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MADRAS RECORD OFFICE

Government of Madras
Public Works DEPARTMENT

G.O. No.	13227	Press
B.P. No.		Mis.
372A 872B	(Rly)	
Dated	16-5-874	195

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
16th May 1874.*

No. 372A. Read the following endorsement of the Financial Department, dated
Ootacamund, 13th May 1874:—

From J. HUNTER-BLAIR, Esq., Collector of Madras, to the Honourable D. R.
CARMICHAEL, Acting Chief Secretary to Government, dated Madras
9th May 1874, No. 81.

I have the honour to forward, for the consideration and orders of Govern-
ment, a case which has been referred to me by the Deputy Collector of Madras.

2. Mr. Jones, a member of Messrs. Parry and Co., claims as compensation for
land and buildings required for the line of the Carnatic Railway in the compound
of his house Rupees 32,226-14-4.

3. The Deputy Collector has offered him Rupees 7,000 by letter and Rs. 8,000
verbally, which he has refused.

4. Mr. Jones was also asked what price he would take for the house and com-
pound as they stand: he asked Rupees 40,000.

5. The Deputy Collector offered Rupees 13,000, which was refused.

6. Mr. Jones wishes the matter referred to the Judge appointed by Govern-
ment to decide such cases.

7. The Deputy Collector now requests that Government will sanction the
purchase of the house and compound under the Land Acquisition Act, instead of
only the portion of the compound actually required.

8. His reason is: It would be better policy to buy the house and sell it
again, by which Government would really only pay the difference for damages and
compensation for the land actually required, than to allow the principle to be
mooted in Court, that an owner of house property is entitled to compensation when-
ever a Railway passes near his house, and thereby deteriorates its value. It is a
question whether a claim to compensation under this head is one that should be
allowed under Section 24, Clause 3, or disallowed under Section 25, Clause 4, but
I very much doubt a Court taking the latter view of the question.

9. I agree with the Deputy Collector that it is decidedly advisable to take
the house and compound under the Act. In this case, if Mr. Jones goes to Court,
we shall only have to pay the fair value of the house. If he goes to Court for
damages, it is impossible to say at what rate the Judge may assess them, and if he
did so highly, other claims would very
probably be brought forward; one per-
son has already done so. I doubt also if the Judge would take the Municipal valuation
as a correct one, and I consider the Deputy Collector's estimate of Rs. 2,880
should be at least trebled.

Paragraph 6 of Deputy Collector's letter.

10. I draw attention to the fact that Mr. Jones himself only values his house
and compound if purchased at Rupees 7,773-4-8 more than he demands for com-
pensation. If the valuation for purchase goes before the Court, this point will, I
think, tell strongly in favor of Government.

11. If Government approve of the proposal to purchase, I have to beg that
the usual notification may be published in the Gazette.

*Proceedings of the Madras Government, Public Works Department,
16th May 1874.*

TRANSFERRED to the Public Works Department for disposal.

(Signed) D. F. CARMICHAEL,
Ag. Chief Secretary.

No. 372B.

ORDER THEREON, 16th May 1874, No. 1,322A.

RAILWAY, No. 43A.

The Collector will submit a draft notification for the acquisition of the house and ground referred to under the Act. Such portion of the premises as may not be actually required for Railway purposes being hereafter resold by public auction.

(True Extract.)

Colonel, R.E.,

Secretary to Government.

To the Collector of Madras,
Financial Department.
Revenue Department.
Consulting Engineer for Railways.

By C. Shunbom

Printed Copies

No. 541. Madras Deputy Collector's office
7th May 1874

From
The Deputy Collector of
Madras

To
The Collector of
Madras
Sir,

I beg to enclose copies of correspondence, which has taken place between me and Mr. Jones, a partner in the firm of Messrs. Parry & Co. in connection with the negotiation for the acquisition of a portion of his property in Egmore for the line of the Farnatic Railway. A sketch of the property with a plan of the buildings thereon is also submitted.

The land required for the purposes of the Farnatic Railway measures 8 grounds and 922 $\frac{3}{4}$ square feet. Out of the whole premises covering 4 grounds 9 square feet 64 $\frac{1}{2}$. It is a part of survey No. 632. To acquire this land, the Government will have to pay its market value,

x4 Enclosures.

Enclosures in a letter
from the collector of
Madras to the
Chief Secretary to Govt.
No. 81 dated 9th May
1874.

1874. 28/5/74

1874. 1/6/74

1874. 1/6/74

1874. 1/6/74

1874. 1/6/74

1874. 1/6/74

as well as that of the kitchen room now standing thereon. Mr Jones will further be entitled to the damages to be sustained by him by reason of severing this land from his other land to the north of the former, on which are built his stables. This item will be equal to the value of the land and the cost of the rebuilding of the stables thereon somewhere to the south of his house. He is further entitled to any damage he may sustain by reason of the acquisition of this land affecting his bungalow and land to the south of the line of the Railway.

2. For all these items Mr Jones demands Rs 32226-14-4 which is simply exorbitant. I offered him Rs 7000 in writing and 8000 Rs personally. He has declined to accept. I beg to enclose a statement showing how these amounts arrived at our respective figures.

3. I am afraid that my valuation also is excessive. Rather than my valuation of 8 thousand Rupees for the property

8 grounds of land and some small building thereon I think it would be advantageous to buy the whole property and then sell it. Minus the extent required for the Railway, if necessary, by public auction. I estimate the whole premises at 14 or 15 thousand Rupees, and expect to realize at least 7 or 8 thousand Rupees from its sale.

4. I asked Mr Jones to let me know what he would demand for the whole property, and he demanded a sum of Rs 40000. I offered him 13000 Rs which he has refused to accept.

5. Under these circumstances, should you also think that the whole property may be purchased instead of paying heavy damages I beg that you will obtain the sanction of Government for the same and request them to publish the official notification in the Gazette.

6. I beg to add that the interests of Government will seriously suffer, if the principle that the compensation is due to the owners of the property, whenever

the line of Railway is made to run close to their properties, be in any case admitted. I would avoid deciding this point even at the sacrifice of a few Rupees. I know that many persons are anxiously waiting to see how Mr Jones' case is disposed of, to put in similar applications. A Begum Sahiba has indeed put in a similar petition, which is now pending before me. I beg to solicit early orders.

I have the honor to be
Sir

Your most obedient servant
Shri R. Ragoanatha Rao
Deputy Collector
(Kannad)
Munster Wala
Collector of Bellary.

Ms. 1716 12/11/74
1886-3724

Masoor, March 28/74

My Dear Sir,

I beg to enclose my claim for compensation for land required by the Carnatic Railway amounting to Rs 52,326. 14. 4.

I also enclose a letter from Mrs Clement Simpson of English Bazaar, and her giving her views on the question of deterioration.

I think I ought to get some further compensation for being tarred out of a house on which I have spent so much time and money, and to which I have become much attached, but it is of course difficult to put a money value on feelings of that sort.

Yours sincerely
J. Jones

R. Ragoanatha Rao Begum

Masoor 26 March 1874

My Dear Jones

In reply to your request for an opinion as to the extent of damage that will be done to your house by the Railway passing through the compound, I have to remark that I cannot give the

Winter Island
Colinto y Estancia

My dear friend,
In reply to your request for my
opinion as to the estimated damage that will be done
to your house by the Railway passing through the
confined, I have to remark that I consider the

will be quite suitable as a dwelling house, and that you
will have great difficulty in finding a tenant for it.
For myself I would not occupy the place, as a residence,
at any price, and I question whether any tenant who
may take it on trial, will remain in it, any length
of time, as the annoyance from passing engines
will be very great.

Taking the present rent of
£150 per annum, I think you will find it
better to get a tenant for it, but I would very much
prefer you to get a tenant for it, as it will be a
great advantage to you.

I am, Sir,
Yours faithfully,
J. Jones

My dear Sir,
I have the pleasure to inform you that the
land which you have purchased from me, is now
ready for you to take possession of. I have
been very anxious to get it ready for you, and
I am glad to hear that you are satisfied with it.

I am, Sir,
Yours faithfully,
J. Jones

My dear Sir,
I have the pleasure to inform you that the
land which you have purchased from me, is now
ready for you to take possession of. I have
been very anxious to get it ready for you, and
I am glad to hear that you are satisfied with it.

to purchase it

Yours faithfully,
J. Jones

Yours faithfully,
J. Jones

My dear Sir,
I am very glad to hear that you are
satisfied with the land which you have
purchased from me. I am glad to hear that
you are satisfied with it, and I am glad to
hear that you are satisfied with it.

Yours faithfully,
J. Jones

My dear Sir,
I have the pleasure to inform you that the
land which you have purchased from me, is now
ready for you to take possession of. I have
been very anxious to get it ready for you, and
I am glad to hear that you are satisfied with it.

Yours faithfully,
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land which you have purchased from me, is now
ready for you to take possession of. I have
been very anxious to get it ready for you, and
I am glad to hear that you are satisfied with it.

1/17/1976

Madras April 18 1874.

J. B. Wynn, Jr.,
Deputy Collector

Sir

I in reply to your letter of the 17th beg to say that I am certainly not prepared to sell my house for Rs 73000.

The question of the Tax levied by the Municipality has no bearing on the value of the property.

If you will refer to the Records of the Municipality you will find that the same tax has been paid for years and that the Municipality made no alteration in their rates when the house was enlarged and more than doubled in value. The house was a small bungalow when I bought it and I made large additions to it and spent on it more than I gave for it.

The Municipal Authorities made no alteration in their assessment (I suppose)

because it was no business
to look into such
matters) but continued to
keep the place at the same
rate as when it was a
bungalow.

Yours truly
J. Jones

11-28-17

My dear Sir
11-28-17

Nov 24

To
J. Jones Esq.

Sir
I beg to offer you Rupees 7000 as compensation
for taking away from your garden & grounds
922 1/4 sq ft of land together with the building
thereon well to and do request that you
will be so good as to let me know whether
you accept this offer.

I have the honor
Sd/- P. Ragunathan Rao
By J. S. Srinivasan

My dear Sir
10/4/74
I cannot accept your offer of Rs
7000 as compensation for my house &
please take the necessary action

The question settled by Mr. Buxton.

Yours sincerely

W. J. Jones

R. Raghunath Row Esq.

12 May 1874

[to be copied]

R. Raghunath Row

12 May 1874

12 May 1874

12 May 1874

81

Madras Collector's Office
9th May 1874

From

J. Hunter Blair Esq.
Collector of Madras

To

The Honorable D. H. Carmichael
Chief Secretary to Government
Pootammund.

Sir,

I have the honor to forward
for the consideration and orders of
Government a case which has been
referred to me by the Deputy Collector
of Madras.

2. Mr. Jones a member of Messrs.
Davy & Co. claims as compensation for
land and buildings required for the
line of the Carnatic Railway in the
compound of his house No. 32236-11-1
The Deputy Collector has offered
him Rs. 7000 by letter and Rs. 8000 in
kind which he has refused.
He also Jones was also asked what
price he would take for the house and
compound.

compounded as they stand: he asked Rs 40,000.

5. The Deputy Collector offered Rs 13,000, which was refused.

6. Mr. Jones wishes the matter referred to the Judge appointed by Government to decide such cases.

7. The Deputy Collector now requests that Government will sanction the purchase of the house and compounds under the Land Acquisition Act, instead of only the portion of the compound actually required.

8. His reason is. It would be better policy to buy the house, and sell it again, by which Government would really only pay the difference for damages and compensation for the land actually required, than to allow the principle to be insisted on (that an owner of

any property is entitled to compensation when the Railway passes near his house and thereby devalues its value. It is a question whether a claim to compensation under this head is one that should be

allowed.

101
allowed under section 24 Clause 3, or disallowed under section 25 Clause 4, but I very much doubt as a Court

of satings the latter view of the question.

9. I agree with the Deputy Collector that it is decidedly advisable to take the house, and compound under the Act. In this case if Mr. Jones goes to Court, we shall only have to pay the fair value of the house. If he goes to Court for damages, it is impossible to say at what rate the Judge may assess them, and if he did so highly, other claims would very probably be brought forward, one person has already done so. I doubt also if the Judge would take the Municipal Valuation as a correct one, and I consider the Deputy Collector's estimate of Rs 2850 should be at least trebled.

10. I draw attention to the fact that Mr. Jones himself only values his house and compounds, if purchased at Rs 1775-4-8, more than he demands for compensation. If the valuation for purchase goes

6 of Deputy Collector's letter

I have the honor to be
 Sir
 Your most obedient servant
 J Hunter Blair
 Collector of Madrid

The first of these is the *Journal of the American Medical Association*, which has been the most influential of the medical journals in the United States. It was founded in 1882 and has since then published a wide range of medical research, clinical observations, and reviews. The second is the *New England Journal of Medicine*, which was founded in 1812 and is one of the oldest and most respected medical journals in the world. The third is the *Lancet*, which was founded in 1823 and is one of the most influential medical journals in the world. The fourth is the *British Medical Journal*, which was founded in 1847 and is one of the most influential medical journals in the world. The fifth is the *Annals of Internal Medicine*, which was founded in 1919 and is one of the most influential medical journals in the world. The sixth is the *Journal of the American Society of Nephrology*, which was founded in 1972 and is one of the most influential medical journals in the world. The seventh is the *Journal of the American Society of Hypertension*, which was founded in 1973 and is one of the most influential medical journals in the world. The eighth is the *Journal of the American Society of Endocrinology*, which was founded in 1974 and is one of the most influential medical journals in the world. The ninth is the *Journal of the American Society of Geriatrics*, which was founded in 1975 and is one of the most influential medical journals in the world. The tenth is the *Journal of the American Society of Geriatrics*, which was founded in 1975 and is one of the most influential medical journals in the world.

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P. W. D.

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goes before the Court, this point will, I
think, tell strongly in favor of Government.
If Government approve of the

proposition,
that the
published in

Pub. Works 1874, Dept
No 284-L.A.

From
The Dy. Chief Secy.
Dated 13th May 1874.
Received

Encls. 7
Transferring
a letter from the Govt.
of Madras intimating
that it would be better
to purchase all instead
of a portion of the
Bungalows & compound
belonging to the Govt.
and required by the
Barnatic Railway -

Q. L. No. 1322 A 16-5-74

Order
13 M

to be

It is proposed to purchase all instead of a portion of the Bungalows & compound belonging to the Govt. and required by the Barnatic Railway -
The Dy. Chief Secy.
Dated 13th May 1874.
Received
Encls. 7
Transferring
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of Madras intimating
that it would be better
to purchase all instead
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Bungalows & compound
belonging to the Govt.
and required by the
Barnatic Railway -
Q. L. No. 1322 A 16-5-74

G.O. No: 1322A of 16th May 1874
P. W. D.

Proceedings of the Madras Government,
Under date the 187

Read the following:-

The Collector will sub-
mit a draft notification
for the acquisition of the
house and ground referred
to under the Act. Such
portions of the premises
as may not be actually
required for Railway pur-
poses being hereafter sold
by public auction.

Order of the
Collector of
Madras
to be
sent to the
Collector of
Madras
for
the
purpose
of
the
acquisition
of
the
premises
referred
to
under
the
Act.

2844
A
Govt. of 1874 Madras.
PUBLIC WORKS.

The Collector
Madras.

Dated

Recd.

Encl.

G. O. 16 May 1874. No. 1822 A.

Nos. 372 A 372 B

Compensation for Land
Earned by
The Collector of Madras
requested to submit
draft-Notification for
Acquisition of the
premises and ground
belonging to Mr. Jones
under the Act - such
portion of the premises
as may not be required
for Railway purposes
has hereafter required by

372cc-372b