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MADRAS RECORD OFFICE

Government of Madras

Public Works

DEPARTMENT

G.O. No.	2765	Press Mis.
B.P. No.		
Dated	24-9-	1875

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
24th September 1875.*

No. 561. Read the following Proceedings of the Madras Government in the Revenue Department, dated 2nd September 1875, No. 1,316:—

ABSTRACT.—*Polaveram Island Embankment.*—Communicating to the Public Works Department Proceedings of the Court of Wards, reporting Government Pleader's opinion that the Guttinadivi proprietor cannot be compelled to pay his share of the cost of the —, and observing that the estimate should be reduced as much as possible consistently with the utilization and security of such work as has already been executed, and that the work should be proceeded with as funds are available.

No. 562. ORDER THEREON, 24th September 1875, No. 2,765.

IRRIGATION, No. 52.

COMMUNICATED to the Superintending Engineer, Godavery, who will show on a map the approximate boundaries of the

Government lands and several estates included within the area to be protected by the Polaveram island embankments, and will report in what way the work can be modified so as to protect principally Government lands and the Kesavakurru estate, leaving other estates to make such arrangements for their own security as they may deem proper.

2. Pending final orders on the subject of these embankments, for which as yet no grant for the current year has been made available by the Government of India, Major Beatty will confine expenditure to the work absolutely necessary to prevent risk of accident to that already done, and to render the latter useful for the exclusion of moderately high freshes.

(True Extract.)

Major-General, R.E.,
Secretary to Government.

To the Superintending Engineer, Godavery
„ Chief Engineer for Irrigation.
„ Controller of Public Works Accounts
„ Revenue Department.

Exd. E. C. Shunker.

Spurs Copies

*Proceedings of the Madras Government, Revenue Department,
2nd September 1875.*

No. 29. Read the following Proceedings of the Court of Wards, dated 24th July 1875, No. 2,068:—

Read the following letter from H. H. SHEPARD, Esq., Officiating Government Pleader, Madras, to C. A. GALTON, Esq., Acting Sub-Secretary to the Court of Wards, dated 17th July 1875, No. 64:—

I HAVE the honor to acknowledge the receipt of the Proceedings of the Court of Wards as per margin, and in reply to state that I am of opinion that the

Dated 8th July 1875, No. 1,892. Guttinadivi Proprietor is not legally compellable to contribute towards the expense of the Polaveram island embankment. A person who, of his own accord, undertakes work beneficial to another man's property is not generally entitled to recover the expenses so incurred unless there had previously existed a common obligation to do the work, or something in the nature of a promise to pay for it, on the part of the person benefited. In this case there seems to be nothing to create an obligation as against the Guttinadivi Proprietor. The expenses incurred by Government in the embankment have been incurred voluntarily; and, so far from there being any evidence of a promise even by conduct on the Guttinadivi Proprietor's part to pay his share, it seems that he does not even approve of the works.

2. Under these circumstances, I am of opinion that no action for contribution can be maintained against him.

3. I return all the papers.

SUBMITTED to Government in continuation of the Court's Proceedings, dated 8th July 1875, No. 1,892.

2. As the Guttinadivi Proprietor has declined to bear his share of the cost of the work and cannot be compelled to contribute, the whole outlay, with the exception of the small proportion debitable to the Kesanakurru Estate, will have to be defrayed by Government.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

No. 30. ORDER THEREON, 2nd September 1875, No. 1,316.

Irrigation, No. 2.

COMMUNICATED to the Public Works Department.

2. The estimate should be reduced as much as possible consistently with the utilization and security of such work as has already been executed, and the work should be proceeded with as funds are available.

(True Extract.)

Alfred
Acting Secretary to Government.

To the Public Works Department.
" the Court of Wards.

Erd. J. W. Fischer.

No 2765
 Pro: of the Sudder Government
 Under date the 24th Sept 1895
 Order
 Read the following:-
 No: of the Sudder Govt }
 Res. Department } (H. E. No 1316 of 24th Sept 1895)

Communicated to the
 Super Engineer Godavery
 who will show on a
 map the approximate
 boundaries of the Govt
 lands and several ex-
 -tates included within
 the areas to be protected
 by the Polavaram
 island embankments,
 and he will report
 in what way the
 work can be modified
 so as to protect prin-
 -cipally Govt lands

23/9
 11/11

General Secretary
 to the Government

10.11.1895
 10.11.1895

REVENUE

THE PUBLIC WORKS DEPARTMENT

Co. As. Ec.

Total Expenditure

Rs. 14 }

G. O. Dated 27th October 1895, No. 1316

REVENUE

No. 23-33

For the Land Revenue Department - Commu-
 nicating to the Public Works Department the
 order of the Court of Wards regarding Govt
 land. The order is that the Government
 land cannot be compelled to pay the share of
 the cost of the - and observing that the estimate
 should be reduced as much as possible in con-
 -sistency with the efficiency and necessity of such
 work as is hereby being executed, and that the
 work should be protected with as little ex-
 -penditure as possible.

20.9.95
 20.9.95
 20.9.95

1257

and the Kesava Kurru
estate, leaving other
estates to make such
arrangements for their
own security as they may
deem proper.

2- Pending final orders
on the subject of these
embankments, for which
we get no grant for the
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Beatty will confine
expenditure to the work
absolutely necessary to
prevent risk of accident
to that already done, and to
render the latter useful
for the exclusion of more
than high freshes.

5c B.P. 11-10-75

25c of Rev. order

Rev- J.E. Kodarany with 95
1- Ching. G. S. S. 5
Rev- 1- Cont. P. S. S. 21
Rev. Dept. 17

56 1/2 May 20/9

5899

Govt. of 1877 Madras
PUBLIC WORKS.

10

W. J. C. S. Pr.
Godeveny

Dated

Issued

Recd.

File

27/6/77

Nov. 5/1-1/77

Shanmugam Island Road
Contractment.—Passing
order on Progs. of the Public
Dept. communicating
Progs. of the Court of Wards
reporting the Est. Pleaders
opinion that the Surtanah
proprietor cannot be
compelled to pay his share
of the cost of the
observing that the rate
should be reduced, &
the work proceeded with
as funds are available
(11/2/77)