

(1) Number of pages 12
 (2) Date of repair 31.12.69
 (3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Public Works

DEPARTMENT.

G.O. No. <u>3846</u>	Press Mis. <u>Mis.</u>
<i>1/20-441</i> Dated <u>27-12-</u> 18 <u>65</u>	

Not to be folded or roughly handled

N^o 1203-

Techinopoly Esca Eng^g Office
December 1865

From

Lieutenant Colonel J Greenaway
Executive Engineer

To

Colonel G A Orr R E
Secretary to Government
Public Works Dep^t

Sir,

I have the honor in continuation
of my letter N^o 1187 dated 12th December
to forward such additional information as
I have been able to collect on the points refer-
red by the Government Pleader. I submit
them with reference to the paras of this letter
N^o 177

Paras 4 and 5. the account N^o 66 is the
Audungal account of Morroonga Collection
I explained the purpose of Audungal account
in general in my last. The reference in
this instance is to the entry in Page 66.67
marked with four red crosses. It field
N^o 433 which is charged with no assessment
and marked "Rever" It is the spot referred
to by 3rd Defendant 1st Witness (N^o 64)

Para 6. N: 77. Register account of
Suron Village kept by Village Accountant.
It refers to the entry marked in red 00
"Perambola forming the piece" and bounded
on the East by "Kalatur" this entry is
mentioned by 3^d Respondents 2^d witness
(75) in answer to 7th question. but this entry
is not the field referred to by the same
witness in answer to the 5th Question
the said register shows no "old number"
as having been given to this plot.

Para 7. Character of this document has
been explained in my last. I do not
understand why it is produced. It shows
the fields according to their old numbers
whereas by the register account N: 77 the said
plot appears to have had no "old number"
at all, in other words not to have been
numbered previous to the new demarcation.

Para 8. N: 82 is a similar Document
It refers only to the Village of

Andapooram and has no bearing on the
Question save as showing the extent of
Andapooram land to be irrigated. 3^d

Para 9 Mahijarim signifies a Braming
Cultivator, it implies no official position.
the document N: 81 can have no
bearing on the Case except perhaps similar
to N: 82.

Paras 10 and 11 have been answered in my
last

Para 12. These depositions were taken merely
for information of Captain Palmer not by
Commission from the Court and not upon
oath. the deponents are alive and are
among the witnesses of whose absence
at the last hearing, owing to want of
due notice, I complained

The Channel has been cut. I am
informed that the whole job was done
previous to any suit being commenced.
The Plan referred to appears to have been
N: 74 or a Copy of it, as the lettering as therein
quoted corresponds with the facts as far

as they go.

Para 13 and 14 The Plan No 74 is herewith returned, I have already forwarded an accurate sketch survey of the locality

Plan No 74 Contains one vital error in that it omits entirely the Kuruputuran or Mooroonga Kallatur Amment and the old head of the Mooroonga Kallatur Channels, leaving it to be inferred that the new Cut was an unprecedented abstraction of water for use of that Village instead of merely the restoration of an old right of which it had been improperly deprived. You will observe the said Plan is the Plaintiffs Document.

Para 15 & 16. The two Kurnasawungis are identical, he must have had the original Register in his keeping being Village accountant or Curumpu.

Para 17 This Curumpu also must have had the original of his Village Register in his charge. The questions appear intended

to lead the Court to believe that the whole bed of the river is included in Arun, the words "attached" may be alsoe expressing or translation. Karputtan has been already explained. The first answer on page 5 is either self contradictory or unintelligible.

Para 20 The map of Arun Village is admitted by the Revenue Survey Department to be incorrect as far as regards the name of the bounding Village on the northern portion of its eastern boundary. It should be Valavalpostur instead of Mooroonga Kallatur which latter Village only commences south of the trisection pillar in No 288 of Arun map.

The survey of the Komacal Taluk in which the Village of Arun is situated was commenced in August 1859

I have returned by this days post the documents forwarded as per margin in my packet.

I have

12 documents
forwarded with
G. S. S. S. S. S. S.
No 177 of 6th Decr
1865 with Secretary
Memo 79th Decr

I have also the honor to submit herewith
a sketch of the arguments for the defence
with evidence, for Consideration

I have the honor to be
Sir

Your most obedient servant
Wm. W. L. L. L.
Executive Engineer Lucknow

Sketch of Arguments for the Defence Andapomam and
Mooringa Kollatur Suit

As to the Jurisdiction

Evidence

1 That the site in which the
heads of the new Cut for Mooringa
Kollatur Channel has been
made, was at the time the
Channel was Cut, and that
when the suit was instituted,
in the Trichinopoly District.

Recorded written
Testimony of the Collectors
of both Districts
Evidence of Village
authorities of Mooringa
Kollatur & Palanvelly.
(this evidence already
before the Court.)

2 That the demarcation of the
new Revenue Survey having
been made subsequent
to the cutting Channel and
institution of the suit, is of
no effect *quoad hoc*.

Statute dates of
the events already
before the Court.

3 That the boundary line
in the said new Survey
was carried on the east
bank of the river only for
purposes of Convenience of
Survey includes nothing
on that bank except the river proved by Tapsildan
and its Embankments *bona fide* of Mooringa & myself
property, and neither makes nor

General Custom and
tradition of the Country
with regard to rivers
and their banks. Position
of demarkation Pillars
and Character of site
enclosed can be
proved by Tapsildan
& myself

Can make any transfer of the said property to the Village of Ebrun.

With regard to the Merits

1 That the Moosonga Kollatun people were entitled by Ancient usage to a share of the water of the Lempatanan river, that they had an Annuent & Channel Constructed by Governor & expressly for that purpose and that the Ancient Annuent of Andapoom was originally a low work of rough dry stone which admitted a fair proportion of water to pass to the said Annuent & Channel of Moosonga Kollatun.

2 That owing to the said Andapoom Annuent being made water tight & raised in 1850 or thereabouts & subsequently still further extended and improved the supply due to the Moosonga Kollatun people was entirely cut off or so far reduced as to be worthless.

Existence of them. As Annuent and Channel heads. Evidence of several witnesses & the produce by me when evidence is taken on the 3 points postponed by the Judge of Enchinopol.

Captain Gahagan's letter sketch & plan of the respective works. Enquiring evidence as to inevitable results witnesses of Moosonga Kollatun, &c.

3 That the new heads of Moosonga Kollatun Channel (the aggression complained of) was no aggression but merely the only practicable means adopted for remedying the aforesaid injury.

Same evidence

4 That Subsequently to the Cutting of the said new heads the stones of the old Lempatanan or Moosonga Kollatun Annuent were used for repair & improvement of the Andapoom Annuent. the act being explained & justified on the plea that the said Moosonga Kollatun Annuent had been rendered useless and that henceforth the water for both villages must be taken off from above the Andapoom Annuent.

Same evidence & further evidence & the adduce on hearing on the said postponed points.

5 That the Authorities on both sides agreed to this arrangement, those of

Do Do Correspondence

Tuchmopol, inconsideration of
their water being supplied from
the ^{Dam} Sudapoom, as aforesaid.

6 That Government is the
proprietor of all rivers, and of
their embankments constructed &
kept in repair by itself, and has
a right to take off water from them
at its discretion to irrigate its
Villages-

7 That the Sudapoom people
have been in no way injured,
but on the contrary, highly
benefit by the present arrangements.

Tuchmopol
Eng. Office
18th Decemr 1865

Peeracay to
Engr. Richd.

Customs of the Country
simplified in
Godowny District
Punjab and
other rivers.

Sections & discharges
of the Channels.
Quantity of water they
could have drawn
off from the rivers
under slope & under
present arrangements.

PM 5/10/65

20 July 1865
To the Secretary of the
War Department
from [illegible]

The Executive Engineer
Architect

The Secretary of
Government

Dated 15th
Received 21 Dec 1865

Enclosed is
one of these is printed
in G. O. No 3771 of 65
Tennessee Explanation

on the above

document with

with reference to

for C. Dale letter

see 3846 - 21st Dec 1865

28-3846
Civil War

Communicated to the

Government Pleader in con-

tinuation of G. O. No 3771 dated

14th Jan 1865

21st Dec 1865
21st Dec 1865

21st Dec 1865

To the Secretary of the War Department
with 12 Dec 1865

6th July 1865
with 12 Dec 1865

1st Dec 1865
with 12 Dec 1865