

MADRAS RECORD OFFICE.

Government of Madras.

Relief DEPARTMENT.

G.O. No.	<i>435</i>	Press ~~Mis.~~
Dated	<i>27-4-</i>	<i>1867.</i>

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Department,

27th April 1867.

No. 130. Read the following letter from the Commissioner of Police, to the Chief Secretary to Government, Fort Saint George ; dated Madras, 3rd April 1867, No. 44.

With reference to the Orders of Government noted in the margin, I have the honor to enclose two letters from Messrs. Branson and Branson, Solicitors, and copy of a Decree of the High Court, No. 359 of 1864, requesting, with reference thereto, that the sum of Rupees 315-5-7, out of the disputed purchase money deposited in the General Treasury, may be paid to them on behalf of the defendants, Thanampettah Vijiaragavah Moodelly and two others.

2. I request, therefore, that orders may be passed for the re-payment of the sum of Rupees 315-5-7 from the General Treasury, accordingly, to Messrs. Branson and Branson, for the defendants.

From Messrs. BRANSON and BRANSON, Solicitors, to the Chief Commissioner of Police, Madras ; dated Madras, 23rd July 1866.

High Court, Madras, O. S., No. 359 of 1864.

T. Ramakistna Moodelly, and another.

versus

T. Vijiaragavah Moodelly, and others.

It is represented to us by our clients, the defendants, Vijiaragavah Moodelly and Canagaroyah Moodelly, that a certain sum of money was deposited in your office by Government some time in the year 1855, under Decree herein, for the purpose of being paid to the parties in the above cause, on the adjustment of disputes which then subsisted between them, and which have since been adjusted, and the plaintiffs have received from you their half share in such funds.

2. We, therefore, by the instructions and on behalf of our clients, beg to request you will be pleased to cause our clients' remaining half share in the funds in question to be paid to them at your earliest convenience.

From Messrs. BRANSON and BRANSON, Solicitors, to the Commissioner of Police, Madras ; dated Madras, 28th March 1867.

Referring to your reply dated 24th July 1866, we have the honor to enclose a copy of the Decree in Original Suit No. 359 of 1864, which will show you the particulars of the amount claimed for by Thanampettah Vijiaragavah Moodelly and Thanampettah Canagaroyah Moodelly. Please let us have the amount at your earliest convenience.

In the High Court of Judicature at Madras.

In its ordinary Original Jurisdiction.

Wednesday, the first day of February, one thousand eight hundred and sixty-five.

Present.

The Honorable Sir Colley Harman Scotland, Knight, Chief Justice.

and

The Honorable Sir Adam Bittleston, Knight, Puisne Justice.

O. S. No. 359 of 1864.

Plaintiffs.

Defendants.

Thanampettah Ramakistna Moodelly, without employ, and Thanampettah Rungasawmy Moodelly, a person of unsound mind, by the said Thanampettah Ramakistna Moodelly, his brother and Thanampettah Vijiaragavah Moodelly, a Conicopilly in the Collector's Cutcherry, residing in No. 22, in Vursathee Venoyaga Covil Street at Thanampettah aforesaid; Thanampettah

next friend, respectively, residing in No. 2, in Vursathee Venoyaga Covil Street, at Thanampettah, within the local limits of Madras.

Canagaroyah Moodelly, a Conicopilly in the Engineer's office at Vulloor, residing at Vulloor, in the Taluq of Trivallore, in the Collectorate of Madras; Thanampettah Doorasawmy Moodelly, an infant, under the age of sixteen years, that is to say, of the age of thirteen years, residing at No. 23 in Taliar's Street at Poodoopaukum, within the local limits of Madras; and Thanampettah Soondrum Ummall, widow, residing in the village of Moogaparoo, in the Taluq of Sydapett, in the Collectorate of Madras.

This suit coming on the thirty-first day of January last, and by adjournment in this present day, before this Honorable Court for final disposal, in the presence of Mr. Advocate General, Counsel for the plaintiff, and Mr. Mayne, Counsel for the defendants Thanampettah Sevasunkara Moodelly, and Mr. Miller, Counsel for the defendants Thanampettah Vijiaragavah Moodelly, Thanampettah Canagaroyah Moodelly, and Thanampettah Doorasawmy Moodelly. The defendant Thanampettah Soondrum Ummall not appearing in person or by Counsel or Attorney, and it appearing by the plaint registered in this suit that the relief sought for by the plaintiff is on account of the undivided family property in the possession of the plaintiffs and defendants, or of any or either of them, belonging to the undivided family of which the plaintiffs and defendant are members, partition and division of the said family property and payment thereout to the plaintiffs of their share therein, after providing of a sufficient sum for the maintenance of the defendant Thanampettah Soondrum Ummall, that the plaintiffs and defendants be decreed to hold their shares in severalty, an injunction restraining the defendant from further interfering or intermeddling with the undivided family property, and a Receiver to collect and get in the undivided family property, and it also appearing that the issues were framed and settled herein on the sixteenth day of January last. Now, upon hearing the evidence adduced on behalf of the plaintiff, and also the evidence adduced on behalf of the defendants appearing in the hearing, and what was alleged by the respective Counsel for the defendants, this Court doth (by consent) order and decree that a Razeenamah in this suit be entered into and executed between the plaintiffs and defendants and filed in this Honorable Court within a fortnight from date thereof, in the terms as near as can be of the Exhibit C, adduced and read for the plaintiffs, and this Court doth accordingly order and decree that, from and after the twenty-second day of December, one thousand eight hundred and sixty-five, the plaintiffs and defendants be divided in interest and property and enjoy the property allotted to them respectively in severalty; and this Court doth further order and decree that the following property do form and be the share of the plaintiffs Thanampettah Ramakistna Moodelly and Thanampettah Rungasawmy Moodelly, that is to say, a house and ground, Nos. 2 and 3, together with the backyard and trees in Vursathee Venoyaga Covil Street in Thanampettah, within the local limits of Madras, as per Collector's Certificate, No. 2491, which said Collector's Certificate is to be delivered to plaintiffs. The southern half, or twenty-two grounds of a Cocoonut tope in Thanampettah, consisting of one cawny and twenty grounds, and the Collector's Certificate of which is No. 733. The southern half, or five grounds and six hundred square feet in Cavady Parcherry at Thanampettah, consisting of ten grounds and one thousand and two hundred square feet, included in the above Certificate, No. 733. The southern half, consisting of twenty grounds and three hundred and twenty-seven square feet of Poonthoodum Maniem land at Thanampettah aforesaid, consisting of forty grounds and six hundred and fifty-four square feet, and which said land comprised twenty-two grounds and six hundred and fifty-four square feet, as per Collector's Certificate No. 5716, and eighteen grounds as per Collector's Certificate No. 5717. The southern half, consisting of two cawnies and seventeen grounds, and five hundred and forty-nine and five-sixteenths square feet of Todapanady land at Royapettah, containing five cawnies and ten grounds, and one thousand and ninety-eight and five-eighths square feet, as per Collector's Certificate No. 1331. The piece of land called Covil Maniem land, or Bauloomoothoo Naick's ground, containing fifteen grounds, and comprised in Collector's Certificate, No. 3374. The southern half, consisting of two grounds, a piece of land called Nathangal land at

Tanampettah aforesaid, and containing four grounds, which are now tenanted by one Coollum. The western half, consisting of half a cawny in a piece of land called Narawary at Thanampettah, containing one cawny. The western half, consisting of four and a quarter grounds in Madava Permall Maniem land, containing eight and a half grounds, eleven thirty-second shares, being half of the shares, consisting of eleven-sixteenths, the shares in Iynambaukum in the Taluq of Sydapett, in the Collectorate of Madras, and half of the lands there situate, purchased by Parasoorama Moodelly, a half share in the house and ground and brick-kiln in the said village, as also the half share of the lands in the said villages mortgaged in the name of Parasoorama Moodelly and the defendant Thanampettah Vijiaragavah Moodelly. A one-sixteenth share of Meerassy right in the village of Meppoor Agarum Chendrupakum, in the Taluq of Sydapett, in the Collectorate of Madras, and a half share in the house and ground in the said village. The southern half, consisting of five and three-fourths grounds of a piece of land situate in Yellary Street at Parcherry at Thanampettah aforesaid, containing eleven and a half grounds and inhabited by pariahs, as per Collector's Certificate No. 508. The southern half, consisting of one and thirteen-sixteenth cawnies of land at Mambalum, opposite to the Mylapore tank, containing three and five-eighth cawnies. The eastern half, consisting of eleven grounds and one thousand seven hundred and eighty-nine and five-eighths square feet of a piece of land at Nanary aforesaid, containing twenty-three grounds and one thousand one hundred and seventy-nine and a quarter square feet, the quit-rent bills of which stand in the name of A. Chocalinga Moodelly, provided always such land ever comes into the possession of the plaintiffs and defendants as a portion of the family property out of the monies, amounting to Rupees three thousand seven hundred and fifty, now in deposit in the Collector's Cutcherry, belonging to the plaintiffs and defendants, the sum of Rupees one thousand eight hundred and seventy-five (1875), is to be paid to the plaintiffs out of the monies which were in deposit in the office of the Commissioner of Police and are now in the Treasury, amounting to Rupees six hundred and thirty, Annas thirteen, and Pice two (630-13-2), the sum of Rupees three hundred and fifteen, Annas six, and Pice seven (315-6-7) is to be paid to the plaintiffs. The western half, consisting of seven-eighths of a ground portion of a piece of land at Vursathee Venoyaga Street at Thanampettah aforesaid, comprising one and three-fourths of a ground, the quit-rent bill of which is No. 492; and this Court doth further order and decree that the following property do fall to the share of, and be held by, the defendants (save the defendants Soondrum Ummall and Sevasunkara Moodelly) in severalty, that is to say, the ground with the building or shed, as per Certificate No. 5534 and Door No. 23, situate in Vursathee Venoyaga Street at Thanampettah. The northern half, or twenty-two grounds of the said Cocoonut tope at Thanampettah aforesaid. The northern half, or five grounds and six hundred square feet in Cavady Parcherry at Thanampettah aforesaid. The northern half, consisting of twenty grounds and three hundred and twenty square feet of Poonthoodum Maniem land at Thanampettah aforesaid. The northern half, consisting of two cawnies and seventeen grounds and five hundred and forty-nine and five-sixteenths square feet of Todapanady land at Royapettah within the town and limits of Madras. A piece of ground, called Ammen Covil Pattary, as per Collector's Certificate No. 5533. The eastern half, consisting of half a cawny in a piece of land called Narawary aforesaid. The eastern half, consisting of four and a quarter grounds in Madava Permall Maniem land aforesaid, eleven thirty-second shares, being half of eleven-sixteenth shares in Iynambaukum aforesaid, and half of the lands and house and ground and brick-kiln in the said village. A one-sixteenth share in the village of Meppoor aforesaid, and a half share in the house and ground in the said village. The northern half, consisting of five and three-fourths grounds, situate in Yellary Street at Parcherry at Thanampettah aforesaid. The northern half, consisting of one and thirteen-sixteenth cawnies of land at Mambalum, opposite to the Mylapore tank aforesaid. The western half, consisting of eleven grounds and one thousand seven hundred and eighty-nine and five-eighths square feet of a piece of land at Narawary aforesaid, consisting of twenty-three grounds and one thousand one hundred and seventy-nine and one-fourth square feet, the quit-rent bills of which stood in the name of A. Chocalinga Moodelly, provided always such ground should ever come into the possession of plaintiffs and defendants as a portion of the family property. The eastern half, consisting of seven-eighths of a ground of a piece of land at Vursathee Venoyaga Street at Thanampettah

27th April 1867.

tah, the quit-rent bill of which is No. 492, out of the monies amounting to Rupees three thousand seven hundred and fifty (3750) now in deposit in the Collector's Cutcherry, as in the said Razeenamah mentioned. This Court doth further order that the said defendants (save the defendants Soondrum Ummall and Sevasunkara Moodelly) do receive the sum of Rupees one thousand eight hundred and seventy-five (1875), and out of monies now in deposit in the office of the Commissioner of Police, amounting to Rupees six hundred and thirty, Annas thirteen, and Pice two (630-13-2), the sum of Rupees three hundred and fifteen, Annas five, and Pice seven (315-5-7); and this Court doth further order that the defendants (save the said defendants Soondrum Ummall and Sevasunkara Moodelly) be entitled to and have possession delivered to them of one half share in the Grama Samoodayam of the said villages Meppooragarum, Chedrunpaukum, Iynambaukum, and Thanampettah, and of any other lands which may at any future time be proved to belong to the said undivided Hindoo family; and this Court doth further order and decree that the plaintiffs do pay the aforesaid defendants, other than the defendants Soondrum Ummall and Sevasunkara Moodelly, the sum of Rupees five hundred (500), for the purpose of building a house on the land No. 23, in Vursathce Venoyaga Covil Street aforesaid, and this Court doth further order that the following property be set aside, to provide for the maintenance of the defendant Soondrum Ummall during her natural life, that is to say, the rents and profits of the thirteen and a half grounds in the Parcherry at Yellary Street, at Thanampettah aforesaid; and this Court doth further order that the defendants, other than the defendants Soondrum Ummall and Sevasunkara Moodelly, do pay half the debt due by Parasooramah Moodelly, deceased, to Chengleroy Moodelly, and half of other sundry debts, amounting to one hundred Rupees, due by the said Parasooramah Moodelly, the plaintiffs agreeing to pay the other half of such debts; and this Court doth further order and decree that, after such payments by plaintiffs and the said defendants, other than the said Soondrum Ummall and Sevasunkara Moodelly, they, the said plaintiffs and the defendants, other than the said defendants Soondrum Ummall and Sevasunkara Moodelly, do enjoy, in equal portions, the one cawny of land at Narawary now in possession of the said Chengleroy Moodelly. The defendant Thanampettah Vijiaragavah Moodelly having paid a judgment against the plaintiffs and defendants, amounting to Rupees five hundred and twenty-five (525), in order to pay which he was compelled to mortgage the Todapanady lands, No. 1331, as is in the said Razeenamah mentioned, this Court doth order and decree that the plaintiffs do pay half of such sum of Rupees five hundred and twenty-five (525), and that, thereafter, the plaintiffs and defendants, other than the defendants Soondrum Ummall and Sevasunkara Moodelly, do enjoy the said Todapanady lands in equal shares, as the plaintiff Thanampettah Ramakistna Moodelly alleges that he has paid Rupees five hundred and eight, Annas twelve, and Pice three (508-12-3) for the funeral expenses of the said Parasooramah Moodelly, and the maintenance of the family for the sake of peace only, as in the said Razeenamah mentioned. This Court doth order that the defendants, other than the defendants Soondrum Ummall and Sevasunkara Moodelly, do pay the plaintiff Thanampettah Ramakistna Moodelly, one-half thereof, as the plaintiff Thanampettah Ramakistna Moodelly has paid for two judgments in the Small Cause Court against him for Income Tax, Quit-rent and Assessment, payable by the said family, amounting to Rupees one hundred and ninety-two (192), as in the Razeenamah mentioned. This Court doth further order that the said defendants, other than the defendants Soondrum Ummall and Sevasunkara Moodelly, do pay one-half of such sum to the plaintiff Thanampettah Ramakistna Moodelly, and this Court doth order that the well now in existence in the said several pieces of ground conceded to, and in future to form the separate property of the defendants, be accessible to, and used by, the plaintiffs and their assigns twice a week, or eight days every month, for the purpose of the plaintiffs watering their lands; but the repairs of the wells and pecottahs be borne by the defendants, other than the defendants Soondrum Ummall and Sevasunkara Moodelly and this Court doth further order and decree that the plaintiffs and defendants, other than the defendant Sevasunkara Moodelly, do divide equally, and enjoy the piece of land measuring thirteen and a half grounds in the Parcherry at Yellary Street, which is allotted for the maintenance of Soondrum Ummall aforesaid after her natural life; and this Court doth, lastly, order and decree that plaintiffs and defendants do respectively bear their own costs and charges of this suit.

27th April 1867.

No. 131.

ORDER THEREON, 27th April 1867, No. 435.

Under the Decree of the High Court passed on the 1st February 1865, in Original Suit No. 359 of 1864, in favor of Thanampettah Vijiaragavah Moodelly, Thanampettah Canagaroyah Moodelly, and Thanampettah Doorasawmy Moodelly, the Governor in Council sanctions the payment of the sum of Rupees (315-5-7) three hundred and fifteen, Annas five, and Pies seven, to Messrs. Branson and Branson, the Solicitors of the individuals named, from the balance of the amount held in deposit under G. O., dated the 3rd October 1860, No. 1450.

Rupees	RS.	A.	P.
Paid under G. O., No. 389, dated 18th April 1866	791	6	4
	300	15	6
Balance...	490	6	10

(True Extract).

Chief Secretary.

To the Secretary and Treasurer, Bank of Madras.

„ Accountant General.

„ Commissioner of Police, with 3 enclosures returned.

Exd. J. Tulloch.

No. 146

From

Major Police
Commissioner's Office
3rd April 1867.

To Major C. S. Hearn
Commissioner of Police
The Honble A. J. Arbutnot
Chief Secretary to Government
Fort Saint George
Sir,

19/6/50 dated
18th April 1860
and 44.389 dated
18th April 1866
J. D.

With reference to the orders of
Government noted in the margin, I have
the honor to enclose two letters from Messrs.
Prawson and Prawson Solicitors and copy
of a Decree of the High Court No. 359
of 1866 requesting with reference thereto
that the sum of Rupees 315-5-7 out of
the disputed purchase money deposited
in the General Treasury may be paid
to them on behalf of the Defendants
Trumppett Viziaragavooloo Moddally
(and 2 others).

I request therefore that orders
may be passed for the repayment of
the

the sum of Rupees 315-5-7 from the
General Treasury accordingly to Messrs
Branson and Branson for the Defendants.

Have the honour to be,

^{Sir,}
Your Most Obedt. Servant.
C. L. Beano
Commissioner of Police

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Commissioner of
Police.

(Here enter 3rd April 1867 page 44)

Order thereon 27 April 1867 p. 435

Under the Decree of
the High Court passed
on the 1st February 1865, in
Original Suit No. 359 of
1864, in favor of Thanam-
pettah Vijayaragavah Moo-
dely, Thanampettah Cana-
sarayah Moodely, and Tha-
nampettah Dorasawmy.
Moodely, the Governor in
Council sanctions the
payment of the sum of
Rupees (315-5-7) Three hundred
and

[Handwritten signature]

[Handwritten initials]

No 18 April 1867 No 18-67
30 Oct 1867 - 24 1865

Respectable Mr. Mr. Mr.
Public Secretary of the
Government
The Commissioner of Police
The Chief Clerk to the
Government
The Chief Clerk to the
Government

Order 3rd

Dec 5th 1867

3rd Dec 1867

may be paid for the
reimbursement from the
General & the way to Rs 36
of the Government for the
1st Dec of Rs 315-5-7 being
a portion of the amount
purchase money deposited
in 1860.

and fifteen, ~~thousand~~ five,
 and paid over to Messrs.
 Branson and Branson,
 the Solicitors of the indi-
 viduals named, from
 the balance of the amount
 held in deposit under
 G.O. dated the 3rd October,
 1860. A. 11450.

Passed 791-6-4
 Paid under G.O.
 N. 387 of 18th April 1861. 300 15-6
Balance Passed 490-6-10

To the Secy and Treasurers Bank of Montreal
 " Accountant General
 " Commissioners of Police
 with 3 enclosures

done 4/5

Public 1834. Department.

No. 435

PROCEEDINGS OF GOVERNMENT.

Dated. 24 April 1834

130. 131.

23 April