

(1) Number of pages 14
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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

PW

DEPARTMENT

G.O. No.	174 1 (W)	Press.
B.P. No.		Mis.
Dated	14. 7. 1881	~~197~~

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Not to be folded or roughly handled

1741
GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

14th July 1881, No. 1,741 W.

General.
Establishment.

Read the following papers:—

No. 21. From the Government Agent, Godáviri, No. 12, dated 18th May 1881, forwarding copies of Judgment and Decree in Original Suit No. 1 of 1880, on the files of the Special Assistant Agent, regarding a piece of village site at Dumagudiem in Bhadrachalam Taluk.

No. 21-A. From Superintendent of Works, Godáviri, No. A, dated 14th June 1881.

OPINION.

THE only way in which the proposal contained in these papers can be carried out is by bringing actions of ejectment against the owners of the houses in the village of Dumagudiem. Notices to quit should be served before action which, I think, should be brought in the name of the Secretary of State for India.

2. If the tenants are willing to pay a ground rent so that a right to the soil should not vest in them by virtue of the law of limitation, I think it would not be advisable to disturb them under all the circumstances of the case, but no new land need be permitted to be built upon or occupied by new or extended buildings in the village beyond the present sites of houses. The further increase of houses will thus be prevented.

2nd July 1881.

(Signed) P. O'SULLIVAN,
Advocate-General.

(A true Copy.)

(Signed) E. BARCLAY,
Government Solicitor.

No. 22. ORDER THEREON, 14th July 1881, No. 1,741 W.

THE officers of the Public Works Department will be guided by the opinion of the Advocate-General as to future procedure in connection with tenants' holdings in the village of Dumagudiem.

(True Extract.)

Major, R.E.,
Under Secy. to Govt., P.W.D.

To Superintendent of Works, Godáviri.
To the Judicial Department.
" Revenue Department.

Exd. S. T. Austin.
Spare Copies

GENERAL
ESTABLISHMENT.

Govt. of (1881) Madras.
PUBLIC WORKS.

To

THE SUPERINTENDENT OF WORKS,
GODAVARI,

&c., &c., &c.

Dated July, 14th.

Issued

Recd.

Encl.

G. O., 14th July 1881, No. 1,741 W.

JULY.
Nos. 21-22.

Tenants' holdings in the Village of Duma-
gudem, Godavari District.—The officers of
the Public Works Department to be guided
by the opinion of the Advocate-General as
to future procedure in connection with —.

Notes

Extract from C. R. No. 414 of 26.6.81
Document sent to S.W. Godavari
Connected with G. O. No. 1741 W
Dated 14th July 1881.

(2) Copy of letter from the Govt Agent
Godavari No. 12 of 18.5.81 with copies
of decree and judgment in original
sent No. 1 of 1880 and letter from
the Special Assistant Govt Agent
No. 27 - of 28.5.81.

(6) Original letter from the Super-
visor Godavari No. A. of
14-6-81.

17 July 2

P³
1747
Opinion

The only way in which the proposals contained in these papers can be carried out is by bringing actions of Ejectment against the owners of the houses in the Village of Dumagardium. Notices to quit should be served before action which I think should be brought in the name of the Secretary of State for India.

If the tenants are willing to pay a ground rent so that a right to the soil should not vest in them by virtue of the Law of Limitations, I think it would not be advisable to disturb them under all the circumstances of the case. but no new lands need be permitted to be built upon or occupied by new or extended buildings in the Village beyond the present sites of houses. The further increase of houses will thus be prevented.

Signed J. O. Sullivan
Advocate General

2^d July 1881.

/s/ A. T. Cope

Wm. Barclay

Government Solicitor

174/4

Read the following:—

Enclosure from the Special Commissioner, Hill Tracts Circle, No. 158, dated 30th May 1881, on letter from the Dist. Agent, Godavari District, No. 12, dated 18th May 1881.

Letter from the Supd. of Works, Godavari, No. A dated 14th June 1881.

FOR ORDERS.

I am doubtful myself whether the interpretation put by the Assistant Agent and by Mr. Walsh on the Q. of 1876 is correct. It is to be borne in mind that the Government have decided that the Government will not allow new houses to be built here at very rare intervals, and that the Government are apparently more or less bound in the interest of the inhabitants to employ the caution of any measures which will

(1881) Department.

From P. W. C. No. 4068
The Government Solicitor
Madras.

To The Secretary to Government
Public Works Department
Ootacamund

No. 289

Dated 5th } July 1881.
Recd 14 }

Enc. 10. 7 with
sub. rate

Forwarded with enclosures with
reference to letter No. 202, dated 23rd June
1881.

Wm. H. Barclay
Government Solicitor

o.s. 12/6. Cir 7/7. Ret 11/7

The Hon the Governor.

FOR ORDERS.

it is hoped, lead them to occupy the new site. new buildings or enlargement

2. Mr. Dalcho's proposals of old ones." 1740/1881
seem well calculated. I incline to think that

to secure this in time, the intention was to prevent extension of the village, but

3. The matter might it may have been to promote its gradual extinction.

be reconsidered by the Collector in the But he this as it may there

light of these proposals. is the legal question of the right of Govt as landlord over the occupants as tenants.

and on this point I would ask the Advocate General's opinion d/o.

before considering the matter further

18/6/81
1876/81

Enclosed in the above remarks

0.1.12/6. 1881

P. W. DEPARTMENT.

1740/1881
Read the following:— Letter from

the Government Solicitor, Madras, No. 289 of 5th July 1881, submitting Opinion of the Advocate General dated 2nd July 1881.

Circulated FOR ORDERS. with reference to the

& G.O. under the private remarks of the Honorable

& the A.G.'s opinion & the Governor dated 18th

June 1881.

& the decision of the Assist. Agent.

18/6/81

1876/81

Enclosed in the above remarks

0.1.12/6. 1881

FOR ORDERS.

P. W. Department.

N^o 1741 W

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 14th July/81.

Read the following

Letter from the Government Agent,
Godavari, N^o 12, dated 18th May 1881,
forwarding copies of Judgment and Decree
in original suit N^o 1 of 1880 on the
files of the Special Assistant Agent,
regarding a piece of village site at
Dumaguchem in Bhadrachellum Taluq.

Letter from Superintendent of Works,
Godavari, N^o A, dated 14th June 1881.

Opinion of Advocate General, dated

2nd July 1881.

The officers of the
P. W. Department will
be guided by the
opinion of the Advocate
General as to future
proceedings.

OLL 12/16 Cii 7/7 Rto 11/7

procedure in connection
with tenants' holding
in the village of Durnaguchin.

Att

12/7/81

Supt. of Works, Kodavay
Judicial Department ✓
Rev. District ✓

2 esp ✓
21-7-81

12/6/81

12/6/81

4068

Govt. of 1881 Madras.

PUBLIC WORKS.

To

Dated

Issued

Recd.

Encl.

G.O., 14 July 1881, No. 1741

Nos. 21-22.

Levants' holdings in the
Village of Dummagudi.
Reference to the Officer
of the Village title guided
by the opinion of the Advocate
General as to future procedure
in connection with —.