

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT

G.O. No.	169	Press
		File
Dated	8 3	12/838

Not to be folded or roughly handled

Fort Saint George, Political Consultation, 12th March 1858.

No. 24. From Mr. A. M. RITCHIE, Solicitor ; to the Chief Secretary to the Government of Madras, dated 1st March 1858.

SIR,

I have the honor to request that you will be pleased to submit the three enclosed Petition to the Right Honorable the Governor and Council of Fort Saint George, for their consideration and directions, and that you will communicate to me as the Solicitor of the respective Petitioners the orders passed thereon.

From Mr. A. M. RITCHIE, Esq., Plaintiff's Solicitor ; to the Right Honorable the Governor in Council of Fort Saint George, dated Madras, 1st March 1858.

The humble Petition of Gunsham Doss, of Madras, Soucar, presented by Alexander Macdonald Ritchie, his Solicitor.

SHEWETH,

That your Petitioner was an admitted Creditor of the late Syed Oonissa Begum, deceased, the Mother of His Highness Prince Azeem Jah Bahadoor, for the sum of Company's Rupees 6,652, at the time of her death on the 13th day of July 1856.

That the said Syed Oonissa Begum left at the time of her death, Estate and Effects of the value of eight lacs of Rupees or thereabouts.

That your Petitioner and certain others of the deceased Begum's Creditors finding that His Highness Prince Azeem Jah was possessing himself of all his deceased Mother's Estate without paying or satisfying any of her debts caused a Petition to be presented to Her Majesty's Supreme Court at Madras on the 6th of January 1857, praying under the provisions of Section 12, Act 8 of 1855, for an order directing the Administrator General of Madras to apply to the said Court for the grant to him of letters of Administration to the Estate and Effects of the said Syed Oonissa Begum, deceased, in order that her debts might be paid from and out of her Estate and the surplus handed over to her next of kin.

That the said Court by an order made on the said Petition bearing date the 9th day of January 1857, order that the Administrator General of Madras should apply for letters of Administration of the Estate of the said Syed Oonissa Begum, deceased.

That the Administrator General in obedience to the said order applied for and obtained letters of Administration to the Estate of the said Syed Oonissa Begum, on the 16th day of January 1857.

That the Administrator General thereupon applied to His Highness Prince Azeem Jah, to deliver up to him as such Administrator all his deceased Mother's Estate to be disposed of in a due course of Administration.

That His Highness after some correspondence with the Administrator General and very great delay, refused to deliver up the property to the Administrator General and on the 24th March 1857, applied to the Supreme Court as the Son of the deceased to revoke the grant of letters of Administration of his deceased Mother's Estate to the Administrator General and to grant them to him as her son and therein stated that his Mother, the said Syed Oonissa Begum, had left property and effects in Madras of the value of 2,00,000 Rupees.

That your Petitioner and others the Creditors of the said Syed Oonissa Begum, deceased, appeared by the Counsel on the hearing of the said last mentioned application and opposed the same on the ground that His Highness Prince Azeem Jah, being under Act 18 of 1857, as to his person and property, exempt from the Writ or process of any Court the revoking of the letters of Administration from the Administrator General who is liable to the Court's Jurisdiction and granting them to His Highness would place the whole of the deceased's property in

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his hands and leave the Creditors of the said Syed Oonissa Begum, without the power of enforcing their claims.

That notwithstanding these objections the said Court by an order bearing date the 27th day of March 1857, revoked the letters of Administration granted to the Administrator General and granted the same to His Highness Prince Azeem Jah, as the son of the deceased.

That His Highness Prince Azeem Jah, as the Administrator of his deceased Mother, has possessed himself of all her Estate and Effects of very great value and sworn to amount to 2,00,000 Rupees in his said Petition and much more than sufficient to pay and satisfy all her just debts and has applied the same to his own use and neglected and refused to pay your Petitioner and the other Creditors of the said Intestate the debts fairly due to them.

That your Petitioner thereupon and on the 1st day of December 1857, filed his Complaint in the Supreme Court against His Highness Prince Azeem Jah, as such Administrator as aforesaid, and on the 12th day of February 1858, proved his claim as a Creditor of the said Syed Oonissa Begum, deceased, and obtained Judgment against His Highness Prince Azeem Jah, for Rupees 6,652 and Costs with a direction that no Writ or process was to be issued against His Highness without leave of the said Court first obtained as appears by the Certificate of the Prothonotary of the said Court hereto annexed and marked with the letter A.

That your Petitioner is desirous of obtaining the consent of the Right Honorable the Governor in Council of Fort Saint George as provided in Section 1, Act 18 of 1857, authorizing your Petitioner to Sue forth and Prosecute such Writ or process as may be necessary against the person of His Highness Prince Azeem Jah Bahadoor, as such Administrator as aforesaid and against the property of the said Syed Oonissa Begum, deceased, to enforce the payment to your Petitioner of the amount of the said judgment and Costs and your Petitioner mainly bases this his application on the fact that but for His Highness Prince Azeem Jah's wilful interference in revoking the letters of Administration granted to the Administrator General on the application of your Petitioner and others for his own personal benefit your Petitioner's debt would long since have been paid and satisfied. And in the hope that your Lordship in Council will not allow the exemption granted to His Highness in respect of his own personal debts to be thus misapplied and made a cover for retaining the whole of his deceased Mother's Estate in fraud of your Petitioner and the other Creditors of his Mother the said Syed Oonissa Begum, deceased.

Your Petitioner therefore humbly prays your Lordship in Council to direct the Chief Secretary to issue and forward to your Petitioner's Solicitor the Governor in Council's consent to the issue of such Writ or process against the person of His Highness Prince Azeem Jah, as Administrator of Syed Oonissa Begum, deceased, and against the Property of the said Syed Oonissa Nissa Begum, deceased, as may be necessary to enable your Petitioner to recover the amount of his said Verdict and Costs recovered in his said Action Gunsham Doss against Prince Azeem Jah Bahadoor, Administrator of Syed Oonissa Begum, deceased, on the 12th day of February 1858.

A

No. 757 of 1858.

IN THE SUPREME COURT OF JUDICATURE AT MADRAS.

Plea Side.

GUNSHAM DOSS, Soucar,

versus

PRINCE AZEEM JAH BAHADOOR, Administrator of the Goods, Chattels and Credits of SYED OONISSA BEGUM, deceased.

I hereby Certify that on the Twelfth day of February last, Verdict was pronounced for the Plaintiff in the above Action. Damages Rupees Six thousand six hundred and fifty two. (Execution not to issue until further order.)

Dated this 1st day of March 1858.

D. SHAW,

Chief Clerk to the Prothonotary.

Fort Saint George, Political Consultation, 12th March 1858.

From Mr. A. M. RITCHIE, Plaintiff's Solicitor ; to the Right Honorable the Governor and Council of Fort Saint George, dated 1st March 1858.

The humble Petition of Teekum Doss, of Madras, Soucar, presented by Alexander Macdonald Ritchie, his Solicitor.

SHewETH,

That your Petitioner was an admitted creditor of the late Syed Oonissa Begum, deceased, the Mother of His Highness Prince Azeem Jah Bahadoor, for the sum of Company's Rupees 15,509 and Annas 14 at the time of her death on the 19th day of July 1856.

That the said Syed Oonissa Begum left at the time of her death Estate and Effects of the value of Eight Lacs of Rupees or thereabouts.

That your Petitioner and certain other of the deceased Begum's creditors finding that His Highness Prince Azeem Jah was possessing himself of all his deceased Mother's Estate without paying or satisfying any of her debts caused a Petition to be presented to Her Majesty's Supreme Court at Madras on the 6th January 1857, praying under the provisions of Section XII, Act VIII of 1855, for an order directing the Administrator General of Madras to apply to the said Court or the grant to him of letters of Administration to the Estate and Effects of the said Syed Oonissa Begum, deceased, in order that her debts might be paid from and out of her Estate and the surplus handed over to her next of kin.

That the said Court by an order made on the Petition bearing date the 9th day of January 1857, ordered that the Administrator General of Madras should apply for letters of Administration of the Estate of the said Syed Oonissa Begum, deceased.

That the Administrator General in obedience to the said order applied for and obtained letters of Administration to the Estate of the said Syed Oonissa Begum on the 16th day of January 1857.

That the Administrator General thereupon applied to His Highness Prince Azeem Jah, to deliver up to him as such Administrator all his deceased Mother's Estate to be disposed of in a due course of Administration.

That His Highness after some correspondence with the Administrator General and very great delay refused to deliver up the property to the Administrator General and on the 24th March 1857, applied to the Supreme Court as the Son of the deceased to revoke the grant of letters of Administration of his deceased Mother's Estate to the Administrator General and to grant them to him as her Son and therein stated that his Mother the said Syed Oonissa Begum, had left property and Effects in Madras of the value of 2,00,000 Rupees.

That your Petitioner and others the creditors of the said Syed Oonissa Begum, deceased appeared by their Counsel on the hearing of the said last mentioned application and opposed the same on the ground that His Highness Prince Azeem Jah, being under Act XVIII of 1857, as to his person and property exempt from the Writ or process of any Court the revoking of the letters of Administration General who is liable to the Court's Jurisdiction and granting them to His Highness would place the whole of the deceased's property in his hands and leave the creditors of the said Syed Oonissa Begum, without the power of enforcing their claims.

That notwithstanding these objections the said Court by an order bearing date the 27th day of March 1857, revoked the letters of Administration granted to the Administrator General and granted the same to His Highness Prince Azeem Jah as the Son of the deceased.

That His Highness Prince Azeem Jah as the Administrator of his deceased Mother has possessed himself of all her Estate and Effects of very great value and sworn to amount to 2,00,000

Fort Saint George, Political Consultation, 12th March 1858.

Rupees in his said Petition and much more than sufficient to pay and satisfy all her just debts and has applied the same to his own use and neglected and refused to pay your Petitioner and the other creditors of the said Intestate the debts fairly due to them.

That your Petitioner thereupon and on the 1st day of December 1857, filed his Plaint in the Supreme Court against His Highness Prince Azeem Jah, as such Administrator as aforesaid, and on the 12th day of February 1858, proved his claim as a creditor of the said Syed Oonissa Begum, deceased and obtained a Judgement against His Highness Prince Azeem Jah, for Rupees 15,509 and Annas 14 and costs with a direction that no Writ or process was to be issued against His Highness without the leave of the said Court first obtained as appears by the Certificate of the Prothonotary of the said Court hereto annexed and marked with the letter A.

That your Petitioner is desirous of obtaining the consent of the Right Honorable the Governor-in-Council of Fort Saint George, as provided in Section I, Act XVIII of 1857, authorizing your Petitioner to Sue forth and Prosecute such Writ or process as may be necessary against the person of His Highness Prince Azeem Jah Bahadoor, as such Administrator as aforesaid, and against the property of the said Syed Oonissa Begum, deceased, to enforce the payment to your Petitioner of the amount of the said Judgement and Costs and your Petitioner mainly bases this his application on the fact that but for His Highness Prince Azeem Jah's wilful interference in revoking the letters of Administration granted to the Administrator General on the application of your Petitioner and others for his own personal benefit your Petitioner's debt would long since have been paid and satisfied, and in the hope that your Lordship in Council will not allow the exemption granted to His Highness in respect of his own personal debts to be this misapplied and made a cover for retaining the whole of his deceased Mother's Estate in fraud of your Petitioner and the other creditors of his Mother the said Syed Oonissa Begum, deceased.

Your Petitioner therefore humbly prays your Lordship in Council to direct the Chief Secretary to issue and forward to your Petitioner's Solicitor the Governor in Council's consent to the issue of such Writ or process against the person of His Highness Prince Azeem Jah, as Administrator of Syed Oonissa Begum, deceased and against the property of the said Syed Oonissa Begum, deceased as may be necessary to enable your Petitioner to recover the amount of his said Verdict and Costs recovered in his said action Teekum Doss Soucar against Prince Azeem Jah Bahadoor, Administrator of Syed Oonissa Begum, deceased, on the 12th day of February 1858.

A

No. 758 of 58.

IN THE SUPREME COURT OF JUDICATURE AT MADRAS.

Plea side,

Vacation after the First Term 1858.

TEKUM DOSS, Soucar,

versus

PRINCE AZEEM JAH BAHADOOR, Administrator of the Goods, Chattels and Credits of Syed Oonissa Begum, deceased.

I hereby Certify that on the Twelfth day of February last Verdict was pronounced for the Plaintiff in the above Action Damages Rupees fifteen thousand five hundred and nine and Annas fourteen. (Execution not to issue until further order.)

Dated this 1st day of March 1858.

D. SHAW,

Chief Clerk to the Prothonotary.

Fort Saint George, Political Consultation, 12th March 1858.

From Mr. A. M. RITCHIE, Plaintiff Solicitor ; to the Right Honorable the Governor and Council's of Fort Saint George, dated 1st March 1858.

The humble Petition of Woodiagherry Gosayee, of Madras, Soucar, presented by Alexander Macdonald Ritchie, his Solicitor.

SHEWETH,

That your Petitioner was an admitted Creditor of the late Syed Oonissa Begum, deceased the Mother of His Highness Prince Azeem Jah Bahadoor, for the sum of Company's Rupees 2,976 at the time of her death on the 13th day of July 1856.

That the said Syed Oonissa Begum left at the time of her death Estate and Effects of the value of 8 Laes of Rupees or thereabouts.

That your Petitioner and certain other of the deceased Begum's creditors finding that His Highness Prince Azeem Jah was possessing himself of all his deceased Mother's Estate without paying or satisfying any of her debts, caused a Petition to be presented to Her Majesty's Supreme Court at Madras on the 6th January 1857, praying under the provisions of Section XII, Act VIII of 1855, for an order directing the Administrator General of Madras to apply to the said Court for the grant to him of letters of Administration to the Estate and Effects of the said Syed Oonissa Begum, deceased in order that her debts might be paid from and out of her Estate and the surplus handed over to her next of kin.

That the said Court by an order made on the said Petition bearing date the 9th day of January 1857, ordered that the Administrator General of Madras should apply for letters of Administration of the Estate of the said Syed Oonissa Begum deceased.

That the Administrator General in obedience to the said order applied for and obtained letters of Administration to the Estate of the said Syed Oonissa Begum on the 16th January 1857.

That the Administrator General thereupon applied to His Highness Prince Azeem Jah, to deliver up to him as such Administrator all his deceased Mother's Estate to be disposed of in a due course of Administration.

That His Highness after some correspondence with the Administrator General and very great delay refused to deliver up the property to the Administrator General, and on the 24th March 1857, applied to the Supreme Court as the Son of the deceased to revoke the grant of letters of Administration of his deceased Mother's Estate to the Administrator General and to grant them to him as her Son, and therein stated that his Mother, the said Syed Oonissa Begum, had left property and Effects in Madras of the value of 2,00,000 Rupees.

That your Petitioner and others the creditors of the said Syed Oonissa Begum, deceased, appeared by their Counsel on the hearing of the said last mentioned Application and opposed the same on the ground that His Highness Prince Azeem Jah being under Act XVIII of 1857, as to his person and property exempt from the Writ or process of any Court the revoking of the letters of Administration from the Administrator General who is liable to the Court's Jurisdiction and granting them to His Highness would place the whole of the deceased's property in his hands and leave the creditors of the said Syed Oonissa Begum, without the power of enforcing their claims.

That notwithstanding these objections the said Court by an order bearing date the 27th day of March 1857, revoked the letters of Administration granted to the Administrator General and granted the same to His Highness Prince Azeem Jah as the Son of the deceased.

That His Highness Prince Azeem Jah, as the Administrator of his deceased Mother, has possessed himself of all her Estate and Effects of very great value and sworn to amount to 2,00,000 Rupees in his said Petition and much more than sufficient to pay and satisfy all her just debts and has applied the same to his own use and neglected and refused to pay your Petitioner and the other creditors of the said intestate the debts fairly due to them.

Fort Saint George, Political Consultation, 12th March 1858.

That your Petitioner thereupon, and on the 1st day of December 1857, filed his plaint in the Supreme Court against His Highness Prince Azeem Jah, as such Administrator as aforesaid, and on the 12th day of February 1858, proved his claim as a creditor of the said Syed Oonissa Begum, deceased, and obtained a Judgment against His Highness Prince Azeem Jah, for Rupees 2,976 and Costs, with a direction that no Writ or process was to be issued against His Highness without the leave of the said Court first obtained as appears by the certificate of the Prothonotary of the said Court hereto annexed and marked with the letter A.

That your Petitioner is desirous of obtaining the consent of the Right Honorable the Governor in Council of Fort Saint George, as provided in Section 1, Act 18 of 1857, authorizing your Petitioner to Sue forth and Prosecute such Writ or process as may be necessary against the person of His Highness Prince Azeem Jah Bahadoor, as such Administrator as aforesaid, and against the property of the said Syed Oonissa Begum, deceased to enforce the payment to your Petitioner of the amount of the said Judgment and Costs and your Petitioner mainly bases this his Application on the fact that but for His Highness Prince Azeem Jah's wilful interference in revoking the letters of Administration granted to the Administrator General on the Application of your Petitioner and others for his own personal benefit your Petitioner's debt would long since have been paid and satisfied, and in the hope that your Lordship in Council will not allow the exemption granted to His Highness in respect of his own personal debts to be thus misapplied and made a cover for retaining the whole of his deceased Mother's Estate in fraud of your Petitioner and the other creditors of his Mother, the said Syed Oonissa Begum, deceased.

Your Petitioner therefore humbly prays your Lordship in Council to direct the Chief Secretary to issue and forward to your Petitioner's Solicitor the Governor in Council's consent to the issue of such Writ or process against the person of His Highness Prince Azeem Jah as Administrator of Syed Oonissa Begum, deceased, and against the property of the said Syed Oonissa Begum, deceased as may be necessary to enable your Petitioner to recover the amount of his said Verdict and Costs recovered in his said Action Woodiagherry Gosayee against Prince Azeem Jah Bahadoor, Administrator of Syed Oonissa Begum, deceased, on the 12th day of February 1858.

A

No. 759 of 1858.

IN THE SUPREME COURT OF JUDICATURE AT MADRAS.

Plea Side.

Vacation after the First Term 1858.

WOODIAGHERRY GOSAYEE, Soucar,

versus

PRINCE AZEEM JAH BAHADOOR, Administrator of the Goods, Chattels and Credits of
SYED OONISSA BEGUM, deceased.

I hereby Certify that on the twelfth day of February last Verdict was pronounced for the Plaintiff in the above Action Damages Rupees two thousand nine hundred and seventy six.
(Execution not to be issue until further order.)

Dated this 1st day of March 1858.

D. SHAW,

Chief Clerk to the Prothonotary.

No. 25.

ORDER THEREON, No. 169, dated 8th March 1858.

Ordered that the foregoing letter and its enclosures be forwarded to the Honorable Company's Solicitor for any remarks he may have to offer on the application therein made. He will apply to the Government Agent at Chepauk for any information that he may require in connection with the case.

(Signed) T. PYCROFT,

Chief Secretary.

Exd. J. A. Wilson.

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Hs Mq
Entered that the foregoing letter and its enclosures be forwarded to the Honorable Company's Solicitor for any remarks he may have to offer on the application therein made. He will apply to the Government Agent at Chepauk for any information that he may require in connection with the case.
Fort St. George, 12
8th March, 1858.
To the Honorable Company's Solicitor
Govt Agent at Chepauk
30 Decr 1858

In Attest: 12 March 1858
Filed: 1858. Sept 15

From A. M. Ritchie, Esq
Master.

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Offer
Ct. 12 March 1858

Re 135.
S. 135.

Whereas the said A. M. Ritchie, Esq
of certain lands lying for
the benefit of the said A. M. Ritchie, Esq
and against the said A. M. Ritchie, Esq
as Administrator to the
estate of the late mother - for
the recovery of certain sums of
money adjudged to be due to
him by the Supreme Court and
requests that at the said A. M. Ritchie, Esq
may be communicated to him

24 7 18
C. S. 1858
R. 6.

With an Order