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(1) Number of pages 38
(2) Date of repair _____
(3) Initials of the Referencer 6-9 ✓

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

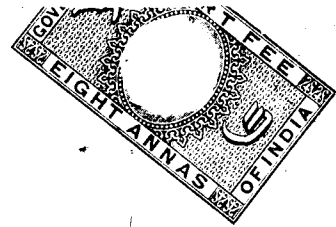
Public DEPARTMENT

G.O. No.	1195	Press.
B.P. No.		Mis.
Dated	3 - 9 - 1881.	~~197~~

19

Not to be folded or roughly handled

65.9



1195

Handwritten text in Telugu script, likely a title or header.

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1881

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I decline to interfere in the matter, as I see no reason to apprehend any breach of the peace. Mr. can have his remedy in the Civil Court. The land is private property.

5.4.81

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Wm. L. Garrison

1195
 2 1197
 The Right Honorable the Governor in Council
 Fort Saint George
 Madras.

The humble Memorial of Gulam Hussain Sahib and other Moslems of
Rajahmundry, Godavry District.

Humbly sheweth
That your Memorialists and others have already submitted a petition to
your Excellency in Council, complaining that the Village Munsif of Rajahmundry
has demolished a sacred tomb (Tomb of a Mohamedan Saint) and praying
for justice which the local Mohamedan Community have been waiting in anxious expectation for

"given the following endorsement -

"I decline to interfere in the matter as I see no reason to apprehend any breach of peace. Petitioner can have his remedy in the Civil Court. The land is private property."

4. That the Joint Magistrate having admitted in his judgment (Copy of which was forwarded with the Memorial already submitted to your Excellency in Council), that the place was the site of a temple still endorses now that the place is private property. That under Regulation VIII of 1817 all sacred edifices, tombs &c are to be protected by the Government against encroachment.

That thus, the Memorialists beg to submit the Joint Magistrate's noninterference is contrary to law. That the Joint Magistrate's indifference your Memorialists are afraid, might serve as a sort of encouragement to the accused and even like him to do more insulting things.

5. That the Magistrate is not justified in refusing to interfere, as he has in even that he "refrains as to breach of peace". That he has, in fact, your Excellency's recommendation, namely, to see, who is right and who is wrong.

6. That the Magistrate's refusal to interfere is a violation of the law.

7. That the Magistrate's refusal to interfere is a violation of the law.

and is not therefore a case of civil nature. That, further, the
 Mohomedans of Rajahmundry are poor and cannot in consequence
 seek redress in the civil court. 1195
3

4. That your Excellency's Memorialists humbly entreat your
 gracious and most merciful Excellency in Council to take
 this case into your favorable consideration and pass orders on
 the first Memorial as well as on this.

We most humbly beg to remain
 Your Excellency's most humble servants

M/ Guler Hupain

[Signature]

Rajahmundry
 31st July 1881

دستخط
 شیخ عبداللہ
 دستخط
 میر حسین

السید محمد الکریم علی
 دستخط سردار اکبر علی
 دھرم گورو
 سچاندر پال

[Signature]
 Hasun Gaman Khan
[Signature]
 సచిదానందమూర్తి నాయక
 ముఖ్య కార్యదర్శి
 శంకరాచార్యులు
 విద్వాంసులు
 సహాయక కార్యదర్శులు
 సహకారి కార్యదర్శులు

زبدۃ النساء

خط سید قطیف
سید قطیف

خط سید محمد اکبر
سید محمد اکبر

دست
خط

مکتبہ اسلامیہ
کراچی

خط سید قطیف
سید قطیف

Imail Sheriff Sahib
سید شریف صاحب

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خط سید
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M. Anwarullah
Abdurahman
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galassia
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1195
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3 D.R.

The Right Honorable the Governor

John Smith George

William

Jo. 150-21-6-11/18

Official Memo.

A further petition
dated 31st July,
having been received
on the subject of
G.O. No. 150 (Latter),
dated 27th June
last, the St.
Magistrate is
requested to
state whether
he has as
yet complied
with the in-
struction contained
in the latter part
of the 2nd para-
graph of the
order.

Pass.

This memo has
been despatched
11/8

To the St. Magistrate,
Gulmari.

1881 DEPARTMENT

R.D.

3 AUG 81

From

Gulam Kaspur
other Muhammadans,
Rajshahi.
No.

Dated

31 } July.
2 } August, 1881

CURRENT No. 1549

SUBJECT.

Arrest of village
Mansab in building
a tomb of a
Muhammadan saint.

With memo.

N^o 133

Godavari District
Joint Magistrate's Office
Rayachmundry 6th July 1881

From

The Jt. Magistrate 1195
Godavari District

To

The Magistrate of the
Godavari District

Sir,

In para 4 of Government Order Public Department No 48 dated the 26th of May 1881, on the subject of a certain ruined Mussalman tomb in Rayachmundry, the stones of which had been removed by the village munsiff, it was directed that "If possible the site of the tomb should be retained unutilized, and any of the old stone structure still on the spot or capable of being replaced should remain or be replaced."

2. I have the honor to report that there was not when I visited the site on filing of complaint a single stone of the old building in situ; nor any sign of the building remaining beyond a slight depression in the ground. The stones which were rough hewn, have been cut and built in most of them into a well, the rest into other buildings erected by the munsiff. I presume His Excellency the Governor in Council does not contemplate the removal of these.

3. As to the retention of the site unutilized, I have the honor to observe that it is private property

property and that the owner whom I have examined is not willing to leave it so, as he states that its preservation would altogether destroy the value of the plot in which it is situated for the purpose for which he purchased it viz for building warehouses. He paid Rs 560 for the whole plot, measuring something under an acre and the spot where the tomb stood is situated in the Centre of it.

4. As bearing on the bona fides of the petitioners I may remark that the owner of the land informs me that no Mussalman has addressed ~~one~~ word to him on the subject of the tomb since ^{he} bought the site.

If the land is to be retained unutilized, it will be necessary to take it up for public purposes and pay compensation. This would respectfully suggest to be altogether uncalled for.

I have already / enclosing the Case against him / passed a severe censure / which you will find recorded at the Close of the Judgment in the record which was forwarded to you yesterday upon Javala Veraswamy, but I have also, as directed, communicated to him the Censure of Government.

7. With reference to para 5 of the Government order, I have the honor to request that I may be informed of the names of the petitioners to whom the substance of the Government Order is

is to be communicated.

I have &c.

14/5/87
Signed / E. C. Johnson.

No 60.

Ag Joint Magistrate

Submitted for the information of Government with reference to their order No 858 of the 21st June last P. D.

2. The Village Munsiff of Rajahmundry has been severely censured for what he has done and the Joint Magistrate has been informed of the names of the Petitioners to whom he should communicate the substance of this order.

3. It is not possible to retain the site of the tomb unutilized as it is private property.

4. There seems to be no old stones left there and it is not possible to replace, as the stones have been used for some other substantial purposes.

Godavari District
Magistrate's Office
Cocanada 2nd Aug 1887

W. Foster
Magistrate

1195
8

R. D.

11 AUG 81

Public
Audient {1881} Department.

From

The Magistrate.

Godavari District.

No. 60.

Dated 2nd

Despatched 3rd

Received 10

August 1881
1680

No.

SUBJECT.

Submitting for the Magis-
trate's order of the 6th
July 1881 and reporting that
it is not possible to carry out
the order of the Magis-
trate given in G.O.
No. 458 of the 26th June 1881 re-
garding the tomb therein re-
ferred to.

11/8

Miscellaneous

Public DEPARTMENT.

No. 1680.

From

The P. Magistrate - Godavari.

22nd August 1881 No. 60.

I think we had address the
Adm Genl, to know if some thing
cannot be done -

1st, for the preservation of the
site of the Saint's tomb -

Now, we ordered this to be done;
but the Magis says "this private
property" - What work is this?

It seems it is a very old tomb;
indeed there were some, but unim-
portant, tombs round it - it was
a cemetery -

Well, about 30 years ago, a P. Magis
got a plot for the field in which
this tomb lies - This gave him the
right to dispose of the site of the
tomb - It was the right to work
the spare ground - The site of the
cemetery got lost given already;
no grant probably, but in such
cases a grant will be assumed
law -

Yet the P. Magis first of all sells
the tomb stones - & now has sold
the site - & further calmly says,
nothing can be done!

Let us not be also fooled -
demanding him all the papers.

II. If he says the P. Magis had no power to sell the site of the tomb
& that he is a vendor -

FOR ORDERS.

I don't know what
more for the case do
but we are dis-
missed the P. Magis. P. in the
absence of condemnation
by the local officers
send back the case.
I am not disposed to
recommend now.

It is a very unsatis-
factory conclusion.

11/8/81

then, let us order the miff, on pain of
being deprived of his office - to supply
to much cut stone, on the price of it
as will represent the value of the stone he
carried off - to the Mahomedans; so that
they may rebuild over the grave.

Aug 20/1.

I think we are making too
much of this affair. The tomb
could not have been that of a Pir of
any great repute or it would
have been kept in repair by
the Mahomedan community.
Covered with a galling on certain
days & periodically illuminated
it would be well to ascertain
from respectable Europeans
gentlemen in Rajahmundry
whether these marks of respect
have been paid to the alleged
shrine in recent years - If
I shall inform the authorities
that the alleged desecration
was done & then our ladies
showers with the fact that
regret the removal of the tomb
they decline to be
one responsible for the act
in consequence of the subject
not having been brought to the
of the local authorities in time
to prevent it - There is certainly
say a jid between the Subordinate
the Village Munsiff and the
old tomb has been, made
a pig & having a previous de
on - Tomb. Rajahmundry

I think we are making too
much of this affair. The tomb
could not have been that of a Pir of
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have been kept in repair by
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to prevent it - There is certainly
say a jid between the Subordinate
the Village Munsiff and the
old tomb has been, made
a pig & having a previous de
on - Tomb. Rajahmundry

1195/10

I think Mr. Fannick
has been misled by the
Calendar of 10. 57/80.
being put up by the P. H. M.
with the record of the 10. 7/87.
To explain the circumstance
the P. H. M. is indeed
the 2^d Conf. L. Thunders
to learn anything to show
that the 2^d case related
to a grave burial ground
the tomb was an
isolated solitary one
in the middle of
earlier date than the
present. The black tomb
are frequently found
situated in land included
in a putak is no doubt
the case. But that is
no reason why they
should be respected.
That has already happened

A Mahomedan tomb
at Gondwan

in this case is but no -
but the idea of building
up the site. & building
a Hindu residence
over the old Mahomedan's
grave is I am very
repellent. It should be
invented I think if
practicable.

I have no objection
to our asking the Adv.
Genl's opinion. He
will be here soon.

The Govt. view of the
is to limit on least
to exclude them from
dealing with the lands
in this fashion. But
I do not know, I pressed
a that view.

21/8/87

FOR ORDERS.

Very truly
Yours

Chief Secretary
23rd August 1881.

Dear O'Sullivan, 1195/11

I herewith forward
certain papers with the
notes of members in
original. Will you
please favor Govt. with
your opinion on the subject.

Yours sincerely
J. Davidson.

To
The Hon. P. O'Sullivan

21/8/87

1195
12

With reference to the Petition
from members of the Mahomedan
Community addressed to Government
complaining of the desecration of a
Saint's tomb or Shrine at Rajahmundry
I have read all the papers sent to
me and can discover no infraction of
the principle of religious equality or
any indifference to the susceptibilities of
persons professing the Mahomedan
faith or failure of justice in the
action of the joint Magistrate; and
the Government, in censuring the
conduct of the Village Munsiff, seems
to have done all that reasonably
be expected from it. — A complaint
of an offence under the Indian Penal

that some members of the community
went there to worship - The worship
was isolated and fitful, and does not
seem to have been generally known in
the locality - No step seems to have
been taken to assert the right of the
community to the tomb or the land
in which it was built or to obtain a
pukht or other evidence of title. The
building was allowed to become a
ruin and there was no care taken in
change - So far as is known there
never was any person in
charge. It was reserved in the
grant of pukht for the land on
which it stands and it is not certain
that there is a right of way to it
through the land. From all the
I should draw one or other of two
inferences namely (1) that they did

Perhaps I
give away
what does not
belong to me?

code was made by the Mohamedan
against the Village Municipality, but not
at least before three months after the
alleged offence whereby the religious
feelings of the complainants were
wounded. If the feelings of the
Mohamedan were wounded it is
very difficult to account for their
conduct - Their conduct (and that
of the Mohamedan community so far
as having been very slender) seems to
indicate that the Shrine did not
rank in the estimation accorded to any
thing like that that it belongs
to the Mohamedan community at all
- that they treated it as their
property - The only
act of ownership asserted was

what does this
mean? with
a holy man
buried there for
200 years an
ordinary person
touching is holy
ground.

to attribute any high degree of
 equity to (2) that they
 do not regard it as their property
 but the property of the heirs (47)
 of the founder or trustee, or of the
 heirs in default of heirs.

is being made
 before the
 trustee - he

P. Sullivan

Advocate General
 Case in P

26th Aug 1881

1915
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My dear Davidson

I return all the papers and
 send my opinion re the land
 at Rajahmundry

Yours sincerely
 P. Sullivan

24th Aug 81.

1195-
b5

No.

From

The Advocate General.

24 Aug. 1881.

1195
16From The Advocate
General.

24

24 Aug. 81.

Submits his opinion
on the Mahomedan
tomb at RajahmundryFOR ORDERS.The question is - was the
Pir's tomb?I gather that some thing massive
& costly stone structure once
stood over the grave - & that
his famous be Pir view.Pir's tombs are often neglected
in their upkeep - but lay a
finger on it, & there is a row
all over the Mohammedan world.There is a respectable Mr.
Tahmidan in Belgodavari -
Forster who he told to form a
Committee of him, the Kargi & a
few others leading Mr. & others
know their opinion.If it is a Saint's tomb - desecration
will be prevented - 24 Aug 81

1195
17

Public Department.

1195
18

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from

^{Collo.}
the District Magistrate, Godavari, 8th
August 1881, No. 60.

FOR ORDERS.

Amir F. Muhammad
Sirc.

Order thereon. 3 Sept 1881. No. 1195.

The collector will
lose no time in forming
a Committee composed
of Said Ali, the tahsildar
of Ramachandrapur,
the Kazi - and a few
other leading chuhama-
madans, who will after
careful enquiry report
whether the tomb was
a pirs' tomb or not.

The

1195
19

2. The Government
gather that some massive
and ~~erectly~~ stone struc-
ture once stood over
the grave, which would
favor the view that
it was a fire's tomb.
If such, decoration
must be prevented.

W.H.

W.H.

1/9/51

To
The Coll. of Godavari
Dec 3/9

1677 of 12/12/87

Govt. of { 188 } Madras.

DISPOSED OF

3 SEP 81

BY G.O. NO. 1195 (Public)

Dated

Reed.

}

188 , No.

Nos.

Despatch

12.9.87

~~Signature~~
for