

[L. & M.]
[2,000-4-4-97.]

Local & Munl. (1897) Department.

MISCELLANEOUS.

G.O., No. 1462 m

DATED 21-6-97

INDEXED.

[Despatch Abstract.]

Encroachment

Informing the Civil Commissioner that the area of the Coated — which is an entrance to the house, belonging to the Free Church Mission may be leased but the leasing or sale of the rest of the land encroached upon by the Mission cannot be sanctioned, & drawing the attention of the M.L. Council to a case of auction — on the other side of the street.

BACK PAPERS.

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

FURTHER PAPERS.

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

Papers to be read in Proceedings:—

Again G.O., dated 189 , No.

Current No. 500 of 1897, dated 26th Novr/96 from the chairman, M.C. Conjeerav.

Current No. 2107 of 1897, dated 27th May/97 from the collector of Cingaleput.

Misc.

Order. No. 1462 M. misc. dt. 21.6.97.

The area of the covered
encroachment, which is an entrance
to the house may be leased, but
the leasing or sale of the rest
of the land encroached upon
cannot be sanctioned.

2. The attention of the
municipal council is drawn to
the encroachment in front of
Venkatarayer's house, on the other
side of the street, which should
be removed at an early date.

1 From orders/

V.R.
17/6/97

[Signature]

To the chairman, M.C. Conjeerav.
thru the collector of Cingaleput.
Supd. 28/6/97

of construction in front of house

Again G.O., dated

189 , No.

Current No. 500 M of 1896 , dated

26 Novr 1896 from the Chairman Mr. Conjeevaram

Current No. 2107 M of 1897 , dated

27 May 1897 from the Ag. Collector, Chingleput Dt.

FOR ORDERS.

Please see the notes on the first of the letters read above and the reference made thereon to the Collector. In his letter read above, which is in reply to this reference, the Collector states that the land encroached upon is "street" vested in the Municipal Council under Section 23 of Act IV of 1884.

V.R.
27/5/97

17.06

Laque -
attention should be
drawn to Venetray in
encroachment on the
other side of the street
which should be removed

As

1576/97

The area of the covered encroachment, which is an entrance to the house may be leased; but the leasing or sale of the rest shd. not be sanctioned. This is practically in accord with the Sub/collector's first recommendation vide para 3 of Chairman's letter.

The street has been narrowed by the encroachments on

constructed in front of house

both sides to 10 feet odd.
Whereas it sh^d. apparently
be about 25 feet.

S.P. 12/6/97

Local & Munl. (1896) Department.

CURRENT No. 500/M



From

The chairman.

Municipal Council

Conjeveram

His
Order.

Ref on No. 820 of 96

The sale of the land in question can-
not be approved.

Dated 26th November 96.

P.B.
26/11/97

Is the land in question for
land or street i.e. Municipal land.

Received 8-2-1897

Registered 9-2-1897

Enclosures 2

Spare copies

In the former case there is no case of
encroachment i.e. of the land in
street for land & not street vested
in the mty. as street?

There is no means of ascertaining whether
the encroachment in question is on Gov-
ernment land or on 'street' except

To

P.T.O

The Chairman, Municipal Council, Conjeveram

through the Collector of Chingleput.

SUBJECT.

Requesting whether the sale of the land
Soliciting orders regarding
the encroachment made by
Mr. John Stewart, Secretary
Free Church of Scotland Mission
in Mission cottages, Conjeveram

Returned
19/11/96

1. The Chairman is requested to send a ground plan of the house in question & adjoining houses and street.
2. The dimensions should be clearly marked & encroachment plainly marked.

Constructed in front of house

BACK PAPERS.			
G.O.	No.	Department.	Date.
fo	1566	h	14-9-96
fo	863	h	21-5-90
fo	210	h	20-2-89

G.O.	No.	Department.	Date.

The Collector is requested to enquire and report whether the land in question is "street" vesting in the Municipal Council under sec 23 of the District Municipalities Act IV of 1884, is the property of Government.

The collector of his department
 (with notes in original to hand)
 1870/71



RECORDED, through the
Director.

2. I am not prepared to recommend the proposal of the Municipal Council to sell the land, for which a course would be ~~to~~ only an invasion of the 1.0% prescribing rates of rent for encroachments.

~~Blaw 30/1/97~~

Forwarded

2. The whole section
encompassed upon may
be traced out.

S B Mendenhall
Ag. Col.

new accordingly constructed in front of house

Ref No. 820
of 96.

Office of the Municipal Council
CONJEEVERAM 26th June 1896

FROM

M. L. R.

CHAIRMAN MUNICIPAL COUNCIL,

TO

THE Chief Secretary to Government

SIR,

I beg to inform you for the orders of Government
with copy of a letter addressed to me by
The Reverend Mr. Stewart, Secretary to the
Free Church Mission of Scotland dated 16th
Ultimo, requesting the Council to dispose
of him a piece of land belonging to Government
situated at the Madhavapuram.

The Mission purchased a house
No. 23 in Mataspalain Street and applied
for a pass for its reconstruction in accordance
with the plan submitted with the Application.
A pass was granted on the 24th of
1896 and in conformity with the conditions
thereof a construction was made blocking
up the old entrance to the North, where
there is a lane known by the name of
Mataspalain Street, and opening a new
one to the South facing public road
(Tiruchinambur Str) leading to Chingapuram.
Again in 1892 another pass was applied for
for the construction of a boundary wall
and it was granted and the wall has
been accordingly constructed in front of

more than

of the house.

3. This building was inspected by the Sub-Collector of Chingleput along with other encroachments in the town in 1895 under orders from Government, and in his inspection notes he remarked "verandahs of 5 ft at the back have been taken up and completely covered in. This is very objectionable but may remain on payment of rent; Koradus have similarly been completely covered in. They are exceedingly objectionable and must be removed."

4. The Council in accordance with the suggestion so made issued notice to the Secretary for the removal of Koradus, but subsequently acting under the advice of Sub-Collector, which was later appointed by the Council for the inspection of encroachments, changed its order of removal to that of charging rent; also to these Koradus.

5. The pymash extent of the house in question is 57' from North to South and 78' from East to West and the present occupation of the house is in excess i.e. $5\frac{1}{2}' \times 52\frac{1}{2}'$ in one place and $9\frac{3}{4}' \times 25\frac{1}{2}'$ in another making in all 537 ft or 60 square yards of which 23 yards are covered and the remaining uncovered but all of which are under enclosure. The area

over the pymash extent of the house is therefore liable to an annual rental of Rs 17-14-0 calculated at the rates sanctioned by Government in G. O. Nos. 863 and 1566 dated 21st May & 14th Sept. 1896 respectively.

6. There are no traces of the existence of Koradus at the back of the house, probably they might have been effaced and I could get no information whether there were any. In the absence of information on this point it is doubtful whether the encroachment was made at the back or at its front but as the Sub-Collector's investigations were at a time when no one suspected as to why the measurements & investigations are being made by him about these encroachments he must have arrived at the truth from his enquiries to come to the conclusion as he did that Koradus were also covered in.

7. There are traces of old foundation in some places on the line of the boundary at the back of the house and this may probably be the foundation of Koradus, and the reconstruction at the back does not appear to have gone further than the old foundation found in some places.

8. As the first plan for the reconstruction of the house was given so far back as the year 1885 and the Koradus if there were any, they should have been constructed long before 1885 as no

more than

permission for the construction of roads
was applied for and granted in 1885
or subsequently.

9 Under these circumstances
I beg orders whether the request of
the Reverend Mr. Stewart to convey
the land to him by sale at the
market value which is ascertained
to be Rs 37-11-4 for the whole encroachment
would be sanctioned by Government

10 A copy of the Proceedings
of the Council on the subject is also
herewith submitted

I have the honor to be
Sir

Your most obedient servant

W. W. Stewart
Chairman

Refers to

C	3
	82

in your reply

Free Church of Scotland Miss.
Rayapuram, Madras, 16th Oct. 1887

From

The Secretary, Free Church Mission,

To

Mr. R. S. Venkatapathy, M.A. F.R.S.

Chairman, Municipal Council
Conjeevaram

Sir,

With reference to your letter no 820
of 8th October & our conversation on 12th instant
regarding the alleged encroachment at the
Mission Cottages, Conjeevaram. The cottages
were rebuilt when they came into our
possession nearly twelve years ago and no
alteration has been made on them since.
It is clear therefore that no encroachment
has taken place since that date. You will
also remember that when we examined
them together on Monday last, it was
evident that the back wall of the present
house, where the alleged encroachment
is said to be, had quite evidently been
built on the old foundation from which
it appears that if there is an encroachment
it must have taken place a number of
years prior to the erection of the present
buildings & therefore a considerable time
more than twelve years ago. I personally

500 May 1887

Think that any encroachment is more likely to have taken place at the front than at the back but in any case I think it is quite clear that if there has been encroachment we are entirely free from blame in the matter especially in view of the fact that the plan for the rebuilding was submitted to & sanctioned by the Municipality & the buildings erected under the supervision of their Inspectors. any encroachment ought to have been discovered & rectified then. It is also clear that if there is encroachment it is of much longer standing than twelve years. In all these circumstances the matter is one that ought to be dropped entirely but if it would simplify matters and as the amount at issue is trifling we are prepared without prejudice to pay the market value of the portions said to be an encroachment and thus end the matter.

I shall be glad to hear from you further with this in view.

I have the honor to be

Sir

Your most obedient servant

(Signed) John Stewart.

(True copy)

Municipal office.
Ceyceeram 26th Oct 1896.

W. Stewart

No. 217/1896-97.

Minutes of Proceedings of the Municipal Council, Ceyceeram passed at its General Meeting held on Monday the 26th October 1896 at 5 P.M.

Present.

Chairman

H.R. V. Venkataswamy Iyer Esq.

Councillors

- (1) H.R. C. Sambamurti Esq. Mayor
- (2) " V. Damodara Mudaliar "
- (3) " M. K. Ramaswami Sarmam "
- (4) " A. Dasikachari " B.A.
- (5) " T. E. Kumaraswami Sastri "
- (6) " C. J. M. Appara Mudaliar "
- (7) " C. Jeyarajam Rao "
- (8) " M. Satharambali "
- (9) " A. Krishnasamy Esq. " B.A.
- (10) " C. S. Venkataswami Esq.

X X X X X

III. Read letter no. 82 dated 16th October 1896 from the Secretary, Free Church Mission, Madras, regarding the encroachment at the Mission Cottages, Ceyceeram.

The Government may be addressed on the Subject.

X X X X X

Ceyceeram Municipal Office. (Signed) H. Venkataswamy Esq. Chairman
26th October 1896.

(True Extract)

W. Stewart

 YELLOW COLOUR.

 RED COLOUR.

ish extent of the house,
Pymash extent
much extent, of which
length between B and CC
feet in length between
The extent of encroachment
d encroachment $21' \times 5\frac{1}{2}'$. The

7. Taram Kuoam
ml. answer for P.W.
24a January 97.

A to B is 57 feet according to Pyramash extent of the house,
B to C is $5\frac{1}{2}$ feet in excess of the Pyramash extent
C to D is 78 feet according to Pyramash extent of which
 $5\frac{1}{2}$ in breadth and $52\frac{1}{2}$ feet in length between C and C^S
and $9\frac{3}{4}$ feet in breadth and $25\frac{1}{2}$ feet in length between
C^S and D are encroachments. The extent of encroachment
between C and C^S includes cover

Ref no 820 of 96
in

Municipal office,
Conjersam, 27th Jan 97

From,

The Chairman,

Municipal Council,

Conjersam

To,

L. C. Buckley Esquire.

Sub-Collector of

Chingleput.

Sir,

* Returned.

In reply to your endorsement on the letter to the Chief Secretary to Government dated 26th November 96, Ref no 820 of 96, I beg to submit a plan as therein required.

To the South of the building in question is situated the Matupalem road. The width of the road as per pynash cannot be ascertained as the Account thereof kept in the Taluk was taken by the Kurnam of the Village who is doing duty in the Survey Office at Madras for the preparation of Survey A.T. I have however discovered the actual extent of the encroachment at the back by measuring and finding, the excess to be 52 $\frac{1}{2}$ pynash.

Thos 1897

52½' x 54½' on one side, and 25½' x 93¼'
on the other.

There appears to have been
a clerical error made in the report
in stating 23 square yards to be covered
encroachment instead of 13 s. yards.
This error will reduce the rent
from Rs 17-14-0 to Rs 16-10-0.

I have the honor to be

Sir

Yours most obedient servant.

W. M. M. M.
Chairman.

Local & Munl. (1897) Department. ^{MS.}

CURRENT No. 2107 M

From

The Collector
Chungpet Dist

Order.

Dis No. 1453 of 1897

Dated 27th May 1897
Received 31/5/97
1 JUL 1897

Registered 1-6-1897

Enclosures 1 C. No 500 M old

Spare copies

SUBJECT.

Reporting that the land
encroached upon by Mr.
J. Stewart is street vesting in
the Municipal Council
Concurrence under Sec 23 of
the District Municipalities
Act IV of 1884.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Dis No. 1453 of 1897

From

Chingleput
DISTRICT COLLECTOR'S OFFICE,
Camp Chingleput 27 May 1897.

LOCAL & MUNICIPAL DEPT.
CURRENT 2/10/97

D. D. Murdoch Esq. & Co.
Collector of the
Chingleput District,

To

The Secretary to Government,
Local & Municipal Department,
Madras.

SIR,

With reference to Government
Memorandum No. 336, Local & Municipal,
dated 17th March 1897, I have the honor
to state that the land encroached
upon by Mr. J. Stewart is street vesting
in the Municipal Council under Sec 23
of the District Municipalities Act IV of
1884.

I have the honor to be
Sir,
Your most obedient Servant
D. D. Murdoch
Collector

Enclosures
returned.

SP

When given for copying _____
When copied _____
When examined _____
When used _____

189

AGAIN G.O., No.
189 .

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
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