M.E.O. 1—10,006—28-2-50.

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE

Government of Madras

Public works DEPARTMENT

G.O. No.	2462A	Press
~~B.P. No.~~ 114A 114B		Mis.
Dated	7-10-	1951 & 73

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 7th October 1873.

No. 114A. Read the following letter from G. S. SAGE, Esq., District Engineer, Cuddapah, to Colonel G. W. WALKER, R.E., Secretary to Govern. ment, Public Works Department, dated Cuddapah, 26th September 1873, No. 1,270 :—

As directed in paragraph 3 of G. O., No. 1,268, of 5th May last, I have the honour to forward a copy of the plaint of the Muddoor people, and of the reply which has been made.

1 Copy of Plaint.
1 do. answer to do.

2. I take this opportunity of stating the breach in question is in its original state; nothing has been done by this department in the matter.

No. 114B. ORDER THEREON, 7th October 1873, No. 2,462A.

ESTABLISHMENT, No. 5B.

His Excellency the Governor in Council approves of the draft answer proposed to be filed in reply to the plaint, and as already directed in G. O., of 5th May 1873, No. 1,268, authorizes the defence of the suit in the first instance at the public expense.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To the District Engineer, Cuddapah.
,, Officiating Controller of Public Works Accounts.

Exd. S. T. Austin.
Spare Copies.

4 spare Copies will follow from Madras.

No. 69 of 1873

To

The District Moonsiff
Endvail

Plaintiffs	Defendents
1 Matli Chenche Reddy Village Magistrate of Maddoor	1 Sirigana Obila Reddy Village Magistrate of Toodoor
2 — do Poly Reddy	2 — do Ramasawmy Reddy
3, Pallem Chenna Yella Reddy Son of Obel Reddy resident of Maddoor Sidhout Taluq	3 — do Conda Reddy residents of Toodoor Sidhout Taluq

Plaint presented according to Civil Procedure Code [illegible] No. 26.

1. Since several years there is a bank extending East to West between the Wet land situated as follows

East to Maddoor Village, North to Toodoor Cerear Tank, South to Moolamittah, West to Boorlagoonta-gundy and Cerear large tank of Toodoor in which the defendents are living, the above tank consists, one breach at the ~~east & from~~ Western side, and 4 Sarva breaches at the east & from these latter there is another bank up to the South side of Apron leading to Andoorivaripully, with a breach in the Centre called Boorlagoonta gundy.

2. When there is excess of water in the above Wet land, by the Toodoor Cerear tank receiving a good Supply, there is a usual Custom (since long time) of closing the Western breach in the bank situated between tank and Wet land by the plaintiffs and the 4 Sarva breaches by the defendents, & afterwards both parties join together & open the Boorlagoonta-gundy, in case of water remaining sufficient so as to corrupt the crops of plaintiffs

3. While it is the case since time immemorial, in the year 1868, the defendents neglecting

the

the duty of rytovary, have not closed the 4 Sarva breaches which were in the bank situated between tank & the wet land, though cautioned at the time & have not come though asked for to open the Burlaguntagundy & caused an objection. Since that time we are in dispute -

4 We the Plaintiffs had dug a channel in our own private puttah lands so as the wet lands may be easily well irrigated [illegible] the north side of apron leading to Adoorvarupully up to Calingulah of Madoor Dasavandum tank - The Defendants in December 1872 have merely erected a bank with turfing about 500 yards in contact with the one we have dug and in order to strengthen that, at present, they have got it measured marked out with pegs & collecting stone -

5. As the defendants have neglected their usual duty and merely erected a bank - we will sustain a great loss, and also as they are trying to strengthen the new bank our lands will be subject to be submerged thereby - we will have to sustain much more loss. Therefore we complain to issue orders that the both parties should perform the usual duties for ever without any objection as stated in the 2d para, and to receive injunction orders not to do any mischievous actions irregularly, and issue orders to remove the turfing which was newly erected.

Therefore humbly beg to make a decree with cost so that the both parties may perform the usual duties for ever and ever as stated in 2d para, and to remove the newly built turfing (which was not before) and not to erect any bank hereafter at the place stated in the latter part of 4th para -

17th February 1873.

We the plaintiffs in this Suit - 1 Mutti Chenchu Reddy - 2. do Obili Reddy 3. Pally Chinna Yella Reddy, declare that the circumstances stated in this are true as far as we believe and known -

(Signed) Chenchi Reddy
(do.) Obila Reddy } Plaintiffs
(do) Yella Reddy

17 February 1873. (True Copy)

[signature]

District Engineer
Cuddapah

The District Engineer
Cuddapah
To
The Secretary to Govt.
P. Works
Fort St. George
Dated 26 Sept/73
Received
P.W. 5347/73
Plaint presented
by the Defendants
in Goodoor and
Muddoor Case

In the Subordinate Judges Court of Cuddapah

Plaintiffs	Defendants
Mr Chinchireddy	1 S. Obalareddy
Do Palireddy	2 S. Ramasawmy Reddy
Chinna Yallareddy	3 Kondareddy
	4 Wm Seton
	5 Ringa Row

Written Statement filed by the 4th Defendant in the above suit Section 120.

1 This Defendant is not aware of the usage as to the opening or closing of the Vents in the bridge (tunnel) referred to in para 2 of the Plaint.

Defendant did not either directly or indirectly refuse to close the Vents as stated in para 3 for he has no control whatever over them. Nor has he refused to open the Barlagunta gundi in 1868.

The mud erected as alleged by the Plaintiffs

by

by the defendants was not so erected by this defendant or by his orders.

That orders were received to close the breach in the Burlagunta gundi but disputes having arisen between the parties as to each others rights, the execution of the work was suspended as the parties intended referring their dispute. Defendant therefore prays that as there is no cause of action against him he may be exonerated and his costs paid.

(Signed) C. Seton
4th Defendant

Cuddapah
11th September 1873

Pleader

I Charles Seton, the 4th Defendant above named do hereby declare that what is stated above is true to the best of my knowledge and belief.—

(Signed) Charles Seton

(True Copy)

[signature]

District Engineer
Cuddapah

No. 1270

District Engineer's Office
Cuddapah
26th September 1872

From The District Engineer
Cuddapah

To The Secretary to Government
Department Public Works
Fort Saint George

Sir,

As directed in para 3 of C.O. No. 1268 of 5th May last, I have the honor to forward a copy of the Plaint of the Maddoor people & of the reply which has been made.

2. I take this opportunity of stating the breach in question is in its original state nothing has been done by this Department in the matter.

I have the honor to be,
Sir,
Your most obedt. Servt.

[signature]
District Engineer

The District Engineer
Cuddapah

To
The Secretary to Government
D. P. W. & Rs
Fort St. George

Dated 26th Sept/73
Received 7 Sept/73
No 5347/73

Written Statement filed by Mr. Seton the 4th Defendant in Toodoor and Maddoor Case

P.N. 1873 No. 1270 Deptt

From No. 5347

The District Engineer

Cuddapah

To

The Secretary to Government

Department of Works

Fort St. George

Dated 26 September 1873

Recd 30 — do —

Despd 27 — do —

Enc: 2

Forwards a Plaint and reply from Muddoor People and informs that no repairs have been executed to Tank Breach up to date.

Write Order

No. 7/10

Mis Exec Engr No. 2 Cuddapah

Approves of the draft answer proposed Klee filed in reply to the plaint and as already directed in R. O. of 5th May /73 No. 1268 antecedes the defence of the omit in the first instance of the public expense.

Cuddapah Jain Sec. Copy

Cuddapah

A B

No. 114 114

Dated to Adis 20 Sept /73

3-9-06

No. 534

Govt. of 11873 Madras.

PUBLIC WORKS.

To The District Engr.
Cuddapah

Dated

Recd.

Encl.

7 Acts 1873 2462

Mad & Mad

Suit. Draft answer proposed to be filed in reply to the plaint in the suit against the Dept. regarding water supply in the Toodoor & Muddoor Villages in Cuddapah Dt., ~~[illegible]~~ approved.

no further [illegible]