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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Public work DEPARTMENT

G.O. No.	889 (W)	Press.
B.P. No.		Mis.
Dated	21-2-1878	197

297

Not to be folded or roughly handled

889
1

GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

21st February 1878, No. 889 W.

General.
Establishment.

Read the following paper:—

No. 251. From the Superintending Engineer, Godavery, to the Chief Engineer Public Works Department, dated Dowlaishweram, 2nd February 1878, No. 3,478.

With reference to G.O., No. 664 W, of the 29th August 1877, I have the honor to forward herewith an original letter with its enclosure received from Mr. 1878, from the Officer in charge, Dumagudem T. Vanstavern, Executive Engineer in Division, and with its two enclosures. charge of the Dumagudem Division, from which it will be observed that he is the proper person to institute the suit for building on Public Works land, and therefore to request you will be good enough to obtain the necessary sanction of Government to his doing so.

No. 252. ORDER THEREON, 21st February 1878, No. 889 W.

THE District Engineer will give a Vakalutnama to Mr. Vanstavern, the Range Officer, to appear and act for him in the matter.

(True Extract.)

(Signed) E. A. FOORD, Colonel, R.E.,
Secretary to Government, P.W.D.

To the Superintending Engineer, Godavery, with three Enclosures.

Exd. E. C. Shunker.
Spare Copies

GENERAL
ESTABLISHMENT.

Govt. of (1873) Madras.

PUBLIC WORKS.

To
THE SUPERINTENDING ENGINEER,
GODAVERY.

Dated February 21st.

Issued

By

Per

G. O. P. No. 1878. N. 1.

FEBRUARY.

Nos. 251-252.

Dist. Godavery District.—To
Engineer to give a Vakalatnama
Vasistaram, the Range Officer, to
act for him in certain —

Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

Read the following:—

From the Offg. Supg. Engineer } N.E. No 3478 dt 2nd Feb 1878.
Godavery.

In supersession of
Government Order No 664 W
of the 29th August 1877, the
Range Officer will undertake
the prosecution.

GA 78/2

Has not yet been
Mr. Vasistaram has
written and to proceed to
be to do so. At the price of
to the Officer & his acting
in the matter for the
Jt. Engr. Ask Mr. Vasistaram
to look at the papers.

To
The Dist. Engineer, Godavery.

Recirculated & on
 Jan. 11. Huddlestone
 with note by
 the Asst. Secy.
 Judicial Dept.
 16.2.77

To the Assistant
 Secretary, Judicial
 Dept. for remarks

16/2/77

I think the proper
 course for the D.
 Eng. to give a Vakalat
 to Mr. Vanstam
 to appear & act for
 him in the matter.

I don't think it
 advisable for the
 Govt. to suggest General
 authority LK 20/2/78

Draft G.O. in P. M. D. in No. 1584.

889/67

I have read these papers.
 I do not think that ^{there} can be any
 real objection to Mr. Vanstam
 appearing as the District Engineer's
 agent to prosecute the suit against
 thatthiah & his brother. all that
 would be necessary, would be the ob-
 jection raised by the Tahsildar, w-
 be for the D. Eng. to give Mr. Van-
 stam or Vakolubrammah to act
 for him. But as the Tahsildar has
 made the objection, it would be
 as well to authorize Mr. Vanstam
 by G.O. to act for the Govt. and
 if necessary to amend the plaint
 accordingly. In this case, the G.O.
 might be made a little more formal
 than the present one. It might run
 as follows -

In supersession of G.O. 29 Aug
 1877, No. 664 W in this Dept, his Grace
 the Govt. in Council hereby authorizes
 Mr. Vanstam, Executive Engineer,
 Bangalore Division, to prosecute the

or the Inspector Engineer in
^{for the time being} charge of such Division, to file
 a suit in the civil court at
 Badrachellam for the removal
 of a thatched house or other building
 erected without permission on
 Government land in or near the
 village of Durnagudicim by, Thum.
 pilli Thakkiak, Thumapilli Suba-
 mangan or other person or persons.

This would further obviate the ne-
 cessity of a separate order in each
 case that may arise.

But the suit seems open to
 question on its merits. It is in the
 nature of an action of ejectment.
 The position is taken up that the
 construction of a new house, on the
 site of the old one built with permis-
 sion, is illegal. Whether this will
 hold good will depend on the original
 terms granted. What were the terms
 on which Thakkiak got permission
 to build originally? The question will
 be, can those terms be overruled by

a subsequent order prohibiting a new
 building in its place?

Again Mr. Pambavan says
 in his complaint that the act of build-
 ing a new house constitutes a civil
 trespass by occupation. How can it
 be trespass if the man had permission
 in the first instance to occupy?

W.S.
 15.2.78.

889
 / 4

* No terms whatever were
 granted. It is a simple
 overreach on Govt. land.
 The Govt. never intended to
 grant permission to build
 in a better spot. None of
 the liberal offers. R.P. 16/2.

Recd 16.2.78
 in 9.2-78 R14-2.78

No 3478

District Engineer Office Godavari
Dowlaishera 2nd February 1878

From

The Superintending Engineer
Godavari District -

To,

The Chief Engineer
Public Works Department.

Sir,

With reference to G.O. No. 664th of the
29th August 1877, I have the honor to forward
herewith, an original letter with its enclosure
received from Mr. T. Vanstam Executive
Engineer in charge of the Damagudem Division
from which it will be observed that he is
the proper person to institute the suit for
building on P.W. land, and therefore to
request you will be good enough to obtain
the necessary sanction of Government to
his doing so.

I have the honor to be
Sir

Your Most Obedient Servant
W. A. C.
Executive Engineer

for Superintending Engineer Godavari.

Memo.
for P. W. Department.

889 W

15-8-40

Godavari

Recd 16-2-78
No 9-2-78 R14-2-78

General.

FROM,

THE OFFG. SUPERINTENDING ENGINEER

GODAVERY DISTRICT.

TO,

THE CHIEF ENGINEER

PUBLIC WORKS DEPARTMENT.

MADRAS.

DATED 2nd February 1878.
RECEIVED

No. 3478

ENCLOSURE. 3

T. Subramaniam at
Dumagudem - Suit for
building on P.W. land
against - Informing that Mr.
Vanstavern is the proper person
to institute the - and requesting
sanction of Government to his
doing so -

Recd 16.2.78
C.R. 9-2-78 R. 14-2-78.

Recd 16.2.78
C.R. 9-2-78 R. 14-2-78.

Recd
16.2.78 under
order

No. 889 W Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 21st Feb'y /78.

Read the following :-

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From

The Supg. Eng^r. Godavery (No. 3478 d/2nd Feb'y /78)

The District
Engineer will give a
Vakalatnama to Mr.
Vanstavern, the Range
Officer, to appear and
act for him in the matter.
Wk
21.2.78

Supg. Eng^r. Godavery
with 3 enclosures
S. 21-2-78

Recd 16.2.78
C.R. 9-2-78 R. 14-2-78.

1075/11
~~Govt. of Madras~~
GOVT. OF MADRAS
PUBLIC WORKS.

To The D. C. Godavari

Dated

Issued

Recd.

Encl.

G. O. *27th* July 1878, No. *8894*

Nos.

Resd. Roddy D. The D.C.
to give a Vakalatnama
to Mr. Vanstavan, the King
Officer to appear and act
for him in Court.

Ente in Regt.