

L. & M.
[9,000-5-8-95.]

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 967 m

DATED 11th June 1895.

38/80

[Despatch Abstract.]

Choultry.

Sanctioning the transfer of the management and superintendence of the Darbhavari-----at Rajahmundry to the municipal
-ity on the recommendation of the Board of Revenue.

RA to be used

BACK PAPERS.

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

FURTHER PAPERS.

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

Form No. 150.
2,000-2-7-08.

OFFICE OF THE BOARD OF REVENUE
(LAND REVENUE),
Madras, 12th June 1906.

READ—

Read telephone message from the Registrar,
Local and Municipal Secretariat, dated 11th June 1906.

*asking for copies of papers relating to lands attached
to the Durbaraham choultry at Rayachoti*

Endorsement 367, dated 12th June 1906.
Reference No.

Copies of the following documents are

forwarded. *furnished* :—

- (1) Collector's letter d/4-4-1895.
- (2) Sub Collector's letter d/ 19-9-1895.
and Collector's Endt. d/8-10-1895.
- (3) Collector's letter d/14-10-1895 (with Taluk
Board Resolution).
- (4) B.P.No.6330 Misc., d/ 7-5-1896. 19-12-1895
- (5) Collector's letter d/ 7-5-1896.
- (6) B.P.No.2303 Misc., d/ 19-5-1896.

S. Sivaprasnam
for Ag. Secretary.

To the Registrar, Local and Municipal Secretariat, with
copies of the letters and BPs referred to above

D.D.R.

12-6-'06.

Plac
12/6

Copy of letter from V. A. Brodie Esq., Collector of Godavari,
to the Secretary to the Commissioners of Land Revenue, Madras,
Ref. No. 86/Ver. 1 dated 4th April ¹⁸⁹⁵ 1905:-

I have the honour to report that there is a choultry at Rajah-
mundry founded in 1859 by one Darbha Rajanna Dikshatulu. It is
known locally by the name of Dubhavari Choultry. Rajanna Diksha-
tulu originally set apart for its maintenance 7 Putties, 5 Tooms
and 1 maniku or nearly 5 1/2 acres and 33 cents of inam land, a build-
ing constructed for use as a choultry, one godown, a field called
"Vallitota pampu" in Rajahmundry, moveable property worth Rs. 2500
and brass utensils weighing 160 seers. This endowment was made
subject to the following conditions:-

(1) that the interest and on no account the capital should
be spent.

(ii) that the income from the endowment should be spent first
on the repair of the building and then the balance, if any, for
feeding brahmins not exceeding 15 in number daily.

and (iii) that if these conditions be violated Government officials
should assume the management of the institution. He appointed

Vadrevu Venkatanarasimha Row ^{granu} ~~gran~~ trustee for the management of
the endowment. Subsequently in July 1863 the donor made an addi-
tional endowment of Rs. 2500 in cash.

2. In 1865, Venkatanarasimha Row resigned his trusteeship, settled
his accounts with the donor and made over the trust back to him.
The donor then appointed one Bommaganti Jagannadhasastri, his own
son-in-law, as the trustee and ^{gr} ~~gr~~ trusted to him all the choultry
property and funds.

3. Rajanna Dikshatulu made a will on 8th June 1865 bequeathing
brass vessels weighing 240 seers and an additional sum of Rs. 8000
due to him on bonds from others to the choultry and died shortly
afterwards.

3. Jagannadhasastri continued to manage the institution until
1867 and in that year resigned his trusteeship in favour of the
donor's widow, Darbha Venkamma. Ever since Venkamma has been mana-
ging the affairs of the institution with the help of her brother
Suri Venkatakrishna Sastri.

4. In 1886 an inhabitant of Rajahmundry presented a petition com-

complaining of the mismanagement of the institution and the misappropriation of the endowment funds. The Sub Collector held an enquiry and reported that the institution was badly managed, that the trustee evaded producing documents and accounts, that the conditions of the grant were violated and ^{that} some loans made out of the trust funds had become time-barred owing to the trustee's neglect to take timely action for their recovery. Mr. Happell, however, in his order No. 443 dated 26th December 1890 allowed a year's time to the trustee to show that she could manage the institution well on the following conditions:-

- i. No part of the choultry building should be rented out.
 - ii Brahmins should be fed in the choultry and not in the widow's own house.
 - iii. A gumastah should be appointed to keep proper accounts which should be rendered monthly to the Tahsildar who would have general powers of supervision. If, at the end of one year, it were found that she was not managing well, the management would be taken up by Government.
5. Even this concession failed to produce the desired effect on the trustee. She continued to mismanage the institution, spent a part of the original investment and in spite of repeated requisitions from the Tahsildar, she evaded producing accounts and documents showing the income derived from the landed property. The Sub Collector reports, that in 1891, the trustee presented a petition to the Tahsildar stating that all the conditions laid down in this office No. 443 dated 26th December 1890 were being obeyed by her; but that he found from local enquiries that there were no servants attached to the choultry, that there was no gumastah as alleged by her, that Mantriprapada Seshayya who was alleged to have been engaged as gumasta denied all knowledge of the matter that Brahmins were living in the inner premises, and that no feeding was going on either in the Chuttram or at the trustee's own house. b

6. The few accounts that were produced by the trustee were mere abstracts of some original accounts. The Sub Collector brings to notice that she appears to maintain a ^{ledger} ~~book~~ of all daily expenditure, but the figures posted in it are not totalled either at the end of the month or the year.

The following is the present financial condition of the institution as reported by the Sub Collector

Original investment which consisted of loans given to others	Rs. 13001	as. 5	ps 3
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and the interest due thereon when the present trustee assumed the management on 30-11-1867

Amount considered irrecoverable being barred by limitations	4581	10	1
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Remainder	8419	11	2
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Amount accounted for as spent from capital during famine years	2996	..	8
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Amount wrongly included in the choultry accounts	31	12	8
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Balance	5391	13	10
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Add rental omitted by mistake	31	8	0
	5423	5	10

Deduct amount which the trustee has not been able to account for		1	3
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Balance up to 5-7-87..	5423	4	7
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Receipts from 5-7-87 up to August 1893 as per accounts furnished by the trustee	4436	9	4
	9859	13	11

Expenditure during the same period	4366	0	11
Balance	5493	13	0

Amount for which accounts have been furnished by the trustee and shown as balance in her abstract statement	4899	10	0
	594	3	0

Difference which has to be accounted for by the trustee and but not accounted for.

7. It is thus evident that the trustee has been grossly mismanaging the institution and misappropriating its funds contrary to the intentions of the donor.

8. The income of the choultry and its expenditure may be estimated at

Income.	Expenditure.	estimated at
450 Rental of Inam lands.	96/- Salary of a gumasta at Rs. 8. per month	Rs. 650 and R
50 --do-- of godowns.	24/- --do-- of Sweeper.	
150 Interest on invested funds.	20/- Repairs and other charges.	Rs. 200 res-
650	60/- Salary of one cook.	pectively a
	200	as shown in

the margin. The balance of Rs. 450 may be expended in feeding Brahmins

Brahmins on a ^{small} ~~small~~ scale and the donor's wishes carried out as far as the present financial condition of the institution would permit.

9. The Municipal Council, Rajahmundry is willing to undertake its management on the understanding that it will not be called upon to devote any of its own funds to the need of the choultry.

10. As the choultry is in the heart of the town, I think it may be made over to the Municipality.

11. I therefore request that the Board may be pleased to accord its sanction to my taking possession of the property under Regulation VII of 1817 and handing it over to the Municipality.

12. I further request instructions as to whether under the circumstances the trustee should be called upon to make good the whole or any portion of the funds misappropriated and alleged to have been spent out of the capital contrary to the intentions of the donor and whether for this purpose, the trustee's conduct may be dealt with under Regulation IX of 1822 as provided for by section 16 of Regulation VII of 1817.

13. Copies of the Will of the donor, the sanad executed by the first trustee Narasimharow, containing the stipulation on which the ^a grant was made by the donor and the Municipal Chairman's letter No. 142 dated 12th February 1895 with Council's Resolution dated 9th February 1895 are enclosed.

(True copy)

S. Subramaniam
for Acting Secretary.

V.R.S.

12-6-1906

PCSO
12/6

Dis.No.2186/Rev. of '95.

Godavari District
Sub Collector's Office.

19-9-95.

From

G.W. Elphinstone Esq.,

Ag. Sub Collector,

Godavari District.

To

The Collector,

Godavari District.

Sir,

With reference to the correspondence relating to the Durbhavari Choultry at Rajahmundry, ending with your endorsement Dis.No.2226/Ver. dated 12-7-95 I have the honour to report as follows:-

The Tahsildar of Rajahmundry was directed in this office Order Dis.No.1593/Rev. dated 31-7-95 to take over the property, but he reports that the former trustee refuses to give it up and it is not clear how the order passed under Reg VII of 1817 is to be enforced. In the case of Nallacheruvu Choultry the property appears to have ^{been} taken by force. (Vide Board's Proceedings, Land Revenue 28th July 1892 No.387): and this course might be followed as regards the Choultry and lands, but there is ^a considerable sum of money invested and I do not see how this is to be recovered.

The records connected with the matter and three petitions are enclosed.

I have &c.,

(Sd) G.W.Elphinstone.

Ag. Sub Collector.

(True Copy)

Ref.No.3347/Ver. of 8-10-95.

Submitted to the Commissioners of Land Revenue for favour of orders in reference to the correspondence ending with the

Board's

Board's Proceedings Dated 2nd July 1895, No.3,284 Misc.,

2. Reg.VII of 1817 is silent as to how an order passed under it is to be enforced.

(Sd) V.A.Brodie.

Ag. Collector.

(Sd) Illegible
By for Collector.

(True Copy)

S. Sivapalanam

for Ag. Secretary.

1895
12/6

D.D.R.

12-6-'06.

Ref. on D.O.R.No.218/1893.

Tinnevelly Collector's Office.

14th October 1895.

From

A.W.B.P. Higgins Esq.,

Collector of Tinnevelly,

To

To the Secretary to the

Commissioners of Land Revenue,

Madras.

Sir,

Lakshmi Boyammal and Kistna Boyammal, daughters of one Sundari Boyammal, a resident of Tinnevelly, are the hakdars of the Chuttram on the Madura-Tinnevelly road in the village of Venkataramasamudram in the ^{Kadambur} ~~Kadambur~~ Zemindari, Ottapidaram taluk.

2. The ^{institution} ~~instruction~~ is endowed with 16 acres of irrigated and 265 acres of dry land in Venkataramasamudram village representing 13 out of 36 shares in the village, and with 65 acres of dry land in the Zemindari village of Kadambur, and the income derived from these lands is estimated at Rs.197 per annum (vide entry at pages 288 and 289 of the District Manual).

3. A compliant ^{ai} ~~ai~~ was received by the Sub Collector that the hakdars had discontinued the charity, allowed the buildings to fall into dis^{re}pair, conveyed away by sale the occupancy rights in the 13 shares and had misappropriated the money received as compensation for some of the Chuttram lands taken up for the South Indian Railway.

4. The hakdars, while admitting the right of ^{the} ~~the~~ chuttram to the endowment of 65 acres of Zemindari dry lands, denied that the 13 shares were ever given by their ancestors as the endowment of the Chuttram, and asserted that they formed their private property.

5. There is no doubt however that the 13 shares form part of

2
of the endowment. Besides ^{the} entry in the District Manual and in a list published in the Supplement to the District Gazette dated 20th December 1873 there is also other evidence to prove the assignment. One of the complaint's ^{an} witnesses, who is also a tenant of the Chuttram has produced old receipts granted from time to time by the hakdar's agents in which payment of rent to the Chuttram is acknowledged.

A large number of genuine cadjan accounts in the custody of the hakdar agent, examined by the Tahsildar, also show that the 13 shares were always treated as Chuttram endowment.

6. The Sub Collector placed the matter before the Taluk Board of Titticorin in view ^{to} of ascertaining whether the Board would accept transfer of the Chuttram with the endowment. But the Board desired that the hakdars be given six month's time within which to revive the charity and to restore the buildings. In reply the hakdars remonstrated with the Sub-Collector for his interference with ^{as} that they called their private property. On the expiring of the term of six months, the Tahsildar reported that only one person was fed every day in the Chuttram and that this was due to absence of travellers passing along the road and halting at the Chuttram since the construction of the South Indian Railway.

7. Although the hukdars have made a show of renewal of ^{the} feeding in the Chuttram, the absolute negation of the title of the Chuttram to the endowment of 13 shares and the conveyance by sale of the occupancy rights therein for purposes not connected with the trust are clear acts of bad faith on the part of the hakdars. The Sub Collector considered it therefore undesirable that the trust should continue in their hands; and again placed the matter before the Taluk Board which has declined to undertake the management of the Chuttram evidently on account of the difficulty in obtaining possession of the property.

8. I have the honour to solicit the Board's Orders as to the further steps to be taken in the matter. In my opinion the Government has the undoubted right to dispossess the hakdars of the endowment and to keep it under ^{its} management. If Government formally takes possession of the endowment and then transfers it, the Taluk Board will probably ^{have} no objection to take charge. If the hakdar considers himself aggrieved by the

3
the orders of Government, it is open to him to institute a suit in a Competent Civil Court with reference to Section 14 of Regulation VII of 1817 - (Vide Madras High Court Reports V, page 334, and M.H.R, Vol.VII, page 117).

9. A copy of the Taluk Board's resolution No.16 dated 18-2-95 is enclosed.

I have the honour to be,

Sir,

Your most obedient servant,

(sd) *Illegible*
for Collector.

(True Copy)

L. Sivaparamam

for Ag. Secretary.

P.S.O.
12/6

D.D.R.

12-6-'06.

Proceedings of the Tuticorin Taluk Board, dated 18-2-1895.

Current No.202 of 1894.

Resolution
Routine No.16.

Read Sub Collector's Endorsement Ref. on Cur.No.202 of '94 dated 28-1-95 on Ottappidaram Tahsildar's Ref.B. on Cur.No.410 of 94 dated 28-12-1894, requesting to state whether the Taluk Board is willing to take up the management of the Chattram at Kadambur with its endowments.

Read also ^{the} Taluk Board's Resolution No.33 dated 2-7-94 on the above subject.

The Taluk Board declines to take over the Chattram.
The Hukdar is again warned to keep the building in good order.

(Sd) M.D.Bell
President.

(True Copy)

(sd) *Illegible*
for Collector.

(True Copy)

S. S. S. S. S.
for Ag. Secretary.

D.D.R.
12-6-'06.

12/6

No. 6330 Misc.,

Board of Revenue, Land Revenue,
Madras.

Dated 19-12-95.

Read endorsement of the Collector of Godavari, Ref. No. 3347/
Ver. of 8-10-95 dated 14th October 1895 on letter from the Ag.
Sub Collector, Godavari Dis. No. 2186/Rev. of 95 dated 19-9-95.

Read also letter from the Collector of Tinnevely, Ref.
on D.O.R. No. 218/1893 dated 14th October 1895.

Resolution:-

The Collector will be informed that
in the cases referred to they can take the necessary action
under S. 539 of Act XIV of 1882 - Vide G.O. No. 323/8-2-83 Judl.

(True Extract)

(Sd) ~~L.N. Wintch~~ *L.N. Wintch*

Ag. Secretary.

To the Collector of Godavari.

To the Collector of Tinnevely.

(True Copy)

Subramaniam
for Ag. Secretary.

P.S.O.
12/6

D.D.R.

12-6-06.



Proceedings of the Board of Revenue

(Land Revenue),

No. 2303 Miscellaneous, dated 19th May 1896.

The Hon. Mr. J. Sturrock *Comr of Land Revenue*

Read the following letter from V. A. Brodie Esq., Collector of Godavari, to the Secretary to the Commissioners of Land Revenue, Madras, Ref. No. 1450/Ver. of 1896, dated 7th May 1896:-

In reference to the correspondence ending with Board's Proceedings No. 6330 Miscellaneous, dated 19th December 1895, I have the honour to state that the Municipal Council of Rajahmundry declines to institute a suit against the trustee of the Estate for the recovery of the property. It is, however, prepared to take charge of the choultry and maintain it in case it be handed over with the trust property. In these circumstances, I request the Board's instructions as to the propriety ^{or} otherwise of my instituting a suit on behalf of Government for the recovery of the property. *X*

Resolution:-

The Collector will be informed that by B. P. 6330 Miscellaneous, dated 19th December 1895 it was intended that the necessary suit should be instituted by the Collector himself and not by the Municipal Council.

(True Extract)
/Signed/ L.D. Swamikannu,
Assistant Secretary.

To the Collector of Godavari.

(True Copy)

S. Sivapalanam
for Acting Secretary.

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Board of Revenue

(Land Revenue),

MADRAS.

To

True copy of B.P.No.2303 Miscellaneous,
dated 19th May 1896.

Subject.

3,000
3-5-99.

Proceedings of the Board of Revenue

(Land Revenue),

Dated 9th May 1895.

No. 2372 Mis. Routine.

READ

Letter from V. A. Rodie Esquire, Aq. Collector,
Godavari to the Secretary to the Commissioners
of Land Revenue, Madras dated 4th April 1895
Ref No. 86
Ver.

Resolution

Submitted for the orders of Government with
the Board's recommendation that, in the cir-
cumstances reported by the Collector, the manag-
-ment and superintendence of the Choultry
referred to may be transferred under Section 163
of the District Municipalities Act II of 1884 to the
Rajahmundry Municipal Council which is
willing to take charge of the same.

2. The Board considers that no further action
need be taken against the trustee who is the
widow of the author of the trust.

(True extract)

R. S. S. S.

Aq. Secretary

The Secretary to Government R.D.
(with letter and 4 enclosures to be returned).

Cm 195

Revenue 1895. Sept

Board of Revenue

(Land Revenue),

MADRAS. 1698

CURRENT No. 1698

Current Number 3510. Ind. Mis No. 1988

To

The Secretary to
Government R.D.

Transferred to the Local
and Municipal departments.

[Signature]

As Secretary to Government

Godavari
18th May 1895

23 MAY. 95

Recd 13 May

Ans 5.

To the L. & M. Dept.

Proceedings, dated 9th May 1895,

No. 2372

Mis.

Subject

Submitting for the orders of
Government, with remarks,
letter from the Collector of
Godavari reporting on the
mismanagement of Goda-
vari Choultry at Rajahmundry
and requesting sanction for the
transfer of the management
and superintendence of the
Choultry to the Municipality.

P. I. O.

MW 14/5. 30/5-4/1/6

LOCAL AND MUNICIPAL DEPARTMENT.

Local & Municipal Dept.

CURRENT No. 1698 M

From

The Revenue Department

No. 1988

Dated 18-5-95

Received 28-5-95

Enclosures

SUBJECT.

Transferring Proceedings of the Board of Revenue (Land Revenue) on the for the orders of the Board submitting letter from the ~~Magistrate~~ with remarks reporting the Collector of Godavari District on the mismanagement of Subhavarai Choultry at Rajahmundry and requesting sanction for the transfer of the management and superintendence of the choultry to the municipality.

/bit order

CS
M. S.

order 4/11-6-95 12967

The proposed transfer is sanctioned.

V.M.
16/95 C.S.
2.11.

8/6/95

To

The Revenue Department

Chairman, M.C. Rajahmundry
thus the Collr. of Godavari

17/6/95

en given for copying _____
 en copied _____
 en examined _____
 en signed _____

189

AD 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

OTHERS NOT FILED UP, BRING MEANT FOR DESPATCH
 IN ORIGINAL

N.B. -

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