

Local & Munl. (1895.) Department.

MISCELLANEOUS.

G.O., No. 315 L.

DATED 19th Feb. 1895.

[Despatch Abstract.]

Land.

Communicating to the Taluk Board, Cocanada, G.O., Revenue Department, agreeing with the Board of Revenue in thinking that the land proposed to be given for the extension of the Jagadisvaraswami temple site in Samalkot belongs to the Pithapuram Estate.

BACK PAPERS.

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

FURTHER PAPERS.

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

High Court of Madras, 1900, 1901
 of Court of the Board of
 all the present in revenue
 of revenue to be given for
 the extension of the Jagadis-
 varaswami temple site in
 Samaleota belongs to the
 Pittapur estate.

[7]

Miscellaneous.

LOCAL AND MUNICIPAL DEPT.	
G.O., DATED	19-2-95
No.	315 L

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INDEXED.

[Despatch Abstract.]

Land

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 Board, Cocanada G.O. Rev. Dept.
 agreeing with the Board of
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 land proposed to be given for
 the extension of the Jagadis-
 varaswami temple site in
 Samaleota belongs to the
 Pittapur estate.

READ AGAIN ORDER OF GOVERNMENT, DATED
No. , No. , MISCELLANEOUS.

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).

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Copied by *Kutta*
Examined by *Sund*

Govt. of {1898} Madras.
REVENUE.

PR To

339 L

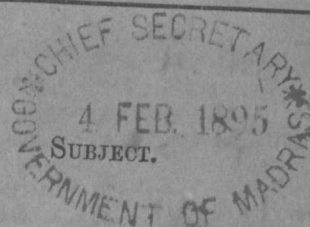
The Local & Municipal
Department.

Dated

Reed.

Encl.

Mis. G.O., 31st Jan. 1895, No. 420.



Agreeing with the
Bo in thinking that the
land proposed to be given for
the extension of the Jagadigwara
Swami temple site in Samelata
belongs to the Pittapur Estate.

C.
Hise.

Order 19-2-95 No. 315
Communicated to the
Taluk Board, Cocanada, with
reference to the President's letter
dated 27th March 1894, No. 40.

V.R.
14/2/95

Mis. 295

18/2/95

Note.

L.M. has held a similar opinion
as to the meaning of "street" in
a recent case in one of the
Godavari Municipalities (Rajamundry).
Mis. 295

To

The President, Taluk Board,
Cocanada,
through the President, District Board,
Godavari.
Copy 20/2/95

Order thereon, 31st January 1895, No 420 mis.

The Government agrees with the Board.

/ True Extract /

Recd

Under Secy. to Govt.

To.

The Board of Revenue (L. R.)
with letter.

" L & M. Dept ✓

Says, that the site in question, correctly described, is part of the Village Street over which the public have long enjoyed a right of way, and not of the open space adjoining it; he further argues that the word "street" as defined in Act V of 1884 included not only the road which the public actually use every minute, but also the land lying between the roadway and the main wall of any house adjacent thereto, and that the site in question being such a piece of land is the property of the Local Fund Board. His argument seems to be incorrect. In the first place, it is doubtful whether the pathway referred to is a public street as defined in Act V of 1884, and not a *punta*: even if it be decided to be the former, the words "land lying between the roadway and the main wall of any house adjacent thereto" appear to me to mean only such limited extents of land as are usually left on the margin of roads and not such large extents of land as the one referred to.

4. The enclosures are returned.

Resolution

The Collector's letter read above will be submitted to Government with reference to its endorsement No 3308 mis, d/ 22nd Aug 1894.

2. The Board agreed with the Collector in the opinion expressed in para 1 of his letter.

Referring Dist. 647
10-8-94
to the Bd. of Revenue for
reference

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Proceedings

of the Bd. of Rev. L.R. d/23rd January 1895, No 278
and on the following letter from the Collector of
Godavari, d/4th January 1895, No 18-Ver.

In reply to Board's reference order d/
29th August 1894 on Government Register No 1863,
I have the honor to report that the land to the east
of the temple of Jagadishwaralwami in Samalota,
proposed to be given for the extension of the temple,
appears to me to be part of the foramboka land
belonging to the Pittapur Estate, and not of the
public street vesting in the Daluk Board.

2. The manager, Pittapur Estate, claimed
it as portion of the open space belonging to the
Estate, and questioned the right of the Daluk Board
even to the portion used as pathway, which, he
says, is not a public street as defined in the
Local Boards Act, but only a path belonging
to the Estate itself. The land proposed to be
given is said to be overgrown with grass, thus
showing that it was never used as a pathway,
and the village officers also say that it was
regarded as the property of the Estate, and not
of the Local Board.

3. The President, Daluk Board, now

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189.

READ AGAIN G.O., No.
189.

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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