The ground with red border is the land plotted out to him

(Signed) J. M. B. Rochi Victoria
(Signed) T. M. Ramakistnasamy
Ml Councillors

(True Copy)

T. H. Baker
Chairman Delegate

2/2830 w/7/95

Extract from the Proceedings of the Municipal Council, Tuticorin, in their special meeting held on Monday the 8th July 1895.

Present

M.R.Ry J. M. B. Roche Victoria avergal Chairman
" C. Chinnasami Aiyar avergal
Revd. C. P. Gnanakan B.A.
M.R.Ry M. Shanmugam Pillai avergal
" X. Motha Fernandez avergal
" S. Arumugam Chettiar avergal
" T. M. Ramakistnasami Nayadu Garu
" P. Viravagu Pillai avergal
" J. L. Motha avergal
" S. K. Mohidin Kadir Shah Maraicayar avl.

3. Read report of Sub Committee regarding the land inclosed by Subramania Aiyer.

The recommendation of the Sub Committee is approved and the matter shall be referred to Government for sanction.

(Sd) J. M. B. Roche Victoria
Chairman

(True Extract)

T. A. Kaler.
Chairman Delegate.

ue/20/8 Kuttalam, 20th August 1895.

Current 11201'95

Dept. Mis

From 1318 U. 4th clerk '95

The Chairman
Municipal Council
Tuticorin

To

The Chief Secretary
to Government
Fort St. George
Madras

J.A. CUMMING 20 JUL. 1895 INDIAN CIVIL SERVICE

Through Sub Collector & Collector

Dated 19th
Despatched 19th } July 1895.
Received

No 307

Enclosure Three

Subject

Requesting to obtain the Sanction of Government for making over a piece of land to One Soobramania Asary of Maraktody Street for reasons stated in the letter

3/7750 m/f/95

Forwarded

J.A. Cumming
Sub Collector
20.7.95.

DESPATCHED.
20 JUL. 95

RECEIVED
22 JUL. 95
LIONEL VIC.

Submitted.

2. The correspondence about the land first came
in September 1893 before the then Collector Mr. Fo
who was asked by the Municipal Council for an expre
sion of opinion as to the period of limitation under
Act XV of 1877 in respect of encroachments on
Municipal lands. A detailed report was thereupo
called for by him from the Municipality, and it
was furnished in the Chairman's letter No. 61 dat
15th February 1894. It was then pointed out by
Mr. Forbes that it was for the Municipality to
vindicate its rights leaving the encroacher to
urge whatever claims he might profess to have
on the land. This was done in February 1894. The
further action taken by the Council in the mat
is fully set forth in the Chairman's present letter
Government.

3. Under the circumstances fully detailed in ~~it~~ the letter, the recommendation of the Council to sell the
land for Rs. 200 may be accepted.

4. I regret the delay in submitting this endorse
which is due to the difficulty in tracing the Gover
ment order of 1875.

Tinnevelly Collector's Office }
Kutalam, 20th August 1895 }

Collector

40/20/8

Local & Municipal Dept.
CURRENT No. 2652 M

3rd [illegible]
210 [illegible] 20 [illegible]
805 [illegible] 26 [illegible]

Tinnevelly Collector's Office

From

The Collector of

Tinnevelly

To

The Chief Secretary to

Government,

Local & Municipal Dept

Fort St George

Current No. 1318/95 ~~Genl~~

Dated 20th August 1895

22 AUG 95

Enc - Four. 3

Submitting, with a

detailed report, on the Tuticorin

ul Chairman's letter proposing

o sell a piece of municipal

land in Tuticorin

(with annexure)

C.S.
misc.

Order 7-9-95 No. 1459 [illegible]

Under the circumstances stated, the proposed sale of the land in question is sanctioned.

V.R.
29/8/95

30-8-95

4/9/95

To,

The Chairman, M.C., Tuticorin, through the Collector of Tinnevelly

Desp. 12/9/95

When given for copying
When copied
When examined
When signed
189

Read again G.O., No. 189, dated

Current No.

Enclosures to C. No.

Order of Government .. .. .. A A A A A A A

Letter of Government.

Statement with ditto.

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

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