ocal & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 1962 M

DATED 25th November 1895

[**Despatch Abstract.**]

Petition.

Communicating to Ibrahim Sahib, Erode, with remark, paragraph 4 of the Chairman's letter regarding certain encroachments in the municipality.

BACK PAPERS.

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

FURTHER PAPERS.

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

INDEXED.

Miscellaneous.

Local and Municipal Dept.

G.O., dated 25-11-95

No. 1962 M.

When given for copying.

[Despatch Abstract.]

Petition

Communicating to Ibrahim Sahib, Erode, , with remark, para. 4 of the Chairman's letter, regarding certain encroachments in the Municipality.

V

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

Back Paper, No.

Further Paper, No.
of 189

Enclosures.

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.
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Copied by
Examined by

Municipal Dept.
CURRENT No. 3493 M

No 58/M
Erode Municipal office
dated 31 October 1895

From
M.R.Ry K.R. Lakshminarayana aiyar avl
Chairman, Municipal Council, Erode.

To
The Chief Secretary
to Government
Local and Municipal Department
Fort St George

Sir,

With reference to your endorsement No. 1359 dated 21 September last (herewith returned with all its enclosures), I have the honor to report as follows:—

1. On the 3rd March 1891 Block No. II in Salt petre land containing 18 house sites was sold in public auction. Site No. 13 now under reference was originally purchased by one Varadacharry for Rs 205. At the time of sale, the limits of the sites were shewn to the several bidders assembled and the measurements given out before the parties began to bid

2. The original purchaser Varadachary appears to have sold the site to one Madar sahib from whom the petitioner has purchased it. Thus the site has passed through 3 hands.

3. As soon as money was paid for the site sold, the Council's right for the site ceased; but the Council has committed a mistake in having failed to obtain a receipt from the parties for having put them in possession of the lands sold.

4. On a similar petition from the party sent to the Collector and referred by him through the sub Collector, to me, the Divisional officer and myself inspected the place and found that the owners of the plots who have already begun constructions have encroached upon their neighbouring sites. The encroachments appear to have been made by the owners of the first few sites and a house has been built on site No. 11. The sites No 13 & 18 when measured from the last number are found correct. The owner of site No. 12 who has lost a good portion of his land and who cannot reclaim it from his other neighbour since a house has already been built on site No. 11, seems to assert his right over the major portion of site No. 13; so the dispute is of a civil nature and the Council is not in a position to do anything in the matter.

A copy of the resolution of the Council on the subject is herewith submitted.

I have the honor to be
Sir
Your most obedient Servant
Chairman.

31.8.85

Current No 4166/95
Rev

34?3 M

From

The Chairman

Municipal Council

Erode

To

The Chief Secretary

to Government

Local & Municipal Department

Fort St George

Dated 31 }
Despd 31 } October 1895
Recd

GOVERNMENT CHIEF SECRETARIAT MADRAS 7 NOV. 1895

No 508/M1

C. No 2808 M [illegible]

Subject

Informing that the Council is not in a position to reassure the site No 12 in salt petre land for reasons stated therein.

1059/95
640 M 1-9-92
2195 M 11-12-9[illegible]

C No 3849/R.9/95

BRADLEY 2 11 95

Submitted
to the Municipal Chairman
[illegible]
31/10/95

Forwarded
Herbert Bradley
4-11-95 Collector

Current Nos 2808 & 3473 M

C.S./M

Order No 1962 M -25/11/95

Para 4 of the chairman's letter will be communicated to the petitioner with the remark that the Government cannot interfere in this matter.

V.R.
20/11/95

[illegible]
21/11/95

25/11/95

To

The Petitioner

5

1/3473 M/95

Extract from the proceedings of the Municipal Council, Erode, at its meeting held on Wednesday the 16th October 1895

Present

M.R.Ry. R Lakshminarayana ayyar avl.
(Chairman)
" R Hiramappa ayyar avl.
" R Ramaswamy ayyar avl B.a.
" Mr Venkataramanaswami Naidu Garu
" Mahomed Hussain Rowther avl.

No 5. Endorsement No. 1359 dated 21.9.95 of the Chief Secretary to Government on the petition presented by Ibrahim Sahib requesting that the Chairman may be asked to measure the site No 13 in Salt petre land & the endorsement of the Sub Collector of Coimbatore on a similar petition presented to the Collector

---

The site in question has passed through 3 hands. There seems to be encroachment only by adjacent site holders. The Council regrets that it cannot interfere.

(sd) R Lakshminarayana ayyar
Chairman

(True Extract)

30/9/95

Chairman

Encl to cur: no 4166/Res 95

[9]

LOCAL AND MUNICIPAL DEPARTMENT

Local & Municipal Dept.
CURRENT No. 2808 M

Endt 1059/95
640 dt 1-4-92
2195 dt 11-12-91

508/M.G

TO BE RETURNED WITH REPLY.

From

Ibraham Sahib
Merchant
Erode

No. 1359

Referred to the municipal council, Erode, for report.

(By order)
W. Francis
Ag. Under Secretary

V.R
17/9/95

Fort St. George
21st September 95

No.

Dated 31-8-95

Received 9-9-95

Enclosures Returned vide Endt 3634 M/95

Referred to Messrs R Ramaswami ayyar & S.V. Govindasami Pillai for favor of an early report

Endt
19/9/95

Chairman

SUBJECT

Praying that the Chairman, M.C. Erode may be directed to measure the site No 13 in Block No: II in the Salt Petre Land & put it in the petitioner's possession.

To,
The Chairman, M.C., Erode.

(with an endt)

12/5. a1619

2411

CHIEF SECRETARY
-6 SEP. 1895
GOVERNMENT OF MADRAS

K.R. 212

(8) 21.5.95.	Giving notice to the Chairman that he will be driven to the necessity of filing a suit against him if this notice has not been duly attended to.	No orders passed.
(9) 25.5.95.	Petition by Varathachar requesting that the measurements of the site in question be taken and Ibraham Saib be put in possession &c	No orders passed.
(10) 25.5.95	Petition by Mathar Saib to the same effect —.	No orders passed.

×. Here the petitioner most respectfully begs to states that orders have been passed on his petition of the 5th February 1895 so late as the 19th June 1895, after some 4 petitions having been addressed. And it is on the receipt of this order the petitioner moved your Excellancy in Council.

Petitions were also addressed to the Sub Collector on 12.1.95 & 28.3.95, and to the Collector on 19.7.94, (2) 23.4.95, (3) 21.5.95.

Dated 4th September 1895.

CHIEF SECRETARY
-6. SEP. 1895
GOVERNMENT OF MADRAS

Out of several petitions addressed by the petitioner to the Chairman of the Erode Municipality, he has got references to the petitions presented with the result noted against each of those dates:—

on (1) * 5.9.94.	Praying permission for erecting the building and keeping the materials on the land and requesting to have the measurements taken &c.	Order No. 314/18.1.95. * Granting permission for erecting the building on condition that latrine is opened and provision is made for cleaning the latrine and informing no materials should be placed on the public road and no Municipal land should be encroached upon.

* Prays to note the date of the petition & the date of the order passed thereon

Here the petitioner begs to point out that the Chairman is silent as to the question of taking our measurements.

(2) 9.9.94.	Same Prayer	Order No. 314/13.9.94. Informing that no permission will be granted for erecting the building unless provision is made for opening a latrine.

Nothing is touched upon by the Chairman as to the question of taking out measurements.

(3) 26.11.94.	Submitting that some of the purchasers have began to lay out foundations	

	as their applications have not been attended to and that he believes that a portion of the land has been encroached upon and that if he obstructs them from continuing their work there would be a breach of the peace and therefore praying to take measurements &c.	No orders were passed on this petition
(4) 17. 12. 94.	Submitting that his three previous petitions had not been taken notice of and praying for taking measurements &c.	Not noticed
(5) 22. 1. 95.	Submitting that he addressed five petitions for no purpose and praying for taking out measurements &c.	Unnoticed.
(6) ※ 5. 2. 95.	Submitting that all his previous petitions were not taken notice of and praying for taking out measurements.	Order No. 567/※ 19. 6. 95. Informing that Councillors find no reason why the measurements should be taken out.
(7) ※ 19. 2. 95 ※ Prays to note the date of the petition & the date of the order passed thereon	Requesting that the site must be registered in his name and the tax must be collected from him and praying for taking out measurements.	Order No. 615 ※ 26. 4. 95 Informing that the site will be registered in his name and the tax will be collected from him.

No orders were passed as to taking out measurements.

on 25.5.95 and to see the truth of the statement
of the petitioner. If the land had ever been
measured and marked the Council would
as well have given this endorsements on the first
petition that had been put in after the date
on which, it is said, the land had been
measured and marked and the possession
handed over to the purchasers. There must be
some record in the Municipal Office, if the
site in question had ever been put in possession
of the purchasers, which your Excellency's most
humble petitioner most humbly prays, would
be called for from the Chairman.

In conclusion the petitioner
most humbly submits that the cause of
this complaint is due to certain illfeelings
existing between the petitioner and the
Chairman of the Municipality and the Overseer.
~~in~~

The petitioner most humbly
prays ~~thatt~~ your Excellency in Council may
not forward this petition to the Chairman
for disposal but to send for the papers
and on a perusal of all the records render
justice

justice to the petitioner by directing the Chairman to have the site no. 13 in question measured and put it in possession of the petitioner.

For which act of kindness and benavalence the petitioner shall as duty bound ever pray—

Dated 31st August 1895 }
Despatched 4 September 1895 }

opened at the Cost of the Municipality.

11. Each and every house site has been measured and the possession handed over to the several purchasers on their applications when they began to erect the Buildings. The some of the house sites on the southern and northern sides of that portion of the road marked "E" in the plan submitted herewith Ex. E were measured and the possession handed over at the time of T. L. C. Manavadana Raja Esquire; while some of the other sites were applied for to his successors by the several owners concerned, who got the land measured when they erected their buildings. In support of this statement of the petitioner he most humbly craves your Excellency's mercy to send for these papers, which the petitioner believes to the best of his knowledge would be found with the record in the Municipal Office, and to see how far the statements of the petitioner are true.

12. In case the petitioner erects the buildings without the land being measured by the Municipality he apprehends that he would be put to a great loss and inconvenience if he unconsciously encroaches upon the Municipal

Municipal land close by or Nos 12 & 14 one in each side

13. As it is stated in the proceedings of the Municipal Council dated the 7th instant the Council has never measured nor marked the limits of the site in question; and the possession was ~~now~~ never handed over to the purchaser. If it be so Varadacharyar the purchased from the Council and then Mathar Saib and subsequently the petitioner would never have put in so many petitions praying for marking the boundary limits of the land and in this connection the petitioner most humbly submits that both Varadachar and Mathar Saib have put in petitions on 25.8.95 informing the Council that the petitioner is the present owner of the land and his name must be registered in the Municipal Office Register, that he is liable to pay the tax & that the land must be measured and marked and possession handed over to him whenever he is to erect the building. (The petitioner earnestly solicits your Excellency in Council to send for the petitions addressed by these two men on

9. That, when the bid was knocked down to several highest bidders the balance of the sale amount due by the purchasers, ~~after deducting the deposit~~, was paid by some then and there, whilst others were permitted to pay the balance of the purchase money within a month after the sale in question. ~~Receipt~~ Mere receipts were granted, for the payments of the purchase money, to all the purchasers. But no sale deeds were executed to any of the purchasers up to date.

10 When the lands were thus sold the several purchasers represented orally to the said Officer that the sites purchased by one and all should be measured and the limits of which be marked, but, the above said Officers passed oral orders to the effect that the sites in question should be measured and the possession of which handed over to the purchasers, when they want, to have the building erected; besides they were also informed that the Municipality would undertake to open a ditch on the western sides of the Salt-Petre land in question; and the ditch was accordingly

his petition dated 19th july last.

Gr 02391 un 95

4. The petitioner has also submitted herewith two other endorsements of the Chairman noted in the margin. (Exhibits. B & C.)

Endst. No. 1059
2-8-95

5. In the said petition of the 19th july he has prayed your Excellancy in Council to send for the papers from the Erode Municipality — the several petitions addressed to the Chairman and the orders passed by the Chairman, on those petitions and all the papers connected with the petition that were noted down in the margin of the said petition — and render justice to the petitioner by directing the Chairman, to have the site No. 13 in question measured and marked, the limits within which the petitioner is to erect the building.

6. The petitioner received no endorsements from your Excellency in Council up to date; but, with due respect and humble Submission he begs to state that he received

received the extract (Exhibit D) from the proceedings of the Municipal Council dated the 7th instant to the effect, "The Council has already measured and marked the land and handed over the same to the purchaser from the Council. The Council sees no reason to remeasure it." and this order of the Chairman, is wrong as it is quite contrary to the several orders passed by him. (vide Exhibit E)

7. That when the several sites in question were brought to sale by V.A. Brodie Esquire the then Sub Collector and Chairman, and then his successor T.L.C. Manavadana Raja Esquire, only the lengths and breadths of the several house sites sold were given out to the several purchasers of the said sites.

8. A portion of the said Salt Petre land is now used for the Market and for the Cart-Stand and there are also a few portions of the said land that are yet to be sold.

Local & Municipal Dept.
CURRENT No. 2808 M

To His Excellency the Most Honorable
the Governor in Council
Fort St. George.
Madras.

May it please your Excellency.

Encls.

A. order No 567/19.6.95.

B. " No. 314/13.10.94

C. " No. 314/18.1.95.

D. Extract of the proceedings dated 7th August/95.

E. Plan.

F. order No 615/26.4.95.

(to be returned)

The humble petition of Ibrahim Saib Son of Khadhar Mohideen Saib, Merchant, residing at Erode

Most Respectfully Showeth:—

1 That he owns the house site No. 13 in Block No. II. in the Salt Petre Land, measuring 150 feet by 30 feet, within the limits of the Erode Municipality, having
NtoS. EtoW
purchased it from one Madhar Saib, to whom it was sold by one Varadhachar, who purchased it at a public action held by the Chairman of the Erode Municipality on the 5th March 1891.

640 M/1-4-92

2. Several petitions were addressed by

by Varadachar, Mathar Saib, and by the petitioner to the Chairman, for the land in question being measured and the limits, within which the building is to be errected, marked; but this request was not complied with, not-withstanding their repeated requests on the subject for a continued period of so many years.

3. The latest order the petitioner received on this subject from the Chairman, before addressing your Excellency in Council on the Subject, on the 19th ultimo, is, the Chairman's order no. 567 dated 19th June 1895, informing him that the petition addressed by the petitioner on the 5th February 1895 and the several other petitions addressed by him on the Subject were read over, and that the Councillors find no necess~~ary~~ity why the measurements of the site should be taken out, (vide Exhibit A.) and that it is on the receipt of this order the petitioner moved your Excellency in Council by his

When given for copying ______
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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.

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