

Public (1897) Department.

ORDINARY MS.

G.O., No. 1070

DATED 16. 8. 97.

INDEXED.

[Despatch Abstract.]

Informing Raja manikam Pillai
& other inhabitants of the Yennayiram
village in the South Arcot D^o, that
no appeal lies to Govt. against the
decision of the Board declining to
recognise their claims to certain idols
found while excavating the ruins of
a temple; & pointing out to them the
opportunity they have of purchasing
the idols at the public auction.

BACK PAPERS.

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

FURTHER PAPERS.

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

Public (1897) Department.

CURRENT No. 2778

2779,
c nos 2778, 2780,

From ~~Petition~~
Raja Manikam Pillai
and others, inhabitants of
Jennaydam Village
S. Arcot.

No.

Order
Entt.

Referred to the Board
of Revenue (Land Revenue)
for report.

Dated

Received

Registered

Enclosures

Spare copies

26 } 7-97
27 }

Ag. Under Secretary.

SUBJECT.

Stating
Requesting that some
idols and other materials
belonging to some temples
were have been sold to a
private person by the
authorities and requesting
that the above material
may be restored to them

BACK PAPERS.

G.O.	No.	Department.	Date.
	901	Pub	22.8.26
	743	—	15.7.26
	905	—	25.8.26.
	926	—	27.8.26
	231	—	15.2.26
	235	—	17.2.26
	56	—	11.1.2

FURTHER PAPERS

G.O.	No.	Department.	Date.

[G.
74]
4,070-13-8-95.

NOTE FOR THE CHIEF SECRETARY.

CHIEF
26

Please see flag D, the
original copy of the
order which was sent
to the petitioners

AK
9/10/27

building
of land 22

G.O.	No.	Department.
	901	
	743	
	905	
	926	
	231	
	235	
	56	

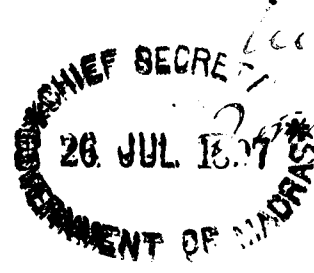
FURTHER PART

G.O.	No.	Department.

20.

CURRENT NO 2778

His Excellency the Governor
in Council
at Saint George
at a meeting.



The humble petition of
Rajamanicam Pillai & others
inhabitants of Annayisam
Village Villapuram taluq. South
West Coast M.R. Ry. R. Padman-
tha Rao. 3/4 Annamathurayam
local tract Enipicam illadras.
Copy please send to the Hon. Secy. in Council.

We the petitioners beg to
enclose as appended I our printed
petition to the Board of Revenue
as also the Board's order thereon
no 2385 dated 12th July 1897 Enclosure
H together with Enclosures A. A. B to G.
The case is briefly this:— (a) A certain
person in Madras, a village owner
to some extent in the use of public
building materials for the erection
of some religious building in that
village. (b) The Sub Collector Thuraiyur
has been asked to take steps to prevent

with the materials of two ruined
Hindu Temples of our village viz
(1) Kattani Kuni & 2 Atta Kuni

We replied that we
were going to have a religious
building in our village &
would therefore part with
Atta Kuni at all & that in the
connection that the materials
are utilized only for religious
purpose, we would part with
the other temple - Kattani Kuni
except the idols which too
we wanted.

vide para of appendix I.

(C) The District Officer,
in view of the expressions of our
views proceeded to sell away
both the temple materials and
the Chinnasamy Reddy of
Draikam - an influential
person purchased them.

At the time of purchase
the materials were sold
sold & purchased in the presence
of several persons - some of the
and other materials of the two
temples were taken.

(D) ~~the District Officer~~

(E) He clandestinely removed
some of the easily portable things &
gave notice of the disappearance of the
idols.

(F) Neither our claims nor
the conduct of the so-called friends
in concealing a few small things
deserved due critical inquiry as
the matter deserved.

(G) Raghava Pillai who
is the most respectable member
of our village was first chosen
as our representative. Since
to have played false to us by
subordinating the communal
religious interest to a personal
interest of his own. His brother
being the village Munsiff of
the village, he began to feel
that if he were to proceed to a
denunciation that some
small things were found
out & carried his brother the
village Munsiff might be
brought to trouble for not
having looked to them at once.
He dropped the matter & said
the witnesses need not be
examined.

(H) The consequence
was that the Collector took
the

the temple sonamaker to the Government
property & that the Government were through
the action of the land & entitled to get a
portion of the property as such sonamaker to
feel himself precluded from giving
over to us a village. That portion
which he claims for Government.
Inasmuch as one of us Raghava Pillai
lost a what they by his misadventure

3) Also the sound of my prayer was
a fallow;—

(a) Enrolled I. - The 9th having
ceased to hold its guard and the temple
(which they were under Reg: VII of 1817) the
said Norampoke are now the property
of Government or they are some sign for
or taken as trustees.

There have been many
Sov. & B. So. saying that Emil Voranulko
belong to the village community,

The present state of the
all best evidence in the case show
that the same is a matter of policy that

The de facto commission
The collector makes no distinction, in favor
of the collector as an agent of Government &
absence of the Government, the passport

11100

Has found in quito. a resolution
of our com^{tee} right

Enclosure & being collect
proceedings date 2-10-79. runs
as follows:—

10. Progress of the collection of Kantax
 dated 10-7-97.

Read the following —

I again push in their office
"Belongs to the Generalissimo."

"Encanto de las uvas"

" 2 Board's prog. Laid back $\frac{10}{1.7}$

"raising a storm The Dance
wells.

"Raghuvar Pilly on Behalf of the
"Inhabitants of the villages of
"Kumara, is now having claimed
"to be the owner of the site of
"the ruined temple where the
"creature was found, proceeds
"are staged under Section 13
"of the Act & the villagers
"are informed that they may
"do so as a measure to secure a suit
"in the event of a failure
"to place the land in the hands of the Government."

will this be seen that the collector,
the accidently in para 6 of B.P. No 2385 and
a copy of which has been withheld from us,
he refers us to a civil court to get a
decision that the ruined Hindu
Temple belongs to the village in which
it is situated or that it does not belong
to Government.

We know for certain that
this point has long been settled & more
clearly. So since the passing of the act
of 1863. There have been many
Gos & B.P. on this point & we do not
see why the Govt. should now put
us. now refer to the trouble, cost etc.
of a civil suit merely to establish a
self evident truth which the
Govt. never disputes.

to clau 13 of the Encumbrance
act refers the parties to civil courts
But in a case in which the ownership
of the site is not claimed against us
by any body else than Government
itself. a reference to a court is not
necessary. It is only when the two
claimants cannot agree to a settlement
of this dispute among themselves, that

interference of a court is
necessary.

Or in other words if
after excellence in council
should be after a study of the
history of Hindu Temple on
the presidency as regards this
management.

2. After looking up all
the previous B.P. & Gos. about
Hindu Pantheons

(3) after consulting the
Advocate General if necessary
- After doing these things
after excellence in council
is still of opinion that Hindu
Pantheons are the property
of Government as state or not
even trustees of community
it may be felt that we, now
right, may be introduced
that the Govt. holds itself as
owners of the site & that we
might seek redress in civil
courts if necessary

Under these circumstances

Enclosure in Council will
kindly look into the records
& withdraw in behalf of Govt.
the claim to the site, which the
collector has now set up against
us & which he asks us to get
settled in a civil court. We
pray also that he acknowledge
as owners (collectively) of the
Kovil Ponnambal of the village
& thus enabled to get the fault
so far as that part unclaimed
by collector for Government
is concerned.

In Enclosure II I am granting
for arguments sake only
that we are not the owners
of the site in the technical eye
of the act yet in broad principles
of justice or at least as a matter
of Grace & in consideration
of the religious importance
of the site we pray that the
Government will kindly be
pleased to direct the collector
to make over to us the part he
claims in behalf of Govt.

an Enclosure 4.

He says that we lost our claims
to Grace by the unconsidered
of ourselves in the present

(3)
We invite attention to the
16.17 & 18 of Appendix I.

5. Enclosure III. Having prayed for
the fault part, owners of the
site & having next prayed for
as a matter of Grace, we beg at
to point out that if Govt. be looked
upon as owners, it cannot be
in their capacity of a stake holder
only as Trustees for the village
community. & so the fault
claimed by us. Trustees must
of course go to us & we pray
that at least in this view the
collector be directed to make
over the fault to us without a
civil suit.

6. Enclosure IV. We being the owners
of the Kovil Ponnambal (collectively)
the sale of the materials of our
collection property viz. Ottakott
was absolute, illegal & ultra vires
& null & void.

No right can arise out of
an inequity or illegality. Hence
the finder gets no right at all.
We therefore pray that the collector
be informed.

It is clear that the temple was
in efficient order so lately as
1215 & hence the Idols
could not have been hidden.
exactly of 100 years as
resigned by sec 8 act 14 of
1878 vide para 11 Appendix I

The first evidence recorded
is a mere guess of young people
who had no knowledge of things
100 years old.

vide para 9:10 Appendix I

10 Ownership of Idols: the very nature
of the property found viz Idols
of Hindu deities & places of
worship & the very nature of
the places where they were found
viz the temple, it is very clear
that some of our forefathers
at the accession of some of us
truly & sincerely had established
the Idols there as they were the
owners thereof. There is nothing
to rebut this very strong natural
presumption. Hence we pray
that as owners of the Idols also
(as well as owners of the site)
we may be all agreed to have
them for ourselves to our mutual
satisfaction of religious
feelings.

We pray that no suspicion of
the case your Excellency in
Council will kindly be pleased
to return to us the Idols of
our Hindu deities, established
by our forefathers, in our
village temple & thus spare
the us the utter distress of mind
& wound of religious feelings
caused by our having been
unjustly deprived of the objects
of our religious worship.

It is thus all justice &
for as we shall ever pray for
them.

சென்னை நகரில் 1878

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Public (1897) Department.

CURRENT No. 2779

Order

From

Rajamanikam Pillai
and others, Gennayirai
village. S. Arcot.

No.

Dated

23

Received

26

Registered

27

7-97

Enclosures

-1

Spare copies

SUBJECT.

Forwarding Proceedings
of the collector of S. Arcot
re the site of ruined temple
and requesting that early
orders may be passed on
their petition dated 21-7-97
re treasure found obtained
from the above place.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

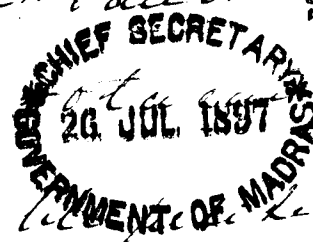
23rd July 1897.

20.

CURRENT No 2779

His Excellency the Governor in Council

Direct Saint George



Due humble petition of

namam Pillai & others Rags

of Chinnayisam Village Villapuram

Tamir South District Case of

Madrasa Khan Rao & others

Madrasa Khan Rao & others

Triplicane Madras.

May it please your Excellency in Council

that the petitioners in 9 to
enclose the Draft of the Collector
of South District dated 10th July 97.
referring to a civil suit with
a grant from the Government.

2. In our petition dated 24th July 1897
we have laid our case before
your most Gracious Excellency
in Council from which it will
be seen that the questions
at issue are (1) whether the land
belongs to the village
community collectively or to the

2) Up to Government

whether they belong to Government
as guardians or trustees of
communal rights or as sovereigns
of State.

3 Courts of Judicature are
intended only for parties that
should not come to a decision
among themselves. In this case
the contending parties are the
Government (represented by
the collector) on the one side
and the Rayots on the other.

We conclude that Civil Preamble
are also because the law is
so interpreted by all lawyers
and by the C. & B. P. already issued
on the subject. If however
the Government go into the question
they will be consulting the

Advocate general if necessary,
come to a decision that they are
the owners of civil Preamble
too, as Sovereigns, we may,
perhaps think it not worth
the trouble of going against them.

We have been given very little
time for a suit from 10th July -
we are afraid we have no

to wait long.

since we earnestly pray
that as an intermediate order
pending the decision of Court,
in due course in our petition
dated 21.7.97 now existing
in Council will kindly be
issued to the collector. The collector
order dated 10/7/97 & leave the
case pending so that when the
decision of the Government has
been passed in due course,
we may be able to come within
one month's time from the date
of the order which the collector
may hereafter pass on the decision
of Government, if unfavorable
we shall have yet to think of a
Civil Suit.

We pray for an early order
in this petition to be despatched
to us so as to reach us before
the end of July, so that we may
have time enough to prepare to
file a suit in time.

For this act of public and
private law.

Feb.
29.
1,000-1-0-07.

Public (1897) Department.

CURRENT No. 2780

Petition
From
Rajamanikam Pillai
and others
S. arrest.
No.

Order

Dated 23
Received 26 } 7-97
Registered 27
Enclosures - money with left.
Spare copies -

SUBJECT.

Requesting that instructions may be issued to stop the sale of some treasure found in a ^{ruined} temple site pending disposal of their appeal to Govt.

சென்னை மாகாண அரசு
பொது (1897) துறை.
தற்போது எழுப்பப்பட்ட
கேள்வியைக் கவனமாகக் கொண்டு
பிரதான அமைச்சர் அவர்கள்
பதிலளிப்பார்கள்.
சென்னை மாகாண அரசு
பொது (1897) துறை.
தற்போது எழுப்பப்பட்ட
கேள்வியைக் கவனமாகக் கொண்டு
பிரதான அமைச்சர் அவர்கள்
பதிலளிப்பார்கள்.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

23rd July 1897.
CURRENT N 2780

His Excellency the Governor
in Council
Fort Saint George,
Madras.

CHIEF SECRETARY
GOVERNMENT OF MADRAS
26 JUL 1897

The humble request of the
petitioners Raja Maricca Pillai
& others Rajas of Annayiram
Villapuram with resort.

It is, please your Excellency, in
our petition dated 10th instant against
the Board order no 2385 dated 12th
July 1897 we have submitted
for the order of your Excellency
in Council the nature of our
claims to the Idols of the
deities known by the Collector
as Treasure Idols. The idols
were found buried in the
temple in our own village, in
which our forefathers had placed
them. But the collector very
unwisely took them out of
the temple and then

Stopping the sale of the Libels
until the penal disposal of the
Government appeals are settled

2) Cancelling the collections
proceedings $\frac{1866}{10-7-97}$ under J

For this act of justice
I forever be shall ever pray.

Handwritten signature

[illegible]

18th 11-8-97
113-8

[G.]
4,76
500-25-11-96.

H.M.

H. E. THE GOVERNOR.

THE HON'BLE MR. BLISS, C.I.E.

THE HON'BLE MR. GROSE, C.I.E.

Public Dept

C. No 2778, 2779 & 2780

SUBJECT.

Treasure Trove Case
from S. Arcot.

CS

FOR ORDERS.

The current contains an appeal of the people of Innayam village in S. Arcot against a decision of the Collector in a Treasure Trove Case, which has been upheld by the Board of Revenue. No record appeal lies to Govt and as far as this part of the correspondence for the disposal is simple.

The treasure in question consisted of idols which were found while excavating on the site of a ruined temple. The petitioners say that the site, being

temple ground, belonged
to the village, and, as
found by the Collector, to
Govt. they failed however
to file a suit under
sec 14 of Act VI of 1878,
their intention is unclear.
They now ask, in case no

2778 () that as an act
of peace in the business
of peace the idols, which
are sacred, should be
handed over to them.
Others are solicited as
to whether any action
should be taken if
this request. The Collector's
decision has been formally
clearly arrived at,
and if the village people
are so anxious to obtain
possession of the idols
they can purchase them

I think that this is what should
be the disposal but as the
treasures in this instance consist
of idols and that many countries
have the village should be
allowed to have them I
submit the papers to him.
The Museum does not require
them but

15/8/97

If the rights had acted in a straight
forward way, I should have been
disposed to let them have the
idols as things are, I don't
nearly so much intend to interfere

880
12/8/97

The Collector in his
proceedings at I has
already recorded his opinion
with the people of the
village, through the misconduct
of their representative, have
forfeited all claim to
consideration on the part
of Govt.

If this request is to be
considered a report will, it
is submitted, be necessary.
Let the facts of the case
seen to call for nothing but
reply that no second
appeal lies, & that the
villagers have the opportunity,
if they desire to avail themselves
of it, of purchasing the
idols at the auction.

A.L.

4/8/97

Public Dept

Cs 2778,792

CS

Order W. 1070 & 16 aug 97
mis

The petitioners will
be informed that the
Collector's decision has
been upheld by the Bd
of Res and that no
second appeal lies
to port.

2 The petitioners
have the opportunity,
if they desire to avail
themselves of it,
of purchasing the
idols at the auction

(from orders)

hs
16-8-97

aw
13/8/97

MS.
14/8/97

To
The Petrs with
Enclos at } gall

Dec 12 20/8/97