

(1) பக்கங்களின் எண்ணிக்கை 14

(2) புதுக்கித் திருப்பிய நாள் 6-88

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 10/8

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

P. W. D. துறை

அரசாணை எண்.
மு. கோப்புத் தாள் எண்.

1184 W

அச்சகம்
பலவகை

நாள் :

20-4-88

198

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

A.K

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Military Works.

READ—the following letter from E. BARCLAY, Esq., Government Solicitor, Madras, to the Secretary to Government, Public Works Department, dated Madras, 13th April 1888, No. 208 :—

With reference to G.O., Public Works Department, dated 24th February last, No. 663 W., Public Works, I beg to inform you that Mr. C. V. Cunniah Chetty has sent me what he says are the title-deeds of the land near the Gun Carriage Factory which Government propose to purchase. The title-deeds read with the records of the suit in the High Court brought by Mr. Cunniah Chetty when an infant against the executors of his late father's will show a satisfactory title to the land in Mr. C. V. Cunniah Chetty, provided the title-deeds do relate to the land Government propose to buy, but I have been so far unable to check this for want of the plan asked for in my letter of 9th March last, No. 145. This plan should show the boundaries of the property.

2. Mr. Cunniah Chetty's agent who brought me the title-deeds pointed out to me that amongst them there is a mortgage of this with other property by Mr. Cunniah Chetty to K. Sambasivah Chetty and K. Sadasivah Chetty of Pondicherry, and the agent informed me that these mortgagees would join in the conveyance of the property to Government. I shall, however, if necessary, write to the Registrar of Assurances here to search for any other incumbrances or any other registered instruments relating to the property.

3. Supposing that there are no other incumbrances on the property, another question arises as to Mr. Cunniah Chetty's right to sell this property if he has an infant son. The property is undoubtedly ancestral, as it came to Mr. Cunniah Chetty from his father who obtained it, apparently, by descent from his father Collah Ragavah Chetty, to whom it was conveyed by deed of 20th August 1822. As a general rule a Hindu father who has not entered upon division of property with his sons cannot alienate immovable property, whether ancestral or self-acquired, without the concurrence of his sons, and it appears to me that if Government purchase this property it would be open to Mr. Cunniah Chetty's sons (and I am informed that he has two at any rate boys from 3 to 6 or 7 years of age) when they come of age or even before to upset the sale at any rate as to two undivided thirds of the property if not as to the whole. Of course it may be said that the sale is made for the purpose of paying off the mortgage on it and is therefore justified according to Hindu Law, but the answer to that is that the mortgagees are not, so far as appears, pressing for the money; that it is the duty of the head of the family to pay off the debts out of income rather than to alienate; and that there is no family necessity which requires the sale. Apparently, indeed, the negotiations for the purchase commenced with Government and not with Mr. Cunniah Chetty.

4. It might therefore be as well to consider whether it would not be safer for Government to take up the land under the Land Acquisition Act than by purchase. Mr. Cunniah Chetty might be offered as compensation the present price less 15 per

cent., and at the same time be informed that he will be entitled to that 15 per cent. in consequence of Government taking up the land. If this course as to the 15 per cent. were not adopted, Government might have to pay Rs. 41,625 *plus* 15 per cent. thereon.

5. Awaiting the orders of Government, I have, &c.

ORDER—dated 20th April 1888, No. 1184 W., Public Works.

Under the circumstances explained by the Government Solicitor, the Government approve of the land in question being taken up under the Land Acquisition Act on the terms specified in paragraph 4 of the letter recorded above.

2. The Collector of Madras will take the requisite steps for acquiring the land accordingly.

3. The Superintending Engineer, V Circle, will furnish the Collector with a plan of the land with the boundaries correctly marked thereon.

(True Extract.)

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

To the Collector of Madras, with G.O., No. 3441 W., dated 16th December 1887,
and G.O., No. 663 W., dated 24th February 1888.

" Government Solicitor.
" Superintending Engineer, V Circle.
" Military Department.
" Revenue "

Exd. S. J. Pereira.
Spare Copies

BUILDINGS AND ROADS.
MILITARY WORKS.

Govt. of (1888) Madras.
PUBLIC WORKS.

Dated April, 20th.

Recd.

Encl.

G.O., 20th Apr. 1888, No. 1184 W.

APRIL.

Land

Orders regarding the acquisition of certain
-- required for a coal store and certain
ordnance buildings at Madras under the
Land Acquisition Act.

No 208



Madras. DEPARTMENT. 1184 1888

From,

Ernest Barclay

Government Solicitor,

Madras.

To,

The Secretary to Government,

Public Works Department,

Ootacamund.

Sir,

I With reference to G.O., P.W. Department, dated 24th February last No 663 W. Public Works, I beg to inform you that Mr C V Cunniah Chetty has sent me, what he says are, the title deeds of the land near the Gun Carriage Factory which Government propose to purchase. The title deeds, read with the records of the suit in the High Court brought by Mr Cunniah Chetty, when an Infant, against the Executors of his late father's Will, show a satisfactory title to the land in Mr C V Cunniah Chetty, provided the title deeds relate to the land Government propose to buy; but I have been, so far, unable to check this for want of the plan asked for in my letter of 9th March last, No 146. This plan should show the boundaries of the property.

2 Mr Cunniah Chetty's Agent who brought me the title deeds, pointed out to me, that amongst them there is a mortgage of this, with other property by Mr Cunniah Chetty to B

Sambasivah Chetty and K Sadasivah Chetty of Pondicherry, and the Agent informed me that these mortgagees would join in the conveyance of the property to Government. I shall however, if necessary, write to the Registrar of Assurances here to search for any other incumbrances or any other registered instruments relating to the property.

3 Supposing that there are no other incumbrances on the property, another question arises as to Mr Cunniah Chetty's right to sell this property if he has an infant son. The property is undoubtedly ancestral, as it came to Mr Cunniah Chetty from his father who obtained it, apparently, by descent from his father Collah Ragavah Chetty, to whom it was conveyed by deed of 20th August 1822. As a general rule a Hindu father, who has not entered upon division of property with his sons, cannot alienate immoveable property, whether ancestral or self acquired, without the concurrence of his sons and it appears to me that if Government purchase this property it would be open to Mr Cunniah Chetty's sons (and I am informed that he has two, at any rate, from 3 to 6 or 7 years of age) when they come of age, or even before, to upset the sale at any rate as to two undivided thirds of the property if not as to the whole. Of course it may be said that the sale is made for the purpose of paying off the mortgage on it and is therefore justified according to Hindu Law; but, the answer to that is, that the mortgagees are not, so far as appears, pressing for the money, that it is the duty of the head of the family to pay off the debts out of income rather than to alienate, and that there is no

family necessity which requires the sale. Apparently indeed the negotiations for the purchase commenced with Government and not with Mr Cunniah Chetty.

4 It might therefore be as well to consider whether it would not be safer for Government to take up the land under the Land Acquisition Act, than by purchase. Mr Cunniah Chetty might be offered as compensation the present price less 15 per cent, and, at the same time, be informed that he will be entitled to that 15% in consequence of Government taking up the land. If this course as to the 15% were not adopted Government might have to pay Rs 41625 plus 15% thereon.

5 Awaiting the orders of Government

I am, Sir,

Your Obedient Servant,

Luist Baile

Government Solicitor.

113-4 May 24-28.

3441-2 and 16-12-87

0.1.4.3

PMC No. 3666

Public Works Department

5/1/88

Letter from the Gov. Solicitor. No. 208 d/13 April

For orders.

19 20.4.88

It will undoubtedly be safer
to take up the property under
the Act & this can be done
very easily & quickly. order
sent.

I do not however think that
the Gov. c^d. question the alienation
if the whole price or large portion
of it went to the natives. we
have however no security that
it wd go to them.

PPH
17 Apr

Solr

16/4/88

0.2.25 1/12 1887. 16.4.88. Rev. day: 17.4.88.
rev: 18.4.88

LS



PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

10th April 1888

READ the following

Letter from the Government Solicitor A. C. No. 208. of 13th April 1888.

Under the circumstances explained by the Government Solicitor, the Government approve of the land in question being taken up under the Land Acquisition Act, on the terms specified in paragraph 4 of the letter recorded above.

The Collector of Madras will take the requisite steps for acquiring the land accordingly.

The Superintending Engineer V. Sivak will furnish the Collector with a plan of the

the land with the boundaries
correctly marked thereon.

Recd
17/4/88
18/4/88

11
18/4

Recd
27/4/88

9.

The Collector Madras, with G.O. 3441 W
of 16th December 1887, and G.O. 663 W.
of 24th February 1888. ✓
" Government Solicitor
" Supty. Engineer V. Smith,
" Military Department,
" Revenue Department.

(To The Revenue Secretary for forwarding)
counter-initials

R.A.
17/4/88
18/4/88

Govt. of 1888

PUBLIC WORKS.

W. J. C. C.

Date

Rece.

Encl.

20th Apr 1888 No. 1184 A.

Land

Order regarding the
acquisition of certain
required for a Coal
Store and certain other
buildings at Madras,
under the Land Acquisition
Act.

1888 W

Order

- (1) பக்கங்களின் எண்ணிக்கை 4
 (2) புதுக்கித் திருப்பிய நாள் ஜூன் 1988
 (3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 6/1/88

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

வேங்கடசுந்தரன் துறை

அரசாணை எண்.	1131 W	அச்சகம்
மு. கோப்புத் தாள் எண்.		பலவகை
நாள் :	16-4-	1888 1988

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Military Works.

READ—the following letter from Colonel M. PROTHEROE, C.B., C.S.I., Officiating Quartermaster-General, to the Secretary to Government, Public Works Department, dated Ootacamund, 10th April 1888, No. 1556 A. (Through the Military Department):—

In submitting for the information of Government the accompanying original letter * from the General Officer Commanding Bangalore reporting delay on the part of the Executive Engineer, Presidency

* No. 103, dated 7th April 1888.
division, in the submission of plans and estimates required in connection with the scheme for the establishment of regimental institutes, I am desired to solicit that instructions may issue to all Executive officers concerned for the very early preparation by them of the plans and estimates called for by General Officers Commanding in connection with requirements of this nature at all stations of British troops in the Presidency, as without them His Excellency is unable to submit to Government his recommendations in regard to the provision of accommodation for the regimental institutes referred to in Proceedings of Madras Government, Military Department, No. 6570 of 26th October 1887.

2. As yet actual estimates of cost of works are not requisite, approximate estimates being sufficient for present purposes.

ENCLOSURE.

From Major-General HUGH ROWLANDS, V.C., C.B., Commanding Bangalore Division, to the Quartermaster-General, dated Bangalore, 7th April 1888, No. 103.

With reference to your memorandum, No. 1483 A., dated 5th April 1888, calling attention to circular No. 1056 A., dated 5th March 1888, I have the honor to inform you that the plan for 2nd Oxford Light Infantry Institutions, &c., was submitted to Executive Engineer, Presidency division, by Assistant Quartermaster-General on 6th January 1888, requesting an estimate to be furnished for the proposed alterations and additions suggested. Two or three reminders have been sent to the Executive Engineer, who replies that the estimates are in course of preparation and will be submitted when ready.

2. Plans regarding Royal Artillery Institutions were submitted to Executive Engineer, Presidency division, direct by the Officer Commanding Royal Artillery, Bangalore, by whom four applications were made for the submission of plans and estimates, but they have not yet been received.

3. Papers connected with 21st Hussars and "K" Company Sappers and Miners are ready and will be submitted with those of the Royal Artillery and 2nd Oxford Light Infantry as soon as the Executive Engineer will give the required information.

No. 2420, Military.

Forwarded.

(By Order.)

(Signed) A. KENNEY-HERBERT, Brigdr.-Genl.,
Secretary to Government.

OOTACAMUND,
11th April 1888.

ORDER—dated 16th April 1888, No. 1131 W., Public Works.

Communicated to Superintending Engineers concerned, who will treat as emergent all requisitions for estimates for regimental institutes required by His Excellency the Commander-in-Chief. It will be seen that only approximate estimates are needed at present.

(True Extract.)

(Signed) J. O. HASTED, Colonel, R.E.,
Secretary to Govt., P.W.D.

To Superintending Engineers.
To the Military Department.

BUILDINGS AND ROADS.
MILITARY WORKS.

Govt. of 1888 Madras.
PUBLIC WORKS.

Dated April, 16th.

Recd.

Encl.

G.O., 16th Apr. 1888, No. 1131 W.

APRIL.

Regimental Institutes

Correspondence regarding the delay in the submission of plans and estimates required in connection with the scheme for the establishment of —, communicated to Superintending Engineers concerned with instructions.

Regimental

Letter

1131

Quarter Master General's Office
Cotacaimund 10 April 1888.

No. 7556 A

From

Colonel M. Protheroe C.B.C.S.I.
Offg. Quarter Master General

To

The Secretary to Government
Public Works Department.

Sir,

* No. 103 dated
7 April 1888.

In submitting for the information of Government the accompanying original letter from the General Officer Commanding Bangalore reporting delay on the part of the Executive Engineer Presidency Division in the submission of plans and estimates required in connection with the scheme for the establishment of Regimental Institutes I am desired to solicit that instructions may issue to all Executive Officers concerned for the very early preparation by them of the plans and estimates called for by General Officer Commanding in connection with requirements of this nature at all stations of British Troops in the Presidency, as without them His Excellency is unable to submit to Government his recommendations in

Regiment - as referred to in F. M. G.
M. D. No. 6570 of 26 October 1887.

2. As yet actual estimates of cost of
works are not requisite, approximate estimates
being sufficient for present purposes.

I have the honor to be,

Sir,

Your obedient servant,

W. R. O'Brien - Colonel,

Offg. Quarter Master General.



No. 2440.

11th April 88.

I forwarded

Alfred Herbert Esq. Genl
Secretary to Government M. D.

1131 W. of 16 April 1888

Communicated to
Communicated to
Supt. Engineers concerned
who will treat as emergent
all requisitions for
estimated for Regiments
Institutes required by
Supt. Engineers the Com-
mander-in-Chief. It
will be seen that only
approximate estimates
are needed at present.

From

The Quarter Master Genl

The Quarter Master Genl
O. R. Dept

Dates 10 } April
Recd 11 }
R. 16.4.88

No. 1556 A

Enclosure. 1.

Requesting that instructions
may be issued to Executive
Officers for the very early preparation
by them of the Plans & Estimates
called for by G.O.C. required in
connection with the scheme for the
Establishment of Regt. Institutes

Resume at ...

Head Quarters, Bangalore Division.

BANGALORE, 7th April 1888

No. 103

From

Major-Genl. Hugh Rowlands, V.C.C.B.,

Commanding Bangalore Division.

To

The Quarter Master General
Col. ...

Sir,

With reference to your Memo. No. 1483 A dated
April 5/88, calling attention to Circular No. 1056
dated 5th March 1888, I have the honor to inform
you that the plan for 2nd Div. Co. S. Institutes
has been submitted to Executive Engineer Spec-
ial Division by Asst. Q. M. General
on January 6/88, suggesting per Estimates
to be furnished for the proposed alterations &
additions suggested, 2 or 3 perimeters have
been sent to the Executive Engineer who

replics that the Estimates are in course of
preparation and will be submitted when ready.

2. Plans regarding R. M. Institutions
were submitted to Executive Engineer, Pasi-
deny Division direct by the Officer Com-
manding Royal Artillery Bangalore
by whom 4 applications were made for the
Submission of Plans & Estimates, but
they have not yet been received.

3. Papers connected with 21st Hussars
and H Company Sappers & Miners
are ready and will be submitted with
those of the Royal Artillery & D. O. L. I
as soon as the Executive Engineer will
give the required information.

I

I have the honor to be

Sir

Your obedient servant

J. A. M. Colonel
for G. O. Communicating Bangalore

FROM

MAJOR-GENERAL HUGH ROWLANDS, V.C. & C.B.,

COMMANDING BANGALORE DIVISION.

TO

The Q. M. General,

Botacassum

No. 103.

Dated

7th

April 1888.

Received

Q. M. General

P.W. 3479

SUBJECT.

Re - Schemes in con-
- nection with Estab-
- lishment of Refinements
- tal Institutes.

ms 2661888

D. L. S. 82 : m. 13.4.88

ms 2661888

Govt. of 1888 Madras.

PUBLIC WORKS.

Wagon
14/4

o.o. 16 apr 1888 No. 1131 W.

Requiesce Institutes
Correspondence regarding the
delay in the submission of
plans and estimates required
in connection with the scheme
for the establishment of —;
Comd to Supty Engineers
concerned with instructions.

170
10

16/6/88