

Public (1898) Department.

ORDINARY MS.

G.O., No. 731

Dated 4-6-98

[Desp. ch Abstract.]

Stating that the font sees no objection to the acceptance by the Hon'ble Mr. Arundel of the compensation offered to him by the Ootacamund Municipality for the destruction of a portion of the avenue in his property, Dunmore, in consequence of the construction of a high level road through it.

T
6/6/98

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 (1898) Department.

Ord No 1193 of 25 May 1898.

Will Rev^{rs} kindly take order on
this amount with reference
to the note attached?

CURRENT No. 17/2

MK
21/5/98

To Rev^{rs} Dept (Hos)
Order

No. 3.5.98

From

The Honble W. J. Arnold
Notary General

No.

H. & C. C.

Dated 18 May 98

Received 120. " "

Registered

Enclosures -

Spare copies -

The sum is lifting
a ~~there~~ is justly due - it
is compensation for loss
sustained in consequence
of the acts of a public
body, for which the law
awards statutory com-
pensation.

75
3/7/98

There seems to be no objection.
The transaction is not a trading transaction
& the produce paid for was not
"produce grown for profit".

SUBJECT.

Requesting the orders of Govt
as to whether he can receive
compensation from the Municipality
for the destruction of his avenue
trees by that body in making a
certain road which passes
through his property "Bannere".

Further, he might have compelled the M.C.
to take up the land under the Act & the
trees with it & pay 15% in addition to the
value - He might have taken the value
determined; if he might
take the whole & the

may take about
15.

BACK PAPERS.

GO.	No.	Department	Date
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FURTHER PAPERS

GO.	No.	Department	Date
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Dunmore,
Ootacamund,
18 May 1918

From
The Honourable Mr A. J. Arundel, I.C.S.,
To
The Chief Secretary to the Govt
of Madras.

Sir,

I have the honour to submit the following matter for the orders of Government.

2. The Municipal Council of Ootacamund have commenced the construction of a high level road on the south side of the Lake and the section through Bishopdown Estate into Cluny has been completed. The first section of the road passes through my property, Dunmore, and I have agreed to give the land necessary to ensure a proper width to the road. As however a considerable portion of my avenue must be destroyed in making the road I stipulated that I should receive as compensation for such destruction the amount which the Municipal Council might determine to be the market value of the trees. In accordance with this stipulation the Chairman of the Municipal Council has sent me a cheque for Rs. 118-5-0.

3. With reference to paragraph 3 of the Government of India Letter printed on 17th 4/30 October 1885. No 2527 (Public) I have the honour to enquire whether I may accept this compensation. The instruction of the Government of India is that "the sale whether public or private of any produce off such lands will under no circumstances be allowed". The trees to be removed are undoubtedly "produce" in a certain sense, but the preceding part of the same sentence refers to "cinchona, tea or other products which have a commercial value for purposes of profit," and avenue trees which are grown for appearance or shade cannot be classed under this head. Moreover I have no desire to part with these trees and only consent to their removal on public grounds to meet the wishes of the Municipal Council.

4. As the transaction might be regarded as an infingement of rule I beg leave to request the orders of Government.

I have the honour to be

Sir,

Yours Most Obedient Servant

As this affects ~~me~~ personally, Rev. may be requested to obtain ~~the~~ order sh. should go out in Public.

Rev.
20/10/85

Read letter from the Hon
Mr A.T. Arundel. D.C.S.
case 3766 of 1898.

G.P. No 731. of 4th June 1898.

The Govt sees
no objection to the
acceptance by the
Hon'ble Mr Arundel
of the compensation
offered by the
notarized muni-
cipality.

W.R.
S.B.S. [Signature]

From orders.

To the Pub Dept U.O.

To the Hon'ble Mr A.T. Arundel, D.C.S. (9)

S.A.
2/6/98

When given for copying _____
When copied _____
When examined _____
When signed _____ } 189 .

READ AGAIN G.O., No. _____, DATED
189 ,

CURRENT No.

ENCLOSURES TO G. No

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH AUTO.

PAPERS NOT FILLED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

F. W. W.

20-8-26 ✓

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