

(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. | 1400 (W) | Press<br><u>Mis.</u> |
| Dated    | 24-4-    | 1877.                |

Not to be folded or roughly handled

12

*Proceedings of the Madras Government, Public Works Department,  
24th April 1877. No. 1,400.*

No. 565. Read the following letter from Major J. BEATTY, R.E., Officiating Superintending Engineer, Godavery District, to the Chief Engineer, Public Works Department, dated Dowlaishweram, 10th April 1877, No. 81 :—

I HAVE the honor to report that I have been summoned, along with the Collector

One copy of Summons.

" " of Plaintiff.

" " of Pleader's opinion.

" " of Munsif's Proceedings.

" " of Range Officer's statement of the origin of the case.

and another, to appear before the District Munsif of Ellore on 10th July 1877, as defendants in a suit brought by the Zemindarnis of Niddadavole, regarding the Satrampad Tank.

2. I have obtained a copy of the plaint herewith sent, and ascertained, through the Pleader who conducted a former suit of 1871, that the circumstances put forth in this plaint are the same as those settled in the former suit.

3. The circumstances out of which the original suit arose are fully explained in the Range Officer's letter of 4th November 1871, No. 314.\*

\* Copy herewith sent.

4. In that suit the District Munsif's decree was in favor of the defendants, but on the matter being referred to the District Court, a decree was given against them. The case was then referred to the High Court, which reversed the decision of the District Court and confirmed the decree of the Munsif.

5. The Range Officer then applied to the Munsif to know what alterations, if any, should be carried out to the works of the tank, and was informed\* that he was not required to do anything.

\* Vide District Munsif's Proceedings of 16th June 1876.

6. The present suit appears therefore to have reference to matters already settled, and that it is only necessary for the Pleader to attend and explain this to the Court. I have consequently to request permission to employ him to do so.

No. 566. ORDER THEREON, 24th April 1877, No. 1,400.

ESTABLISHMENT, No. 36-A.

THE Superintending Engineer is authorised to employ the Pleader.

(True Extract.)

Colonel, R.E.,  
Secretary to Government, P.W.D.

To the Superintending Engineer, Godavery.  
" Examiner of Public Works Accounts.  
" Judicial Department.

Exd. S. T. Austin.  
Spare Copies

Summons. H.

Under section 41-43 of act 8 of 1859  
Ellore District Munsiff's Court.

Original suit No. 482 of 1876  
Plaintiffs - 5, Lemindarnis of Nidadavon

Defendants - 1 Reddi Kristnamma Naid

- 2 Collector of the Godavery D.

- 3 District Engineer Godavery

To,

The 3<sup>rd</sup> Defendant

The above said plaintiffs have filed the  
suit in this Court. The details of the suit

are given below. You are, therefore, in

order to answer the plaintiffs, requested

to attend the Court at 10 O'clock on the 10<sup>th</sup>

July 1877 either personally or through a

Takel who understands every thing con-

necting with the suit clearly from you

and is able to answer all the particular

questions put to him regarding the suit.

You may (if you please) also depute any

other person able to answer all questions

to be present with your Takel. As

on the day fixed the final decree in

the

the suit will be pronounced, you are required to have all witnesses on your behalf ready at the Court. If you fail to attend as requested above, the suit will be settled ex parte. Any document which may assist you in your defence should be brought with you or sent by your Contactor.

In case of your not being able to have all your witnesses ready at the Court you are to present in the Court an application with a list of the witnesses requesting the Court to summon them in good time to admit of their being summoned by the Court to attend on the day appointed.

By S. S. Agasisingary  
District Munsiff.

Nature of Complaint.  
Requisition for removal of banks recently made on the tank bed of Sattrampadu village.

Rs. 130-4-0  
(True translation)  
J. Beatty, Major  
Offg. Sub Engineer Godavari

Copy of Complaint.

1876

No. 482

To,

The District Munsiff's Court of Ellore.

|                            |                                                 |
|----------------------------|-------------------------------------------------|
| Plaintiffs Lamindarnies    | Defendants.                                     |
| 1. Siraja Papammarowgaru   | 1. Rayatureddy Kristnamma                       |
| 2. Siraja Chinnammarowgaru | of Senivarapupett.                              |
| Bahadar Lamindarnies       | 2. Collector of the Godavari District, Cocanada |
| of Kidadahole Station      | 3. Distt Engineer Godavari District             |
| Senivarapupett             |                                                 |

Relief sought under section 26 act 8 of 1859

1. Prays the Court that the 3<sup>rd</sup> defendant may be directed to keep the banks of, and the quantity of water in the tank in the same state that they were at the time the lands of Sattrampadu were taken over by Govt. which is 37 years ago.

2. That the 3<sup>rd</sup> defendant may be directed to cause to bring to the same state the rain water courses which supplied rain water to the tank, that they were at the time the lands of Sattrampadu were taken over by Govt.

P.W.D.  
16 APR 77  
No. 3269  
2

Letter from Nacheswarasastulu  
pleaded in the Ellore Munsiff's Court.

23<sup>rd</sup> March 1877

Most Honored Sir

I received your letter of  
the 15<sup>th</sup> Instant. I presented the Sakal  
tunama and obtained a copy of the  
plaint, forwarded herewith for your  
perusal, which was filed in the Ellore  
District Munsiff's Court as ordinary  
No 482 of 1876. This suit has connection  
with the previous one. The former suit  
was for filling in some pits and for the  
removal of some banks made in repairing  
the supply Channel to Satrapadu Sarai  
a Government village. In that Suit  
every thing was properly enquired into,  
and it was determined that the Channel  
should be somewhat deeper and the  
banks larger. Mr Smith was appointed  
Commissioner, and he in answer to the  
questions put by the Court, sent in a  
report with a survey, shewing what  
quantity

Ld 24<sup>th</sup> April 77 L.B. No. 585

quantity of water should remain in the Satrapadu Tank, and the water which irrigates Satrapadu lands, and the required breadth and depth of the supply channel. This suit was decreed in accordance with the details shown on the survey. It appears by Section 2 of the Procedure Code that another suit about a matter once settled should not be instituted. Although the circumstances put forth in this plaint are those settled in the former one the plaintiffs did not at all state so in this complaint. In their defence the defendants should bring to the notice of the Court the circumstances settled in the former suit. All the deficiencies in this suit are not known to the court unless shown by the defendants in their statement. I think therefore it is necessary to obtain the sanction of Government to defend the suit.

I beg to remain  
(Signed) E. Rachaprasanna  
Comp. S. Beatty - Pleader  
S. Beatty - Pleader  
S. Beatty - Pleader

Proceedings of the District Munsiff Court at Ellore

Dated 16<sup>th</sup> June 1876

Present. S. Alagasingary  
District Munsiff

Read letters nos 394 & 98 of the 22<sup>nd</sup> February and 7<sup>th</sup> June 1876 respectively from the Officer in charge of the Ellore Range Godavery District.

As the Decree in appeal Suit No 117 of 1873 on the file of the District Court has been reversed by the High Court and the Decree of this Court, Confirmed, no order will be given for the removal of the Band of the Tank: hence no expense for that purpose will be incurred by any one.

Ordered - that Extract from these proceedings be sent to the above office.

(Signed) S. Alagasingary  
District Munsiff

True extract  
 (Signed) S. Alagasingary  
 District Munsiff

Beatty Major R.E.

Offg Suptg Engineer Godavery.

Handwritten text in Telugu script, appearing to be a detailed report or correspondence.

40246 April 7/77 100 555

Handwritten notes at the bottom left corner.

No. 314  
 From The Officer in charge  
 J. No. 14 Pansy G.S.  
 To The Superintending Engineer  
 1st Division.

Sir,  
 With reference to your Doc. No. 2256  
 dated 24<sup>th</sup> Ultimo, requesting to be informed  
 under what circumstances the Denevaiputta  
 gamindarnees brought a suit against  
 Mr. W. West Superintendent, I have the  
 honor to report briefly the facts of the case  
 as follows. By O. No. 416 dated 9<sup>th</sup> February  
 1877 together with a statement showing  
 the tanks in the above Taluque that  
 required repairs prepared by the Head  
 apts Collector of Godavery was forward-  
 ed by Captain Begbie Executive  
 Engineer in February last, to Mr. West  
 with instructions to prepare detail  
 estimates

did but afterwards after personal inspection  
of the work thought proper to cancel the  
injunction and allow the work to proceed.  
From the facts now stated it will be observed  
first that Mr. West did his best to prevent  
himself being put into Court by referring  
the subject to the Head Assisted Collector  
2<sup>d</sup>ly that he was completely misled by  
the Tank repair statement which was furnished  
to him and lastly that he had no time to  
get orders from the Superintending Engineer as to  
how to act in the case as he only got the  
summons on the 9<sup>th</sup> to attend the Court on the  
11<sup>th</sup> and therefore was obliged to employ a  
vakeel without first obtaining the necessary  
sanction. Under these circumstances, I  
hope that Govt. will not only pay the fee  
to the vakeel but will pay any further  
expences that Mr. West may be put  
to upon the case being finally decided.

Two letters from Mr. West Supervisor together  
with other documents are herewith  
forwarded

New Range Office } signed J. W. Martin  
4<sup>th</sup> November 1873 } Asst. Engineer  
(True Copy) }  
New Range Office }  
Rangoon June 1874 }  
A. Russell Sub Engineer  
Secretary of Govt. Range

noted and considered  
11<sup>th</sup> Dec 1873  
Asst. Engineer  
Rangoon

W.D.  
APR 77  
No. 81  
5

*Godavery*

Enclosures to a letter  
No. 81 dated 10 April 1877  
from Offg. Superintending  
Engineer Godavery.

4 @ 24 April 77 ID 556

General  
No. 81

DISTRICT ENGINEER'S OFFICE GODAVERY.  
DOWLAISHWERAM, 10<sup>th</sup> April 1877

From

Enclosures - 5 -  
The Offg. Sup<sup>r</sup> Engineer  
Godavery District.

To

The Chief Engineer.  
Public Works Department.

Sir,

I have the honor to report that  
I have been summoned along with  
the Collector and another, to appear be-  
fore the District Munsiff of Ellore on  
15<sup>th</sup> July 1877 as defendants in a suit  
brought by the Zemindars of Niddada  
mole regarding the Latrampad tank.

2. I have obtained a copy of the  
plaint herewith sent and ascertain-  
ed, through the Pleader who conducted  
a former suit of 1871, that the circum-  
stances put forth in this plaint are  
the same as those settled in the former  
suit.

W.D.  
APR 77  
No. 81  
5

Enclosures to a letter  
No. 81 dated 10 April 1877  
from Offg. Superintending  
Engineer Godavery.

4 @ 24 April 77 JB 4556

General  
No. 81

DISTRICT ENGINEER'S OFFICE GODAVERY.  
DOWLAISHWERAM, 10<sup>th</sup> April 1877

From

Enclosures - 5 -  
The Offg. Supr Engineer  
Godavery District.

To

The Chief Engineer.  
Public Works Department.

Sir,

I have the honor to report that  
I have been summoned along with  
the Collector and another, to appear be-  
fore the District Munsiff of Ellore on  
15<sup>th</sup> July 1877 as defendants in a suit  
brought by the Zemindars of Niddada  
mole regarding the Satrampad tank.

2- I have obtained a copy of the  
plaint herewith sent and ascertain-  
ed, through the Pleader who conducted  
a former suit of 1871, that the circum-  
stances put forth in this plaint are  
the same as those settled in the former  
suit.

3. The circumstances out of which the original suit arose are fully explained in the Range Officers letter of 4<sup>th</sup> November 1871 No. 314.

4. In that suit the District Commissioners' decree was in favor of the defendants, but on the matter being referred to the District Court, a decree was given against them. The case was then referred to the High Court which reversed the decision of the District Court and confirmed the Decree of the Commissioners.

5. The Range Officer then applied to the Commissioners to know what alterations, if any, should be carried out to the works of the Tank, and was informed that he was not required to do anything.

6. The present suit appears therefore to have reference to matters already settled and that it is only necessary for the pleader to attend and explain this to the Court. I have consequently to request permission to employ him

\* Copy here-  
with sent.

\* Vide District  
Commissioners' Pro:  
of 16<sup>th</sup> June 1876.

to do so.

11/7  
I have the honor to be,  
Sir,

Your Most obedient Servant  
L. Beatty Major R.E.  
Offg Supr Engineer Godavery D.

Comd by

Cir. No. 1400 d/24 April/77

The S.E. is authorized  
to employ the Reader

From,

The off<sup>r</sup> Sup<sup>r</sup> Engineer  
Godanery.

The Chief Engineer  
Pub. Works Dept.

Dated 10 } April 1877  
Recd

No. 81

Enclosures - 5

9117  
76/1/77  
PUB. WORKS.

To The S.E. Godanery

Dated

Issued

Recd.

Encl.

G. O., 24 April 1877, No. 1400

Nos. 565-566

8.12.71.  
16.10.69.

with the Sup<sup>r</sup> Engr Godanery  
authorized to employ a Reader  
to defend the - institute  
at him by the zemindar  
Godanole

By @ 24 April 77, S.D. No. 555

S. E. Godanery

E. P. W. A.

Pub. Dept.

resp 8-5-77

Cir 17.4.77

Suit in Munsiff's  
Court of Ellore -

Requesting permis-  
sion to employ a  
Pleader to defend  
in a -

With order