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Press
Ordinary No. 1928, dated 17-11-98
Routine

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
14-5-04	m	1530	1904	ER	9-7-04	1400
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Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 1929m-

DATED 17-11-98

INDEXED.

RESPITORY

[Despatch Abstract.]

Land.

Stating that the Govt. agrees with the Collector in considering that the land in front of the Sub Post Office Commissary Bazaar does not vest in the Munl. Council, Vellore.

BACK PAPERS.

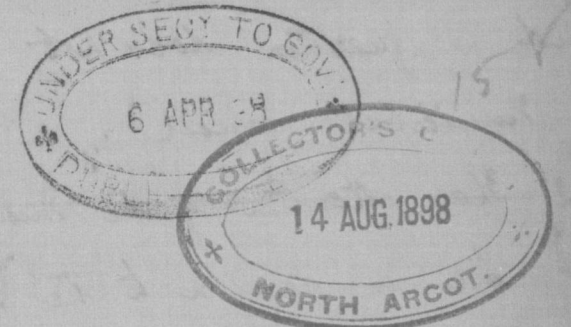
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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

Local & Munl. (1898) Department.

CURRENT No. 1222M



From Muhammad Wahidullah Sahib
Chairman Municipal Council
Vellur

No. 92h of 13-8-98
Order.

Referred to the Collector
of North Arcot for remarks.

No. 319 of 98

Dated 30 March 1898

Received

Registered

Enclosures one

Spare copies

SUBJECT.

Requesting a reconsideration
of the Proceedings of the
Madras Government No 390
in this dated 5 March 1897
for reasons given.

To The Collector of North Arcot

V.R.
11/8/98

Secretary to Govt.
11.8.98

12/9/98

2/4/11

BACK PAPERS.

Ins. Order. No 1929 made 8/17/4/98

The Govt. agrees with the ~~Sep.~~ Collector in considering that the land in question does not rest in the Municipal Council.

2. The attention of the Municipal Council is drawn to the remarks of the Sub. collector in paras. 3 & 4 of his letter.

V.A.
15/11/98

86 11 28

G.O.	No.	Department.	Date.
fo -	1117 390	h h	6-7-96 58-97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

To the Chairman of the Vellore
Collector of North Arcot Dist
(with a map set)

4
3247/m/98

VELLORE MUNICIPAL OFFICE:

Dated 30th March 1878
Despatched 4th April 78

No. 319 of 1928 FROM

MUHAMMAD HABIBULLAH SAHEB,
CHAIRMAN, MUNICIPAL COUNCIL,

LOCAL & MUNICIPAL DEPT.

CURRENT No. 1222 M

To

THE SECRETARY TO GOVERNMENT,

LOCAL AND MUNICIPAL DEPARTMENTS,

FORT ST. GEORGE.

Enclosures *me*

Sir,

Sir,
 I have the honor to bring to your
 notice that Captain Abdul Aziz Khan Sahib
 Sirdar Bahadar, owner of house No 76 situated
 in the Commissary Raggi Bazar street, applied
 to the Council for permission to put up a terraced
 roof in front of his house, but as the land
 whereon the roof in question is sought to be
 constructed is the one referred to in G.O.S
 Nos 1117 M. Nis + 390 M Nis dated 6th July
 1896 and 5th March 1897 respectively, I have
 been asked to make a reference to
 Government and obtain its instructions
 regarding the course to be adopted by the
 Council in the disposal of the petition under
 reference.

referencia.

2. In the year 1895, one Hakim Syed Ibrahim Sahib, the then owner of the house in question applied for and obtained the permission of the Chairman

Chairman

Chairman (my predecessor) to raise walls and put up a shed in front of his house which was then used as a Post office. Before the completion of the said work, however, Mr. Vaughan, the ex-officio Chairman, stopped the same as the land whereon he was building was considered as municipal property and the Chairman who had granted permission had not consulted the Council on the matter. The Council at its meeting of the 15th July '95 refused to ratify the action of the Chairman and the party was thereupon directed to demolish the walls &c which he had constructed on the strength of the permission granted to him by the Chairman.

3. Thereupon the party presented a petition to the Council requesting that the land may be sold to him for such amount as the Council may fix. His request having been favorably considered, the Council at its meeting of the 25th April 1896 resolved to sell the said land to him at the rate of 8 annas a square yard and to obtain the sanction of Government for such sale.

4. In my letter N^o 508 fl: dated 29th April 1896, I solicited the sanction of Government for the sale in question with the result that in its order N^o 117 M. Nis dated 6th July 1896, Government refused to sanction the sale on the ground that as the land did not form part of the actual roadway, it did not vest in the Municipal Council under section 23 of the

District

District Municipalities Act. I was thereupon asked to address Government again and to respectfully invite its attention to the definition of the word "Street" as given in the Act under which all lands, whether covered or not by any pavement, verandah or other erection, which lie on either side of the roadway up to the boundaries of the adjacent property, whether that property be private property or property reserved by Government for other purpose, are to be regarded as portions of the street and the Commissary Raggi Bazaar street wherein this house is situated is one of the streets which are vested in the Municipal Council. Having made the above reference in this office letter No 1404 fl: dated 26th December 1896, Government, in its order N^o 390 M. Nis: dated 5th March 97, was pleased to hold that the land did not vest in the Municipal Council unless it were a thoroughfare or was land over which the public in general had a right of way. The matter was then allowed to rest at this stage.

5. As Captain Abdul Aziz Khan Sahib Sirdar Bahadur (who has since become the purchaser of the house in question) has applied for permission to construct a terraced roof on the land in dispute, the Council has resolved to make a reference again to Government with an observation that the land does

does form part of a public thoroughfare according to the definition of the word street as given in the Act and that the public in general have a right of way over it. I may here add that the Council is unable to pass any orders on the petition of the applicant in the absence of any information regarding the rightful ownership of the land. It cannot grant the permission now sought for as it will thereby be tacitly admitting petitioner's ownership to the land which it thinks it is not justified in doing; nor can it refuse the permission as at present, sufficient grounds do not exist for its so doing.

I have the honor, therefore, to request that Government will be pleased to reconsider the matter and in the light of the facts enumerated above, be pleased to hold that the land is Municipal property and that it vests in the Municipal Council. If this pronouncement is obtained, it will facilitate the disposal of the petition under reference.

I have the honor to be,
Sir,
Your most Obedt Servant.
R. Quasim
Chairman

Extract from Proceedings at a ^{GENERAL} ~~SPECIAL~~ Meeting of
the Municipal Council for the Town of Vellore,
dated 25th March 1898.

PRESENT.

Muhammad Habibullah Sahib Chairman
Mr R. C. Seshagunayam
" V. Gopalakrishna Mudaliar
" J. Pinnakoti Mudaliar
" R. Rajagopal Naik Gurn
Subadar-Major Hussain Khan Sahib
Mr A. Schapenman Chettyar

16. Read petition from Captain Abdul Aziz Khan Sahib requesting permission to put up a terraced roof, in front of the old post office, Commercial Bazaar, which he has purchased from Hakim Syed Ibrahim Sahib and which the Council formerly ordered to be dismantled.

A reference will be made again to Government with an observation that the land in question did form part of a public thoroughfare & that the public in general had a right of way over it.

(Signed) Muhammad Habibullah
Chairman

(Overlaid)

R. Quasim

by Chairman

Local & Munl. (189) Department.

CURRENT No. 3247m

From The Collector of

^{Recd}
^{adp} 19/10/98
North Arcot

Order

Dis Eng No. 1655 of 98

Dated 16th October 1898

Received

Registered

Enclosures 4 ^{200.} (End to a sketch)

Spare copies

SUBJECT.

Reporting that the vacan-
sity within Villore
Municipality claimed
by the Municipal Council
does not rest in it

2
3247/m/98

TA 27/10/98

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

North Arcot Sub. Collector and
Joint Magistrate's Office
Vellore 30th September 1898.
Dis Eng 98

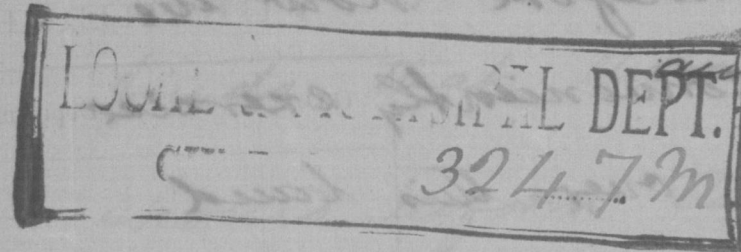
From.

A. C. Dutt Esquire

acting Sub. Collector

Joint Magistrate

North Arcot.



To.

The Collector.

North Arcot.

Sir

In reply to your endorsement.

ment, Ref on car Eng $\frac{407}{13+9}$ of 98,
dated 22nd August 1898, I have the
honor to submit the following report.

The sketch herein enclosed
will show the position of the land
in question. The Municipality contends
that the public have a right of way
over the land and that it, therefore,
rests in the Municipal Council. I
must state however, that there is

a deep drain immediately in front of the land which separates it from the Commissary Bazaar street. This drain passes underneath the Officers' Line Road and emerges on its west. I do not see, therefore, how the public could conveniently exercise a right of way over this land.

The land belongs, I think, to Government, being part of Poramboke and the street comes only up to this piece of Government property.

3 The Municipality cannot sell or give away the land to the petitioner.

The application now before the Municipality appears to be one under Section 180 of the Act.

4 Under this section the Municipality can only object to the construction of a building on the sanitary grounds

mentioned

mentioned in sub. section (H). In the present instance the Municipality should, I think, consider whether there are any sanitary objections to the proposed building. If it finds that there are none, it should inform the petitioner that the Municipality raises no objection to the building on sanitary grounds but that the question of granting the land on which it is to ^{stand} must be decided by the Revenue Department.

I have the honor to be

(Signed) A. C. Dutt

Acting Sub. Collector.

True Copy. Submitted to Government with reference to the endorsement.

No. 924 dated 13th August 1898
herewith returned. I concur with
the Sub. Collector in thinking that
the land in question does not
rest in the Municipal Council.

Northarcot Collection Office }
Chittoor 16. October 1898. }
18. 10. 98.

W. W. W.
Acting Collector.

18/10/98
W. W. W.

When given for copying
When copied
When examined
When signed 18/11

READ 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.

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

N.B.—
A = Copy in full.
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Q = Copy heading only.