M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 964 — Press / ~~Mis.~~

67. 68

Dated 3. 5. 1862.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 3rd May 1862.

No. 67. Read the following letter from G. N. TAYLOR, Esq., Inám Commissioner, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Vellore, 7th April 1862, No. 21 :—

SIR,

1. I have the honor to report on Petition No. 1,790 of 1861 from Srirájah Vastavaya, Sítárám Jagapatti Rázu Gárú and Rájá Jaga Patti Rázu Gárú of Peddapúr in the Godavery District, bearing the Endorsement of Government dated 9th August 1861.

2. The object sought by the Petitioners is not clearly set forth in their address, but I gather from its enclosures that they desire the grant of a Title Deed recognizing their right to hold permanently, tax free, certain lands situated in the Zamíndári of Kirlampúdi.

3. According to the statement of the Petitioners, the land in question was granted to the family out of the waste in 1777 by the Zamíndár of Peddapúr, of which Kirlampúdi is a Sub-division. In the account prepared by Mr. Hodson in 1804, it is entered as a *subsequent* Inám obtained in 1800; the term "subsequent" being intended to denote a date, not subsequent to the issue of the permanent Kaul in 1802 but subsequent to the period of the preparation of Circut Committee Accounts, upon which the permanent Péshkash of these ancient Zamíndárs was calculated. The Petitioner has ever since enjoyed the land rent free.

4. About the year 1840, the then Zamíndár of Kirlampúdi sued the Petitioner for the revenue of the land. The Court of Sudder Adálat in S. A. S. No. 83 of 1844, finally decided against the Zamíndár, because the land had been held rent free from a period anterior to the date of the permanent Kaul issued in 1802. This decree, however, does not in any way compromise the right of Government, and the Court expressly observed (Vide paragraph 6 of the Decree) that they did not entertain the case as a question of revenue due to Government.

5. Viewing the case as a subsequent grant according to Mr. Hodson's account, I considered that Government were precluded from entering into any settlement regarding it, so long as the Zamíndári subsists, as the Government have no right of reversion in lands not expressly reserved, as Ináms, from the assets of the permanent settlement. It now occurs to me, however, that as Kirlampúdi is a Sub-division, the Péshkash of which was fixed upon assets taken subsequent to 1802, into which the land under notice did not enter, and as the greater portion of the Peddapúr Zamíndár has already reverted to Government, there can be no objection to my bringing the land under the present settlement. Should the Government approve of this course, the case shall be taken up at once in communication with the Collector.

6. Enjoyment for fifty years from a date prior to the issue of the permanent Kaul in 1802, entitles the Petitioner to consideration, but I cannot perceive any grounds, either from the tenor of the Decree or from the circumstances of the case, to treat the Petitioner's land differently from other hereditary Ináms, or to declare it a freehold without the usual commutation by the payment of an annual quit-rent. At the same time the enfranchisement of the Inám is optional and not compulsory.

No. 68. ORDER THEREON, 3rd May 1862, No. 964.

The Decree of the Sudder Court shows that the Inám land under consideration, was not included in the assets of the Kirlampúdi Zamíndári and consequently the reversionary right to it vests in the Government. Under these circumstances the Government approve of the course which the Inám Commissioner proposes to follow in regard to it.

(Signed) J. D. SIM,
Secretary to Government.

It now occurs to me, however, that as Kulampudi is a subdivision, the Rokkash of which was fixed upon after steps taken subsequent to 1802, into which the land under notice did not enter, and as the greater portion of the Reddapúr Zemindári has already reverted to Government, there can be no objection to my bringing the land under the present settlement. Should the Government approve of this course, the case shall be taken up at once in communication with the Collector.

6 Enjoyment for 50 years from a date prior to the issue of the Permanent Code in 1802, entitles the Petitioner to consideration, but I cannot perceive any grounds, either from the tenor of the decree or from the circumstances of the case, to treat the Petitioner's land differently from other hereditary Inám, or to declare it a freehold without the usual commutation by the payment of an annual Quit Rent. At the same time the superadmeasurement of the Inám is optional not compulsory.

I have the honor to be
Sir
Your most Obt. Servt
[illegible]
Inám Commissioner

Rev: 1862 Department
Fro: of Govt for eday
No 117

From

The Zamindar

The Secretary to
Government
Revenue Dept.

7th April 1862

Received 21st
No 21
E-14

Reports on Petition No 1
of 1861 from Iruraja Vata
ya Sitaram Jaggapati
Raju &c. in the Godavery
District, stating his wish
the Petitioners request
to hold rent free certain
lands situated in the
Zamindari of Kila
pundi. No 764 3 May

Entd

No 64 of 68

Entd April 26 29

No 964

The decree of the Sudder
Court shews that the Indam land
under consideration was not
included in the assets of the
Kistnapúdi Zamindari and
consequently the reversionary
right to it rests in the Govt.
Under these circumstances
the Govt approve of the course
which the Indam Commissioner
proposes to follow in regard
to it.

No 64

Fort St. George
3d May 1862

Copies to the Bd of Rev Dis 25
4 — Ram Comr
1 — Pr Pol