

Legislative (1895) Department.

ORDINARY MS.

G.O., No. 51

Dated 4th July 1895

INDEXED.

[Despatch Abstract.]

MADRAS REGULATION VI OF 1831.

Informing Mangala Kondigadu, Anantapur district, with reference to his petition suggesting an amendment to --, that the Bill to repeal -- contains a clause providing that a decree or order passed under -- may be executed on application received within three years of the date of such decree or order, &c.

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R. & P.

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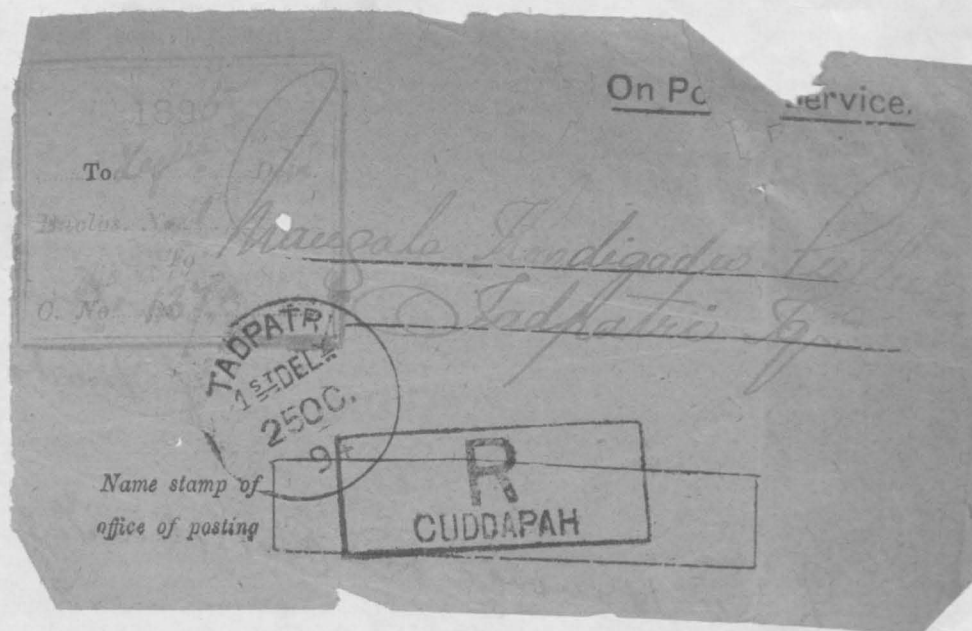
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Mr. 10 1894
 • Here enter "registered article" or "parcel," as the case may be.



Sanchapa Gray
Chief Clerk of Sect



The Secretary to the Government
of Madras Legislative Dept.

Most Honoured and Respected Sir.

The humble petition of
Mangala Kondigadu Barber Inamdar
of the village of Cuttore in the Tadpatri
Taluk of the Anantapur District.

Petitioner is the Registered
Proprietor of the unfranchised Barber
Service Inams of the village of Cuttore
in the Tadpatri Taluk of the Anantapur
District. Objections having been taken
to his title to the above Inam lands
by some trespassers the matter was
determined by a Revenue Court in a
Suit under Madras Regulation VI of 1831.
In this Suit it has been decided that
the Petitioner is the registered Inamdar
of the land in question and that
accordingly a decree has been passed
in his favour for the same.

II
Coming to some defects in
Madras Regulation VI of 1831 the
Deputy Collector who passed the decree
has intimated to the Petitioner that
the Revenue Courts are not competent
to execute their decrees enforcing
possession of the soil and that

the Petitioner should obtain possession of the same by the aid of a Competent Civil Court. The order of the Deputy Collector was appealed against and the Collector, the Honourable Board of Revenue and the Government as well have unanimously held that the Deputy Collector was right in passing the above order.

III.

Meanwhile Petitioner came to understand that in a Second Appeal decided by a Full Bench of the Honourable Judges of the High Court of Madras it has been held that Suits for the possession of unencumbered Inam lands cannot be taken cognizance of by Civil Courts as Sec 3 of Madras Regulation VI of 1831 expressly prohibits the entertainment of such Suits. This decision has been reported in the September Journal of the Indian Law Reports Madras Series for the year 1894.

IV.

It thus happens that although the above unencumbered Inam lands have been decreed in favour of the Petitioner he is precluded from obtaining possession of the same owing to the defects in law as is now laid down by Madras Regulation VI of 1831. Petitioner comes to understand that a Bill is now introduced in the Legislative Council proposing certain amendments to the Madras Regulation VI of 1831. He humbly submits that before this Bill is passed into Law a provision may

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put up

May be inserted in the Bill clearly
empowering Same Tribunal, Revenue or
Civil to execute the decrees that have
already been passed under Indico Regt
of 1831 and which now remain unexecuted
owing to the unsettled state of Law on the
Subject -

V

About the 25 of October 1894

Petitioner has submitted all his papers
to your generous honor through prob.
It is nearly five years since the Petitioner
is endeavouring in vain to get his decree
executed; but as Petitioner could not
succeed in his attempt to get possession
of the lands decreed to him by a competent
Revenue Court, Petitioner respectfully prays
that your honor will kindly be pleased
to place all the papers before their honors
the members of the Legislative Council
and to see that the necessary alteration
is made in the present Bill on the
Subject -

VI

For this act of justice Petitioner
shall, as in duty bound ever pray and
remain Honored Sir

Your most obedt & humble Servant

Mark of Mondigadu

Barber Mercedes Gutierrez

Tadpatin Taling Anantipras DL

7 June 1895

Legislative Deptt.

CURRENT NO.

C.F.

From, Mangala Kondejadar

Barber Inaudar, Duttan

Tadpatri Taluk, Anantapur Dist.

From, d/4th July 1895 No 51

The Beltr will be informed that the subject matter of his petition has been under the consideration of the Legislative Council & that the Bill to repeal Regs. 11 of 1831 contains a clause (sec. 14 (3)) providing that a decree or order, passed under that Regs. may be executed, provided on application received within three years of the date of such decree or order and within one year of the date upon which the repealing Act comes into force.

Subj.:

Suggesting an amendment to Madras Regulation VI of 1831 regarding the execution of decrees passed by Revenue Courts under the said Regulation.

Per Qro.

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JUL 96

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READ AGAIN G.O., No.

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ENCLOSURES TO C. No

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