

B.V. 2013 Wd/3-12-81

209/12

3435
Add. in Receipt Book
D.W.

No. 3013W

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 3rd Decr/81
Read the following:—

Trans. of Govt. Finl Dept H.S. No 23087/25 Nov 81.

Recorded.

2. As the rules for obtaining Public Works Stores from England or otherwise are laid down in the Madras P.W. Code, based on the orders of the Govt. of India in the P.W. Dept, G.O. Finl Dept, No 2365 of 22 Decr 1880, was duly recorded in this office.

To the Finl Dept
Dated 5-12-81.

By 
2/12/81

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

8th November 1881, No. 1658.

READ THE FOLLOWING PAPER:—

No. 121. Proceedings of the Board of Revenue, dated 3rd November 1881, No. 2613.

Read—the following letter from H. SEWELL, Esq., Collector of Trichinopoly, to the Secretary to the Board of Revenue, dated Trichinopoly, 18th October 1881, No. 3192:—

THE Manager of the Varadarajaperumal pagoda has sent me a notice (copy enclosed) under Section 424 of the Civil Procedure Code on the 11th instant, informing me that he is going to file a suit against Government to prevent the demolition of the Kothaval Chavady Mantapam referred to in Board's Proceedings, No. 1044, of 13th July last, and for recovering possession thereof.

2. I understand that the Public Works Department have already received orders from Government to demolish the building, though I have not as yet been favored with copy of the order.

3. The building has been in possession of Government for about 60 years as stated in my letter quoted in the above Proceedings. The petitioner is therefore barred by the law of limitation as he cannot sue after 12 years for recovery of possession—vide No. 142 of Part VIII of the second Schedule to Act XV of 1877, I however request that the Board will be pleased to instruct me whether I may allow the orders of Government to be carried out, or whether I may have them postponed till a suit is filed and disposed of.

Resolution—

SUBMITTED for the orders of Government. The Collector should ere this have received a copy of the Government Order.

(A true Copy and Extract.)

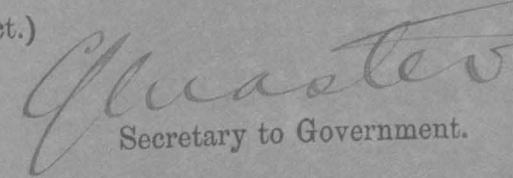
(Signed) E. GIBSON,
Acting Sub-Secretary.

No. 122. ORDER THEREON, 8th November 1881, No. 1658.

Miscellaneous.

THE Right Honorable the Governor in Council is pleased to allow the time legally necessary for filing the suit and obtaining the injunction, but the parties should be warned that the Government Order will be carried out if the Court's injunction is not obtained by due date.

(True Extract.)


Secretary to Government.

To the Board of Revenue, with one original enclosure returned.
„ the Public Works Department.
„ the Collector of Trichinopoly, for communication to Petitioners.

Exd. J. W. Fischer.

70 Copies.

20 Special Copies

No 3014 N- of 3rd Dec 1881

Communicated to the
Suptg. Engrs 6th Circle with
reference to G.O. 2344 W. of
22nd Sep. 81.

F. to b. to go
Govt. of (1881) Madras.
REVENUE.

To
THE BOARD OF REVENUE,
&c., &c., &c.

Dated November 8th.

Printed 28th.

Recd. *2nd Dec 81* Encl.

G.O., 8th November 1881, No. 1658.

G.O. 2344 W. 22.9.81

NOVEMBER.
Nos. 121-122.

SUBJECT.
*Suit, Trichinopoly, — for preventing demolition
of Kothaval Chavady Mantapam. Time legally
necessary for filing — and obtaining the injunction,
granted with remarks.*

*Subd in Receipt Regt.
with order.*

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

8th November 1881, No. 1658.

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(True Extract.)

(Signed) C. G. MASTER,
Secretary to Government.

To the Board of Revenue, with one original enclosure returned.
„ the Public Works Department.
„ the Collector of Trichinopoly, for communication to Petitioners.

Exd. J. W. Fischer.

70 Copies.

204/12

1st Circle. — excepts 5-12-81.

Gobt. of (1881) Madras.
REVENUE.

Over there 23014 W d/ 3rd Decr/81

Communicated to the
Sup^r Engineer 6 Circle with reference
to G.O. 2344 W d/ 22nd Sept^r/81.

(True Extract)

Signed J. T. Le Gros

Assistant Secretary, Govt.
M.D.

to S. E. 6 Circle

To
THE BOARD OF REVENUE,
&c., &c., &c.

Dated November 8th.

Printed 28th.

Recd.

Encl.

G.O., 8th November 1881, No. 1658.

NOVEMBER.
Nos. 121-122.

SUBJECT.

Suit, Trichinopoly,—for preventing demolition
of Kothaval Ohavady Mantapam. Time legally
necessary for filing — and obtaining the injunc-
tion, granted with remarks.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

30th August 1881, No. 1,305.

Read again G.O., 12th July 1881, No. 1,059.

Read also the following paper :—

No. 473. From H. SEWELL, Esq., Collector of Trichinopoly, to the Chief
Secretary to Government, Petition Department, Ootacamund, dated Trich-
inopoly, 13th August 1881, No. 2,467.

In reply to petition No. 1,314 endorsed to me without date, I have the honor
to report as follows.

2. On the 1st May 1880, the Vice-President of the Municipal Commission
wrote to the Acting Collector stating that the building known as Kutaval Choultry
in the Big Bazaar was in a dangerous condition, and requesting that measures might
be taken to make it safe.

3. The Acting Collector thereupon wrote to the Assistant Collector, on 17th
June, for information as to the size and value of the building, and how it came to
be Government property.

4. The Assistant Collector, on September 6th, furnished the information,
giving the value as about Rs. 100, and stating that "it is said that it was built some
150 years before, during Minatchi Nayudu's time, for Vasantha Utchavam of Varada-
raja Perumal and as public halting place" and that "some 60 years before Kutaval
Bothi Khan held his office in a corner of this building, since then it goes by the name
of Kutaval Choultry."

5. Subsequently it has been in the possession of Government, but has not been
used for any public purpose. Passengers rest there, and petty traders occasionally
occupy it.

6. The Acting Collector, on October 8th, inquired of the same officer whether
the Trustees of the Varadaraja Perumal Pagoda or any section of the public claimed
the building, as, if their claim was allowed, they should be called on to put it in
repair.

7. On 27th April 1881, the Temporary Deputy Collector reported that as the
building belonged to the Pagoda (originally, I presume he meant) and as the Dar-
makarta agreed to repair it, he saw no objection to its being made over to him.

8. On June 1st, I recommended to the Board of Revenue that this should be
done—vide Board's Proceedings, dated 13th June 1881, No. 1,044, in which they
recommended to Government that my proposal should be carried out.

9. From these facts, it is clear that the statement of Government petitioner in
paragraph 5 of his petition that the Hindus "applied quietly to the Collector to
hand over the said Mandapam to them" is totally without foundation.

10. But on inspecting the place personally yesterday morning, I have formed
an opinion that the best course would be to pull the building down altogether for
the following reasons :—

1st,—The building is open to the Bazaar so that any one can go in and out
as he pleases, and it is undoubtedly in a dangerous condition. Some-
thing therefore must be done to it for the safety of the public.

P. N. D.

2ndly,—Clearing away the building will be an improvement to the street which is narrow at this point. It will also open up a fine stone-walled tank which lies a little way back from the street.

3rdly,—Just opposite to the choultry are situated side by side a Mosque, and a small Hindu Pillaiyar Covil. The people who attend these places of worship are continually fighting with each other, and endeavoring to gain some advantage over their rivals. If the choultry is given back to the Pagoda Trustees as formerly proposed, it will be a clear gain to their side and will give the Hindus a good vantage ground from which to outrage the religious feelings of the Mussulmans in their Mosque just opposite.

11. For these reasons I would strongly urge the advisability of demolishing the choultry altogether. Lapse of time has entirely barred any claim that the Hindus might put forward to the building, but I think they might be allowed to remove the stones on some of which idols are carved.

The petition and its enclosures are herewith returned.

ENCLOSURE.

Petition from HAGI SYED MOHIEDDEEN PACHA KATEEB, of the Oomdatul Oomara's Mosque near Kutaval Choultry, Trichinopoly, dated 19th July 1881.

ABSTRACT.—Praying that the recommendations of the Collector to make over the Kutaval Choultry Mandapam to the Hindus may be set aside, and it may be ordered to be pulled down if it is in a dangerous condition.

No. 474

ORDER THEREON, 30th August 1881, No. 1,305.

Miscellaneous.

THE order read above which was placed in abeyance by a telegram to the Collector, dated 29th July last, will now be cancelled.

2. The building should be pulled down as proposed. The necessary orders will be issued to that effect in the Public Works Department.

3. The stones may be sold. The Hindus can buy if they choose.

4. It is to be regretted that the Collector did not enquire more particularly into the case before making his recommendation to the Board of Revenue.

(True Extract.)

(Signed) C. G. MASTER,
Secretary to Government.

To the Judicial Department.

„ the Board of Revenue.

„ the Public Works Department.

„ the Petition Department, with Petitions, Nos. 1,416 and 1,652.

Exd. W. H. French.

70 Copies.

Order thereon 22 Sep^r/81 No. 2344W

Communicated to the
Supt^y Eng^r 3 Circle, in
view to the demolition
of the building being
carried out -

(True Extract)

Sd/ J. P. S. S. S. S.
Major P. S. S.
A. S. S. S. S. S. S.

Govt. of (1881) Madras.

REVENUE.

To THE JUDICIAL DEPARTMENT,
&c., &c., &c.

Dated August 30th.

Printed September 13th.

Recd. Encl.

G.O., 30th August 1881, No. 1,305.

AUGUST.

Nos. 473-474.

SUBJECT.

Certain Stone Mantapam in the Bazaar Street
of Trichinopoly Town.—Cancelling G.O., dated
12th July 1881, No. 1,059, regarding —; stating
that the building should be pulled down as pro-
posed and that the necessary orders will be issued
to that effect in the Public Works Department;
observing that the stones may be sold; and
regretting that the Collector did not enquire more
particularly into the case before making his
recommendation to the Board of Revenue.

Supt^y Eng^r.
III Circle

Public Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

READ the following letters from

Dr. Burgess, Archaeological Survey,
d/ 30th November/81, No. 3, 4 & 5.

Order thereon d/ 3rd Decr/81,
No. 1652.

The following departments
and officers will be requested
to permit Dr. Burgess to have
on loan the several articles
specified in his letters -

Public Work Dept. para: 1 clause 2
of letter No. 4.

Surgeon General with the Government
para 1 clause 3 of D.

Revenue Department. para: 1 clause
1 & 2 of letter No. 5.

Revenue Survey - para 1 clause 3 of d.

The Government regret that their
endeavours to procure tents for
Dr. Burgess's use have been
unsuccessful - He must therefore
make his own arrangements in
respect

respect to them.

2. The Superintendent will forward a supply of Stationery; and a copy of Professor Mouier's Sanskrit dictionary will be sent to Dr. Burgess on loan from the Govt. library.

3. It is observed that a file of G.O's on archaeology was yesterday despatched to Dr. Burgess.

4. With reference to para 2 of letter No 3, Dr. Burgess will be requested to confer with Mr. Sewell and draw up a scheme of operations for consideration by Government and submission to the Govt. of India.

(True Extract)

Kidnappa

Asst. Secy.

To The Pub. Works Dept.

Letter from Dr. Burgess 430
Nov 81 No 4

Para 1, clause 2.

"To obtain on loan from the S.P.W. - 1 Theodolite and levelling staves; 1 chain; 3 Tape lines; 3 small cases of drawing instruments; 3 drawing boards and T squares with a few scales; and if available a dark photographic tent and camera with an American ladder of about 14 feet."

Extract

Govt. of {188 } Madras.

3/ Bet. 3015 Waf 5 Dec 87

Extract forwarded
to the General Supt.
Public Works Stores
who will supply to
D^r Burgess such
of the articles specified
as may be available
and report com-
pliance with these
orders.

(Init) R.T.

Dated _____
Recd. _____ } 188 , No.
Nos. _____

Recd
5/12/87
Gend. Supt. P.W. Stores
with extract para 1 of
G.O. and extract of
letter. D^r 8/12

Entd. in Receipt Bk
with order