

4TH AUGUST 1887, No. 751, REVENUE.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—again G.O., dated 18th January 1887, Mis. No. 291, Revenue.

Read—the following letter from M.R.Ry. V. RAGAVACHARIAR, Dharmakarta, Triplicane Parthasarathy Swami Temple, to the Chief Secretary to Government, dated 29th October 1886 :—

I beg to inform you that the piece of land, certificate No. 1160, measuring 1 cawnie 7 grounds 120 square feet, lying opposite to the Triplicane burial-ground, in the South Beach road, belongs to the Sree Parthasarathy Swami Pagoda of Triplicane. The records in the Deputy Collector's office and also in the said temple will amply prove the fact. Now I hear that the President of the Madras Municipality has placed the said piece of land along with others at the disposal of Government without my knowledge. On applying to hand over the lands to me, I have been informed, through the Deputy Collector of Madras, that he has placed the land at the disposal of the Government. In case the Government require the land, I beg to state that I have not the slightest objection to place it at their disposal for a reasonable price.

No. 661.

Transferred to the President, Municipal Commission, Madras.

(By Order.)

(Signed) W. S. MEYER,
Ag. Assistant Secretary.

READ—the following letter from Major G. M. J. MOORE, President, Municipal Commission, Madras, to the Chief Secretary to Government, dated 14th December 1886, No. 685 :—

With reference to your endorsement, No. 661, of 10th November 1886, on petition from the Dharmakarta, Triplicane Pagoda (herewith returned), I have the honor to state that the land in question was handed over to the municipality under G.O., No. 494, Financial Department, of 14th March 1878. It was resumed by Government by G.O., No. 1015 W., Public, dated 19th April 1886.

2. Under these circumstances, it would appear that no liability for compensation attaches to the municipality.

No. 763.

Transferred to the Revenue Department for disposal.

(By Order.)

(Signed) W. S. MEYER,
Ag. Assistant Secretary.

21st December 1886.

Endorsement No. 291, Revenue.

Forwarded to the Collector of Madras for report through the Board of Revenue.

FOR ST. GEORGE,
18th January 1887.

(Signed) J. F. PRICE,
Ag. Secretary to Government.

READ—also the following Proceedings of the Board of Revenue (Land Revenue),
dated 24th June 1887, Mis. No. 1515:—

H. S. THOMAS, ESQ., F.L.S., F.Z.S.

Read—the following letter from the Collector of Madras, to the Secretary to the Commissioners of Land Revenue, dated 30th May 1887, No. 1733:—

I have the honor to submit the report called for in Government endorsement, No. 291, dated the 18th January last, Revenue Department, herewith returned with its enclosures.

2. The block of land, bounded by the thick red line in the enclosed sketch, was the property of the Triplicane pagoda, bearing survey No. 2481 and certificate No. 2959, with an area of 4 cawnies 6 grounds 783 square feet. Of this, 2 cawnies 17 grounds 1,973 square feet, colored yellow and blue, were purchased by Government for the Buckingham canal, and the remainder A still belongs to the pagoda, together with the two plots of land marked B and C, adjoining the South Beach road, bearing the same survey number and the grant No. 1160, and measuring 14 grounds 1,420 square feet and 3 grounds 292 square feet, respectively.

3. In 1878 the President of the Municipal Commission applied for permission to raise the "level of the land between the South Beach road and the junction canal" in order that it might be made available for disposing of the drainage water brought down by the Triplicane nullah. He was apparently under the impression that the whole of that land, plots B and C included, was Government property, and the Government, evidently under the same impression, granted the request in their Order, No. 494, dated the 14th March 1878. The Municipality accordingly entered upon the land, and plots B and C continued in their possession without the trustees of the pagoda raising any objection, when, however, they were recently made over to Government, under G.O., No. 1015-W., dated the 19th April 1886, one of the dharmakartas, V. Ragavachariar, for the first time, claimed the land on behalf of the pagoda. I would here point out that the G.O., No. 494, under which the Municipality entered into possession of the plots, was passed in the Financial Department, and was not communicated to the Revenue Department. Had this department been consulted, the mistake would not have arisen.

4. From a statement given before the tahsildar by the petitioner Ragavachariar, it appears that he claims that the plots B and C should be restored to the pagoda with rent at one rupee a ground a month from the date when the Municipality took possession of them, but, should Government require the land, he agrees to accept compensation together with the rental stated.

5. The petitioner's claim for rent at one rupee is somewhat high, and is not, I think, legally sustainable since no agreement to pay it has ever been entered into by Government or the Municipality. The land was occupied under a misapprehension of the facts of the case, but as it turns out to be temple property, Government may perhaps desire to pay the rent asked for.

6. The Deputy Collector does not recommend the restoration of the land as it lies in the middle of the South Beach Promenade, and suggests that it may be purchased on payment of compensation at the rate given for other pagoda lands in the neighbourhood when acquired for the Buckingham canal.

Resolution—dated 24th June 1887, Mis. No. 1515.

Submitted to Government with reference to G.O., No. 291, dated 18th January 1887. The course recommended by the Collector seems to be the only one now feasible.

(A true Copy and Extract.)

(Signed) M. HAMMICK,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with three enclosures and a sketch.

Copy to the Collector of Madras.

ORDER—dated 4th August 1887, No. 751, Revenue.

Land Revenue, No. 82.

The Government sanction the Collector's proposal to retain the land, now found to be the property of the Triplicane

temple, on payment of money compensation at the rates disbursed for similar lands, in the neighbourhood, taken up for the Buckingham canal. The Collector will accordingly settle the amount to be paid.

2. The rent demanded by the dharmakarta of the temple for the period during which the land has been in the occupation of the Municipal Commissioners and Government is exorbitant, amounting, as it does, to Rs. 212 per annum for about an acre of ground. The Collector is requested to report what would be a fair rent, taking the value of the land into consideration. In any case, the Government do not consider that the dharmakarta should be paid rent for more than three years, as, if he had brought forward his claim as soon as the land was occupied, it would have been settled long ago.

(True Extract.)

(Signed) J. F. PRICE,
Ag. Secretary to Government.

To the Commissioners of Land Revenue.
,, the Local and Municipal Department.
,, the Accountant-General.
,, the Public Works Department.

Exd. J. Moses.

85 Copies.

Govt. of 1887 Madras.

REVENUE.

Issued

Recd.

Encl.

G.O., 4th August 1887, No. 751.

AUGUST.

Land belonging to the Triplicane Temple.

Sanctioning the Collector's proposal to retain certain —, on payment of money compensation, at the rate given for similar lands in the neighbourhood taken up for the Buckingham canal.

With order

4TH AUGUST 1887, No. 751, REVENUE.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—again G.O., dated 18th January 1887, Mis. No. 291, Revenue.

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(By Order.)

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READ—the following letter from Major G. M. J. MOORE, President, Municipal Commission, Madras, to the Chief Secretary to Government, dated 14th December 1886, No. 685 :—

With reference to your endorsement, No. 661, of 10th November 1886, on petition from the Dharmakarta, Triplicane Pagoda (herewith returned), I have the honor to state that the land in question was handed over to the municipality under G.O., No. 494, Financial Department, of 14th March 1878. It was resumed by Government by G.O., No. 1015 W., Public, dated 19th April 1886.

2. Under these circumstances, it would appear that no liability for compensation attaches to the municipality.

No. 763.

Transferred to the Revenue Department for disposal.

(By Order.)

(Signed) W. S. MEYER,
Ag. Assistant Secretary.

21st December 1886.

Endorsement No. 291, Revenue.

Forwarded to the Collector of Madras for report through the Board of Revenue.

FORT ST. GEORGE,
18th January 1887.

(Signed) J. F. PRICE,
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3. In 1878 the President of the Municipal Commission applied for permission to raise the "level of the land between the South Beach road and the junction canal" in order that it might be made available for disposing of the drainage water brought down by the Triplicane nullah. He was apparently under the impression that the whole of that land, plots B and C included, was Government property, and the Government, evidently under the same impression, granted the request in their Order, No. 494, dated the 14th March 1878. The Municipality accordingly entered upon the land, and plots B and C continued in their possession without the trustees of the pagoda raising any objection, when, however, they were recently made over to Government, under G.O., No. 1015-W., dated the 19th April 1886, one of the dharmakartas, V. Ragavachariar, for the first time, claimed the land on behalf of the pagoda. I would here point out that the G.O., No. 494, under which the Municipality entered into possession of the plots, was passed in the Financial Department, and was not communicated to the Revenue Department. Had this department been consulted, the mistake would not have arisen.

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5. The petitioner's claim for rent at one rupee is somewhat high, and is not, I think, legally sustainable since no agreement to pay it has ever been entered into by Government or the Municipality. The land was occupied under a misapprehension of the facts of the case, but as it turns out to be temple property, Government may perhaps desire to pay the rent asked for.

6. The Deputy Collector does not recommend the restoration of the land as it lies in the middle of the South Beach Promenade, and suggests that it may be purchased on payment of compensation at the rate given for other pagoda lands in the neighbourhood when acquired for the Buckingham canal.

Resolution—dated 24th June 1887, Mis. No. 1515.

Submitted to Government with reference to G.O., No. 291, dated 18th January 1887. The course recommended by the Collector seems to be the only one now feasible.

(A true Copy and Extract.)

(Signed) M. HAMMICK,
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ORDER—dated 4th August 1887, No. 751, Revenue.

Land Revenue, No. 82.

The Government sanction the Collector's proposal to retain the land, now found to be the property of the Triplicane temple, on payment of money compensation at the rates disbursed for similar lands, in the neighbourhood, taken up for the Buckingham canal. The Collector will accordingly settle the amount to be paid.

2. The rent demanded by the dharmakarta of the temple for the period during which the land has been in the occupation of the Municipal Commissioners and Government is exorbitant, amounting, as it does, to Rs. 212 per annum for about an acre of ground. The Collector is requested to report what would be a fair rent, taking the value of the land into consideration. In any case, the Government do not consider that the dharmakarta should be paid rent for more than three years, as, if he had brought forward his claim as soon as the land was occupied, it would have been settled long ago.

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To the Commissioners of Land Revenue.
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Exd. J. Moses.

85 Copies.

13 100 28514 of 29.10.86. Entered 15/10/86
A. 160314 of 24.6.86. B. 105 105 105 105 105 105
B. 13 24 of 26.5.86

P/C No 6913

B. No 2444 Wd/9 Sept 1887

Govt. of (1887) Madras.
REVENUE.

Communicated
to the Consulting
Architect to Govern-
ment with reference to
to Oho 1015 Wd/19th
April 1886.

Recd
5.9.87

Recd
6/9/87

Issued

Recd.

Encl.

G.O., 4th August 1887, No. 751.

B. No 2444 Wd/9 Sept 1887

AUGUST.

Deskd.
12/9/87

Consy. Archt to Govt
to H.C.
to be for Govt
Municipal Dept
2 Apr 1887 to Govt

**Land belonging to the Triplicane
Temple.**

Sanctioning the Collector's proposal to retain
certain —, on payment of money compensation,
at the rate given for similar lands in the neigh-
bourhood taken up for the Buckingham canal.

With order

19/9/87

B5

A4