

Legislative (1898) Department.

ORDINARY MS.

G.O., No. 43

DATED 11-11-88

b/b

INDEXED.

[Despatch Abstract.]

Informing certain barbers in and about
Puthur village, Anantapur Dt. that
Govt. has no ^{sufficient} reason to devise any provision
of law to give effect to the decree passed
under Madras Reg. II of 1881

T 11/11/88

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

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

CURRENT No. 3

The draft has now been altered
I regret that I overlooked
the ambiguity
at
9/10/95

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Proceedings of the Board of Rev: L.R.
No:1379, Mis,d/26th May 1898.

Read the following:-

1. Again B.P. No:8053 Mis,d/18th Nov: '91, dismissing the appeal of Dubba Ramudu and others claiming the barber service Inam lands of Puthur, Tadpatri Tk: Anantapur Dt:
2. Again B.P. No: 6463, Mis,d/11th Oct: '92, dismissing the petition of Gampigadu and another barber, Inamdars of Puthur village, Tadpatri Tk:, Anantapur Dt: appealing against the order of the Collr: refusing to enforce a decree for possession of barber service Inam lands.
3. Again B.P. No:5174 Mis: d/12th Oct: '95, forwarding to the Collr: of Anantapur for disposal petition from Kondigadu, Barber, Puthur village, Tadpatri Tk: re: certain unenfranchised barber service Inam lands.
4. Endorsement of the Ag: Secy: to Govt: Rev: Dept: Mis, No:1234, d/10th March '98 on that of the Ag: Asstt: Secy: to Govt: Legislative Dept:, No:604, d/5th March '98.

Resolution:-

The Govt: petitioners are hereditary barbers doing service in the Puthur Village in the Tadpatri Tk: of the Anantapur Dt:. In 1890 they filed suits under Regulation VI of 1831 to recover portions of the Barber service Inam lands and obtained // a decree in their favour. The lands which they pointed out as being covered by the decree were formally handed over to them in 1891. Having been subsequently obstructed by the defendants in the suit from cultivating the lands, the petitioners applied for fresh execution in '92 after resorting to the criminal courts in vain. They were then informed that the decree could not be executed under Regulation VI of 1831. On a further application they were advised they might bring a civil suit to obtain possession of the lands. A civil suit was accordingly filed but it was dismissed on the ground that a civil court had no power to execute decrees of a Revenue Court. In 1894 and 1895, the decree petitioners petitioned Govt: regarding the execution of the decree.

No. 148.

OFFICIAL MEMORANDUM.

With reference to B.P. No:1379 Mis: d/26th May 1898, the Board of Revenue is requested to state at an early date whether the assessment on the lands in question is paid to the petitioners in accordance with G.O.d/10th May 1893, No:1730.

(sd) N.E. Marjoribanks.

Ag. Under Secretary to Government.

Ootacamund, }
4th July 1898.

To the Board of Rev: Land Rev:

(True Copy)

For Secretary to Government.

W. L. M.
8/7/98

their petition was forwarded to the Dy: Collector, Gooty, for disposal under Act III of 1895. The petition was however rejected for misjoinder of some of the defendants. Fresh applications were thereupon put in in 1897 and these were also rejected by the Dy: Collector on the grounds:

- (i) that they were barred by limitation under section 14 (3) of Act III of 1895.;
- (ii) that the decree had already been executed in 1891.
- and (iii) that the decree was indefinite and incapable of execution without fresh enquiry.

The decree holders have now petitioned Govt: to devise some provision in the Law to give effect to the decree passed in their favour and Govt: desires to have an expression of the Board's remarks on the petition.

2. The Board endorses the Dy: Collector's finding that the application for execution of the decree presented to him in 1897 is barred by section 14 (3) of Act III of 1895. Nor can the decree holders now file a fresh suit as such a suit will be timebarred under sec: 14 of the Act and liable to be dismissed under the rule of res judicata. The only course that can now be adopted is to fully assess the Thas in the possession of the trespassers departmentally and pay the assessment to the individuals performing service who have been adjudged to be entitled to the land.

(True Extract)

(Signed) Lionel Davidson,

Ag: Secretary.

To the Secretary to Govt: / Rev: Dept: with petition and 2 encls: returned.

(True Copy).

W. L. M.

For Secretary to Government.

Rev: Dept:

W. L. M.
8/7/98

Proceedings of the Board of Revenue.

(Land Revenue).

No: 2426, ~~Routing~~⁶⁴, Dated 28th Sept: '98.

Read Official Memorandum from the Ag: Under Secretary to
Govt: Rev: Dept: No: 148, d/4th July 1898;
and reference thereon No: 754, d/12th July 1898.

Read also letter from Bannatyne Macleod Esq: M.A., Barrister-
at-Law, Collector of Anantapur to the Secy: ~~Ly to the Secy~~ to
the Commissioners of Land Revenue, Madras, Ref: B AG No: 608, d/
19th Sept: '98.

Resolution:-

In reply to the Official Memorandum first read
above the Board begs leave to report that the orders contain-
ed in G.O. No: 1730, d/10th May 1898 regarding the resumption of
the barber service Trams in Puttur village were not carried
out as the papers were "mis-laid in the Office of the Dy:
Collector, Gooty". The Collector states that he has now in-
structed the Dy: Collector to give effect to the order forth-
with.

(True Extract.)

(Signed) Lionel Davidson,

Ag. Secretary.

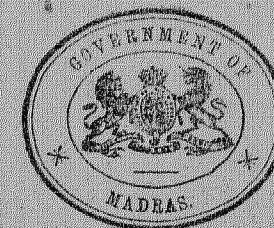
To the Secy: to Govt: Rev: Dept:

(True Copy)

J. J. [Signature]

For Secretary to Govt:

24/9/98



PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers—

☐ copy attached Proceedings of the Board of Rev: Land Rev: No:1379, Mis, d/26th May '98.

☐ Official Memorandum to the Board of Rev: Land Rev: No:148, d 4th July '98.

☐ Proceedings of the Board of Rev: Land Rev: No:2436, d/28th Sept: '98.

Order thereon, No:3974, Mis, dated the 6th October 1898.

Recorded.

(True Extract.)

H. H. H.

For Secretary to Government.

To the Board of Rev: L.R.

Legislative Dept: with ref: to Encl: No:604, d/5-3-98.

*Under
7/2/98*

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

189 .

READ AGAIN G.O., No. _____, DATED
189 ,

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DETAIL.

PAPERS / TO FILED UP, BEING WANT FOR RECAPTURE
FOR D. LINE.

N.B.—

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