

INDEXED.
Local & Munl. (1897) Department.

MISCELLANEOUS.

G.O., No. 824/m

DATED 7-4-97

✓
DESPATCHED

[Despatch Abstract.]

Petition

— Informing Sirab Khan Sahib, Maikandar
Karnar, that Govt. will not receive — our any matter
unless it shall appear that he has first applied to
the local or any other Controlling Authority.

BACK PAPERS.

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

FURTHER PAPERS.

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

[L. & A.
1,000-25-10-90]

Local & Munl. (1897) Department.

CURRENT No. 1378 m.

Misc.
Order No. 824 muni. 2/4/97
Para. 2 of the
Petition Rules

RA
5/4/11

[Signature]

From

Arab Khan Sahib
Makaudar of Kalakha
Sahib mosque
Karur

No.

Dated 25-3-97

Received 29-3-97.

Registered

Enclosures (3)

Spare copies

SUBJECT.

Praying that the tax im-
posed on the mosque by the
Karur municipality may be
cancelled in the circum-
stances stated.

To the Petitioner J.A.
O.P. 8/4/97

a/s/4.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
CURRENT NO. 1378M

To

The Right Honorable the Governor
in Council Madras.

The humble memorial of Arakkhan Saik
MaKandar of Kalakhan Saik Mosque Herry
Gombatore District.

No 923
3-3-97.

1. This humble memorial
is against the order of the
Municipal Chairman of
Karus for tax imposed
to the above mosque.
2. The above mosque has
from time immemorial
been enjoyed by the mem-
orialisht and his ancestors
subject to the right
of the Mohamadans
to bury them in.
3. Neither memorialist
nor, his ancestors has he
ever been paid any
Kandayam or

Tax either to the Government
or municipality.

4. In the year 1883 & 84
one Srinivasa Natha Pillai
the present Dewanastanam
Managers filed a summary
suit in Rs $\frac{44}{1883}$ & $\frac{116}{1884}$ &

accept a pathak for the
said Mosque & the same
lies in Nam Village.

But Mr. Knox and Mr.
Rouson the then Sub Collector
of Coimbatore dismissed
the suit after inspecting
the place and found that
the Manager is wrong
to Collect Candayam for
the land, and that the
land was used as burying
ground from time immemorial.

5. While so the Municipal
Chairman of Karur
has unlawfully taxed the
mosque (the burying ground)
and attaching his property
for amount.

6. Then the memorialist
produced the above two
documents & some other

records to show, that they
are not liable to tax
any amount to the above
land and requested with
a view that memorialist
has ever paid any tax
from time immemorial,
and there is nothing to show
that they have ever ^{received} paid
any Kandayam or tax
by the memorialist for the
past 40, 50 years. But
the Chairman without
taking these in to his
consideration ordered
to pay the tax newly
imposed on him.

7. The humble memorialist
most humbly pray that
your benevolent honours
will ^{please} order the above
Municipal Chairman
after perusing all
the records sent
herewith to cancel

the order taxed on him
and reader notice
he kept & remain
in
your honour most obedt

5.3.97 21751001



Judgment in suit No 44 of
1883 on the file of the Ag. Sub-
collector of Coimbatore.

Strinivasa Thatachar - Plaintiff
Arab Khan otherwise
Kaly Khan Sahib } Defendant.
Suit to enforce acceptance of a
puttah.

The plaintiff filed the follow-
ing documents
Ex A Proposed puttah
Ex B Settlement register
of Larur village.

The following issue was settled
Is the defendant bound
to accept a puttah from
the Plaintiff?
The Plaintiff's case was
that

that the land was assigned
to the temple in the register
and that therefore the def-
endant who occupies that
land must pay ~~the~~ the Can-
dayam.

The defendants' case was
that the land is a burying
ground and that it has from
time immemorial been enjoyed
by him and his ancestors -
subject to the right of the
Mahomedans to bury there
in. The Plaintiff cited

a witness Parasanna ~~who~~ said
he was one of a number of
Brahmins living in a neigh-
bouring Agraharam who objected
to burials in that place and
stopped

stopped ~~them~~ 20 years ago, and
that no burial has taken place
since. The defence evidence
shows that burials have taken
place more recently and the evidence
of my ~~own~~ eyes satisfies me that
such is the case. A servant
of the Devasthanam is also called
to prove that no burials have
taken place for 20 years. This
coupled with the Defendants'
evidence and my own view
of the graves is conclusive -
that it has been used as a
burying-ground.

It is clear that the ground
is a ^{burying} ~~burial~~ place. It is
also clear that Candayam
has never been paid. If it
had been

had been liable it would have been claimed. The Govt would certainly have collected all that was due when it had the management. I find that the Defendant had proved his rent free tenure for an indefinite length of time and accordingly find that he is not bound to accept a Puttak from the Plaintiff and give judgment for the Defendant with costs.

8th Feb. 1884 } (28) H. J. Knox
"Karnur" } Ag Sub-collector
(True copy)

copied by. J. B.
compared by. C. B.
copy applied for. 11-2-84.
stamp produced. do.
copy ready. 28-2-84.
copy delivered.

1/1378/10/16/17



Court of the Sub Collector of Coimbatore.

Summary Suit No 116 of 1884 under
Act III of 1865

Plaintiff	Defendant
Sreenivasachari	Kala Khaw Sahib
Devasathanam Manager	alias
Karnur	Anappugan

Judgment
This is a suit to enforce acceptance

of a puttak.

- The following issues were settled
- (1) Is the defendant bound to accept a puttak from the plaintiff?
 - (2) Is the puttak a proper one?

Plaintiff is the manager of Pasupathi Iswarasami Devasathanam and he alleges that the land occupied by Defendant belongs to the temple, and that Defendant is liable to pay the Caudyam

He produces the Settlement register to show that the field was assigned to the Devasthanam.

Defendant objects that the land is burying ground and that it has never paid any Caudyam from time immemorial. This suit was heard last year on the same ground. Mr. Knox who tried the suit inspected the field and found that the defendant's contention was true and that the land was used as burying ground.

There is no evidence that any Caudyam has ever been paid for this land. and it is clear that the land is used as a burial ground. If the Devasthanam had any ^{claim or} right to the Caudyam, they would have enforced it long ago.

I therefore find



that the defendant is not bound to accept pultah and accordingly dismiss the suit with costs.

Signed/ J. C. Rawson
Ag. Sub. Collector
6-9-84
(True Copy)

(no) correction

Copied by J. H.

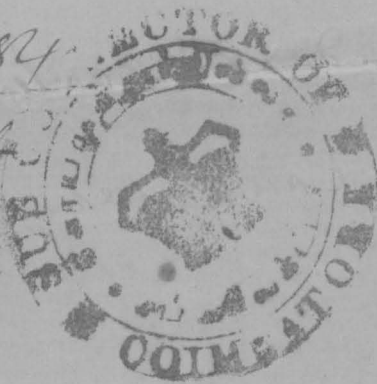
Comp. by J. H.

Copy applied for 11-11-84

Stamp & produce 20-11-84

Copy ready 24-11-84

Copy delivered 24-11-84
by J. H.



Ag. Sub. Collector

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THE SEAL OF THE
BRITISH CONSULATE
CALCUTTA
1892

No. 992.

Dear Mr. [Name]
[Handwritten text in Bengali script follows]

[Signature]

When given for copying _____
When copied _____
When examined _____
When signed _____

READ AGAIN G.O., No. 189

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

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

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

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1378 No 4187