24/10-08

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

# Local & Munl. (1896) Department.

## MISCELLANEOUS.

**G.O., No. 1373 M**

**DATED** 15th August 1896

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[Despatch Abstract.]

Land.

Declining, with remarks, to approve the proposal of the Tiruppattur Municipal Council to acquire the piece of ---- required for locating the old temple car.

C. 1137 24/08

## BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|---|---|---|---|---|---|---|---|
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## FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|---|---|---|---|---|---|---|---|
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**INDEXED.**

*Miscellaneous.*

LOCAL AND MUNICIPAL DEPT.

G.O., DATED 15. 8. 96
No. 1373-M.

*When given for copying.*

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[Despatch Abstract.]

Land

Declining, with remarks to approve the proposal of the Tiruppattur Mun Counl to acquire the piece of ___ required for locating the old temple car

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

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DISPATCH IN ORIGINAL (not paged).

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A — Copy in full
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Q — Copy heading only

BACK PAPER, No. of 189

FURTHER PAPER, No. of 189

Copied by X

Examined by

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## NOTIFICATION.

Under Section 6, Act I of 1894, the Right Honorable the Governor in Council hereby declares that the land mentioned in the following Schedule and measuring acres 0·03 be the same a little more or less, is needed for a public purpose, to wit, for a site for the location of the car at Tirupatur; and under Section 7 of the same Act, the Hd. Asst. Coll. of Salem is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land.

### SCHEDULE.

| District. | Taluk. | Village. | Description of land, Wet or Dry, Inam or Poramboke, with Survey or Paimash Number. | Name of Owner or Occupier. | Boundaries of the land required to be taken up. | | | | Extent to be taken up. | Estimated cost of the acquisition. | The authority sanctioning it. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | North. | East. | South. | West. | | | |
| Salem | Tirupatur<br>Tiruppattur | Tirupatur<br>Tiruppattur | Village site Poramboke S. No. 716. | Subbaroya Chettiar alias Abbukutti Chettiar, Mittadar of Selanthampalli, Tirupatur taluk | Ananthier's house | Public Street | Backyard of Subramaniyer's house | Ananthier's house | A. C.<br>0 · 03 | 75 " " | Proceedings dated 1st August 1895 of the Tirupatur Municipality. |

Copied by
7/10

The Municipality
For Collector

2/3071 M of 95

800—10-7-94.

Salem Collector's Office,
23 October 1895.

Local & Municipal Dept.
CURRENT No. 3071 M

No. 1461
Sub

From

G. STOKES Esq.,
*Collr. & Dist. Magte. of Salem.*

To

The Chief Secretary to Government,
Local and Municipal Department,
Madras.

SIR,

At the instance of the Tirupatur Municipal Council I have the honor to submit under Section 6 of Act I of 1894 a draft declaration in respect of 0.03 acres of land required for a site for the location of the old car at Tirupatur, which now lies embedded in the ground in the Bazaar street causing much inconvenience, and to request that the same may be approved and ordered to be published in the Fort St George Gazette.

2. The Chairman of the municipal Council states that the acquisition of a site for the purpose has been sanctioned by the Government and the Council at its meeting held on the 1st August last accepted the estimated cost of the land.

Please see para 60 of the chairman's letter in G.O. No. 103 M. 22-1-95

3. The owner is willing to part with the land but demands Rs 125. while it is estimated to be worth Rs 75. His statement is enclosed for reference and favour of return.

I have the honor to be,
Sir,
Your most obedient Servant

For Collector

Copied by
7/10 34

1000—8-8-94.

~~Revenue~~ Department.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 3071/M

From the Collector

and District Magistrate,

Salem.

To,
The Chief Secretary
to Government,
Local and Municipal
Department
Madras.

Dated 23-9-95.
despd. 8-10-95.
9 OCT. 95
No.

Enclosures 2.

Subject.

Submitting, under Section 6 of Act I of 1894, a draft declaration in respect of 0.03 acres of land for the location of the old car at Tirupatur.

(with an order)

---

103 M 22-1-95
319 M 9-3-93

N/Mis. Order

The draft-notification, as amended by Government, will be published in the Fort St. George Gazette.

To the collector of Salem
(with one state. returned)
Gazette.

M/1 a/21-10

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[G./24.]
500—22-4-96.

DEPARTMENT.

Papers to be read in proceedings :—

Again G.O., dated 189 , No.
Again G.O., dated 189 , No.
Current No. 3071 M of 1895, dated , from Colr. Salem.
" " " 189 , " , "
" " " 189 , " , "

~~ORDER.~~ Ref. 720/24/6/96

The Chairman, M.C., Tiruppatur, is requested to report for what length of time the car, referred to in para. 60 of his letter No 1042 d/ 20.12.94, embodied in G.O. 103 M d/ 22-1-95, has been lying in its present site in the Bazaar street.

(from orders)

WWD
19-6-96

To
The Chairman, M.C., Tiruppatur
prefix
Despd. 24/6/96

R.

Acquisition of lands - Tirupattur municipality -

12-30'

For orders

N/h

720/96

Copy [illegible]
Keep papers together
R.P.
22/6/96

---

~~Reference on~~ No. 793/Eng

**MUNICIPAL OFFICE TIRUPATUR.**

Dated 3rd July 1896.

**From** M.R.Ry. T.V. Gopalasami Iyer avergal. B.A. ~~Esquire,~~

**Chairman, ~~Municipal~~ Council,**

**TIRUPATUR.**

Local & Municipal Dept.
CURRENT No. 1961/M

**To**

THE CHIEF SECRETARY TO GOVERNMENT
LOCAL AND MUNICIPAL DEPARTMENT,
**MADRAS.**

~~THROUGH THE COLLECTOR OF SALEM.~~

Sir,

With reference to your memorandum No 720 dated 24th June 1896, I have the honor to report that the old car had been lying in its present site in the bazaar street for more than 30 years and it was removed about the end of December last to the site proposed to be acquired.

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

R.

Xd
2/7/96

Acquisition of lands - Tiruppattur municipality –

12-30'

For orders

N/1

720/96

[illegible] together
[illegible]

R.P.
22/6/96

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~~Reference on~~ No. 793/Eag

**MUNICIPAL OFFICE TIRUPATUR.**

Dated 3rd July 1896

**From** M.R.Ry T.V. Gopalaswami Iyer avergal B.A. Esquire,
**Chairman, ~~Municipal~~ Council,**
**TIRUPATUR.**

Local & Municipal Dept
CURRENT No. 1961/M

**To**

THE CHIEF SECRETARY TO GOVERNMENT
LOCAL AND MUNICIPAL DEPARTMENT,
**MADRAS.**

~~THROUGH THE COLLECTOR OF~~
~~SALEM.~~

Sir,

With reference to your memorandum No. 720 dated 24th June 1896, I have the honor to report that the old car had been lying in its present site in the bazaar street for more than 30 years and it was removed about the end of December last to the site proposed to be acquired.

I have the honor to be,
Sir,
Your most obedient servant,
Gopalaswami
Chairman

xd
[illegible]
2/7/96

Emoty 20/96.

**LOCAL AND MUNICIPAL DEPT.**

P.R. CURRENT No. 1961 M

FROM

THE CHAIRMAN,
MUNICIPAL COUNCIL,
TIRUPATUR.

To

*The Chief Secretary to Government,*
*Local and Municipal Department, Madras.*
~~Through the Collector of Salem.~~

DATED 3rd July 1896

6 JUL 96

No. 793 Enclosures. "
11 Eng

SUBJECT.

Informing that the old car referred to had been lying in the bazaar street for more than 30 years.

11/7 9/14/7

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LOCAL AND MUNICIPAL DEPARTMENT.

Again G.O., dated 189 , No.
Current No. 3071 M of 1895, dated 23rd September from the Collector of Salem
Current No. 1961 M of 1896, dated 3rd July 96 from the Chairman, M.C. Tiruppattur

FOR ORDERS.

As to whether the land acquisition act may be applied in this case. The council's object is to clear the bazaar street, in the middle of which the old car appears to have been imbedded. This car has apparently been lying there for a sufficiently long time, ~~so~~ to give the temple authorities a prescriptive right to the land. It is doubtful whether the land required for the purpose of locating the car can be acquired under Act I of 1894. In this connection please see the notes & orders in G.O. No. 24 M dated 10th January 1894.

P.D. 4/11/95

WWB 6/11/95

It is nowhere mentioned for what length of time the car has been in its present position, but presumably for more than 12 years, as appears from para. 6 of the Chairman's letter embodied in G.O. 103 M 22.1.95

From the chairman's letter read above, which is in reply to the reference made to him on the first, it appears that the old car has been lying in the bazaar street for more than 30 years.

V.R.
16/7/96

WWD
17.7.96

This is a case about which I do not feel quite sure. The facts are simple enough. The temple car either got stuck in a street within the municipality or broke down and was not moved for 30 years. The Council in order to remove the obstruction which this caused had it moved to another place and this they wish now to acquire under the act.

It seems to me that they cannot do this for if they acquire the land it becomes municipal property and the law does not seem to contemplate the acquisition of land from munl. fund for the purpose of putting a car on it.

The Pagoda Trustees by long occupation of the ~~land~~ portion of the street upon which the car was obtained I take it a prescriptive right to that portion and if this is so the munl. Council is bound to pay them compensation for ejectment but not to find them a fresh site for their car.

I submit therefore that the Council should pay money compensation and leave the Trustees to make such arrangements as regards the new site for the car as they may deem fit.

20/7/96

WWD
24-7-96

Order. No. 1373 Mmis dy 15/8/96.

The proposal of the Munl. Council ~~acquisition of a new site for the car~~ cannot be approved, as the acquisition of land for ~~such a~~ the purpose mentioned is not ~~does not seem~~ contemplated ~~to be contemplated~~ by the law.

The Council should therefore pay the temple trustees ~~money~~ compensation in money for the ~~site~~ land from which the car is to be removed, & leave them to make their own arrangements for procuring a new site.

(from orders)

13/8/96

B.O.

To the Chairman, M.C. Tiruppattur
Through The Collector of Salem.
(with a stated rec'd)
[illegible] 28/8/96

2040 M 4-12-95
863 M 21-5-96
103 M 22-1-95
~~[illegible] 94~~
1728 M 12-12-93
319 Mis 9-3-93

C. No. 3071

Acquisition of land - Tiruppattur municipality

FOR ORDERS.

3071 M

H.M.

This had better stand over until we see what the ruling in the relation to the Madras and Conjeevaram cases is. If the ruling is Govt. ruling the cases can be brought out.

14/11

Orders having now been passed in the Madras & Conjeevaram cases (G.O.s $\frac{2040 M}{4.12.95}$ + $\frac{863 M}{21.5.96}$) this is resubmitted for orders.

16.6.96

We must now ascertain definitely how long the case has been where it is.

18/6/96

Acquisition of land – Tiruppattur municipality

~~From~~

~~FOR~~ ORDERS.

Cl

13732

13/8

Circulated

21/8

24/8

Return after despatch

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} 189 .

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

CURRENT NO.

ENCLOSURES TO C. NO.

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LETTER OF GOVERNMENT.

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