

1ST SEPTEMBER 1884, No. 2146 W., PUBLIC WORKS.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Civil Works.

READ—the following papers :—

Proceedings of the Board of Revenue, dated 14th August 1884, No. 2817.
Endorsement thereon by the Revenue Department, dated 25th August 1884, Mis. No. 3693.

ORDER—dated 1st September 1884, No. 2146 W., Public Works.

Ordered that the notification be published in the *Fort St. George Gazette*; the Collector of the Nilgiris being authorised to take order for the acquisition of the land in accordance with the provisions of sections 7 and 17 of Act X of 1870.

(True Extract.)

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

To the Superintendent, Government Press, with notification.
" Superintending Engineer, IV Circle.
" Revenue Department.

Exd. E. Fernandez.
Spare Copies

BUILDINGS AND ROADS.
CIVIL WORKS.

Gobt. of 1884 Madras.

PUBLIC WORKS.

Dated September, 1st.

Recd.

Encl.

G.O., 1st Sept. 1884, No. 2146 W.

SEPTEMBER.

Land

Acquisition of — for improving road at
Ootacamund.—Orders issued for —.

BOARD OF REVENUE, 14TH AUGUST 1884, No. 2817.

PROCEEDINGS OF THE BOARD OF REVENUE.

1 READ—the following letter from L. R. BURROWS, Esq., Acting Collector of Nilgiris, to the Secretary to the Board of Revenue, dated Ootacamund, 7th August 1884, No. 263 :—

The Executive Engineer of the Nilgiri Division has applied to me for the acquisition, under Act X of 1870 (Land Acquisition Act), of certain pieces of land in Ootacamund, the same being required for improvements of the existing road.

2 The Executive Engineer requests in one letter that “immediate steps” and in another “early steps” may be taken to acquire the lands in question. I believe, therefore, that they are required urgently.

3. I enclose the usual draft notification, and request that the Board will move the Government to publish the same in the *Fort St. George Gazette* under Sections 4 and 17 of Act X of 1870, and under Section 7 to issue the usual direction to me to take order for the acquisition of the lands.

ENCLOSURE No. 1.

Draft Notification.

Under the provisions of Act X of 1870, the Right Honorable the Governor in Council hereby declares that the plots of land described in the schedule hereto annexed and situated within the Ootacamund Settlement, Nilgiri District, are needed for a public purpose, namely, the improvement of the main lines of road through Ootacamund.

2. The Collector of Nilgiris is hereby authorized to take order for the acquisition of the lands under Section 7 of Act X of 1870, and this case being one of urgency, the said Collector is directed to take possession under Section 17 of the said Act.

3. The plan of the lands can be seen at the Collector's office.

No.	District.	Village.	Description of Land.	Extent in Acres.	Name of owner.	Boundaries.
1	Nilgiris.	Ootacamund Settlement.	Part of Survey No. B-560 registered in quit-rent bill No. 87 a narrow strip skirting the south side of Hadfield's road.	About 0.71	Registered owner, Mr. T. Sidden, present occupants. The executors of will of the late Mr. T. Sidden and Captain J. Butler.	North.—Hadfield's road. South.—That portion of No. B-560 not required. East.—Hadfield's road. West.—Junction of the said road with Lake road.
2	Do.	Do.	Part of Survey Nos. I-31 and 32 registered in quit-rent bill No. 82-A, a narrow strip of land skirting the south side of the Lake road, and now forming part of “Loch-end” property.	0.053	Registered owner Messrs. C. C. Lynton and Mr. A. Mackenzie. Present owner, is believed to be Mr. J. W. Minchin.	North.—Lake road. South.—That portion of Nos. I-31 and 32 not required. East.—That portion of Nos. I-31 and 32 not required. West.—That portion of No. I-31 not required.

RESOLUTION—dated 14th August 1884, No. 2817.

Submitted to Government with the Board's recommendation that the notification be ordered to be published in the *Fort St. George Gazette*.

(True Copies and Extract.)

Secretary.

To the Secretary to Government, Revenue Department.
Copy to the Collector of Nilgiris.

Exd. A. Aubert.



Inv. No. 3693

Transferred to the P.W.

Dep't.

Wholesale

Secretary to Govt.

Ootacamund

25th August 1884

Revenue (1884) Department

No. 5389

REVENUE DEPARTMENT.

1884.

Board of Revenue.

MADRAS.



No. 2146 Wapi-9-84

Printed August th.

15/9/84

Proceedings, 14th August 1884, No. 2817.

Recd 23 August 1884

Sept 22/8/84

Vigant

Submitting to Government, with Board's recommendation, letter from the Collector of Nilgiris forwarding a draft notification for the acquisition, under Act X of 1870, of certain pieces of land in Ootacamund required for improvements of the existing road.

2146 W

Transferred

Recd 14/1/8. Civ. 28/8

23/8

B & R
C. W. M.

No. 2146 W P.W. Department

Proceedings of the Madras Government

Under date the 1st Sept/84

Read the following:

Pros. of the Board of Revenue N.E. No. 2817 of 14 August/84
End'd thereon by the Rev. Sept. " 3693 Mis. of 25 Augt/84

Ordered that the
~~notification~~
~~declaration~~ be published
in the Fort St. George
Gazette; the Collector of
the Nilgiris being authorised
to take order for the
acquisition of the land
in accordance with the
provisions of Sections 7 and
17 of act X of 1870.

4/9/84

Sept. of Gazette Press
(with notification)

S.E. IV. Circle

Revenue Dept.

1-9-84

27.8.84

W. ... 1887 ...



2.C.

15. No. 2759 W. 6-11-84.



Govt. of (1884) Madras.

PUBLIC WORKS.

Dated

Recd.

Encl.

G.O., 1 Sep 1884, No. 2146 W

Land.

Acquisition of. for
improving road at
Patacamund.

Orders issued
for —

60
4

29/9
1/9/84
2.5 PM

8274
From
L. R. Quarrens Esq.
ag. Collector
P. Kilgiri,
The Chief Engineer,
D. P. W.

Kilgiri Collectors' Office,
Patacamund,
31st October, 1884.

Sir,
With reference to the order of Government
dated 1st September 1884 N. 2146 W. Public Works
directing notification under the Land Acquisition
Act of certain land on Hadfield's road belonging to
the representatives of the late Mr. Siddens and to Mr.
Butler, I have the honor to state that Mr. Venour
who represents the representatives of the late Mr.
Siddens, has intimated to me that he will accept
nothing less than the market value of the 4.16
acres of land at Rs. 1000 per acre plus damages
to the extent of Rs. 2500. Mr. Butler writes as
per enclosed copy of a letter just received from
him.

2. I have offered Mr. Venour the market value
of the land as demanded by him plus Rs. 250
for damages and he has refused this offer.

3. It is hardly worthwhile my offering anything
to Mr. Butler as you will see from his letter
that he entertains very extravagant ideas as to
what he ought to have. There can however be
no doubt that the loss of the strip of land will

materially depreciate the remainder of his property and I should think that Rs. 500 would be the very lowest that any Court would be disposed to grant as damages. I therefore propose to offer him market value at the rate of Rs. 1000 per acre plus Rs. 500 as damages.

4. I have not yet been able to get a reply from the proprietor of another piece situated between Mr. Butler's and Mr. Vennur but I have no doubt there will be similar objections ^{on his part} when I shall have succeeded in forcing him to communicate with me.

5. As regards Mr. Vennur and Mr. Butler the case is now ready for a reference to the District Court in accordance with section 15 of the Act. But before referring the matter I request to be furnished with the further orders of Government as to whether under the circumstances they wish the acquisition to be proceeded with.

6. I believe that I have proposed reasonable compensation, but as will be seen my offer falls far short of what the proprietors ask: and I could not, of course, say what would be the result of a reference to the Court. It seems however probable that Government would be saddled with costs, and possible that a large sum

greatly in excess of my estimate might be awarded as damages in addition to the market value about which there is no dispute.

I have the honor to be,
Sir,
Your most obedient servant,

R. P. S. S. S.
ag. Collector.

L.

To

The Collector

^{Belgaum}

Cotacanamund.

Sir,

Adverting to previous correspondence on the subject of the acquisition by Government of a piece of my land on the south side of Hadfield's road, I beg to say that the whole property is under a heavy mortgage to Mr. Rielly of Limerick who came here on Friday last to inspect the ground required; he considers the encroachment would entirely lessen the value of the whole property, and says I should claim heavy damages; on this account I submit that I cannot claim less than Rs. 5000 (Five thousand) which is but little more than half the amount of his mortgage; with a proviso that ~~then~~ no land in the immediate vicinity of my house should at all be interfered with. I may say there is none, only an embankment as a protection from the road.

The following description of the land will I think be sufficient to show the precise extent of damage to the property which would be caused by any encroachment on it. A triangle, the sides of which are about 350 yards long, with the base of less than 70 yards; so that a great portion of the remaining ground will be quite valueless for any purpose.

I may add that I cannot see that the land is required for the purpose set forth in the Gazette, viz: for the widening of the road which is already made and embanked.

I

Jan 10

sd/ L. Butler

Louderville,
Ootacamund, 3
Octr 27 1884. 3

True copy 1

wh/ or in
as: collection

9/34/12

(488)

Mr. Butler
of Ootacamund

Mr. Chief Engineer
of the
Road & Bridge

Enclaves 1

2000
2000
2000

Government of Madras
to the
Government of the
Madras
Government of the
Madras
Government of the
Madras

2146

Dec 9/84

(1884)

THE MADRAS GOVERNMENT

From

The Collector
of Nilgiris

To

The Chief Engineer
D. P. W.
Fort St. George.

No 2759 Wap Nov 6th 1884
No 74
Enclosure. 1

Dated 3rd }
Despatched } Oct 1884
Recd 3/11/84

Acquisition of certain
land on the Madfields
road. —
Requesting orders of
Government on the —
& reporting that Mr.
venour refuse to accept
the offer of compensation
made by the Collector
—

B.

No 2759 W

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the Nov 6th 1884

Read again
Read again

From

The Collector of
Nilgiris

READ the following
Pro: dated 1-4-82. No 2146 W.
Pro: dated 1-9-84. No 2146 W

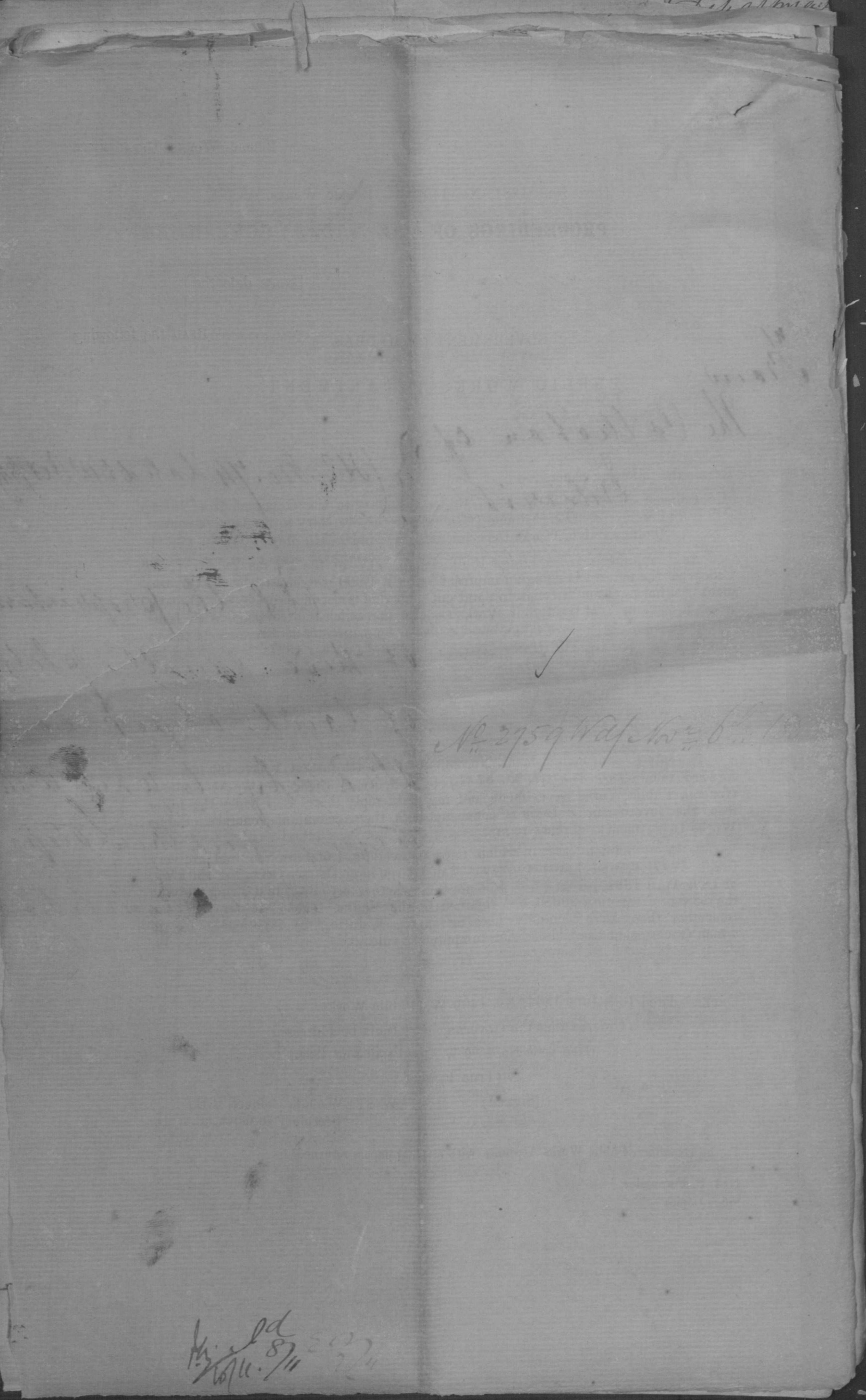
(H.C. No. 74 dated 31st Oct 84)

As the proprietors
of these small plots
of land object so
strongly to part with
them, further steps
for their acquisition
under Act X of 1870
need not be taken

W.
3.11.84

Rev. Secy. *[initials]*
S.E. IV Circle

4th



No 2759 Waf. No 6

Handwritten notes at the bottom left corner, including "No 2759" and "Waf. No 6".

