

(1) பக்கங்களின் எண்ணிக்கை 16

(2) புதுக்கித் திருப்பிய நாள் 15.2.1989

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 10/2

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

பொதுப்பணித் துறை

அரசாணை எண்.
மு. கோப்புத் தாள் எண்.

1079 w

அச்சகம்
பலவகை

நாள் :

10-4-1990

1989

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

1
1079

10TH APRIL 1890, No. 1079 W., PUBLIC WORKS.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Civil Works.

READ—the following paper:—

From C. H. T. NORFOLK, Esq., Executive Engineer, Negapatam Division, to the
Superintending Engineer, VI Circle, dated 15th March 1890, No. 887.

I have the honor to forward the enclosed correspondence and request that
Government orders be obtained on the matter.

2. Mr. Manson in his letter, No. 2865, dated 10th November 1888, to the
Chairman, stated that he had referred the matter to Government, but I cannot find that
he has done so, and as the Chairman has asked what the orders of Government are, I
now move in the matter.

3. The sanction of Government handing over the land for the Executive
Engineer's compound was accorded in G.O., No. 1008, Revenue, dated 25th October
1887, communicated with your No. 1553 T.J., dated 19th November 1887.
Mr. Manson states in his No. 1948, dated 8th August 1888, that there are means of
access to the wells on the maidan from every direction without going through his
compound, and I need, therefore, make no further comment on the matter, except that
the Municipality cannot refute this fact.

No. 2742 T.J.

Submitted, together with the enclosure, for the orders of Government.

2. The land in question was made over to this department in G.O., No. 3111 W.,
of 17th November 1887. It is clear from the Executive Engineer's letters, Nos. 1948
of 8th August and 1865 of 10th November 1888, to the Chairman, that the interference
of the Municipality with the compound is not only unnecessary but uncalled for. It is
hardly necessary to point out to what inconvenience and annoyance a gentleman will
be put if the compound of his quarters is made a thoroughfare.

KODAIKANAL,
22nd March 1890.

(Signed) A. C. SMITH, Lt.-Col., R.E.,
Superintending Engineer, VI Circle.

ENCLOSURES.

From the Chairman, Municipal Council, Negapatam, to the Executive Engineer, Negapatam
Division, dated 18th July 1888, No. 411.

I find that the passage between your compound and this office compound leading from the
road to the wells on the Kodambady maidan has been fenced in to-day. At this morning's
meeting of the Council I was asked a question about it and I have replied that I shall address
you on the matter.

2. It is a passage over which the public have had a right of way for very many years, and I
think it objectionable that it should be closed.

3. I request that you will kindly order the fence to be removed; but if, however, you cannot
find your way to doing it, I shall feel obliged by your letting me know your objections.

From the Executive Engineer, Negapatam Division, to the Chairman, Municipal Council, Negapatam, dated 8th August 1888, No. 1948.

[Reference.—Your No. 411, dated 18th July 1888.]

I think your objection is hardly a fair one, inasmuch as there are means of access to the well from every direction, including one on the south of the Municipal office and another on the north of my quarters. The fence put up does not cause any one the least inconvenience. The ground is Government ground given over to form a garden to the Executive Engineer's quarters. To allow bandies to pass through it would do away with the privacy of the house altogether.

From the Chairman, Municipal Council, to the Executive Engineer, dated 8th November 1888, No. 689.

I have the honor to enclose an extract from the Proceedings of the Municipal Council, dated 31st ultimo, and request that the resolution may be complied with.
I request the favor of a reply.

Extract from the Proceedings of the Municipal Council, Negapatam, at a meeting held at 7-30 A.M. on Wednesday the 31st October 1888.

Read report of the Sub-Committee, Messrs. F. Oliver and B. Sreenivasa Iyengar, appointed under resolution No. 1, dated 1st August 1888, furnishing pynash measurements of the passage to the wells, &c., blocked up by the Executive Engineer.

Resolution—Notice will be given to Mr. Manson to remove the fence and throw open the passage within a week. If the notice is not complied with, the obstruction will be removed by the Council under section 264 of the Municipal Act.

Executive Engineer's reply to the Chairman, dated 10th November 1888, No. 2865.

In reply to your letter No. 689 of 8th instant, I have the honor to inform you that as the claim to right of way between the Municipal office and the Executive Engineer's quarters is apparently untenable and unjustifiable, I have referred the matter to Government.

2. Pending the settlement of the question I have, in deference to the courteous resolution communicated in your letter, ordered a gate to be put up at the south-west corner of the compound fence for the benefit of any one to whom it will afford a short cut to cross my compound, as the pathway laid claim to is merely a short cut to the tennis courts from a single house, and with this one exception lies in no one's way to the well or to anything else.

From the Chairman, to the Executive Engineer, dated 14th February 1890, No. 84.

With reference to para. 1 of letter, No. 2865, dated 10th November 1888, from your predecessor informing that the matter of the right of way between the Municipal office and your quarters has been referred to Government, I have the honor to request to be informed if any orders of Government have been received on the subject, and if so, to be favored with a copy of the same.

ORDER—dated 10th April 1890, No. 1079 W., Public Works.

The Executive Engineer should point out to the Chairman that the Council cannot remove the fence under section 264 (2) until after conviction and notice under section 263 (1) and (2) and section 167, Act IV of 1884. He should also inform him that report has been called for from the Collector.

2/1079

2. The Collector will be requested in the Revenue Department to report upon the case, stating to whom the land belongs and whether there is a right of way over it, and also to furnish a plan of the locality.

(True Extract.)

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

To the Superintending Engineer, VI Circle,
Revenue Department.
Local and Municipal Department.

Exd. A. Aubert.
Spare Copies

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of {1890} Madras.

PUBLIC WORKS.

Dated April, 10th.

Recd.

Encl.

G.O., 10th Apr. 1890, No. 1079 W.

APRIL.

Passage between the Executive
Engineer's Quarters and Muni-
cipal Office at Kadembady,
Negapatam

Passing orders regarding the objections
raised by the Municipal Board for fencing
the —.

No. 887

Executive Engineer's Office.

15th March 1890

FROM

C. L. T. Sarin Esq.

Depd 172

The Executive Engineer,

NEGAPATAM DIVISION.

To

The Superintending Engineer

6th Mile,

Trichinopoly

Sir,

I have the honor to forward the
enclosed correspondence and request the
Government orders be obtained on the
matter.

2. Mr. Manson in his letter No. 2865 dated
10 November 1888 to the Chairman stated
he had referred the matter to Government
but I cannot find that he has done so
and as the Chairman has stated what the
orders of Government are, I now move
the matter.

3. The sanction of Government has
over the land of the Executive Engineer's
compound was accorded in G.O. No. 1008 Revue
dated 20 October 1887 communicated
with your letter No. 1553 P.J. dated 19th Nov 1887.

Mr. Manson states in his letter No. 1948 dated 8-8-88
are means of access to the wells on the
maidan from every direction without
going through his compound and I need

therefore make no further comment on
the matter, except that the Municipality cannot
refuse this I have the honor to be,

Sir,

Yours most obedt servant

C. H. J.

Executive Engineer.

No 2742.T.J.

Submitted together with the enclosure,
for the orders of Government.

2. The Land in question was made over
to this Department in G. O. No: 3111 dt. of
17th November 1887. It is clear from the
Exec. Engineer's Letters Nos: 1948 of 8th August and
1865 of 10th November 1888 to the Chairman that
the interference of the Municipality with
the Compound is not only unnecessary but
uncalled for. It is hardly necessary to
point out to what inconvenience and
annoyance a gentleman will be put
if the Compound of his quarters is made
a thoroughfare.

Encls.

1. copy of
Correspondence

Camp. Madai Kaus.

22nd March 1890.

Dy 25

Attest St. Col. R.

Superintg. Engineer
6th Circle

From the Chairman Municipal Council
Negapatam to the Executive Engineer
Negapatam Division No 411 dated 18th July 1888.

I find that the passage between your
Compound and this office compound leading from
the road to the well on the Madai Kaus Maidan
has been fenced in today. At this morning's
meeting of the Council I was asked a ques-
tion about it and I have replied that I shall
address you on the matter.

2. It is a passage over which the public
have had a right of way for many years,
and I think it objectionable that it should be
closed.

3. I request that you will kindly order the
fence to be removed, but if, however, you
cannot find your way to doing it I shall
feel obliged by your letting me know
your objections.

From the Executive Engineer Negapatam
Division to the Chairman Municipal Council
Negapatam No 1948 dated 8th August 1888.

Reference your No 411
18-7-88

I think your objection is hardly a fair
one in as much as there are means of access
to the well from every direction including
one on the South of the Municipal office

and another on the north of my Quarters. The fence put up does not cause anyone the least inconvenience. The ground is Government ground given over to form a garden to the Executive Engineer's Quarters. To allow bandies to pass through it would do away with the privacy of the house altogether.

From the Chairman Municipal Council
to the Executive Engineer No. 689 dated 8th
November 1888 -

I have the honor to enclose an extract from the Proceedings of the Municipal Council dated 31st October and request that the resolution may be complied with.

I request the favor of a reply.

Extract from the proceedings of the
Municipal Council Nagapattinam at a
meeting held at 7-30 A.M. on Wednesday
the 31st October 1888 -

Read report of the Sub Committee
Messrs. F. Oliver and R. Sreenivasa Iyengar
appointed under Resolution No. 1888
furnishing pyramish measurements of the
passage to the wells are blocked up by

the Executive Engineer.

Resolution. — Notice will be
given to Mr. Manson to remove the fence
and throw open the passage within a
week. If the notice is not complied
with the obstruction will be removed by
the Council under Section 264 of the Municipal Act.

Executive Engineer's reply to the
Chairman. No. 2865 dated 10th November 1888.

In reply to your letter No. 689 of
8th instant, I have the honor to inform
you that as the claim to right of way
between the Municipal office and the
Executive Engineer's Quarters is appar-
ently untenable and unjustifiable.
I have referred the matter to Government.
2. Pending the settlement of the question
I have, in deference to the courteous reso-
lution communicated in your letter, ordered
a gate to be put up at the south west
corner of the Compound fence for the
benefit of anyone to whom it will
afford a short cut to cross my com-
pound. As the pathway laid claim to
is merely a short cut to the Tenner Coast

from a single house and with this one ex-
ception lies in no one's way to the well
or to any thing else.



From the Chairman to the Executive
Engineer No 84 dated 14th February 1900.

With reference to para 1 of letter
No 2865 dated 10th November 1898 from
your predecessor informing that the matter
of the right of way between the Muni-
cipal Office and your quarters has been
referred to Government, I have the honor
to request to be informed if any orders
of Government have been received on
the subject and if so to be favoured with
a copy of the same.

p.w. line 1
2145/90

(True Copy)

Chas. J. ...
Executive Engineer

3/11/24 17. 11. 87

PUBLIC WORKS DEPARTMENT



From

The Executive Engineer

NEGAPATAM DIVISION.

To

The

Suptg Engineer
6-fore.

Dated

15 }
Dec 17 } March 1900
Received

Enclosures

No. 887

Subject.

Request that Government
orders be obtained on
the objections raised by
the Municipal Board
Negapatam with regard
to the passage between
Es. Supt. quarters and
Municipal Office at
Radumboddy

W. H. H.

1079

under 264 (1) has been laid,
such conviction must follow
conviction under section
163 & 263.

W.S. 13-10-90
Capt. Clarke,

1079 10/10 April 1890

The Executive Engineer should find
out to the Chairman that the
cannot remove the fence under
264 (2) until after conviction under
264 (1), & that the
two sections under 263 (1) & (2)
are 167a. He should also inform
him that report has been called
for from the C.E.

2. The C.E. will be requested in
the Res. Dep. to report upon the case
stating to whom the land belongs
whether there is a right of way
it & also to furnish a plan of
the locality.

W.S.

10/10

A. C. H. Clerk 1/4

Rev. Dept.

L. & M. Dept. 10/4/90

To the Secy. to Govt. Revenue
Dept. for favour
of counter-initials.

Amell
2.4.90

1079 10/10

From.

The Superintending Engineer
VI Circle

Wm

To

For orders.

The Chief Engineer
P. C. D.

Wm
10.3.90 *P. C. D.*
18.7.90

No. 2742.T.J

Dated 22nd }
Decr 25th } March 1890
Recd. 27 }

Encl. 1.

Enclosure between Esce. Engrs.
and all other
enclosures and all other
enclosures and all other
enclosures and all other

Submitting for orders letter
with its enclosure from the Engr.
Vizagapatam regarding
the objections raised by the
Vizagapatam Municipality
with regard to the fencing
of a

The letter of Engineer should be W.
advised to whom the land
belongs. The sketch plan should
be furnished.

The resolution of the Municipal
Council does not state under what
provision of the Act the order has
been issued. It can only be ~~passed~~
as right in pursuance of sec 157
relating to obstructions in public
streets, which includes passages
over which the public has a right
of way. If so, it cannot be issued
under sec 264 until proceedings
have been taken and a conviction
obtained under sec 263; and in
the course of such proceedings
the Magt. will have to decide
the question whether there is
a right of way or not. If the
Council attempt to ~~pass the order~~
the Executive Engineer should
point out to the Chairman that they
cannot do so until conviction for
obstruction to the public

Recd. 10.4.90

70

3/4 5.

Gobt. of 18 Madras.

PUBLIC WORKS.

Dated

11/4/90

Recd.

Encl.

G.O. 10 April 1890 No 1079W.

Passage between the
Engineering Engineer
quarters and Municipal
Office at Kadambady.
Megapattam.

Passing orders regarding
the objections raised
by the Municipal Board
for passing the —

100
/ 1