

Public Works (1897) Department.

G.O., No. 2949 25

DATED 21 October 1897

[Despatch Abstract.]

Reut, directing with remarks that — should
be recovered from the present occupant
of the St James's Court premises at
Varittiri with effect from the date
on which he received notice of his liability.

J

21/10/97

26/10

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

[40 / 500]

P. W. DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated

189 , No.

Again G.O., dated

189 , No.

Current No. 8666 of 1897, dated 26 August 1897, from Sup'ty. Engr. IV Circle.

" " 9808 " 1897, " 1st October 1897, " Ex't. P.W. Accounts.

" " " 189 , " " " "

ORDER.

In accordance with the principle of G.O. No. 648 W dated 6 March 1891, rent should be recovered from the present occupant of the District Municipality Court premises at Dayitri with effect from the date on which he received notice of his liability. Previous occupants who received no notice of rent cannot be called on to pay.

brush over to him.
W. 10/10/97

To the S. E. IV Circle
" Ex't. P.W. Accounts.

9/10/97
W

P. 20
for use

Note

From these papers it appears that successive District Messis at Tagiti since April 1879 have been occupying a portion of the Court house premises as private quarters free of rent, and that no Government authority exists for the exemption.

The first occupant states that he lived on the Court house premises with the knowledge of the District Judge, and also of the then Executive Engineer, Col. Kennedy, who has long since left the Department. ^{the} Irregular occupancy appears to have come to notice only in October 1896, and the Superintendent Engineer now asks for orders as to whether previous

previous tenants are to be called on to pay rent, and whether ^{the} present incumbent, who joined in June 1892, should pay up arrears.

G.O. No. 648 W dated 6-3-91 contains a ruling from the Government of India to the effect that in applying the rent rules, revised rates of rent should be claimed only with effect from the date on which notice of the alteration is served on the tenants. Under the spirit of this rule, rent should be demanded from the present District Munsif at Varanasi only with effect from the date on which he received notice of his liability, and past incumbents cannot be called on to pay, as they had tacit permission for

for their rent free occupancy.

The Examiner concurs in this view, and a draft order is accordingly submitted for approval.

9/10/97

W

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Public works (1897) Department.

CURRENT No. 9808

From

The Examiner of.

O. W. accounts.

No. 3065 $\frac{B}{A}$

Dated 1. 10. 97

Received } 2. 10. 97

Registered }

Enclosures 3.

Spare copies .

SUBJECT.

District Munsiff's Court.

building at Vajitri:

Regarding the recovery of
arrears of rent for a portion
of the ———.

No 3885 Cd/17-9-97
 771W of 20-3-93
 2806W of 7-10-92
 648W of 6-3-91
 2311W of 19-9-84
 1141W of 15-4-79
 408W of 10-2-79

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

List of the District Munsifs of Vayitri from 1879.

Name.	Present Appointment.	Period during which each was District Munsif of Vayitri.
1. Mr. P. Govindamenon Aul.	District Munsif, Shornad South Malabar.	See report.
2. " N. Rama Sastri.	District Munsif, Badapara, N. Malabar.	12-8-81 to 15-2-82.
3. Mr. E. J. S. White.	District Munsif, Cudappah.	16-2-82 to 13-7-84, out of which, leave from 8-11-83 to 13-7-84 & 26-10-82 to 9-11-82.
4. Mr. V. V. Bappu Aul.	Pensioned District Munsif, at Calicut.	1-2-84 to 12-1-85; Sick leave, 13-1-85 to 12-4-85; District Munsif 13-4-85 to 5-2-86; Sick leave 6-2-86 to 20-2-86; District Munsif 21-2-86 to 25-11-86; Sick leave 26-11-86 to 9-12-86; District Munsif 10-12-86 to 30-6-87.
5. Mr. J. A. De Rozario.	Acting Sub Judge, Pottacamund.	Wide Report.
6. Mr. K. K. Ramanatha Sastri.	District Munsif, Panur, N. Malabar.	6-7-87 to 28-8-87.
7. Mr. J. F. Pereira.	District Munsif Vayitri.	From 15th June 1892 up to date.

District Court of S. Malabar
 Calicut 16th August 1897.

(Sd/ A. H. Farrell

Dist. Judge.

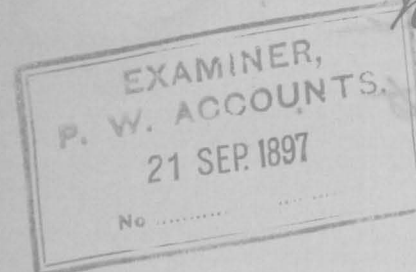
(True copy)

At Home an

Supg. Engineer & Clerk

M.S.

Letter from the District Munsiff
Shernad, to the District Judge,
South Malabar, Calicut, dated
Parpanangadi, 15th December 1896
no 259.



With reference to your
endorsement No. 2231, dated the 14th
Instant, on the Executive Engineer's
letter No. 2319, dated the 7th Instant,
I have the honor to state that so
far as I remember there have been
no orders sanctioning the arrange-
ment under which the disused
portion of the Court house at
Vayitri was and is being occupied
by the District Munsiffs as their
private residence.

I was the first District Munsiff
appointed to the Vayitri Court on
its establishment in April 1879,
and I occupied the portion in
question for about a year. The
fact that I did so was known
to,

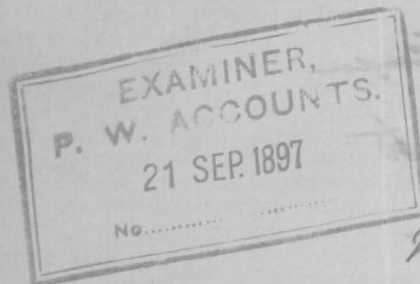
to the then District Judge Mr. Wigram,
the then Collector the late Mr. Mac Walters,
and to the late Colonel Kennedy,
the then Executive Engineer, who
was living at Lakkadi near
Vayitri. The last named gentleman
paid, I remember, two visits to
the Court house while I was
living there and never told me
about any orders prohibiting
the occupation of the disused
portion as a private residence.
Nor was I personally aware
of any such orders.

I vacated it after I took
my family up to Vayitri as I
found it inconvenient to
live there with them.

(True copy)

Supg. Engineer
4th Circle

Letter from the Executive Eng^r.
West Coast Division, to the Superin-
tending Engineer 4th Circle, dated
19th August 1897, No. 603 &c.



With reference to your letter
No. 350
W.C. dated 10-7-97, I have
the honor to forward a list of
District Munsiffs of Vayitri
who lived in their offices
since 1889, showing the respective
period of occupation. From
letter No. 259, dated 15-12-96, from
the 1st District Munsiff of Vayitri
to the District Judge (herewith),
it will be seen that the occupation
of a portion of the office as
private residence by the
District Munsiff in 1879 was
known to the then Executive Eng^r.
Colonel Kennedy, and as no rent
was claimed, the Munsiffs
naturally presumed that
no rent was due.

Under the circumstances,

I request you will be good enough to inform me if rent should be claimed from all the Munsiffs from 1879 or only from the present munsiff from October 1896 when the matter was first brought to notice.

2. The return of the enclosures is requested.

No 464 d/26-8-97
W

Copy forwarded to the Chief Engineer, Public Works Department for favor of orders on the following points. Encl: 2.

1. Whether the present incumbent is to pay up arrears. 1. Copy of letter No. 259 dated 15th December 1896 from the District Munsiff Shernid.
2. Whether previous tenants are to be called on to pay. 1. Copy of List of District Munsiffs of Vajitri from 1879.

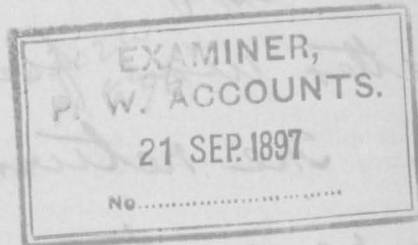
W. A. Murray
Superintg. Engineer
4th Circle

6053
5905/97

22/5

of 2
Public Works (1897) Department.

CURRENT No. 8666



Order o. u. No. 38852, d/17-9-97.

To C

For favour of From The Supg. Engineer,
Munsiff 4th Circle

2. In accordance with the principle of G.O. No. 648W dated 6 March 1891, rent claimed apparently has been claimed only with effect from the date on which notice of the same was served on the last occupant.

No. 464
W

Dated 26th August 1897
Received 30-8-97
Enclosures 2.
Spare copies

SUBJECT.

Portion of the District Court building at Vajitri.
Submits for favor of order the question regarding the recovery of arrears of rent for the —

No 306503/A d/15th October 1897
20 W.
Yes.

306503
30-8-97

ad. w. 21/9/97

BACK PAPERS.

FURTHER PAPERS.