

Public Works (1899) Department.

G.O., No.

777 *I H*

DATED

September

1899.

[Despatch Abstract.]

Suit - Sanctioning the defence of the
~~Suit~~ — at the public expense brought by
~~Venkatapathy~~ Venkatapathy for increase in rent
on his land in connection with the clearance
of Kaveripak main channel, North Arcot D.

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

CURRENT No. 7237

From The Chief Engineer
for Augustini

No. 17128

Dated 24.8.99

Received

Registered

Enclosures

Spare copies.

SUBJECT.

Surit - Recommending the
defence of - brought by Venkata
- pathy Inudaly for encroachment
on his land in connection
with the clearance of Kaveripale
main channel.

~~SECRET~~

FURTHER PAPERS.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

READ the following

From Subg. Eng. 1V Crick, No. 201 S. of 14 Augt 1899
No 171 S. of 24. 8. 59

hook by the Chief Ensign
for Kingston.

Last year Venkatasetty
Moodalier of Sathambakkam
village filed a suit
against Govt in the
Sholingur D.C. Munsiff's
Court for encroachment
upon his land in 1886
when the clearance of the
Kaveripak main channel
of the Palae Ancient System
was carried out. It would
appear that the Board of
Revs. instructed the Collector
that an attempt should be
made to compromise the
case, but as the suit has

Issue

35.8.99

not been withdrawn, the
Supt. Engr. W. Crichton requests
sanction of Govt to defend
the suit, which may be
accorded.

Order thereon No: 777 29 7.9.99

The defence of the
suit at the public ex-
pense is sanctioned.
The result should be
reported in due course
for the information of
Govt.

8.9.99
30.8.99

JP
24/8
58.

HT
24.8.99

To
The Chief Engr. &c.
Supt. Engr. W. Crichton
Sd/- P.W.2.

17/8/99

27/9/99

Public Works (1899) Department.

CURRENT No. 45 A.C.

From The Supt. Engineer,
4th Circle.

Order

No. 201
9

Dated 14th August 1899.

Received
Registered } 17. Aug⁵ 99.

Enclosures One copy of d^r

Spare copies. ✓

SUBJECT.

Clearance of Kaveripak main
Channel.

Request. Sanction to the
defence of the case filed by
Venkatapathy Mood^r of Katham-
bakkam Village Wallajah Taluk,
for encroachment upon his land in 1886
in connection with the —

D.S.

P.W.2
7237/99

17/8/99

23.8.99

FURTHER PAPERS.

No. 201
9

Office of the Superintending Engineer,
FOURTH CIRCLE.
Camp Grounds from 14th August 1899.
Des^d 16-10-

From

A. H. Ganett Esquire,
Superintending Engineer,
Fourth Circle, Coimbatore.

To

The Chief Engineer for Frigate.

17 AUG. 1899

45. a. a

Enclosures. One.

Sir,

I have the honour to inform you that towards the end of June last the Executive Engineer, North Arcot Division reported that Venkatapatthy Moodaliar of Sathambakkam Village, Wallajah Taluk had filed a suit against this Department for encroachment upon his land in 1886 when some of his land was taken up in connection with the clearance of Kavcripak main channel.

2. The Collector was defending the suit under the sanction of the Board of Revenue and had asked the Executive Engineer to pay the Government Pleader Rs 50 for deposit in the Court, a request which was complied with.

3. The Government Pleader then asked for an advance of Rs 150 which I was asked to sanction. As the Collector was conducting the case it seemed to me that he might make any necessary advance to the Government Pleader. The Exec Engineer was informed accordingly and also instructed to give full particulars of the case if sanction of Government in the Public Works Department had to be applied for.

4. The Collector holds that we should pay for the defence of the suit, and I therefore enclose a copy of the Executive Engineer's letter giving all particulars regarding it and request that the defence of the suit may be sanctioned. I have authorized the Exec Engineer to pay the advance of Rs 150.

I have the honor to be,
Sir,
Your most obedt Servt.

Asst. Secy.

Supdy Engineer W. C. C.

Copy of letter No: ⁴⁸²/_{SE} of 9th August 1899 from
S. D. Pears Esq. Exec Engineer, North Arcot Dist.
to the Supdy Engineer W. C. C.

In obedience to your No: ⁴²³/_{1.8.99}, I have the honour to report that in 1886, 1.08 acres of top were taken up in Survey no: 276 of Sathambakkam village for the deposit of spoil from the widening and silt clearance of Kavaripak supply channel. It was not demarcated and only 0.72 were utilized. In 1895, the demarcation of the land was ordered and was carried out by the then Palani District Superintendent in Company with the Revenue Inspector. The owner of the land took objection to the line demarcated by them claiming to be in possession of everything up to the toe of the bund.

2. A point in his favor was the fact that the Subordinates of this Department at the annual auctions of the trees which had been paid for in 1886 had only sold those falling within the toe of the spoil bank and had allowed the original owner to continue in enjoyment of the trees on the other 0.46 acres. In 1895 when the demarcation was made and the error discovered. The matter was referred to the Revenue Department who decided that so far from our demarcation being excessive, the original owner had been in wrongful occupation of the 46 cents adjoining the toe of the bund, and they called on

FOR IRRIGATION
17 AUG. 1899

1/45 NA

as him for a refund of revenue. After some further correspondence the owner filed a suit against Government last year in the Sholingpur District Munsiff's Court for the recovery of the disputed land. At the request of the Collector, I thereupon had the land measured again by the Sub D. n. officers who reported that the demarcation stones are, as a matter of fact, 11 links (= 7' 26") too far into the plaintiff's land involving a trespass of 8 cents. The Board of Revenue then ordered that an attempt should be made to compromise the case by offering to refund ~~referred~~ to the Plaintiff the revenue derived by this department since 1895 from the trees standing on the 0.08 acres. Presumably, the compromise failed, for the Plaintiff has not withdrawn the suit, and it is for the defence of this suit that the Rs 150 asked for by the Collector is required, in addition to the Rs 50 already paid by me as reported in my no: 370 of 24.6.99.

3. I venture to think that it might be advanced on the Collector's responsibility.

(True Copy)

Andruud
Suptg Engr W. C. C.