

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No.	84	Press
		~~Mis.~~
Dated	3-3-	1862

Not to be folded or roughly handled

*Proceedings of the Madras Government, Political Department,
3rd March 1862.*

No. 1. Read the following letter from Messrs. RITCHIE and SHAW; to T. PYCROFT, Esq., Chief Secretary to the Government of Fort Saint George, dated Madras, 21st February 1862.

We have the honor to forward the Petition of Mothamid Khan Bahadoor; and to request, you will lay the same before His Excellency the Governor in Council, at your earliest convenience.

TO HIS EXCELLENCY THE GOVERNOR IN COUNCIL,

Fort Saint George.

The humble Petition of MOTHAMID KHAN BAHADOOR of Madras, the Administrator to the Estate and Effects of NAZUM-OOL-MOOLK, otherwise called AZUM-OOL-OOMRAH deceased, during the minority of SYED CAWDER MOIDEEN SAIB the only son of the said deceased.

SHEWETH,

That the said Nazum-ool-Moolk otherwise called Azum-ool-Oomrah who in his life time held the appointment of the Head of the Departments of the Meer Samany Oozoor, Dewance Maul and Ashum in the service of His late Highness the Nabob of the Carnatic departed this life on the 16th of May 1850.

That immediately thereupon Cauzee-ool-Moolk Bahadoor as the Head of His Highness, Macmah Court took possession of the whole of his property and according to the Rules of his Court made and passed a decree declaring the shares of the different members of the deceased's family as provided for by Mahomedan Law.

That the share to which the said Syed Cawder Moideen Saib was declared entitled consisted in cash about Rupees 12,000, jewels and other property the particulars of which are unknown to your petitioner.

That such sum of 12,000 Rupees, jewels and other property so forming the share of the said Syed Cawder Moideen Saib were retained in the possession of the said Cauzee-ool-Moolk Bahadoor in trust for him during his minority.

That on the 9th of April 1861, Letters of Administration to the Estate and Effects of the said Nazum-ool-Moolk otherwise called Azum-ool-Oomrah were granted by the Supreme Court at Madras to your petitioner (by consent in writing of the whole of the members of the deceased's family including Sukanee Bee the mother of the said Syed Cawder Moideen Saib), as the brother-in-law and guardian duly appointed of the said Syed Cawder Moideen Saib during his minority.

That your Petitioner as such Administrator received and got in on his receipt a large sum of money which was due and payable by the Estate of the late Nabob of the Carnatic under the provisions of the Act No. XXX of 1858.

That your Petitioner has often applied to the said Cauzee-ool-Moolk Bahadoor for payment and delivery to him as such Administrator as aforesaid of the share of the said Syed Cawder Moideen Saib in his possession but that he refuses to comply with such application.

That your Petitioner considered it his duty as such Administrator previous to his adopting any proceedings against the said Cauzee-ool-Moolk Bahadoor for payment and delivery to him of the share of the said Syed Cawder Moideen Saib to submit the foregoing facts to the Advocate General for his opinion and advice as to your Petitioner's right to enforce proceedings against the said Cauzee-ool-Moolk Bahadoor.

That the Advocate General has advised that it is the duty of your Petitioner to get in the property in question from the said Cauzee-ool-Moolk Bahadoor and that if it should be lost in consequence of your Petitioner not doing so, he would be liable to make it good to the said Syed Cawder Moideen Saib.

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That your Petitioner submits that it is his duty as such Administrator to adopt proceedings in the Supreme Court against the said Cauzee-ool-Moolk for the recovery of the property in his hands belonging to the said Syed Cawder Moideen Saib.

That your Petitioner believes that the said Cauzee-ool-Moolk is exempted from the process of Her Majesty's Supreme Court of Judicature at Madras under Act No. 1 of 1844, and Act No. 37 of 1858.

Your Petitioner therefore humbly prays your Excellency will be pleased to grant your Excellency in Council's consent in the form prescribed by Section 1 of Act No. 37 of 1858 to an action or suit being commenced and such writs or process as may be necessary or advisable being sued forth by your Petitioner against the said Cauzee-ool-Moolk for the payment and delivery to him of the share of the said Syed Cawder Moideen Saib in his hands, and that such consent may be certified by the signature of one of the Secretaries to the Government or that your Excellency will be pleased to make such other order as to your Excellency may seem meet.

And your Petitioner will ever pray.

MADRAS,
21st February 1862.

معتمد خان بهادر

No. 2.

ORDER THEREON, 3rd March 1862, No. 84.

Ordered that the petition be forwarded to the Acting Government Solicitor, who will after communication with the Government Agent at Chepauk, state whether there be any objection to the permission applied for to sue the Cauzee-ool-Moolk for the recovery of the property referred to, being granted.

(Signed) T. PYCROFT,
Chief Secretary.

Order thereon. 3rd March 1862 No. 84.

Ordered that the Petition be forwarded to the Acting Government Solicitor, who will, in communication with the Government Agent at Chepauk, state whether there be any objection to the permission applied for to sue the Cauzee-ool-Moolk for the recovery of the property referred to, being granted.

To the Acting Government Solicitor Despatch 3rd March 1862. L. 2. 8. 10
(with original Petition)