

Revenue ^③ Department

Minutes of Consultation

1st Oct 1857

Back No 3-A

Order no 1006 of 30th Sept 1857

புறக்காப்பு பிரதி-1

செப்பாபுரம் பெயர் *ரீ கீ வினாவினா*

செப்பாபுரம் காலம் 12/2006

செப்பாபுரம் காலம் 02/2007

செப்பாபுரம் *செப்பாபுரம்* *செப்பாபுரம்*

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3/10/86

Fort Saint George, Revenue Consultation of 6th October 1857

No. 3. Read the following Extract from the Proceedings of the Board of Revenue; dated 16th September 1857, No. 3072.

Read again letter from the Collector of Trichinopoly dated 3rd December 1856.*

Read also letter from the same officer dated 7th May 1857.†

(Here enter No. 53.)

In his letter first recorded, the Collector states that the Nos. 2525 and 2858 of 1856, land referred to was granted to petitioner's family to defray the annual expences at a certain tomb, and it appeared from enquiry that its usufruct was mortgaged years ago to the occupants of the soil who now refuse to pay Melwarum without the previous redemption of the mortgage; petitioners deny the mortgage and claim rent.

3. The Collector also expresses an opinion that the enam is not a service enam properly so called, and also that Regulation IV. of 1831 is no bar to the institution of a suit against the tenants for recovery of the rent or share of produce claimed.

3. The Board concur in the view that it is not a service enam in the sense used in Regulation IV. of 1831, and they are of opinion that the case is adjudicable by the Courts, and that there exists no objection to the petitioners filing a suit, if so disposed for recovery of the rent.

4. From the Collector's second communication replying to Board's Proceedings of 27th February, calling for a tabular statement and further information on the subject of this enam, it appears that Nunnabeebee petitioner (in Nos. 2525 and 2858 of 1856) who has since died was daughter-in-law of the original grantee, and that she has been succeeded by her son Kajah Kadree the direct lineal heir. Sooltan Bee, petitioner in No. 729 of 1857, is her sister and has no claim to the property.

5. As therefore it has been found that the enam is not a service one but was granted for a specific purpose, viz. for the expences of ceremonies at a tomb which do not now appear to be rendered, the case will be reported for orders on the death of Kajahkadree.

6. Ordered that copy of these Proceedings be submitted to Government, with reference to the endorsement on petitions Nos. 2525 and 2858 of 1856 and No. 729 of 1857, and that copy be also forwarded to the Collector of Trichinopoly for his information.

(A true Extract.)

(Signed) L. FORBES,
Acting Sub-Secretary.

No. 4. ORDER THEREON, No. 1006; dated 30th September 1857.

1. The Board of Revenue now report upon Petitions Nos. 2525 and 2858 of 1856, and 729 of 1857.

It appears that the Collector of Trichinopoly reported on 3d December 1856, that there was no objection in his opinion to granting the Petitioners the permission they sought to sue the cultivators of their enam land for the Melwarum which they are stated to have withheld. The Board, in their Proceedings of 12th February 1857, No. 610, called for a tabular report of the case, and in his second letter, No. 53 of 7th May 1857, Mr. Bird explains

Para. 2. "that it is impossible at this distant period to submit the usual statement of the last lapse;" that Khajah Kadiry is now in possession of the enam, that Nunnabeebee, one of the Petitioners is dead, and that the other Petitioner still seeks permission to sue the cultivators.

2. The Government observe that Khajah Kadiry who is reported to be now in possession, has signed the Petitions, and there can be no objection to either his or Sultan Beebee's suing the actual holders of the lands, who are in a manner their sub-tenants; it will be for the Courts to decide whether Sultan Beebee has any individual claim.

Port Saint George, Revenue Consultation of 6th October 1857.

3. Ordered that the following endorsement be made upon Petitions 2525 and 2558 of 1856 and 729 of 1857.

"The Government permit Khajah Kadiry and Sultan Beebee to sue the cultivators of the village of Wadoor, for the Melwarum which they allege to have been wrongfully withheld from them by those parties; but this permission is granted on the distinct understanding that the eventual claims of the state will be in no way affected by the Court's decision."

4. The Government must notice the delay that has taken place in the disposal of this Petition: the Collector's last letter was upwards of four months under consideration by the Board.

(Signed) H. FORBES,
Acting Secretary to Government.

23
25/6 1856 *Revenue Consultation*
No 3072

Extract from the Proceedings of the Board of Revenue,
dated 18 September 1857.

Received from the Collector of
In Com 27th February 1858, dated 3rd December 1856.

Also letter from the same
In Com 18th September 1857, dated 7th May 1857
(See into 1853)

In his letter just received the Collector
states that the same request to issue a grant
No 2525 & 2558 of 1856 to Khajah Kadiry to repay the amount of
2000 Rs. of 1857.
for the same is a certain sum and it appears from
the report that the same was never paid
to the occupants of the land who were
to pay Melwarum without the
payment of the same of the land. It is
also stated that the same was never paid.

The Collector also reports in a letter
that the Court is not a decision in favor of
the petitioners and also that the petition of
1857 is in bar to the institution of a
suit against the tenants for recovery of the
land or share of produce claimed.

The

The Board agrees on the view
that it is not a Service Grant in the
sense used in Regulation 11 of 1881 and they
are of opinion that the case is registrable
by the Courts and that there exists no objection
to the Petitioner filing an appeal if so directed
for recovery of the rent.

From the Collector's second communica-
tion replying to Board's Proceedings of
27th February calling for a tabular statement
and further information on the subject of
this Grant it appears that Munimath's
Petitioner (No. Nos 2535 & 2538 of 1886) is a
Sinner and was daughter in law of the original
grantee and that she has been succeeded
by her son Nijah Radue the next legal
heir. See also the Petitioner in the 7th of 1887
as her son and has no claim to the property.

As the fact has been found
that the Grant is not a Service Grant but
was granted for a specific purpose viz
for the expenses of munimath at a time
when the fact was apparent to the
revenue the case will be reported for
order on the death of Nijah Radue.

Ordered

Ordered that copy of this Reso-
lution be submitted to Government with
the documents in petitions Nos 2535 & 2538
1886 and No 729 of 1887 and that copy be
forwarded to the Collector of Trichinopoly
for information.

(This Extract)

1/10/88

J. J. Foster.

Police Sub-Stationary

Mr

Mr J. J. Foster Esq.

Police Sub-Stationary to Government

Police Department

5/1006

Oct 1886

Abstract from the Minutes of Consultation
Held at the Bureau of Patents

Read the following
Extract from the Proceedings
of the Board of Review.

Resolved: That the

The Board of
Review have received
Petitions of 1886 and 1887
of 1886, and 1887.

It appears that the
Collector of Patents, fully
reported on 8 December
1886, that there was no
objection on his part
to granting the petitioners

Received 1887, 1888, 1889

1889

Abstract from the

Minutes of the

Board of Review

Oct 1886

3 Books of

1886, 1887, 1888

the Board of Review

the Board of Review

the Board of Review

the Board of Review

the Board of Review

the permission they sought
to use the Cultivators of
their human land for
the cotton which
they are asked to have
cultivated. The Board,
in their Proceedings of
12th February 1857, p. 610,
called for a Tabular Re-
port of the case, and in
his second letter, p. 53
of 7th June 1857, Mr. Bird
explains that it is im-
possible at this distant
period to submit the
usual statement of the
last paper; that Thajab
Hudry is now in posses-
sion of the Enam, that
~~James~~ Beebe, one of the
petitioners is dead, and
that

p. 2

that the other Petitioners
still seek permission to use
the cultivators. ²/₁₀₀₆
The Government ob-
serve that Thajab Hudry
who is reported to be now
in possession, has signed
the Petition, and there
can be no objection to
either him or Sultan Beebe
being the actual holders
of the land, who are in
a manner then sub terrā
it will be for the Board
to decide whether Sultan
Beebe has any valid
claim.

Ordered that the
following endorsement
be made upon Petitions
2025 and 2808 of 1856
and 729 of 1857.

The Govt permit
Whipple & Keating and
Arthur Beebe to see the
cultivators of the Village
of Weston for the most
warmer objects they allege
to have been wrongfully
withheld from them
by these parties, but
this permission is
granted on the distinct
understanding that the
eventual claims of the
State will be in no way
affected by the Govt's
decision.

The Government
must notice the delay
that has taken place
in the disposal of this
land. The Govt's
last

last letter was forwarded
of four months under
consideration by the
Board. J. G.

Copies to the State
with L. M. G. 1st Dec.
1-10-1874. Copy with J. M. G. 1st Dec.

Miner 1857 Rich. H.
All to Com. 6th Oct.

No. 1000

Contract. Min. of com.
Date 30th Sept. 1857

Ordinary can
clawed from the Rhine
Hindry. It was a black
bird and in the 2nd of
October, 1857, the bird
was taken by the Min. of
com. for the 1st time
which they allege to have
been successful in doing
from them by their father

1857 3 4 1

6/20

25/10/57