(1) பக்கங்களின் எண்ணிக்கை 16

(2) புதுக்கித் திருப்பிய நாள் 13-3-89

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

பொதுப்பணித் துறை

அரசாணை எண். 53 (W)
மு. கோப்புத் தாள் எண்.

அச்சகம்
பலவகை

நாள் : 9-1-189 198 .

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

௨௦௯

ஆவண. கா-1—18,000—15-6-87.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Military Works.

Read—the following papers :—

From Colonel W. H. BURTON, R.E., Superintending Engineer, V Circle, to the Chief Engineer, Public Works Department, dated Bangalore, 30th August 1889, No. 3548.

With reference to para. 4, G.O., No. 2028 W., dated 29th July 1889, I have the honor to state that I recommended the acquisition of the bungalows and land under the Land Acquisition Act because, as the bungalows have been built upon land set apart, or reserved by the Government in former years, for the purpose of a cantonment at St. Thomas' Mount (which is what I understand from para. 2 of the Quartermaster-General's letter printed with G.O., No. 3775 W., of 29th November 1888), my belief is that no proper title to the land on which they are built can be produced by the present refuted owners, and that both the land and all upon it belongs to the ground landlord (the Government). Now that a valuation of each old bungalow has been made public, nothing but recourse to Land Acquisition Act will enable us to get hold of these old buildings at anything like a just price.

2. The Executive Engineer's valuation was based upon the quantities of work in each house, and not upon the rental receivable for it; one of the houses (Mrs. Leal's) had not been rented for past seventeen years, and the other one only was rented for Rs. 30 about four years ago. I should see, before finally having recourse to Land Acquisition Act, the terms on which the Quartermaster-General gave up the land for the erection of the houses; if there is no record of such terms extant in Quartermaster-General's office, nor any produced by refuted owners, then I submit that the existence of houses constitute an unauthorised encroachment on Government land, the removal of which does not require to be compensated for.

Memo. No. 4131-C.

The Superintending Engineer is requested to make proper inquiries as ordered in para. 4 of G.O., No. 2028 W., dated 29th July 1889, as to the titles under which these properties are held, and to report the result for such further action under the Land Acquisition Act, or otherwise, as may be necessary.

Chepâk, (Signed) R. R. E. DRAKE-BROCKMAN, Lt.-Col., R.E.,
17th September 1889. Ag. Chief Engineer, P.W.D., General
Buildings and Roads Branch.

From Colonel W. H. BURTON, R.E., Superintending Engineer, V Circle, to the Chief Engineer, Public Works Department, dated Chepâk, 18th December 1889, No. 6164.

With reference to your Memo. No. 4131 C., dated 17th September 1889, and G.O., No. 2976, dated 21st October 1889, I have the honor to report that I have to the best of my ability investigated the titles under which the building known as Saravana Chetty's bungalow at the Mount is now held by him, and believe that he has a good title thereto for the remainder of the 50 year lease terminating on the 11th May 1909.

2. As to the other bungalow, generally known as Mrs. Leal's, the present occupants have no title and can produce no title whatsoever. The history of this is as follows: on the 28th December 1863, Quartermaster William Wallace, R.A., for the consideration of rent and covenant (rent, Rs. 5-5 6 per annum—covenant, the 50 year lease with the Quartermaster-General) was allowed to take possession of the compound or land now forming the compound on which this house stands. Wallace sold remainder of his lease on 11th August 1864 to Parlane McFarlane for Rs. 1,500, and Parlane McFarlane's widow and sole executrix, Elizabeth McFarlane, by a deed of assignment, 11th September 1872, made over the house, &c., to the late John Richard Leal for the sum of Rs. 1,700.

3 John Richard Leal is said by his illegitimate daughter, Penelope Lovegrove Leal (now called Mrs. Leal), to have died on 21st March 1888; also her mother, Anastache, a native woman, says the same.

4. Leal left a will which has apparently never been proved, and which these two women show me together with Collector of Chingleput's receipt for annual ground rent of Rs. 5-5-6 as their title-deeds.

5. The will contains the most elaborate enumeration of John Richard Leal's effects and allots these to his four illegitimate children, two shillings to his legitimate children, and makes no mention whatsoever of the bungalow, &c., purchased ten years previous to his signing it (the will) for Rs. 1,700. The will is signed and dated 20th November 1882.

6. The present occupants, *i.e.*, the native woman Anastache, the late Leal's kept woman, and their illegitimate daughter Penelope Leal, have not, in my opinion, the shred of a title other than the counterpart of the lease in the Quartermaster-General's possession, and this even is not assigned by Wallace to McFarlane or by McFarlane to Leal, and I would recommend that Collector of Chingleput be directed to accept no more rent of Rs. 5-5-6 from these women and that they be summarily evicted.

7. The daughter's explanation of their position is this: "before her father died he did not give the bungalow to her mother, but he intended to do so, and he meant to leave a will to that effect, and he gave nothing to his other children"; and she has sold or lodged rather the counterpart of Wallace's lease with the Quartermaster-General with a Sahocar of the Mount, Balchund, and owes him Rs. 975 or thereabouts.

8. The most merciful thing to do would be for the Government to instruct the Executive Engineer to pay them, say, Rs. 250 in 25 equal monthly instalments, and pull the house down. Balchund offered to give me up the lease for Rs. 1,100 on the 14th November, but the two women want Rs. 4,000 I think.

ORDER—dated 9th January 1890, No. 53 W., Public Works.

The Superintending Engineer, V Circle, will take the necessary steps, in communication with the Collector, to acquire the properties in question under the provisions of Act X of 1870.

(True Extract.)

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

To the Superintending Engineer, V Circle.
" Examiner, Public Works Accounts.
" Revenue Department.
" Military Department.

Exd. J. Moses.
Spare Copies

53/2.

BUILDINGS AND ROADS.
MILITARY WORKS.

Govt. of {1890} Madras.

PUBLIC WORKS.

Dated January, 9th.

Recd. *Encl.*

G.O., 9th Jan. 1890, No. 53 W.

JANUARY.

Buildings at St. Thomas' Mount

Superintending Engineer, V Circle, directed to arrange with the Collector of Chingleput for the acquisition of certain — under Act X of 1870.

10

SUPERINTENDING ENGINEER'S OFFICE,
V Circle, Madras

No. 3548

~~Chepauk,~~ Bangalore 30 August 1889.

Desp 20 Sept 89

From

Colonel W H Burton R.E.

SUPERINTENDING ENGINEER, V CIRCLE,

To

53/W

THE Chief Engineer

PW Department.

SIR,

Enclosures.

With reference to para 4 G.O. No 2024 dated 29 July 1889. I have the honor to state that I recommended the acquisition of the bungalows and land under the land Acquisition Act because as the bungalows have been built upon land set apart, or reserved by the Government in former years, for the purpose of a Cantonment at St. Thomas Mount (which is what I understand from para 2 of the Quarter Master Generals letter printed ~~in~~ in G.O. No 37/W of 29 November 18[illegible]) my belief is that no proper title to the land on which they are built can be produced by the present reputed owners, and that both the land and all upon it belongs to the ground landlord[x]. Now that a valuation of each old bungalow has been made public nothing but recourse to Land Acquisition Act will enable us to get hold of these old buildings at anything like a just price

[x] the Govt.

price.

2 The Executive Engineers valuation was based upon the quantities of work in each house, and not upon the rental receivable for it = one of the houses (Mr Seals had not been rented for past Seventeen years and the other one only was rented for Rs 30 about 4 years ago. I should see before finally having recourse to Land Acquisition Act, the terms on which the Quarter Master General gave up the land for the erection of the houses - if there is no record of such terms extant in Quarter Master General's Office nor any produced by reputed owners then I submit that the existence of houses constitute an unauthorised encroachment on Government land - the removal of which does not require to be compensated for. -

I have the honor to be
Sir
Your Most Obedt Servant

W. H. Hinton
Col R E
Supdg Engineer 8 circle

20

C/
A - 4 x 31 C 2/17 Septr 1879

Memo 57/w

The Supdg. Engr is requested to make proper enquiries as ordered in para 4 of G.O. No 2028 W of 29 during, as to the titles under which these properties are held, and to report the results for such further action under the Land Acquisition Act, or otherwise, as may be necessary.

14.9.79
14.9
E W

S E 8 Circle 27/9.
C S

- - - 2028 w dy 29-7-89
- B - 3775 w a/29-11-88

He gives no information as to the letter let him make the Enquiries ordered & then come up again for regarding the acquisition under the Act.

Hm
A

JOW 11/9/89

tws
10 sch

On funds being made available, the Supdg Engineer will take the necessary steps, in Communication with the Collector, for the acquisition of the properties in question under the provisions of act X of 1870.

WOB
4.9.89

7/9

Recd
6.9.89

Cu
To the Secy to Govt Rev Dept & for favour
Do do Mily Deptt } of remarks
in file

NW
9.9.89

Ch. E. V Circle
Ex. Engr. P.W.D.
Rev Deptt with copies of G.O. No: 3775 w. d/ 29.11.88 & No: 2028 W d/ 29.7.89

O.S. 29/9 - R.L. 7/9 R.

From PWCN 8243

THE SUPERINTENDING ENGINEER,

V CIRCLE,

(7)

To

THE Chief Engineer
P.W. Department

Dated 31 } August 1889.
Recd. 3.9.89

No. 4131 C d/17 Sept 1889

Enclosures

No. 3548

Bungalows & lands at St. Thomas' Mount.

States that they are to be purchased under the Land Acquisition Act for reasons stated within.

Wettunder

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3 P.

SUPERINTENDING ENGINEER'S OFFICE,
V Circle, Madras,

No. 6164

5/3 Chepák, 18 Decr 1889.

From

Colonel W. A. Burton R.E.

SUPERINTENDING ENGINEER, V CIRCLE,

To

THE Chief Engineer
P.W. Department

Enclosures.

SIR,

With reference to your Memo No 4131 C dated 17 September 1889 and G.O. No 2976 d/ 21st October 1889, I have the honor to report that I have to the best of my ability investigated the title under which the building known as Saravana Chetty's bungalow at the Mount is now held by him and believe that he has a good title thereto for the remainder of the 50 year lease terminating on the 11 May 1909.

As to the other Bungalow generally known as Mrs Leal's, the present occupants have no title and can produce no title whatsoever. The history of this is as follows, on the 28th December 1863 Quarter Master William Wallace R.A. for the consideration of Rent and Covenant (Rent Rs 5/5/6 per annum Covenant the 50 year lease with the Quarter Master General) was allowed to take possession of the Compound or land now forming the Compound

on

on which this house stands: Wallace sold remainder of his lease on 11th August 1864 to Parlane McFarlane for Rs 1500/. and Parlane Mc Farlane's ~~John Richard Leal.~~ widow and sole executrix Elizabeth Mc Farlane by a deed of assignment 11 September 1872 made over the house to the late John Richard Leal for the sum of Rs 1700/.

John Richard Leal is said by his illegitimate daughter Penelope Lovegrove Leal (now called Mrs Leal) to have died on 21st March 1888. also her mother Anastache a native woman says the same.

Leal left a will which has apparently never been proved and which these two women show me together with Collector of Chingleput's receipt for annual ground rent of Rs 5/5/6 as their title deeds.

The will contains the most elaborate enumeration of John Richard Leal's effects and allots these to his 4 illegitimate children, 2 shillings to his legitimate children, and makes no mention whatsoever of the bungalow &c purchased 10 years previous to his signing it× for Rs 1700/. The will is signed and dated 20 Nov 82.

× the will

The present occupants i.e. the native woman Anastache the late Leal's kept woman and their illegitimate daughter Penelope Leal have

14

not in my opinion the shred of title other than the counterpart of the lease in the Quarter Master General possession and this is not assigned by Wallace to MacFarlane or by MacFarlane to Leal. and I would recommend that Collector of Chingleput be directed to accept no more rent of Rs 5/5/6 from these women and that they be summarily evicted.

The daughter's explanation of their position is this, "before her father "died he did not give the bungalow to "her mother but he intended to do so "and he meant to leave a will to that "effect and he gave nothing to his "other children." and she has sold or lodged rather the counterpart of Wallace's lease with the Quarter Master General, with a Sahocar of the Mount Balchund and owes him Rs 975/. or thereabouts.

The most merciful thing to do would be for the Government to instruct the Executive Engineer to pay them say Rs 250/. in 25 equal monthly instalments, and pull the house down. Balchund offered to give me up the lease for Rs 1100/. on the 14 November but the 2 women want Rs 4000/ I think.

4/6

I have the honor to be
Sir
Your Most Obedt Servant
W H Burton
Col RE
Superintending Engineer V Circle

Y/from 5th C. 2145

The Suptg. Engineer
5th Circle

To
The Chief Engineer
P. W. Department

Dated 18th
Recd. } December/89

SECRETARY TO GOVERNMENT
20 DEC 89
P.W. DEPARTMENT, MADRAS.

No. 6164.

Mrs. Leal &
Saravana Chetty's Bungalow
at the Mount.

Reports on the investigation of the title deeds of

No. 4131 C.I./17-7-89
" 2776 W. 21-10-89
" 2029 W. 29-7-89
" 2028 W. 29-7-89
" 3775 W. 29-11-88

For orders.

It seems advisable to order that both properties shall be taken up under the Land Acquisition Act.

WCM
23.12.89

WCM
23.12.89

W
The only thing to do in such a case.

Jus
3/Jan

H.m. 2-1-90 R. 6-1-90

PROCEEDINGS OF

From the Suptg. Engr. 5 Circle
Memo to the Suptg. Engr. 5 Circle
From the Suptg. Engr. 5 Circle

5 3/7 5 P

To

The Suptg. Engr. 5 Circle √
" Examiner P.W. accts √
" Rev: Depts. √
" Mily. Depts. √

Govt. of 18 Madras.

PUBLIC WORKS.

10/1/90

Encl.

G.O. 9 Jan 1890 No. 53 W

Buildings at St. Thomas' Mount

S. E., Roads, directed to arrange with the Collector of Chingleput for the acquisition of certain — under Act X of 1870

120/6