

- (1) பக்கங்களின் எண்ணிக்கை _____
- (2) புதுக்கித் திருப்பிய நாள் _____
- (3) ஆதாரங் குறிப்பவர் சுருக்கொப்பம் _____

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

①

துறை

அரசாணை எண். 280 - மு. கோப்புத் தாள் எண்.	அச்சகம் பலவகை
நாள்: 25-3-1889	199

34

எப்படி கையாளவே கூடாது.

Petition Clerk

71 It is not clear what authority
the Sub Coll^r had to issue
his order of 16 Sep^r 1868. Can
you find anything on this point?

(2) The Coll^r in his Porcp^s ¹⁴⁴⁰ 23-7-87
refers to some permission granted
by the High Ct. What was the

Has

24 Oct.

(11). Nothing can be formed from
the papers on this point.

H. cannot have.

All the orders on the subject were passed in the Public Dept and it is submitted that this petition should be transferred to that Dept. A few of the P.D. orders are obtained and submitted. If necessary all the rest will also be obtained.

$\frac{r.f.}{2411.}$

பாடுதலாய் பிழை - 1

செப்பனெபுத் பரத்

[illegible]

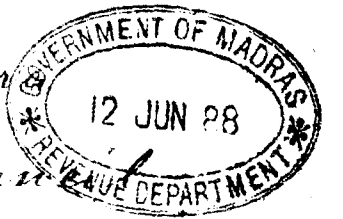
சென்னை நகராட்சி
சென்னை நகராட்சி
சென்னை நகராட்சி

உயிர்ப்பிழை
உயிர்ப்பிழை
உயிர்ப்பிழை

His Excellency The Right Honorable

Lord Townshend

Governor in Council



Fort Saint George

Madras

May it please your Lordship in Council,

With due deference and profound sub-
-mission, we, the inhabitants and miras-
-dars of Mahabalipooram village,
Chingleput Taluk, Chingleput
District, beg to submit this last
and solemn appeal to your Lord-
-ship with a view that it may el-
-icit your Lordship's compassion to-
wards the poor who have been un-
-justly deprived of the right and
liberty of cutting up stones from the
mountains of the
abovesaid village - a liberty which
has been hereditary and uninterrup-
-ted from time immemorial.

1)
We, about hundred in num-
ber and our ancestors have had

2

18/20

the liberty of cutting up stones from the mountains of the abovesaid village except those that were devoted to sculpture, and have thereby been maintaining ourselves from the sale of those stones

2.) The Government have resolved in 1886 to purchase the abovesaid 31 Cauntries ~~of~~ comprising of mountains and lands for the purpose of amusing the public with the beautiful workmanship of stones and promoting thereby their happiness, in what way and at whose expense, my lord, at the expense of our sufferings and as well as of the sufferings of our women and children.

3)
Accordingly notices were issued
and served upon us to the effect—
that compensation should be made
to those who had a claim in the
counries and all our disputes
which were asked by the Sub
Collector to be settled by the ci-
vil Court of the Chingliput District
remain there undecided and pen-
ding even now, but the Govern-
ment was good enough to pass
an order when they have made
the lands their own, that all
stones which were either broken
and fallen down from the
hills or left in the place where
they

they were split, and where they cause
fear, should be removed by us.

4.) That the sub collector of the
above District issued a Takud
No 485 on the 16th of September
1886 to the effect that the stones
might be left and removed
by us but without specifying
a time for such removal, a copy
of which has herewith been sub-
mitted for your Lordship's per-
usal; that in connection with
the abovesaid Takud the Tah-
sildar of the abovesaid Taluk
received, on the 7th November 1886,
a list of blocks in question
from the village Gwonsiff in—
which

which could be found 31 stones which were
cut and thrown down the hills long be-
fore, and 22 stones which stand on
the basis and appear to be destruc-
tive and dangerous to the papers
by and the cattle that graze, and
a copy of such list sent by the In-
-sig to the Tahsildar, has also been
herein enclosed for your Lordship's
Kind perusal

5) It may be necessary here
to recall your Lordship's recollection
to that part of the term viz "without
specifying a time for such removal
in the preceding paragraph and
refer your Lordship's attention to the
principles of law upon that point
and it is that point that we
greatly insist upon and this is
the

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whole subject of this earnest ap-
-peal to your Lordship in Council

1) We humbly beg to submit that
the law provides that when no time
for the performance of any engage-
-ment is specified, the engagement
must be performed within a reasonable
time. This is the law of reason, the law
of nature drawn from the pure sources
of morality of public good and na-
-tural equity and recognized and
digested into order by the labour
of learned men and the law of
British Government, and the
law of every nation on earth
and then the question arises

"What is a reasonable
"time"

7
order by the labour of learned
men

7 And the question now before
your Lordship viz "What is a
reasonable time" is no longer
an issue of law but an issue
of fact and must be decided
according to the nature, ten-
dency and circumstances of
each particular case

8 And then the question arises
What will be the reasonable
time in this particular case.
It will not be out of place to
mention here that the time al-
lowed in this particular case
is

8
is not more than a ^{10/100} couple of 5
months.

9 Best we humbly beg to submit
here that of all ^{the} workmanship
that exists in the world such
as architecture, carpentry, iron
work & stone work is the hardest
of all and to make a block in
proper and finished order, it
takes a good deal of time. Your
Lordship may plainly under-
stand how long it will take to
make a block in proper and
finished order and what will
be the reasonable time for the
completion of the work men-
tioned in the Village Moonsiff's
report.

9
report.

10. That the stones mentioned in para 4 of this petition along with those that were formerly sent down will require a long period of time for removal and that a great amount of money has been spent by us for the purpose of removing and sending up the stones

11. That while we in accordance with the Sakud No 485 above referred to, received money from certain wardens of temples and other common people in advance in order that we might supply them with

10

stones and while the work was being carried out the zemindar of the abovesaid village who was influenced by a long continued animosity and a spirit of revenge, and who had not the slightest concern whatever either in the mountains or in the stones, preferred a false complaint against 33 of us before the 2^d class Magistrate of Chungleput Taluk in case No. 185 of 87 falsely declaring that we had cleft new rocks and stones against the order of the Government and thus interrupted our work for about 2 months out of that short period of 10 months allowed for us for the removal and thereby caused a loss of about 1000 in our work and the case which was thus concocted against us, was, after a complete enquiry dismissed.

12) The Magistrate who dismissed the case was not good enough to direct, in the order of acquittal that

11

27/8

the complainant to pay to the accused proper compensation for having preferred such false, vexatious, and frivolous complaint against us. The magistrate would have no doubt awarded such compensation had he not been subservient to the Zamindar.

13) That when the above case was referred to the sub collector on the 9th August 1887, and he without taking into consideration the bitter feeling that existed on the part of the Zamindar towards us and without fully enquiring into the truth of the abovesaid charge and without handling our petition and responding to it impartially was pleased to issue a talukd No 53 above referred to on the 22nd August 1887 to the effect that all the stones which were either finished or split, should ~~not~~

14
12/25

not be removed by us henceforth, and this was again appealed to the District Collector the latter agreeing with the Proceedings of the former despatched in return an endorsement No 3224 dated 29th September 1887 and this was again appealed to the Honorable Members of the Board of Revenue who have also declined to interfere and whose endorsements are submitted herewith for your Lordship's perusal; and since the above proceedings having been passed illegally and very unreasonably too, our customers with whom we have made agreements to supply stones are preparing to file civil suits against us, and thus we are put to various difficulties and losses in different forms.

14) The right of cutting stones from the abovesaid hills, has been for us a birthright and perennial and the majority of the population of the abovesaid village have been maintained by it. In the abovesaid hills are deposited our

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livelihood and in which we have lodged our
honor. And will your Lordship in Council
patiently endure that such unhappy
people who are subjected to the British
Government and protected by British
Faith should be unjustly deprived
not only of our birthright but also to our
great astonishment and dismay be
deprived of the right of removing the
stones that have been already cut prior
to the date of purchase and subject
ourselves to a considerable loss or da-
mage and why because the order does
not specify a fixed time for the removal

15) The main object of the British
Government in purchasing these hills
is indeed based upon good principles
namely, to amuse the public with the
beautiful workmanship of stones and
thereby promoting their happiness, but
it is to be seen whether our work inter-
feres in any way with such workmanship
or not - the answer is in the negative.
That

16

That part of the hills which ¹⁶~~enjoys~~^c such am-
-usement has been from time immemorial
kept safely aloof and undisturbed by
our forefathers and by ourselves, but our
work has been carried on quite in a
different part of the hills, and a long
way off from the abovesaid part which
affords such amusement. But leaving
this aside our prayer is confined only
to that part of our work which the go-
-vernment has once allowed by an ex-
-press order issued after the date of pur-
-chase from a benevolent consideration
that hundreds of mankind are not
to be left miserable and unhappy
and now it is only to be decided
whether we have laid our fingers upon
any new portion which remained
untouched at the date of purchase.

16) If on our part there had been
any such unfairness, fraud, unrea-
sonableness or mistake then such
prohibitory orders may issue and

17/8
15
even then as regards any thing which is asked
but there is nothing on the record to show
that our transactions had been in any
way tainted with fraud or mistake ma-
terially affecting the Government order
and your Lordship in Council will ob-
serve on the other hand that we have
been acting all along very fairly and
reasonably.

We therefore pray in conclusion
that your Lordship, after instituting
enquiries & perusing the above records
and considering the miserable lot that
has befallen us and the dead loss we
had undergone may be graciously
pleased to make over our usual work
and profession and after making suitable
conditions with us pass an order to re-
move all the stones (1) which have been
already chiselled and finished (2) which
were broken to blocks (3) which were
allowed to remain on the very basis
and we shall feel highly grateful
and thankful for the benefactors
who gave to so many of us their
hand

and relieve us and our families and
our children from our diffculties

For which act of kindness we
shall as in duty bound ever
pray.

We humbly beg to remain
Your Lordships most obe-
dient and humble servants
B. 42. 2. 7

30th May
1888

[illegible]

18
/ 280

To His Excellency the Right Honourable
Lord Commaera
Governor in Council
Fort St. George

May it please your Lordship

In obedience to the Endorsement

N. 3819 dated 2nd July 1888 we the inhabitants
& mirasidars of Mahabalipuram village
Chingleput Taluk, Chingleput District,
beg to submit the enclosed authenticated copy
of the full Proceedings of the Collector on
the subject referred to in our petition.

In submitting the abovesaid copy
we beg with profound submission to refer
your Lordship's attention to para 2 of the
abovesaid proceedings where it is stated that
"I saw yesterday rocks which had clearly
been quarried since I was here in 1870
- viz last. This fact the village officials
denied, but I can attach no credence to
what they say as they are all interested."

Here we beg to explain that the
stones already blasted will when worked

at appear to be fresh as if they were
newly blasted, but the question is whether
new rocks have been quarried since
the date when quarrying was forbidden
and the answer is indeed in the negative.

We therefore most humbly pray
that your Lordship in Council will be
graciously pleased to grant our prayer.

For which act of kindness we shall
be in duty bound ever pray.

Per, Entolant }
1888 } *[Signature]*

9/19

Per Entolant

6
L. P. de 5523/88

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read again the following G. O. dated
2nd July 1888 No 3819. on petition from the
inhabitants of Mahabalipuram of Chingleput
District and Chingleput District dated 30th May
regarding removal of stones from certain hills.

order.

An authenticated copy of the
Proceedings of the Collector on the subject,
referred to in his endorsement to the petition
should also be forwarded.

Read also petition from the above
inhabitants, dated 6th October 1888, Lath
papers called for.

Endorsement thereon 5th November 1888 by

Transferred to the Public Dept.
(Inner Extract)

Secretary to Government

The Collector Department

Govt. of 1888 Madras.

REVENUE

V/c
V/c

To The Public Department.

Dated

5th

Recd.

8th Nov/88

SECRETARY
GOVT. OF MADRAS
Encl. 7

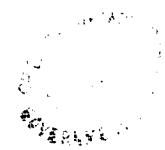
Mis. G.O., 5th Novemb 1888, No. 6598.

SUBJECT.

Transferring a petition
from the inhabitants of
Mokatalipuram regarding
removal of stones from
certain hill.

To

9/10



His Excellency The Right Hon-
-rable Lord Commissioner Governor
in Council Fort Saint George.

May it please Your Lordship in Council

We the undersigned inhabitants
of Mahabalipooram village Chinglepat
Talook most respectfully beg to bring the
following for Your Lordship's most favour-
able consideration

I That on the 11th June 1888 we have
submitted an appeal petition to Your
Lordship-in-Council for permission
to remove certain stones which have
already been cut prior to the date of
purchase of the abovesaid Mahabali-
pooram hills by the Government.

II We have also on the 30th November
last submitted in person to your

From,

Mess. guppa Chetty
inhabitant of
Muhabulipatti
Chinglpet Taluk

Sept 16/89
Recd 20/12/89

Prayer for
favorable order as they
appeal for permission to
remove certain stones in the
above said village.

21st July 10

My Dear Mr Warner.

Referring to para 3 of
Johnson's Proc. of the
23rd Sep. 1887. Co. 440,
about the quarrying
of stones in the vicinity
of the Seven Pagodas,
attention is ^{here} made to the
order having been issued
in Aug. 1884 forbidding

Further quarrying
and permitting the
removal of stone that
has been already
quarried. I should be
pleased if you could
send me a copy of
this latter note.

Yours sincerely
J. P. M.

24/1

2/24
NOTE FOR THE UNDER SECRETARY.

D.O. submitted
L.S.
30/1

My dear
22/98

My dear L. Price.

Your D. O. of 4th.

I am sorry to learn that you
had not had the order. I
wrote then & there for Cambridge
(I think it was) to B. L. H. —
I hope to send you a copy
& to write that he had done
so. I had not the D. O. then;
but he has now written to E. H. C.

to the ...
I am ...
Yours ...
J. ...

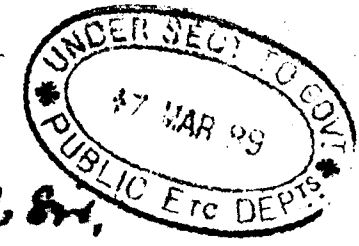
Cy. Karpala

March 6. 1889.

To the ...
I am ...
Yours ...

to the ...
Yours ...

29/3/89



Most Honored Sir,

In obedience to Mr. Lee Warner's orders I most humbly beg to send herewith another copy of the order regarding the quarry at Mahablipuram & quoted by Mr. Johnson in his Report of 1887.

I beg to state most respectfully that I have already submitted to you honor

copy of this order under
by Collector's signature
by attendant missing
who came back one
saying that a person here
took it sent him away,
after making him wait
for 1/2 an hour.

With many apologies

Yours honorably

D. P. Chavara

7 March 1889.



LIMITS OF QUARRIES AT MAHABALIPOORAM.

The following abstract shows the limits on the Mahabalipooram Hill, within which, under agreement with the Zemindar, quarrying is permitted.

Limits of Quarry on Main Hill.

Main Quarry.

North limit, a point in the path about 66 yards south of "No. 29" (*Drowpatheis Bath*) and about 64 yards N. N. W. of "No. 30" ("unfinished excavation")—Stone 1.
Thence S. S. E. 64 yards to stone 2, west of the path near "No. 30" ("unfinished excavation").

Thence south 90 yards to stone 3, close to a very large boulder.

Thence west 29 yards to stone 4, north of the large rocks.

Thence 27 yards south to stone 5, west of the large rocks.

N. B.—The largest rocks are to be left untouched. The line runs to the west of them. The lower boulders may be quarried. One piece already split off from a large boulder may be broken down, but no other cutting must be made in it.

Thence 36 yards to the south, round the southern end of the main rock and up on the east of it, 24 yards, to stone 6 in a hollow between two rocks.

Thence 33 yards to the S. E. stone 7, on the south side of a large boulder.

Thence 24 yards to the N. E. to stone 8, on the east side of the main rock.

Thence 17 yards to the E. to stone 9 on the S. end of a lofty detached boulder with marks of old outstone paths on it.

Thence 15 yards to the N. E. stone 10, north of the same boulder.

Thence 31 yards E. S. E. to stone 11, on the east side of the High Eastern ridge, on the summit of which stands "No. 34" (*Jagara Temple*).

Thence 95 yards south west, under the main ridge to stone 12 on the top of a mound of earth about 33 yards north of "No. 35" (*Varahaswami Vishnoo temple*).

Thence 25 yards N. W. to stone 13 just south of 2 boulders, the most westerly of which has on it the marks of old pillar sockets.

N. B.—The western rock must be left untouched. The eastern may be cut. One piece already split on the western rock may be broken down, and used, but no new piece to be split off. The piece so allowed to be split off contains no mark of any old cutting.

Thence 27 yards N. W. to stone 14 on the western side of some small rocks.

Thence 24 yards N. W. to stone 15 north of 3 palmira trees.

Thence north 145 yards to stone 16 on the south side of the western ridge on the top of which is the *Simhasana*, or *Dharmaraja's throne* (No. 28) and "*Drowpatheis Bath*" "No. 29".

Thence N. E. 110 yards to stone 1 (see above).

N. B.—On the west side of the ridge mentioned above (stone 16) several recent blasts have been made. In 2 places the rock has been already split. These split pieces may be broken down and cut, but no new split must be made.

Quarries on ridge near Canal.

North Quarry.

From stone 1 placed 6 yards N. W. of the northernmost ("No. 2") of the two Rathas ("Nos. 2-3" "*Pidariamman Rathas*, unfinished") 34 yards N. E. to stone 2.

Thence south east 14 yards, to stone 3.

Thence N. 34 yards, to stone 4.

Thence S. S. E. 39 yards, to stone 5.

Thence S. 43 yards, to stone 6.

Thence W. N. W. 51 yards, to stone 1.

East Quarry.

From stone 1, placed 42 yards E. S. E. of the southernmost, ("No. 3") of the two Rathas ["No. 23" (as above)] 27 yards E., to stone 2.

Thence S. 16 yards, to stone 3.

Thence W. 18 yards, to stone 4.

Thence N. 13 yards, to stone 1.

SAIDAPET.—Printed by A. IYASAWMY PILLAY at the Chingleput Collectorate Press.

The petitioners ^{in the} current are from certain stoneworkers who were in the habit of cutting stones on the land near the Seven Pagodas which has been now acquired by Govt for the purpose of archaeological research.

The Sub. Collr. who took order for the acquisition of the land under sec 7 of Act X of 1870, issued notices inviting claimants for compensation. The petitioners or their employers appeared in compliance with the notice (C. Mr. Fiddian's letter in 409-Sept. 1886 no 1897), along with other claimants. The collector ^{determined} thought proper to refer the question of award for the decision of the Court.

~~Sub. Collr.~~ After he had referred the matter to the Civil Court, he passed an endorsement no 485, dated 16th Sept. 1886, permitting the petitioners to remove from the land in question such stones as had been already detached. (Cf. para 3 of their first

Circular for bidding.

Quarrying at the Seven

Pagodas, Clungpud Taluk

94-2-1887

pet- that the ^{order was passed} ~~order~~ ^{passed} but it does not appear ~~from~~ ⁱⁿ the orders of Govt on this subject.

... Petis seem to have taken the Sub Collr's endorsement as a license to ~~continue~~ ^{work upon} the ~~land~~ ^{land} and ~~not~~ ^{not} merely to remove the ~~unwashed~~ ^{unwashed} materials. After eight months work ~~on~~ ^{carried on} on the strength of this endorsement, they were interrupted by the ~~remin~~ ^{remin} ~~das~~ ^{das} who prosecuted them for cutting stones in ground which had not been leased for that purpose. They say that the ~~case~~ ^{case} was dismissed by the magt but when the matter came before the Sub Collr he issued a ~~take~~ ^{take} ~~order~~ ^{order} to the effect that the permission given by him in the previous year by Endt no 485, 16th Sept. 86 had lapsed, ~~because~~ ^{because} the Petis had already had sufficient time to remove the stones in question. They appealed ~~to the Collr~~ ^{to the Collr} against this order. ~~A~~ ^A Copy of the Collr's proceedings dated 23rd Sept 87, No. 1440, is enclosed. He says that permission to remove the stones was given in August 1884, that the High Court remarked in 1886 that more than a reasonable period had elapsed within which to allow

the removal of previous period stone, that the order passed by the Sub Collr forbidding the removal of any more stones was therefore justified.

The matter does not appear to me calling for the interference of Govt. If Petis have any right they will file a suit. But the Collr might perhaps be asked to report fully on the ^{whole} matter.

has been
sent

A copy of the order of August 1884 has been procured from the Collr. ~~Office~~ ^{Office}. The petitioners have had it in submitted ample time to remove all the stones previously quarried. Giving them any more will only lead to further demands. What they really want is to be allowed to go on working for an indefinite period. Their allegations that they quarried clear of the scrip lines is a very great ~~substant~~ ^{substant} ~~absolutely~~ ^{absolutely} untrue.

Sh. Munch

Decline to interfere

Papers to be read in Proceedings:—

Again G O., dated 188 , No.
Again G.O., dated 188 , No.
Current No. 388 of 1888, dated 12 Nov from The Rev Dept.

Peter from New lines
are the same regards
H. W.
For orders

Current No. 616 of 1888, dated 16 Feb from certain inhabitant
of Westchester, Chingford
district

Order 25th March 1889 No 280
The post decline to interfere
(For orders)
\$ 20 March have
14/3

1. The Peter from the City
Chingford
.. Rev Dept.

AGAIN ORDER OF GOVERNMENT, dated
188 , No. . MISCELLANEOUS.

LOSURES.

MENT No.

MENT WITH DITTO

ONE OF GOVERNMENT

MENT WITH DITTO.

PERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

(1) Petition
(2) Rev. D. J. L.

26/1/81

36

A A

1/2 of stone. various
7 basket of paper
(From order)

ORDINARY, MS.

216. DEPARTMENT.
 G.O., DATED *25-3-89*
 No. *250*

When given for copying 22/3

[Despatch Abstract.]

*Petition of certain
 inhabitants of Illaha,
 Kalipuram, Kalingpur
 District, requesting
 permission to remove
 some stones quarried
 by them, viz etc.*