

Local & Munl. (1899) Department.

MISCELLANEOUS.

G.O., No. 1383 M

DATED 20-9-99.

INDEXED.

DESPATCHED

[Despatch Abstract.]

Sale of land. Stating that the Govt sees no reason to reconsider its order No. 1460 M of 1898, declining the sanction the sale of a certain land in the Tuhcorin Municipality.

# 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. (1897) Department.

CURRENT No. 2257m

Current No. 2977m 2798 2257m 999

Deep

From

The Ag. Collector,  
Tinnevely

For

Order No. 1383 Mins & 20/9/99

No. 877

The Government sees no reason  
to reconsider its order No. 1460 M,  
dated 17<sup>th</sup> August 1898. The land in  
question does not vest in the  
Municipal Council <sup>as it is a road margin</sup> ~~unless~~ the public  
have a right of way over it.

Dated 19<sup>th</sup> August 99

Received } 24<sup>th</sup> August 99

Registered

Enclosures 5

Spare copies nil

V.R.  
16/9/99

15/9/99

## SUBJECT.

Forwarding with remarks letter  
from the Chairman, Munl. Council,  
Tuticorin stating that the land  
referred to in G.O. no 1460 Mins of  
17<sup>th</sup> August 1898 is part and parcel  
of the street vested in the Council and  
requesting that the G.O. may be  
reconsidered and the sale of the  
land sanctioned.

Note The land in question is a road margin.  
The Govt. has held in several cases that road  
margins do not vest in the Municipal Council.  
Vide G.O. 290 M, 651 M, 734 M & 286 M  
5-2-97, 22-3-97, 29-5-97, 1-2-98  
654 M, 1310 M, 602 M  
28-3-98, 21-7-98, 2-5-99

To The Chairman, M.C. Tuticorin, through the  
Secy. 22/9/99 Collr of Tinnevely.

21/9/99

# BACK PAPERS

| G.O. | No.  | Department. | Date. |
|------|------|-------------|-------|
|      | 45   | in 2693     | in 98 |
|      | 1460 | mis of 98   |       |
|      | 446  | mis of 96   |       |
|      | 1929 | mis of 98   |       |

# FURTHER PAPERS.

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

# Local & Munl. (1898) Department.

CURRENT No. 2979



No 1199 of 20-10-98  
Order

Returned to the Chairman  
for resubmission through the Collec-  
tor, as required in G.O. No 1162 M.  
dated 4<sup>th</sup> September 1893.

(By order)

Abdington  
Ag Assistant Secretary.

7CR  
2/10/98

Forwarded.

Ag Subcollr.  
23/10/98

The Chairman, M.C. Tuticorin.  
Resubmitted through the  
Collector of Tinnevely.

Abdington

22-10-98 Chairman

Current No. 1619 9.8  
DEPT.

From The Chairman  
Municipal Council  
Tuticorin

No. 433

Dated 20<sup>th</sup> September 1898

Received 22 SEP. 1898

Registered.

Enclosures

Spare copies

# SUBJECT.

G.O. No. 1460 M. Mis of  
the 17<sup>th</sup> August 1898-

Reporting that the portion  
of the land transferred to  
is a part & parcel of the  
street vested in the Council  
under section 3 (xxvii) of the act

BACK PAPERS.

| G.O. | No.  | Department. | Date.   |
|------|------|-------------|---------|
| Sp   | 1460 | dh          | 17-8-98 |

FURTHER PAPERS.

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

No 433

Municipal Council Office

Tatcoran 20th September 1898

From

G. Zellweger Esq. Chairman  
Municipal Council. Tatcoran

To

The Secretary to Government  
Local and Municipal Department

LOCAL & MUNICIPAL DEPT.  
CURRENT No. 2979.16

Sir,

In acknowledging receipt of G.O. No. 1460 M. M. dated the 17th August 1898, I beg to refer you to the definition of "Street" in Section 3 (xxvii) of the District Municipalities Act 18 of 1884 amended by Act III of 1897 from which it will be seen that the portion of the land therein referred to is a part & parcel of the street vested in the Council in as much as it lies on the side of the roadway up to the boundaries of the adjacent property (property of Pichen was in the present case) whether it be private property or property reserved by Government for other purposes.

The Govt. has repeatedly held that Municipal Councils are not entitled to any thing more than the actual roadway.

The adjacent property in this case is the vacant land proposed to be sold, which obviously belongs to Govt.

5-2257/m/99

I therefore, have the honour  
to request you to kindly reconsider  
the matter & obtain the sanction  
of His Excellency the Governor in  
Council for the sale of the land  
by the Council.

I have the honour to be

Sir,

Your Most Obedient Servant.

Chambers  
Chairman

Jan 1977/88.  
Encl. 1.

1. Forwarded. mis  
2. I have inspected the place.  
3. If the portion of land referred to is part of parcel of the street + is vested in the Council, all the buildings in the same row as Pichu asari's house are encroachments: the Chairman has not allowed to this point.  
4. If they are not encroachments then the portion of land referred to is house site and at the disposal of the Municipality.  
5. Even if it were part of the street over which the public has a right of way, it obviously could not be sold to a private party.

W. H. H. H.

Intention  
6/11/88

DESPATCHED.

8 - NOV. 1898

4  
2257/10/99.

Extract from the Proceedings of the Municipal  
Council, Tuticorin, at a meeting held in their  
Office on Monday the 31<sup>st</sup> July 1899 at 5 P.M.  
No: 6.

Present.

G. Tellweger Esq. Chairman

Lionel Vibert Esq. Sub. Collector

J. H. Baker Esq.

D. Miller Esq.

M. R. Ry J. M. B. Roche Victoria Aversgal.

" V. R. Motha Aversgal.

" S. Arumugam Chettiar Aversgal.

" P. Veeravagu Pillai Aversgal.

" A. Ganapathi Pillai Aversgal.

Revd. C. P. Gnanakan.

x

x

x

6. Read Collector's D No. <sup>360</sup>/<sub>27</sub> of '99 dated the  
25<sup>th</sup> February 1899 that a resolution to the purport  
mentioned in the letter should accompany  
this office letter No: 433 dated 20<sup>th</sup> September 189  
to Government with reference to disposal of a  
portion of a street land to the adjacent house  
holder.

The Council resolve to ask Government  
to re-consider their decision for the reasons  
stated by the Chairman in his letter No: 433  
dated 20<sup>th</sup> September 1898.

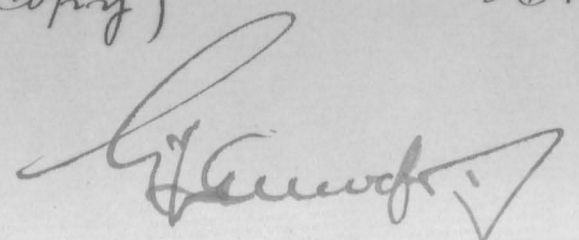
x

x

x

(True copy)

(Signed) G. Tellweger,  
Chairman

  
Chairman.

2  
2257/July 99

No. 227

Municipal Office

Tuticorin 5<sup>th</sup> August 1898

From G. Zellweger Esqr, Chairman  
Enclosure and  
v a plan

Municipal Council,

Tuticorin.

To

The Collector of  
Tinnevely.

Sir,

Referring to your Ref D on Dis No: 360  
of '99 dated the 25<sup>th</sup> February '99, I have  
the honour to enclose a copy of the  
resolution of the Council dated the 31<sup>st</sup>  
July last, to accompany this office letter  
No: 433 dated 20<sup>th</sup> September 1898 addressed  
to the Secretary to Government, Local and  
Municipal Department regarding the  
disposal of a bit of land in Italiappa  
Pillai Street to Pitchemasary.

I have the honour to be,  
Sir,  
Your most obed<sup>t</sup> Serv<sup>t</sup>,

G. Zellweger  
Chairman.

Received from the Secretary of the Municipal  
Council, Tuticorin, a copy of the  
Office letter No: 433 dated 20<sup>th</sup> Sept 1898.

Present

The Collector of  
Tinnevely.

G. Zellweger Esqr, Chairman

Enclosure and  
v a plan

Municipal Council,

Tuticorin.

To

The Collector of  
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G. Zellweger  
Chairman.

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Office letter No: 433 dated 20<sup>th</sup> Sept 1898.

Present

The Collector of  
Tinnevely.

G. Zellweger Esqr, Chairman

Enclosure and  
v a plan

Municipal Council,

Tuticorin.

Cur 51/189  
Ref

mc.

LOCAL & MUNICIPAL DEPT.

CURRENT No. 2257m

On 5/19/1908

Forwarded

2. I can not support the Chairman's request

3. The delay in forwarding the Chairman's letter no 438 dated 20-9-98, is due to subsequent correspondence on the subject

Transmitted to office  
29th Aug 99

Ag Collector

To

The Secretary to Government  
Local Municipal Dept  
Madras.

given for copying \_\_\_\_\_  
copied \_\_\_\_\_  
examined \_\_\_\_\_  
signed \_\_\_\_\_ 2/7/9

189

IN G.O., No. \_\_\_\_\_, DATED \_\_\_\_\_

No.

IS TO C. No.

GOVERNMENT

A A A A A A A

GOVERNMENT.

WITH DITTO.

NOT FILED UP, BEING MEANT FOR DESPATCH  
IN ORIGINAL.

B.-

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