

Public Works (1894) Department.

RAILWAY BRANCH.

G.O., No. 96R

DATED 13th February

[Despatch Abstract.]

Suit. — The — proposed to be instituted in connection with the recovery of compensation overpaid to the Mohasadas of Krishnaram on account of lands taken up by the East Coast Railway. —
Sanctioned.

BACK PAPERS.

[illegible]

FURTHER PAPERS.

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

1. Delegation Board of of District Commissioners
 December 1891.
 McKenzie Esq, District Judge
 in Cases 14 & 15 of 1891.

John

Mr. Charles Clark
Revenue Dept

Claimants.

20

The Head Clerk
P. V. D.

Final disposal on 2^d day. Drummer
is that judge, the Labilit of Barlier
to Alimi Varkatesimud as chairman of
B. Rangachari, Vakil for the claimants
relates:-

Please send
by first messenger
tomorrow two cyclo-
-styled copies of Es.
of 13 Feb'y 1894 wth
96 R with its
connected ~~pages~~
copies.

attainment of compensation as shown
in a line going by the East-bow ship
which represents that there were two
who expressed and say that line has been
year 1884. This may have been with
murders without evidence that they
for twelve years. I must decide
by of the sick handers.
compensation the Deputy Justice for
yard, but the sick handers claim
was called who depose that this rate of
was taken line. The Exemption
of Section 53 but the law not apply. The
law that 3 annas is sufficient. The claim
that 4 annas may be given. I was not to
be called by the court and may be given.
I prefer one anna and five paise 5 paise is

Recd
5-20/1919

21/2

T_c

Re:

21

Two spare copies were sent
to 440 Fleet St. Dep't 23/9/4

Dr. J. A. Allen, Jr., 215 E. 1st St.

10. *Stachys recta*, L. f. *Stachys recta*, L. f.

and 12/15 of 1891 are covered by the

Kelley - 8 -

10
5

57476 15-5-

Cor. 111
Huntington, N.Y. Judge

G.O.	No.	Department.	Date.

1. Chintapattu Rangayya
2. — to Peda Venkatarayya
3. — to Shina — to —
4. — to — Ramayya —

} Chaimanto.

This case coming on for final disposal on 23rd day of December 1891 before G. V. Mackenzie Esq., District Judge, the Exhibits of Ramliel Baley as Collector's assessor and Abhin Varkatesimulu as claimant to assess, in the presence of Mr L. Rangabari, Vakil for the claimant the Court made the following order:-

1. This is a reference for the settlement of compensation on or as
2-to which has been taken up for a time quarry by the East-land - 1854
2. The Department of Public Works represent that there are two
kilns on the land erected at Govt expense and say that lime has been
excavated here from before the year 1854. This may have been with
tacit permission of the Mookhaunders without evidence that the
Govt has held the land adversely for twelve years. I must decide
that the land is still the property of the Mookhaunders.
3. With reference to the rate of compensation the Deputy Collector
has offered two annas a cubic yard, but the Mookhaunders claim
4 as a cubic yard. Two witnesses are called who depose that this rate of
four annas is paid by the neighbors who take lime. The Executive
Engineer of Ellore cites paragraph 5 of Section 25 but does not apply. The
Collector's account gives his opinion that 3 annas is sufficient. The claim-
ant's witnesses give his opinion that 4 annas may be given. I cannot settle
the claimant's account that 4 annas is sufficient. I cannot settle
The Collector will hear the case of the reference to the 5th of the 1854
for 1854.

25 Dec 1891. / 25 Dec 1891. / 25 Dec 1891.

Klein'sche Verklebung.

Memo of costs in compensation case of 15 of 1891 costs incurred by the
 Librarian. Stenokhod V. Kulevskii — " — 8 —

Stump for V. K. L. 5	8
Flowers fee	10
Expenses fee	5
	15

Costs incurred by the Collector: ^{Rs.} 10/-
Paid by B. Chakravarti, ^{Rs.} 10/-

from 1st April 1892 to 30 June 1892.

8. Thus the defendants are entitled to compensation for 21250 cubic feet + 3250 cubic feet at Rs 226-13-8 at 4 as a cubic yard + Rs 15-8 -- Costs of compensation reference making a total of Rs 242-5-8.

9. On the notices issued by the Tahsildars of Vizag and the Head Assistant Collector, the Muthasidars paid into the Government Civil Treasury Rs 3071 on 8-4-92 and gave a statement before the Revenue Inspector that they would pay the balance within one month, but on 31-5-92 they only paid Rs 861-8 -- and did not pay the remainder in spite of another notice and on 1st Assistant Collector informing them that the Judge decided that payment at Rs 4 -- a cubic yard or cart load meant 4 as a cubic yard or cart load amounting to one cubic yard and that if the sum be not paid within one week from the date of the service of the notice a Civil Suit would be instituted against them. The notice was served on the Muthasidars on 9th September 1892 and no payment has yet been made.

10. The Plaintiff therefore prays the Court to decree the amount of Rs 158-2-4 together with interest at 6 percent from 13-4-92 on the said amount up to the date of payment with further interest up to the date of payment to be paid by the defendants and costs of this suit or other equitable relief which the Court thinks proper.

Signed / Dyed & Co.
for Dy. Collector

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Consideration from the Revenue Department, dated 6th February 1894. Read the following

Letter from the Dy. Collector of Vizag, dated 13th April 1892, to the Secretary of the Public Works Department, dated 12th January 1894.

On 2-10-92 of Keithmaram, a Hindu, who had been notified for quarrying stone for the East Coast Railway, issued a notification published in the Mysore States Gazette, dated 13th April 1892. The Dy. Collector of Vizag had been notified to report the quantity of stone quarried in terms of cubic yards in all the quarries opened by him up to 31st December 1891, and in reply furnished with a statement in which the quantity quarried at Keithmaram was shown as 21,250 without mentioning this quantity as cubic feet or cubic yards. The Dy. Collector presuming the figure to be cubic yards, issued an order at the rate decided by the District Court, and issued a cheque in the owner's favor for Rs 5328 (Rs 5312-8 -- the cost of 21250 cubic yards + Rs 15-8 -- the cost of the reference to the District Court awarded to the owners). The cheque was cashed in the Bangalore Civil Treasury.

3. It has been subsequently reported by the Executive Engineer, Mysore Division that the quantity 21,250 represented cubic feet and not cubic yards. The Tahsildar was then ordered to collect the excess paid to the parties of Rs 5115-11-10 -- (Rs 5328 minus 212-4-2 the cost of 21,250 cubic feet including Rs

* Copy preserved.

5. According to the Executive Engineer, Elmore Division, account the time from Monday, Jan 1st 1892 to 31st March 1892 was 3250 cubic feet. The value thereof added to that of 21,250 — cubic feet and the cost of reference Rs 15-8-0 comes to Rs 242-5-8. Deducting this sum and Rs 3071-0-0 and Rs 861-8-0 paid by the owners there is still Rs 1153-2-4 due from them. The Executive Engineer, Elmore Division, Capt. Genl. Raimay informed the Head Assistant Engineer that his account of Kunkur quarried in 1892 is correct and that he would not admit the claims of the headcarriers in court lands. (With copy of his letter enclosed). The Head Assistant Engineer issued a notice on 4th November 1892 informing them that the Judge was of opinion that compensation should be paid at Rs 1 cubic yard over the land amounting to one cubic yard, and that in case of their not paying the amount of Rs 1153-2-4 due from them, he could suit be brought against them. The amount has not been paid by the headcarriers and the Head Assistant Engineer proposes to sue them in the Civil Court.

Proceedings of the Board of Revenue (Land Revenue),
dated 29th January 1894, at B. L. S. C. O.
Recd letter from J. A. C. Robinson Esq. Secy. Collector
of Distt., to the Secretary to the Commissioners of Land
Revenue, Madras, dated 12th January 1894, No. 176 of 94.

Document to the Public Works Department
signed by the
Secretary to Government.

Order. Trans. c 1896 R, dated 13th February 1894.

The institution of the proposed suit
is sanctioned.

/Gibbs & Bart-

Prof. F. R. Tappan,

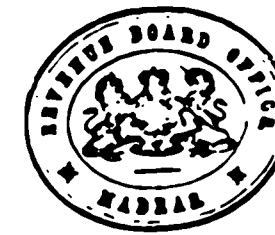
June 27th 1874 F.A.Q. Ry. 13th:

By

N.Y. Revenue Department and Lines
 " Collector of Customs
 " Judicial Department
 " Manager, East Coast Railway
 " Examiner East Coast Ry. assets

B.

No 96 R of 13 Feby: '94.



Proceedings of the Board of Revenue
(Land Revenue).

Dated 29th January 1894
No. 402. Mis. Routine

READ

Letter from J. N. Atkinson Esq., of Collec-
tor of Krishna, to the Secretary to the Com-
missioners of Land Revenue, Madras, dated
12th January 1894, Dis: No. 176 of 94.

Resolution:-

Submitted to Government with
the recommendation that the suit propo-
sed be instituted.

2. The Head Assistant Collector's
Carelessness in not ascertaining the di-
mension which the figure 21250 was
supposed to represent is much to be
regretted.

True extract

To
The Secretary to Government,
R.D. with Collector's letter & its
2 enclosures to be returned.

Secretary.

941
Revenue 1894 *Sept*

Board of Revenue

(Land Revenue),

MADRAS.

Revenue Department

To

Endorsement.

The Secretary to Government, *Transferred to the P.W. Dept.*
Revenue Department,

B. No 96 Rd/13-2-94.

Recd: 8.2.94

Recd 31 Jan

Proceedings, dated

29 January 1894
No. 402

Subject.

Submitting to Government, with
remark, and with Board's re-
commendation letter from the
Collector of Krishna requesting
sanction for the institution
of a suit for the recovery of com-
pensation overpaid to the
brothasaders of Krishnava-
ram on account of lands
taken up for the East Coast Railway.

J.C. 16/ii

With an endorsement.

Chalton
Secretary to Government.

List

CP.

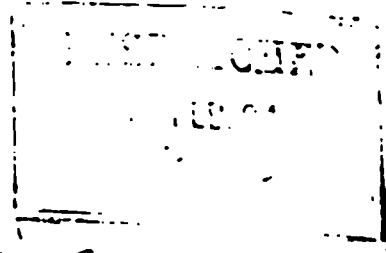
3 Feb. 94.

East Coast Railway
3 February 1894

Under Memo. No 96 Rd/13-2-94

The institution of
the proposed suit is
sanctioned.

J. M.



- The Revenue Dept. with 3.
- Collector of Krishna
- Judicial Dept.
- Transf. East Coast Rly.
- Ex. C. R. Am.

et

17/ii