Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

[Poll. 8]

506—15-4-98.

Political (1899) Department.

ORDINARY MS.

G.O., No. 647

DATED 26 - 9 - 99

INDEXED.

[Despatch Abstract.]

Conveying to the Political Agent, Pudukkottai, Pros: Rev dept: declining, with remarks, to interfere in the matter of the rival claims of the ryots of the Pudukkottai state and the Sivaganga Zemindari to use the water of a certain channel, and stating that the parties interested may apply to the civil courts for a determination of their respective rights.

BACK PAPERS.

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

FURTHER PAPERS.

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

Pol CURRENT No. 1252

Government {1899} of Madras.

REVENUE.

Mis 736: 1.11.95.

Recd. 21 SEP 1899 } 1899. Enclosures
Regd. 22 do } Spare copies

G.O., No. 594, 6th September 1899.

Order No. 647 of 26-9-99
Mis Comm. & the J. A.

SEPTEMBER. — Recorded — Pudukkottai.

Note
Mis will go from Board to the Collr. reply to this Correspondence will be communicated to Commissioner in Pol.
Note 23/9.

Collr. 23/9/99 Comr. 25/9/99

P. A. Pudukkottai (o.c. 4d)

Appeal Order 28/9/99 29.9.99

Boundary dispute.

Stating, with remarks, that the Government sees no reason to interfere in the matter of the rival claims of the ryots of the Pudukkóttai State and the Sivaganga zamindari to use the water of a certain channel and that the parties interested may apply to the Civil Courts for a determination of their respective rights.

WITH ORDER

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following letter from R. H. SHIPLEY, Esq., I.C.S., Political Agent for Pudukkóttai, to the Chief Secretary to Government, dated Trichinopoly, 4th February 1899, Ref. on Cur. No. 176-O. :—

I have the honour to report that I have inspected the site of the Kurungalúr-Aramanavayal boundary dispute in company with Mr. MacIver (Head Assistant, Madura) and with representatives of the Pudukkóttai State and Sivaganga zamindari.

2. In Government Order, No. 736, Political, dated 1st November 1895, it was laid down that Mr. Miller's line should be accepted by both parties, with the important exception that the Pudukkóttai boundary should be south of the "vari", which is said to run from the old and abandoned Melaramanavayal tank to the Kurungalúr tank. This "vari" Mr. Miller has identified and it is marked T_1, T_2, T_3, T_4, in the sketch.

3. The dispute between the State and zamindari ryots is entirely a water dispute. The latter claim that this "vari" is the supply channel of the Aramanavayal tank, while the former deny that the zamindari ryots have any claim to the water, and assert that it should flow uninterrupted into the Kurungalúr tank There can be no doubt that this latter view is the correct one. It is apparent from the terms of the panchayat award in 1846 that the Kurungalúr ryots have the right to the water, although the channel itself is not within their limits. I take it that the Government has, by implication, accepted this view, although it has not actually been so stated in words.

4. Proceeding on this assumption, I would ask that Government instruct the Collector of Madura to order the channel of the "vari" to be replaced *in statu quo* by the Sivaganga ryots who have diverted it into their own tank. This may be done either by removing the new tank bund, or by a fresh cutting, or by putting up another bund to prevent the channel water from flowing into the Aramanavayal tank.

5. The *modus operandi* may be left to be settled by the State and zamindari officials; what is wanted now is a distinct order of Government that the Kurungalúr ryots have the exclusive right to the "vari" water and that immediate steps be taken to ensure the uninterrupted flow of that water to their tank.

6. I may mention that in my opinion nothing less than a distinct order to this effect will end the dispute.

Endt. No. 422.

Transferred to the Revenue Department.

10*th February* 1899.

(Signed) G. STOKES,
Chief Secretary.

ORDER—No. 594, Revenue, dated 6th September 1899.

Miscellaneous.

The boundary line was laid down by Government with due formality, nor is there any ground to question the correctness of the decision. It follows that the vari, or channel, marked T_1, T_2, T_3, T_4, in the sketch, is within the limits of the Madura district, and within the jurisdiction of the Madura civil courts. As regards rival claims to use the water of the channel, the Government sees no reason to interfere and leaves the parties interested to apply to the Civil Courts for a determination of their respective rights.

(True Extract.)

for Ag. Secretary to Government.

To the Political Department.
" Board of Revenue (Land Revenue).

Exd. A. F. Eccleston.

40 Copies.