Public Works (1896) Department.

G.O., No. 1033W

DATED 21-3-96

[Despatch Abstract.]

Charge: Repayment of the —— of Rs. 10—2—0 decreed to be paid as compensation for damages to certain private trees on Gowtami right bank, Godavari Central Dn., sanctioned.

[P.W. 25.
1,000—1-10-96.]

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P. W. CURRENT No. 2557

Cudd 1

Ans: 13-3-96

No. 1033. W dj/21st March/96.

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ref

In the circumstances stated, the payment of the charge is sanctioned.

14/3/96

Curds
14.3.96

DESPATCHED
21 MAR 96
2249/3

S.E. I Circle
C.T. Canal
Godavari

FROM A. A. Garrett Esq
SUPERINTENDING ENGINEER
FIRST CIRCLE.

TO.
THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT.
MADRAS.

DATED 8 & 9
DESPATCHED 10-
RECEIVED } March 1896

No. 1826 G.D.

ENCLOSURES. 1

SUBJECT.

J. Krishnamayyajulu & Atreyapuram — Submits copy of the Godavari Central Division-al Officer's letter for favor of obtaining the sanction of Government to the sum of Rs. 10-2-0 being debited to minor works, Navigation, Agricultural on a/c of the amount of decree passed in favor of —

from the District Munsiff Rajahmundry
Engineer D.P.W. Godavari Western Dn
22nd January 1896.

With reference to your letter No. 917 dn
instant, I have the honour to inform
letter No. 660 dn dated 20th October 1894
my predecessor (Mr. M. Ramayyar) and
and he appears, I have passed no

I regret to have to inform you that
h was heard ex parte and disposed of
ber 1894 under the following circumstances
of this court on the 9th November 96 and the
for first hearing before me on the 13th November
of my subordinates placed before me your
th October last and as no body appeared
defence I had to settle issues and to post
hearing for the 29th November last on
evidence adduced by the plaintiff was
suit closed.

True copy

for Executive Engineer
G. Central Dn

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G.O.	No.	Department.	

SECRETARIAT BUILDING RECEIVED
No. 12140 GS
3-MAR.95
FIRST CIRCLE

Letter from the District Munsiff Rajahmundry
to the Executive Engineer D.P.W. Godavari Western Div.
No. 19 dated 22nd January 1895.

With reference to your letter No. 917 M
dated the 13th Instant, I have the honour to inform
you that your letter No. 600 M dated 20th October 1894
was received by my predecessor (Mr. M. Ramayya) and
on the 25th idem and he appears to have passed no
orders on it.

2. I regret to have to inform you that
O.S. 431 of 1894 was heard ex parte and decreed on
on the 30th November 1894 under the following circumstances:
I took charge of this court on the 9th November 94 and the
suit came on for first hearing before me on the 13th November
1894. As none of my subordinates placed before me your
letter of the 20th October last and as no body appeared
to counsel the defence I had to settle issues and to post
it for final hearing for the 29th November last on
which date the evidence adduced by the plaintiff was
heard and the suit closed.

(True copy)

for Executive Engineer
G. Central Div.

No. 2135
28.2.56
From

W. J. Rowley Esqr
Assistant Engr Godavari Central Divn

To

The Superintending Engineer 1st Circle,

Sir,

I have the honour to request that in the circumstances explained below, the Sanction of Government may be obtained to debit the sum of Rs 10/2/0 being the amount of the demand in question to Provincial Contingencies, under P.W. Code Vol II Chap II Para 69.

2. The usufruct of the fruit and other trees on Gowtami Right Embankment was hereto auctioned every year by this Department without any objection being made.

3. The trees were sold collectively merely as the "trees on Gowtami Right bank" without being in any way defined whether as to number, description or situation

4. Among these trees were a mango and a tamarind tree belonging, as it now appears to one J. Kistna Sonnayajulu of Atreyapuram

QW.E.1
2555/56

5. Up till 1893 the persons who rented the trees from this Department seem to have allowed this ryot the undisturbed enjoyment of these two trees.

6. In 1893, however, a new renter rejected this and claimed that the trees belonged to Government from whom ~~which~~ he had purchased the usufruct of them.

7. The owner consequently put in a petition dated 2-7-94 (apparently a mistake for 2-8-94) claiming these trees and stating that if he were not paid Rs 10 damages he would bring a suit against this Department.

This petition was received in the Division office on 11-8-94 and was referred for report to the Central Sub Dy office by whom it was received on 30-8-94

8. After making enquiries and taking evidence it was found necessary to refer the case to the Revenue Department as there were no records in the Division office from which the claim could be disproved or admitted.

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10. Meanwhile, on 2-10-94 petitioner filed a suit in the Court of the District Munsiff of Rajahmundry making this Department 1st Defendant and the renter of the trees 2nd Defendant. Notice of this suit having been filed was received by the Govt Engr on 18-10-94

11. On 20-10-94, the Govt Engr wrote to the District Munsiff asking him to pass, vide the decision in January 1895 so that the sanction of Govt to defend it might be obtained.

12. No reply was received; but it was subsequently ascertained (in January) that the case came on for hearing on the 13th & 29-11-94 and was finally closed on 30th 11/94 an ex parte decree being obtained by the plaintiff.

13. In Dec 1894 information was received from the Revenue Depts from which it appeared that petitioner's claim to the trees was a valid one, as he had specially reserved them when he had given up the lands many years before for the construction of the present bank.

14 Nothing more was heard from the Court [illegible] the 22nd Oct or from the Court [illegible] the 22nd Oct or

ake Specified a notice calling upon me to appear
the 4th Proprio and show cause why execution
the decree referred to above should not be granted.

The amount of the decree is Rs 10-2-0 and as the claim
the Rees turns out to be well founded I have
day on the advice of the Govt Reader, Rajahmundry
rse Services were obtained thro' the Collector
ed this amount into Court.

I Enclose a Copy of the District Munsiff's
ter Explaining the Circumstances under
ich this Case was heard in Nov 1894

I have etc

(Sd) W. J. Whitley
ASK Engr

2826 G.D. dated 8th March 1896.

Copy with Enclosure submitted to the
of Engr P.W. Department for favour of
taining Sanction of Government to the
m of Rs 10-2-0 being debited to "Minor
ks and Navigation Agricultural" under
Circumstances Stated in the foregoing
ter.

(Sd) [illegible]
Secy to Govt

Secy Engrg Ch Pres Coll