

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	231	Press
		~~Mis.~~
Dated	6-3-	1966

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Department,
6th March 1866.*

Read the following papers :—

No. 22. Abstract of Petition from HABEEB-ON-NISSA BEGUM, a widow, residing in Madras, dated 8th August 1865.

Forwarding certain papers connected with her case, and praying that orders may be issued for the payment to her of the value of the bazaars and house purchased from her by Government, for widening Pycroft's Road.

No. 1863 of 1865.

Referred to the Collector of Madras, for immediate report.

(By Order).

FORT SAINT GEORGE,
15th September 1865.

(Signed) C. G. WALKER,
Under Secretary to Government.

No. 23. From the Collector of Madras, to the Chief Secretary to Government, Fort Saint George ; dated Sydapet, 26th September 1865, No. 168.

In returning the Government petition, No. 1863 of 1865, presented by one Habeeb-oon-Nissa Begum, I have the honor to make the following report :—

2. Petitioner complains that no compensation has as yet been paid her for certain land taken up by Government in 1861, in Poodoopaukam, Madras, for widening Pycroft's Road.

3. She claims compensation for the 520 square feet occupied by bazaars and a house, and which were bought up and removed by the Municipal Commissioners. The Deputy Collector of Madras, who at the time had the disposal of all such claims, refused to recognize petitioner's claim, as she could not produce any document to support it. A Notification, also, was published, in May last, calling upon all owners of lands taken up for Pycroft's Road to appear before the Deputy Collector, and prove their title to compensation. Petitioner, however, did not appear ; and as she is still unable to produce documentary evidence to prove the right to the land she claims, I am of opinion that her present petition should be dismissed.

The Collector is directed to furnish a more complete report, without delay. A note of the Municipal Commissioners, attached to the petition, states that petitioner held a Collector's Certificate, dated 7th October 1850, so that it would seem that she had been 11 years in possession when the land was taken.

2. The Collector's attention is also called to Section 28, Act VI of 1857, under which Government would be exempted from all risk (if the land were taken under the Act) of having to make a double payment.

FORT SAINT GEORGE,
19th October 1865.

(Signed) C. G. WALKER,
Under Secy. to Govt.

No. 24. From the Collector of Madras, to the Chief Secretary to Government, Fort Saint George ; dated Sydapet, 22nd December 1865, No. 257.

With reference to the second Endorsement of Government, on Petition, No. 1863 of 1865, regarding the claims of one Habeeb-oon-Nissa Begum to compensa-

*Proceedings of the Madras Government, Public Department,
6th March 1866.*

tion for certain lands taken up for Pycroft's Road in Poodoopaukam, I have the honor to report as follows:—

No.	Case No.	Situation.	Door No.	Names of the present owners or occupants.	Particulars of the measurement, value and Title Deeds.	How and under what Title Deed enjoyed.
1	4	Teroovatees Veranpetta, Poolepona Bazaar, Bazaar Street.	60	Habeeb-oon-Nissa Begum.	Measure-ment. 0 520 Value. Rs. A. P. 54 2 8	Without certificate—four ba-saars.
2	..	Do.	62	Do.	0 288 1/2 30 1 3	Certificate No. 127, issued in the name of Mahomed Meya Hossanee Saib.
3	..	Do.	..	Do.	0 120 12 8 0	Without certificate, — House (Pial and Caradoo.)

2. The land referred to in the petition was taken up in 1861. It consisted of three pieces. They are entered in the register of claims for compensation, as shewn in the margin.

3. Petitioner preferred her claim for compensation for all of them in 1862, and she, like others, was called upon to produce any Title Deed, or other docu-

ment, in support of her claim. This she has failed to do in regard to the 1st piece, notwithstanding that a notice was given, in May last, to her to produce them, within a month, before the Deputy Collector of Madras. She has also been unable to produce evidence of any description, but simply stated, as she does now also, that she handed over to a certain Maistry of the Municipal Commissioner's Office the Title Deed appertaining to this portion of the land; but the Commissioners say, in their Proceedings of 30th June 1865, that no such Title Deed was ever left in their custody.

4. The Commissioners also stated, in their Proceedings of the 2nd August 1865, that both the 1st and 2nd pieces (Nos. 60 and 62) were held by the petitioner, on Certificate No. 127; but this appears to be a mistake, as that document relates only to No. 62, and not to No. 60.

5. Under all the circumstances, it may be said that the petitioner has no legal case. But if the Government are disposed to rely upon the statement contained in the Municipal Commissioners' Proceedings, dated the 2nd August 1865, in which they say that No. 60 was in the possession of the petitioner at the time the shops on it were demolished, and that no compensation was paid her for the ground, the Government might make this an exceptional case, and grant the petitioner the compensation asked for. It would, however, be a bad precedent, as many other similar claims already rejected would at once be revived.

6. Petitioner did produce title deeds for the second piece, No. 62, and has received a compensation of Rupees 30-1-3 for that piece. This piece of land is that to which the certificate referred to in the endorsement of the Government relates.

7. In regard to her claim for compensation for the 3rd and last piece, it appears that it is the property of Government, as it is the frontage of the house, and always reckoned as a part of the public street. Her claim for compensation for that piece, therefore, was properly rejected as were many similar claims from others.

*Proceedings of the Madras Government, Public Department,
6th March 1866.*

No. 25. ORDER THEREON, 6th March 1866, No. 231.

The Governor in Council considers that the petitioner Habeeb-oon-Nissa Begum should receive the compensation fixed for the 1st piece of land, No. 60, which appears to have been in her possession when the shops standing on it were demolished under the orders of the Municipal Commissioners. The amount, viz. Rupees 54-2-8, was paid by the Municipal Commissioners.

2. For the second piece, No. 62, she has already received compensation, and for the third piece, which was a part of the public street, she is entitled to, and can be allowed, no compensation.

(True Extract.)

Chief Secretary.

To the Collector of Madras.

„ Municipal Commissioners.

Exd. J. H. Burns.

March 5 1866

My dear Liberator
Re the Petition of
Hundred and a Half
I have returned the
papers forwarded with
your note of the 13th.
The result of my inquiry
has led me to the conclusion
that under the unaltered
circumstances of the place
the Hegman is properly
and fairly entitled to
Repayment from the Muni-
cipal Commission, or
from the selection of
land as set upon their
behalf and out of their
fund of compensation for
the price of land to \$60

67
I had the Mr. Sahuldar
down to my office as well
as the Officers of the
Municipal Department.
I send you for reference
if you desire it the
Sahuldar Report and
the list of statements
made by the Municipal
Department, which
strictly place relation
when done with
the amount of samples
for No 60 in 1881.
Respectfully,
I agree with you that
the Department is not
entirely responsible for
the price of the material
mentioned
in dealing with the

matter please bear
in mind that the
land was taken by the
Collector for the Muni-
cipal Department, &
not for Government, &
is to be paid for out of
Municipal funds thro'
the Collector.

Yours very truly
A. B. Dey

The Memorable
A. J. Dey

91

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers.

From Hakeemissa Begum Madras (Despatches & August 1865)
From Collector of Madras (— do 22^d Decr 1865 No. 259)

Order thereon 6th March 1866 No. 231.

The Governor in Council
Considers that the Petitioner Ha-
keemissa Begum should
receive the compensation fixed
for the 1st piece of land No. 60
which, ~~she~~ ^{appears to have been} ~~was~~ ^{is} ~~in~~ ⁱⁿ ~~her~~ ^{her} ~~possession~~ ^{possession} ~~and~~ ^{and} ~~for~~ ^{for} ~~which~~ ^{which} ~~she~~ ^{she} ~~alleges~~ ^{alleges} ~~she~~ ^{she} ~~produces~~ ^{produces} ~~a~~ ^a ~~title deed.~~ ^{title deed.}

* She has also been claiming ~~the~~ ^{the} ~~possession~~ ^{possession} ~~and~~ ^{and} ~~for~~ ^{for} ~~which~~ ^{which} ~~she~~ ^{she} ~~alleges~~ ^{alleges} ~~she~~ ^{she} ~~produces~~ ^{produces} ~~a~~ ^a ~~title deed.~~ ^{title deed.}
made the order of the
Municipal Commissioner. For the second piece No. 61
the amount Rs 56.2.3 she has already received
with 2 paise by the
Municipal Commissioner. Compensation, and for the
third piece which was a part
of the public street, she is
entitled to, and can be
allowed no compensation.

The Collector of Madras
" Municipal Commissioner } despatched
Submitted to the Petitioner

Feb 12 1866. Department.

No. 231.

PROCEEDINGS OF GOVERNMENT.

Dated 6 March 1866.