# Revenue Department

M. C. dated 24th February 1857

Back Nos. 23-24

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Order No. 186 dated 20th February 1857

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர் S. விமலா

செப்பனிடுவதற்காக
எடுத்துக்கொள்ளப்பட்ட நாள் 6/2006

செப்பனிட்டு முடித்த நாள் 8/2006

| | | |
|---|---|---|
| 8/11/06 | 17/11/06 | 21-11-06 |
| சரிபார்க்கும்<br>முதல் மு.நி.பா.எ.<br>கையொப்பம் | சரிபார்க்கும்<br>2ம். நி.பா.எ.<br>கையொப்பம் | ஆராய்ச்சி<br>உதவியாளர்<br>கையொப்பம் |

-2-

# *Fort Saint George, Revenue Consultation of 24th February* 1857.

186

No. 23. Read the following Petition *from JANAKY BHOY UMMALL; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George; dated 13th November* 1856.

SIR,

Accompanying I beg to submit a Memorial in triplicate, which I will thank you to forward to the Honorable the Court of Directors by the next Mail.

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P. S.—The following documents accompany the original copy of the Memorial. The tamil documents are accompanied with translations in English.

### LIST OF DOCUMENTS.

A. Letter from Collector of Tinnevelly to Board of Revenue under date the 14th March 1851.

B. Do. do. do. 6th August 1851.

C. Futwa of the Pundit of the Zillah Court of Madura under date 14th September 1824.

D. Futwa of the Pundit of the Provincial Court Southern Division under date 16th October 1829.

E. Decree in O. S. No. 32 of 1829 of the file of the Auxiliary Court of Tinnevelly dated 31st December 1829.

F. Razeenamah in O. S. No. 32 of 1829 before the Auxiliary Court of Tinnevelly dated 9th May 1833.

G. Petition to the Collector under date 11th October 1856, asking for authenticated copies of his letters to the Board of Revenue of the 14th March and 6th August 1851, with endorsement, refusing.

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No. 24. ORDER THEREON, *No.* 186; *dated 20th February* 1857.

Ordered that the Memorial which accompanied the above address be forwarded to the Honorable Court of Directors, and that intimation of its despatch be afterwards made to the Memorialist.

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

To
T. Pycroft Esq
Chief Secretary to Government
Sir Fort Saint George

Accompanying I beg to submit a Memorial in triplicate which I will thank you to forward to the Honorable the Court of Directors by the next Mail.

I have the honor to be
Your most Obedient Servt

P.S. — The following Documents accompany the original copy of the Memorial. The Tamil Documents are accompanied with translations in English.

List of Documents.

A Letter from Collector of Tinnevelly to Board of Revenue under date the 14th March 1851.

B Do Do Do 6th August 1851.

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G Petition to the Collector under date 11th Octr 1836 asking for authenticate copies of his letters to the Board of Revenue of the 14th March & 6th August 1841 with endorsement refusing.

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Copy [illegible] Letter
2/24th February 1857

186

1856 Desp. arr
February /57
No 3 of
[illegible]ky & Bhoy
[illegible]mmah

13 Novr 1856

Memorial in Triplicate
& 7 Encls
9 Do. Co:

[illegible] for Submission
[illegible] Court, a Memorial
in triplicate, praying for [illegible]
[illegible] transfer of the registry
of certain Villages in the Tinnevelly
District from the Name of the
[illegible] Ramasamy
[illegible]

A

No 186

Ordered that the Memorial which accompanied the above address be forwarded to the Honorable Court of Directors, and that intimation of its despatch be afterwards made to the Memorialist.

Fort St George
20th February 1857

5

The Honorable The Court of Directors
of the East India Company

The humble Memorial of Lanaky
Bhey Ummal.

Respectfully Sheweth,

1 That the Villages which your Pet. now desires to have registered in the name of her adopted son, were enjoyed by her husband's ancestors for several generations as well before ~~&~~ as after the Country came into the possession of the East India Company as appears by the 2nd Paragraph of the report of the Collector of Tinnevelly to the Board of Revenue (Copy of which accompanies) under date 14th March 1851.

A

2 - - - That upon the Country coming into possession of the Company in 1802, the Villages in question were entered & registered on as

as

permanent lease of Pons 1288 fanams 4 per annum in the name of Ragoonada Raw the father of your Petrs husband. In 1807 an addition of Pons 151 was made, at which rate the said Ragoonada Raw, & after him his son Ramasamy Raw your Petr's husband enjoyed them up to their respective deaths.

3 That your Petrs husband died in the year 1825, having previously thereto, & while of sound mind verbally directed your Petr to adopt Soobraw then 7 years old the son of her younger brother. That on the death of her husband the said Villages were registered in the name of your Petitioner.

4 That in 1827 your Petr in obedience to the directions of her husband adopted the said Soobraw, & bestowed on him the name of Ragoonadaraw after her husbands father.

5 From that date the said Ragoonada Raw has performed the funeral ceremoni of your Petr's husband, & of such members of

Petrs

Petrs husbands family as have since deceased.

6 That from the period of the said Ragoonadaraw attaining his legal age, now some twenty years since has been in possession of all Petrs property including the said permanently leased Villages, & has managed the whole of the family affairs, as is notorious to all the neighbourhood.

7 That as a further proof of the bona fides, & validity of such adoption, the whole property of the said Ragoonadaraw's natural fathers ~~property~~ on his decease passed to his other sons, the said Ragoonadaraw inheriting nothing in accordance with the Hindoo Law, by which a boy adopted out of one family into another ceases to have any right to share in the Estate of his own natural father.

8 That this appears by the first para of the letter of the Collector of Tinnevelly to the Board of Revenue under date the 6th August 1851. Copy of which accompanies

B

as

9 That as a further proof none of the remaining descendants of the original grantee in the female line have ever raised any claim to the said property - but that the indisputable right of the said Ragoonadarow as the adopted son has been acquiesced in by them upto the present moment as appears by the 4th para of the letter of the Collector of Tinnevelly to the Board of Revenue under date the 14th March 1852 - hereinbefore mentioned & referred to -

10th That shortly after the death of your Petr's husband, when the facts were yet recent in the year 1829 one Dadarow instituted a suit in the Zillah Court (No 32 of 18 against your Petr & her adopted son claiming the said property among others as the representative of your Petr's husband.

11 That in that suit the right of said Ragoonadarow was asserted & pleaded by your Petr. that in the course of that suit questions as to the legality of such adoption were put to the Pundits both of the Zillah & Provincial Courts - & that the responces in both C

cas

cases asserted the right of your Petitioner to adopt.

E A Decree was pronounced in favor of your Petr against which the Pltff appealed. The suit was remanded when it was compromised by

F Razeenamah in which the right of your Petr's adopted son to the property is fully acknowledged - Copies of the Original Decree, the futwahs of the Pundits & the Razeenamah herewith accompany.

12 That as a further proof of the notoriety with which the said adopted son has always acted in that character, a portion of the Estate of his adoptive father was actually continued to him under order of the Board of Revenue; & the 1st paragraph of the letter of the Collector of Tinnevelly to the Board of Revenue under date 6th August 1851 hereinbefore referred to, shows that he was actually in possession of such property, although it is true that no questions was then raised as to the fact, or the validity of his adoption.

13 That your Petr in the year 1849 & on the 21st of Septr, being then upwards of

80

80 years of age, applied to the Collector to hav
the registry of the said Villages transferred
to the name of her adopted Son.

14 That this application was sen
to the Tahsildar of the Talook for report es-
pecially with reference to the adoption.

15 That in Octr 1849, the Tahsildar
having enquired, reported that the said Ragoo-
nadarow was duly adopted, & the rightful
successor of your Petr.

16 That the Collector on the 14th March
1851 wrote in detail to the Revenue Board, *
& applied for their sanction to alter the registry
as requested.

17 That on the 16th April /51 the
Revenue Board referred to the Collector for furth
information.

18 That the Collector referred the
matter to the said Tahsildar for further infor-
mation on the 23d May 1851.

19 That the said Tahsildar ma
an enquiry, at which it was proved by six
respectable witnesses, who from their connection
with your Petr's husband & family were the
fittest persons, that the directions to adopt
had in fact & in truth been given- That

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these Witnesses were not named by your Petition
& was she any party to such enquiry- (8) nor
was her testimony called for, & it was in fact
an exparte enquiry behind your Petr's back.

20 That the Collector in his said letter
to the Board of Revenue under date 6th August/51.
reported the fact of the enquiry, to the Revenue
Board- but added in para 3. "I confess the evidence
"does not satisfy me".

21 That on the 1st of Septr 1851 the
Board of Revenue put their construction upon
their proceedings, declaring that your Petr
had failed to establish the order to adopt.
whereas as your Petr has shown she was no
party to such enquiry, & the whole denial
of your Petr's claim is based on the meagre
expression of the Collector's opinion above
referred to, without the least reasons being
exhibited for his disbelief of the credibility
of the evidence offered- which it is to be
observed, was such as the Tahsildar, & not
your Petr selected-

22 That such expression never can

as your Pet. submits be of weight against the 27 years open recognition by all parties of the bona fides of the adoption, which has been admitted by members of the family, one of whom disputed the adoption shortly after it took place - but subsequently admitted it by Razeenamah; thereby cutting himself off from all hope of succession, & others the female branch of the first donee having tacitly acquiesced in the truth of the same adoption by their silence - The adopted son has been ever since his coming of age in open notorious possession & management of your Petr's property, has performed all the funeral ceremonies of the deceased members of his adoptive fathers family, has been cut off from all succession to the Estate of his natural father, has been on one occasion recognized by the Revenue Board, has been reported on by the Tahsildar after enquiry as the adopted son & by common reputation has been regarded as such by all his neighbours & the world in which he now is -

23 Your Petr would further respectfully beg to point out the extreme hardship of calling for a minute proof of the fact of adoption, after the lapse of so many years, when according to the ordinary course of events, much of the best evidence may have died out, when the memory of such witnesses as survive has become dim, and when the enquiry is conducted in such a fashion as to exclude your Petr from taking a part in it - & substantiating it by such evidence as she might have had it in her power to tender - That on the 7th June /55 your Petr memorialized the local Government of Madras praying for the transference of the registry - but that such petition was ignored on account of its being preferred by her Vakeel. that she petitioned in person on the 30th November 1855 - when the Government declined to interfer.

24 That if it be objected that the Government reserves to itself the right of recognizing, or repudiating adoption in the case of grants of Shrotrium, Zeemiats

& the like favorable tenures, & have resolved to reject such claims unless the fact of adoption be notified to the Collector of the District, six months previous to the decease of the party making the adoption. Your Petr would respectfully call attention to the fact that the notification of this order dates only from the year 1846. & came into operations only from the 1st February 1847.

25 That your Petr's case occurred many years before such order. that is say in the year 1827. & that even if the order was silent with respect to cases occurring previous to its promulgation. it could not in reason have any retrospective effect. but that the order expressly declares that "claims founded on adoption which may come under consideration before that date, will be decided according to the circumstances of the several cases."

26 It is true that your Petr's case did not come under consideration before the 1st of February 1847. but your Petr submits

that

that the only reasonable construction of this order is that adoptions not notified to the Collector subsequently to the issue of the order will be summarily rejected. & that it never could be intended peremptorily to exclude all old cases such as that of your Petitioner simply, because they did not come under consideration before 1847.

27th That the principles to guide the authorities in their disposal of questions like the present have been unmistakeably laid down upon an equitable & intelligible basis by your Honorable Court, & the late Governor General the most noble the Marquis of Dalhousie.

28th In the political letter of your Honorable Court to the Government of Bombay under date 25th Septr (No. 11 of 1834) the following paragraph occurs. "On the "subject of adoptions our opinions have been "communicated to you in our letter of "the 11th of June (No 8) 1834. We then stated "it to be our wish. that whenever the tenure

of the Estate, & the custom of previous Governm[ents]
are such that the refusal of your permission
to adopt, would be considered an act of harsh-
ness- still more when it would be considered
an injury, the permission should be given. "
but otherwise not. unless as a reward marked
either by special services or general fidelity "
& good conduct & especially by a good admi- "
"nistration of the Zagheer."

29 In his Minute of the 3d of
August 1848 on the Rajah of the Sattarah
case, the Governor General with reference to
the sanction of adoption para 26 writes as
follows. "The Government is bound in duty
as well as Policy to act on every such "
occasion with the purest integrity & in "
the most scrupulous observance of good "
faith. where even a shadow of doubt "
can be shown, the claim should at once be"
abandoned."

30 On both these principles that
of doubt & merit, your Petr respectfully submit
that her case is one in every way worthy of

of your benevolent consideration.

31st As to any shadow of doubt being shown,
the only question is whether there can from
all the circumstances of this case hereinbefore
enumerated exist any doubt whatever that
the adoption is in every respect legal &
valid, but to put the case on lower ground
Your Petr would respectfully ask whether
the faint terms in which the Collector of
Tinnevelly has condemned. Your Petr's case do
not show the existence of doubts even in
his mind - & whether taking a broad plain
sense view of the whole matter, it is not
one of those doubtful cases which the
late Governor General had in his eye when
giving utterance to the sentiment above
quoted.

32d Your Petr admits that the
quotations hereinbefore given, referred
primarily to the subject matter then
under discussion - namely, the adoption of
children by sovereign princes, but she
admits that the principle involved is

precisely the same whatever is the extent or nature of the Estate, to which the adopted is to succeed. & that the same rule should be applicable to the poorest Zemindar as to the richest sovereign prince.

33 As to merit your Petr would crave once more to refer to the Collector of Tinnevelly's letter under date the 14th March 1831 para 8. wherefrom it will be seen that your Petr's husband's ancestors have for generations done the State good service, held a highly respectable & responsible situations that the father of your Petr's husband served the Company, & received a pension of 50 Rs a month, 20 of which were continued to your Petr's husband to the date of his death after which it was discontinued expressly on the ground that your Petitioner held these Villages upon a favorable tenure, a fact which, the Collector put forward to the Board, as your Petr now does to your Honorable Court as a reason for taking a favorable view of her application.

34

34 On the whole therefore your Petr strong in the truth & justice of her case throws herself with every confidence on the known liberality & benevolence of your Honorable Court & prays for the poor boon she has so long in vain solicited at the hands of the various authority in this Country the advantage to be gained to the Company by the resumption of her little patrimony as nothing to the maintenance of the Hoble Company's name among its' subjects for justice & charity. & she prays in conclusion that the necessary orders may be issued for the transference of the registry of the Village in question from her name into that of Ragoonadaram

And your Petr shall
Ever pray

P.S. With respect to the letter from the Collector to the Board alluded to by your Memlt in paras 1 & 8 of this Memorial the Collector has positively refused to give copies authenticated with his signature - his written refusal herewith accompanies. Document +G - so Mt. sends unauthenticated copies +G of them.

The following Docs. accompany the original Copy of the Memorial - The Tamil Docs are accompanied with translation in English.

List of Documents

A Letter from Colls. of Tinnevelly to Board of Revenue under date the 14th March /51-

B Do. Do. Do. 6th Augt. /51-

C Fatwa of the Pundit of the Zillah Court of Madura under date 14th Septr. /24-

D Fatwa of the Pundits of the Provincial Court Southern Division under date 16th Octr. /29-

E Decree in O.S. No. 33 of /29 of the file of the auxiliary Court of Tinnevelly dated 31st Decr. /29-

F Razeenamah in O.S. No. 32 of /29 before the auxiliary Court of Tinnevelly dated 9th May /33

G Petition to the Colls. under date 11th Octr. /56 asking for authenticated Copies of his letters to the Board of Revenue of the 14th March & 6th Augt. 1851 with Endorsement refusing-

Original

[illegible] 1858

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From the Collector of Tinnevelly to the Board of Revenue

1. I have the honor to request the instructions of the Board of Revenue whether an application which has been made to me by Janakybhoy Ummall, widow of one Ramasawmy Row for the alteration of the registry of certain Cuttoogoothagay Villages from her own name to that of her adopted son Regoonada Row, should be complied with or not.

2 The Cuttoogoothagay Villages in question were first granted, as appears from the accompanying Original Purvanah and it's translation to have been granted by the Government of that time to Ragapundithe, an ancestor of the Applicant's late husband, & the Cuttoogoothagay lands have been successively enjoyed as shown by the Accounts of the Defendant, by his son Canary Row, his grand son Regoonada Row, his great grand son Applicant's late husband Ramasawmy Row, & since his death by his Widow, the

present Applicant. There are now no lineal
descendants in the male line of the Original
grantee surviving - but in the female line
of descent there are still being certain
representatives of Camatchy Emmall and
Rengoo bhoy Emmall 2 daughters of Regoonada
Row, the father in law of Applicants late
husband & his predecessor in the possession
of the lands.

3. One of the sons of Camatchy Emmall
above mentioned, Shatha Row now deceased,
sued Janakybhoy Emmall the present Appli
-cant in 1829 for one third share of the proper
but was nonsuited both originally and in
appeal & having made a Special Appeal
in the Court of Sudr Udalut - afterwards
when the Case was undergoing a reinvestigatio
by orders of the higher Court compromised
the matter & withdrew his claim in Consider
-ation of having received Cottahs 4.6.3 of
2 Crop land in one of the Cuttoogoothagay
Villages transferred to him by the Def.t
the present Applicant.

4. The right of the descendants in the
female line of the original grantee has
therefore

herefore never been finally
this present moment none of them advanced
any pretensions or oppose Janakybhoy
Emmall's applications.

130 XIV

5. It nevertheless seems doubtful to me
whether the adopted son has any right to
succeed to the enjoyment of the favorable
tenure of these lands & whether if the right
of the descendants in the female line is
also defective, the lands ought not on the
demise of Janakybhoy Emmall to be assessed
at the full amount of Teervah which
exceeds the Cuttoogoothagay Barriez by Rs
464-1-7.

6. The husband of Janakybhoy Emmall,
Ramasawmy Row, who enjoyed the Cuttoogoo
-thagay lands by regular succession died on
the 25th April 1825 without issue - & his Widow
succeeded to all his property including the
Cuttoogoothagay Villages, & on 22d Chittray
of Aundoo 1002 corresponding with April
A.D. 1827 or about 2 years after her hus-
band's death she adopted Ragoonada Row, son
of her own Brother Sakojee Row.

7. I should here mention that the person
in

in whose favor the Board decided a doubtful Maniem Case in Extract from their Proceedings dated 14th February 1848 is this same Regoonada Row, the adopted son of Janakeybhoy Emmall - but in that instance Regoonada Row seems to have been in actual enjoyment of the Maniems for some time before they were attached on the assumption of the Chokumpetty Estate on the part of Government.

8 The ancestors of Janakeybhoy Emmall's late husband were for several generations as the head of the Department of accounts in this Province from long before it's assumption by the Company's Govt. until some time after that event, from which circumstance they are commonly spoken by the name of Canakoo Row. Regoonada Row, the father of Janakeybhoy Emmall's late husband was in Office for some time during the Collectorship of Mr Lushington & was then pensioned upon 50 Rs a month. after his death his son Ramasawmy Row, Janakeybhoy Emmall's husband was allowed a pension of 20 Rs a month until his demise. when his Widow applied for it's continuation in her favor - but the Collector declined to forward her application in consideration

of

of her enjoying large landed property consisting of the Cuttoogoothagay Villages now in question & other Maniems supposing the right of the descendants in the female line to be considered invalid. The facts stated in this Para may possibly induce the Board to take a favorable view of Janakeybhoy Emmall's application for which reason they have been introduced.

14th March }
1851. }

Letter
From the Collector
of Tinnevelly
To the Board of Revenue
14th March 1851

No 1064/65

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From the Collector of Tinnevelly
To the Board of Revenue. 16 186

1 With reference to Extract from Board of Revenue dated 11th April 1851, I have the honor, adverting to para 2, to state that the Enam in the Chokumpatty Estate which was continued to Regoonada Row under orders of the Board, was never enjoyed by his natural father but by the husband of Janakeybhoy Ummall, his adopted mother. No mention was made in the paper connected with the enquiry in that Case nor consequently in the letters from the Office to the Board of the fact of the claimant being the adopted son of the Widow of the former occupant but the argument respecting that claim turned principally on the fact of the claimant having been actually in possession previous to the assumption of the Zemindary.

2 - In reply to the queries proposed in para 3 of the Board Proceedings before me I have the honor to observe 1st That Regoonada Row's natural Father Sukajee Row died in 1841 whereas he was adopted by Janakeybhoy Ummall in 1827, & that he consequently

inherited nothing whatever from Sukajee Row whose whole property went to his other sons 2d & 3d, that Janakey Bhoy Ummall stated that she adopted Ragoonada Row in conformity with verbal directions given to her by her husband before his death to adopt as his heir the present claimant, son of her own Brother Sukajee Row. Six Witnesses support this assertion of Janakey Bhoy Ummall, of whom one was a domestic Servant, another had formerly been so, & others were acquaintances. I confess this evidence does not satisfy me, 4th & 5th. The Kararnamah & Will spoken of were not those of Janakey Bhoy Ummall's husband, but the former an Agreement said to have been made between Janakey=bhoy Ummall, her Mother-in-law & a Widow of her brother in law respecting a division of the income derived from their joint property, & the Will purports to be that of the Mother in law just mentioned. Neither of these papers affect the merits of the present question, & the authenticity of both is impugned both by Janakey Bhoy Ummall and her adopted son, 6th & 7th. Regoonada Row has regularly performed the funeral ceremonies of the deceased husband & other relations and connections of Janakey Bhoy Ummall from the time she adopted him—before which she performed them herself.

3 With reference to para 4 of the above proceedings I beg to remark that though a Cowle was given in the first instance to enable the grantee to repair the ruined Tanks & bring the lands under cultivation the documents called a Cowle expressly speaks of the grant as a Cuttoogoothagay, & that Govt. demand after the first rent free and 2d favorable year being fixed in perpetuity below the Sevarum rate establishes the nature of the tenure to be Cuttoogoothagay—these lands re also entered in the Accounts of the Dept. by the title of Cuttoogoothagay.

4 The Report adverted to in Para 5 of the Procs: under notice has already been submitted under date 22d May last.

6th August 1854.

Copy in a Letter to E. d/ 24 Feby 1857 No 6.

B

Letter
From the Collector
of Tinnevelly
To the Board of Revenue
9th August 1851

R 1369/56

J 1856 D
In W 1719

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18

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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[illegible]

[illegible]

[illegible]

[illegible]

Signed J. Horsley

Zillah Judge

[illegible]

[illegible]

Signed G. Bannerman

Actg. Judge

(A true Copy)

Sd/

G. Vencatasawmy

Sheristadar

[illegible]

[illegible]

[illegible]

Futwah of the Pundit of the Zillah Court of Madras.

14th Septr 1799

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John [illegible] Esqr. Asst. Judge of the Auxilia

Court of Tinnevelly

Questions to be put to Vijiaraganachary Pundit of the Zillah Court of Madras

| Questions | Answers |
|---|---|
| 1st In a Suit one Ragoonada Row had two sons one named Streenevasa Row, the other Ramasawmy Row and a Daughter Lutchoomee Ummall the Elder son died before him childless leaving a Widow afterwards Ragoonada Row died, & after him died his younger son Ramasawmy Row childless, leaving his wife Janakey bhoy Ummall surviving him, Ragoonada Row's Widow Suthabhoy Ummall, wrote & gave a Will in favor of her daughter's son Ponary Row Janakey bhoy Ummall the Widow of Ramasawmy Row, younger son of the said Ragoonada Row, adopted a son named Ragoonada | As the said Ragoonada Row died after his Elder son, & while his younger son was living — a son being alive, his Widow Seethabhoy Ummall has no right to succession & even after his death leaving a Widow, any Will written & given by Seethabhoy Ummall will not be valid. If Janakybhoy Ummall had made an adoption with the concurrence of her husband, that adoption will be good. |

As, when Ragoonada Row died, the whole of his property descended to his surviving son Ramaswamy Row after his death any Will made by his mother who had acquired no right can be of no avail.

The Will in favor of Conary Row, the daughter's son, is not valid - he has no right to inherit the property of the Grand father Ragoonada Row. The whole of the property must go to Ragoonada Row who had been adopted by Janakybhoy Ummall the Widow of Rama Royer.

The Dohidecchyea & other texts which treat of

Ragoonada Row the is whether the Will or the adoption above mentioned is good in law?

2d If, when Ragoonada Row died, he left a son, Ramaswamy Row was he not entitled to succeed to the whole of his father's property & thereby when he again died childless, had his mother Seethalbhoy Ummall a right to bestow by Will any portion of her husband's property on her daughter's son.

3d Can Conary Row, the daughter's son claim to share the property of the grand father Ragoonada Row with the adopted son in equal portions - or is Conary Row alone entitled to possess the whole of it, or Ragoonada Row the adopted son of the Widow of Ramasawmy Row?

4th If Conary Row Seethalbhoy Ummall's heir and Ragoonada Row the son adopted by Ramasawmy Rower's Widow were heirs to Ragoonada Row's property, had Vengoolbhoy Ummall right to food & raiment only, or right to Streenevasa Row's, her husband's share - What is the Hindoo Law upon these points?

of the rights of woman only gives a woman a claim when her husband's father is alive & divided - but they do not say that she has a claim when he is undivided. This is clearly stated in the Grunthum called Sinthamony. Now Vengoolbhoy Ummall's husband was undivided - therefore she is only entitled to food & raiment - & cannot claim the husband's share.

14th September 1824.

Signed Vijiaragavacharior
Pundit

Fu Lua
& the Pundit o
the Zillah Cour
of Madura
14 Oct 1824
1
Ro 1309/58

John Horsley Esq. Asst Judge of the Auxiliary
urt of Tinnevelly

The opinion of the Pundit of the rovincial Court Southern Division, is requested the matter, hereinaftermentioned, according the Hindoo Law.

## Statement

Ragoonadarow had two sons, the elder lled Streenevassarow & the younger Ramasamy Rayer & one daughter called Lutchoomyappummall Ragoonadarowers wifes name was Seethobhoy mmall - the eldest son's wife's name was Vengoobhoy Ummall & the younger son's wife's ame was Janakybhoy Ummall. Streenevass ayer died before his father. His wife & broth rvived their father afterwards. Ramasamy Rayer died leaving his widow Janakybhoy mmall & his mother Seethobhoy Ummall rviving. Ramasamy Rayer was childless. Seetha hoy Ummall on the death of her son Ramasam

Rayer made a Will giving to the son of her daughter 1/3 of her husband Ragoonadarow's property & she died. Janakibhoy Ummall after the death of her husband adopted a son called Ragoonadarow. Koonary Raw now claims the property bequeathed to him by Will by his grand mother.

Q

Ramasamy Rayer survived his father & succeeded to all his property when he died, could Seethabhoy Ummall his mother give any portion of said property to Koonary Raw her daughter's son.

A

When Ragoonadarow died according to the Sastras Ramasamy Rayer succeeded to all his property, & after Ramasamy Rayer had ordered adoption to be made, & died - until such adoption was made his widow Janakibhoy Ummall was his heir. & when Janakibhoy Ummall had made an adoption - such adopted son Ragoonadarow became the rightful heir therefore on Ramasamy Rayer's death, Seethabhoy Ummall had no right to give away any portion of her husband's property to her daughter's son.

Q

And although she had her husband's consent to adopt a son, her husband's sister's son being alive, could Janakibhoy Ummall adopt any one she pleased not one who nearly related to herself or her husband & or her husband's sister's son being alive, could she adopt one of the relation

A.

Sounakara & other Rishees declare that among Bramins adoption must be made among the Sapindas & other castes that they can't make adoption from other Gothrums. That in case of necessity her daughter's son & her husband's sister's son [illegible] be adopted but not when there is no such necessity.

Mureechee & other Rishees say that adoption may be made from other Gothrums. The meaning of objections to making adoption from other Gothrums is merely that preference should be given to Sapindas & ones own Gothrum, & not that adoption can't be made from other Gothrums. This is stated in the Shetharutnakurum & other Dusma

Sectras in the chapter of adoptions from
other Gothrums. Therefore Janaky Chay
ummall although she had her husband's
cousin, her husband's sisters son being
alive could adopt any one she pleased
as she had ~~near~~ relations. although
she had no near relations but only distant
ones.

| Q | A |
|---|---|
| Is Konary Raw Ragoo-nadarow's grand son entitled to all his grandfather's property or is Ragoonadarow Ramasamy Rawer's adopted son & heir the rightful heir to it all. | According to Sashtras Konary R Ragoonadarow's gra has no right or tit in the slightest d to the property of grandfather - there can't he claim or the whole of Ragoo-naros property. Ra nadarow the adop son & heir Ramasam to heir to all the pro of the deceased Rago-darow. |
| If Konary Raw is entitled to | In the Grantha |

| | |
|---|---|
| to 1/3rd or to Vengoothoy Ummall Sreenevassaroo widow entitled to any portion of it. | by Jaganatha Thurka on adoption - on the divi-sion about Daybhaga in 24 the chapter Apoothraw-Danadikara, the widow of a deceased person in ... divide the husband's property |

with his brother but such is not the
custom in these parts. In the Southern
Country by Vignanaswarem & other Durm
Shastras which prevails here in the
chapter on the division of property, it
division had been made with ...
younger brothers, the widow succeeds to
her husband's property. If any one brother
has not divided, the deceased's widow has
no share but is only entitled to main-
tenance by the brothers-in-law. The Sr
rithees, the precepts of great & religious
& learned men - & the Smrithees deduced
from with practice or Auchaarum are
binding. If the rules laid down by
the Smrithees is contrary to the practice

of the world they must not be followed

The Smrithees according to Sis Lacharum

but the Smrithees contrary

are binding

to them are not binding - is stated in the

Sorwamencha Saatras therefore the Will

by Sethobhoy Ammall is not good by

the Saatras Ponnay Rao has no right

Ragoonadarum the adopted son

to a 1/3

is entitled to the whole - If such adopted

son had agreed to give Ponnay Rao 1/3

he may have it & Ragoonadarum have the

the 2/3 but Vengoobhoy ammall Seva-

nevassaraus widow has no claim to any

part of the said property - she is however

entitled to maintenance for life such

is the Acharum of this Country.

| Q | A |
|---|---|
| If a man wanted to adopt out of a family where there are two or more sons, do the Hindoo Saatras forbid his adopting the eldest | If a man wanted to adopt out of a family where there were two or more sons the chapter on adoption in Vignana- |

nasswarum & other Grunthums say that the eldest must not be given or taken in adoption, because he is the person who ought by the Saashtras to perform his fathers funeral ceremonies, if it is done the sin is on him who gives & not on him who takes in adoption - It is stated in the Smrithee moottha pullagrum [illegible] that if the eldest son is given in adoption although the father has other sons yet must the [illegible] perform the funeral & other ceremonies for his adoptive & natural fathers - but the adoption is not invalid - & the said Grunthum states that such adopted son is entitled to the share of his natural father's property as well as to the whole of the adoptive fathers.

Filed on the 29th Octr 1829

(Sd) J. Horsley

Asst. Judge

Septr 1829

(True copy)

(A true copy)

(Sd) Chahalingum Cellay

Record Keeper

(Sd) G. Vencatasawmy Translator

This copy was given to Aurom [illegible] [illegible] on the [illegible]

Enclosd D
of the Punchayet of
the Moonsiff
Court of Trichinopoly
16 Octr 1829

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[illegible]

[illegible]

Signed J. Horsley
Actg Judge

[illegible]

G. Vencatasawmy
Sheristadar

Filed 29th October 1829
(Signed) J. Horsley
Actg Judge

(A true Copy)
Horsley

[illegible]

[illegible]

[illegible]

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[illegible]

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[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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[illegible]

[illegible]

186

Decree passed by John Horsley Esqr Assistant Judge of the Auxilia
Court at Tinnevelly in Original Suit No. 32 of - - - - 183

Plaintiff
Seenetha Row alias Canary Row
of Tinnevelly
Pleaders
Alysagarampillay and
Varadengar

Vers

Defendants
Jonagaboyammaul
& Ragonauda Row
also of Tinnevelly
Pleader
Aurumogampillay

The Plaintiff in his Petition states that maternal Grand Father Ragonauda Row alias Paupoo Row had two whole Villages Vettoovaucolum, Vellalencolum and half Villages in Cedarancolum, Vapencolum and Soomosoinderaboolum and also the Village Odyanpathoo and Manilams in Travancore Country and Poligars Villages and Topes &c. and 50 Pagodas Pension granted by the Circar, which he continued to enjoy and that he had two Sons Seenevasa Row and Ramasawmy Row and two Daughters Lechoom-ammaul alias Camachiammaul (Plaintiffs Mother) and Rengoboyammaul; Rengoboyammaul was adopted by Ragonauda Row's aunt and that the said two Sons and Plaintiffs Mother were an united Family and that in Margaly month 975 Aundoo Seenevasa Row died and Plaintiffs Mother also died in Maussy month 986 Aundoo and that Plaintiff Grand Father during his life time provided for the Wife of the deceased Seenevas Row and Plaintiffs fami Plaintiffs Grand Father died in July 1820 and then his younger Son Ramasawmy Row took charge of the property & supported the

PH ag

he Collr
of his letters to
Board of 14
& 5 or 9th Aug
11th Oct

of the Collr
ment the
refusing thereon

20th Oct /5

Collector
1855

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

them as his Father had done, he died on the 25th April 1825 then Plaintiff Grand Mother Sutaboyammaul and Vengooboyammaul Widow of Seenevas Row and Janaqueeboyammaul Widow of Ramasawmy Row jointly enjoyed all the Property aforesaid in 28th February 1826 they Jointly executed a Thararnamah stating that 1st Defendant was to receive 1 Share of the emoluments derivable in the aforesaid Villages and Maniboms and ¼ share for superintending the business and Plaintiffs Grand Mother one share and the Widow of Seenevas Row one share on the 29th April 1826 Plaintiff Grand Mother made over her share and Thararnamah to Plaintiff and made a Will in favour of Plaintiff stating that he was entitled to her a Share and that according to Thararnamah from Mauny Month 1001 Aundoo up to Mauny Month 1004 Aundoos the emolument for his share at Rupees 394 Annas 12 Pice 6 Cents 54 per year for 3 years being 1184 Rupees Annas 5, Pice 7 Cents 62 in which Plaintiff received only 353 Rupees Annas 8 and sues the Defendant for the recovery of remaining Emolument Rupees 830 Annas 13, Pice 7 and Cents 62 together with recovery of a share annual income Rupees 394 Annas 12 Pice 6 Cents 54 —

Filed 19th March 1827

The 1st Defendant in her answer denies the truth of the Plaint and states that all the Villages stated in the Plaint do not belong to the ancestors of Ragoonada-row that her Father had no other children except herself.

[illegible]

[illegible]

he therefore made over all his property to her and to her husband
Ramasawmy Row and that her husband during the life time of
his Father purchased some Lands and some he held in Mortgage
and that she has about 35 Documents to that effect that when
Seenevas Row the Eldest son of Ragoonada Row died his Wife
Vengoobyammaul alias Rengoobyammaul received 500.
Star Pagodas Value of Jewels which she had in her possession
as Widows share and went to her Father's house and that the
family of Plaintiff and the family of 1st Defendants husband
never lived as an united Family that her husband was sick
and had no issue he therefore ordered her to adopt the 2nd Defendant
but as that Child and his Father Sakkaram Row were at Travancore
Country it was impossible at that time to adopt the Child
and therefore it was not ~~done~~ untile after her husband death that
the Child was adopted The 1st Defendants name is entered in all the
Circar Accounts & Pattahs &c and that she continues to enjoy
all the property that Seetaboyammaul was present at ~~that~~ the time
1st Defendants husband died but she did not then claim any part
of the property 1st Defendant further states that she proved
before the Zillah of Madura that she only is the heir of her
deceased Husband and recovered the amount Decreed in favour of
her husband who was then Respondent in Appeal No. 319 of
1824 of the Zillah of Madura and further states that they
never executed a Tharar namah that Seetaboyammal nev
passed a Will in favour of Plaintiff and that when there
was

KH Ay

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

was arrears of Rent she mortgaged some of these lands for the arrears
and discharged the Circar balance and redeemed those lands that
by the Consent of her husband she adopted the 2nd Defendant
in presence of the Cast people and Seetaboyammaul also
passed a Deed of consent to that effect when Seetaboyammaul
died the 2nd Defendant performed the funeral ceremonies and
also now performs anniversary ceremonies for her and 1st
Defendants husband and that the Plaintiff never received any
part of the amount stated in the Plaint and that according
to Hindoo law the Wife is the only heir to the property of her
deceased Husband and that several Suits of this nature have
been decreed on the Futwah of the Pundit of the late Zillah
of Tinnevelly she therefore prays that according to Clause 1,
Section VIII Regulation I, of 1827, a Futwah may be sent to
Pundit of the Zillah of Madura and Decree passed according
to Justice

Filed 30th April 1829 —

2nd Defendant Neglected to appear to file
answer altho 1st and 2nd Notices served on him and having been
called in 3 different Court days this cause was ordered to be tried
Exparte

Supplemental answer filed on the 9th May 1829 -

Reply and Rejoinder filed

Plaintiffs Documents

1st Copy of a Kararnamah dated 28th February 1826

[illegible]

[illegible]

[illegible]

~~[illegible]~~

[illegible]

[illegible]

[illegible]

[illegible]

2nd Copy of a Will passed by Seetaboy ammaul to Plaintiff dated 29th April 1826 -

3rd Copy of English list of the Family of Ramasawmy Row Son of Ragoonauda Row dated 24th March 1821

4th Do - - Malabar Do - Do - Do

### 1st Defendants Documents

1st A Deed of consent in Hindoo passed by 1st Defendants Fatherinlaw Ragoonauda Row and his Partners dated 27th Aany Month 981 Aundoo

2nd A Bill of sale passed by Lechoomana Row to 1st Defendants husband Ramasawmy Row dated 3rd Chitteray Month 982 Aundoo -

3rd A Bill of sale passed by Histnarow to Ramasawmy Row dated 1st Auny Month 986 Aundoo

4th Do Do by Gabala Iyengar to Do dated 23rd Auny month 990 Aundoo -

5th Do Do by Ramasawmy Iyen to Do dated 4th Auvany Month 991 Aundoo

6th Do Do by Histnammaul to Do dated Do Do

7th Do Do by Vengoavien to Do dated 6th - Do Do

8th Do Do by Coopyengar - - to Do - - dated 9th - - Do Do

9th A Deed of Mortgage passed by Maunar Iyengar to Do dated 26th Do Do

10th Do Do by Vengoaviengar to Do dated 21st Cartigay month Do

11th Do Do by Gabala Iyengar to Do dated 13th Purtasy month 992

[illegible]
[illegible]
[illegible]

[illegible]
[illegible]
[illegible] [illegible]
[illegible]

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992 Aundoo —

12th A Bill of sale paſsed by Gopala Iyen to Ramasawmy Row dated 26th Iyee Month 992 Aundoo —

13th A Deed of Mortgage paſsed by Sengam Iyengar to Do dated 24th Auny Month Do

14th a Bill of sale paſsed by Kistna Iyengar to Do dated 20th Chitteray Month 993 Aundoo

15th Do Do by Teroovangatacharyar to Do dated 26th Vycausy Month Do —

16th Do Do by Peroomaul Iyengar to Do dated — 31st Do Do

17th Do Do by Gobala Iyengar to Do dated — 32d Do Do

18th A Mortgage bond paſsed by Kistna Iyengar to Do dated Do Do

19th Do Do by Teroovangadam Iyengar to Do dated — 5th Auny Month Do

20th A Bill of sale paſsed by Teeroovady Iyengar to Do — dated 22d Do Do —

21st Do Do by Gobala Iyengar to Do dated 5th July 1818 —

22d Do Do by Purpaunda Iyengar to Do dated Do Do

23d Do Do by Shasa Iyengar — to Do dated 6th Do Do

24th Do Do by Teroomaly Iyengar to Do dated — Do Do

25th Do Do by Narana Iyengar to Do dated 15th Do Do

26th Do Do by Rauma Iyengar to Do dated 19th Do Do

27th Do Do by Alagayamumbyrama Iyengar to Do dated 20th Do Do

28th Do Do by Aulwar Iyengar to Do dated 30th Do Do

29th Do Do by Kistnah Iyengar to Do dated 8th August Do

30th Do Do by Seenevasa Iyengar to Do dated 1st December Do

31st

[illegible]

[illegible]

31st A Deed of Mortgage passed by Sungaranarayanapillay to Rawmasawmy Row dated 24th Peratady month 995 Anndoo

32nd A Bill of sale passed by Sungaralingampillay and Chockalingampillay to Do dated 3rd October 1819

33rd Do Do by Chedambrampillay to Do dated 4th November Do

34th Do Do by Aundeappapillay to Do dated Do Do

35th Do Do by Palavasamoottoo to Do dated 6th Do Do

36th A Copy of the Decree in Appeal No 819 of 1824 of the Zillah of Madura

37th A Deed of consent passed by Seetaboyammaul to 1st Defendant dated 21st Chitteray Month 1002 Anndoo

The Assistant Judge having taken into consideration the ~~[illegible]~~ the Futwahs both of the Pundits in the Zillah of Madura and the Provincial Court of Appeal at Trichinopoly run suits the Plaintiff The Pundits both of the Provincial and Zillah Courts agree that Rawmasawmy row the husband of the 1st Defendant having survived his father was consequently the heir to the whole of his father's property that his mother Seetaboyammaul and his sister in law Vengooboyammaul were only entitled to food and clothing that after the death of Ramasawmy Row his Wife the 1st Defendant was his heir therefore Seetaboyammaul had no right or authority whatever to will away any part of the property to Plaintiffs The will on which the Plaintiff founds his claim being decidedly illegal and on this ground his suit is dismissed

The

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

The Plaintiff in his reply questions the legallity of the adoption of the 2nd Defendant by the 1st Defendant but if he means by this to insinuate that he as the Maternal Grand Son of Regoonauda Row is his only lawful heir he must sue for the whole of his Grand Fathers estate. The Court nonsuits the Plaintiff and Decrees that he pay all costs of Suit as here under specified

| | Rs | As | P | C |
|---|---|---|---|---|
| Fees of 1st Defendants Vakeel deposited in Court | 61 | 4 | - | - |
| Value of Stampt Paper used by the 1st Defendant | 86 | 8 | - | - |
| Batta paid to a Peon for serving Summons on the 1st Defendants Witnesses | 6 | - | - | - |
| Total payable by Plaintiff to 1st Defendant | 153 | 12 | - | - |
| Fees of Plaintiffs Vakeel deposited in Court | 61 | 4 | - | - |
| Value of Stampt Paper used by Plaintiff | 74 | 8 | - | - |
| Batta paid to a Peon for serving Summons and Notice on the parties | - | 8 | - | - |
| Batta paid to a Peon for serving Summons on the Plaintiffs Witnesses | 2 | 8 | - | - |
| Total Costs incurred by Plaintiff | 138 | 12 | - | - |

Decreed on the 12th November 1829

Given under my Hand and Seal of the Auxiliary Court at Tinnevelly this 31st Day of December A D 1829

Time of Appeal Expires on the 31st March 1830

(Signed) Compared
Pateyanandapillay
H. W.

(Signed) J. Horsley
Assistant Judge

(True Copy)
J Horsley
[illegible]

[illegible] திருநெல்வேலி [illegible]
[illegible]

[illegible]

[illegible]

[illegible]

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திருநெல்வேலி ஜில்லா [illegible] கோர்ட்டு [illegible] நியாயவாதிகளாகிய [illegible]

[illegible] நியாயவாதிகளால் [illegible] முதல் விசாரணை

[illegible]

வாதி
திருநெல்வேலி தாலுக்கா [illegible]
[illegible]
வசிப்பு

பிரதிவாதிகள்
திருநெல்வேலி [illegible]
ஒருவனாய் . . . . . . . உ

[illegible]

வைகாசி மாதம் [illegible]

வாதி [illegible]

[illegible]

[illegible]

திருநெலவெலிசீமையாயாதுதெனனாததிருபபததூரவளைசமமாராமை
மபபததாறுதெயதிவைக இலஅமருகமாளிகை நீயுறகவயாலகிருது

குமாரபயமெமாநிபுநடை குஅாடடைகுதுபெமபுநடைடணபிநதியாகி
வைதெவஅமருகமெடையனிவுெனதியபுறக குறகாகநெதககாகிதநதைகுசெ
பபடடிது —

மொறவ. செஙகலெ ... காலிநது
இராயநதாா.

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கொண்டுவாதகயபருனாப பொலெதறகாயுசவொடசொப பணணிககொணடுவெநத
வுவசெட தஆாயெகுெபெயயபாலபுயெருடயாறநது பொனதாகவு அபபால வாதியானு
டையபாடடிசதாயாயமமாளும சீனிவாசகாயருடைய பெணசாதி வெஙகுபாயமமா
ளும சுவாமியுடைய பெணசாதி சானகியாயமமாளும இநத நடெபெருமைச
சுவாமிககு பொதுவாக அநுபவிததுவநததாகவு அபபால தஆாயசாகுபயாவரிபு
டயஅடையாளெ சடையாடட பெறும எழுகருநாமா பயாயபவாககொணடதாகவும
அதிலசடகிருமமஙகளில வாயபபட உளதியததியும மாளிகததிலும கடடளையாதிவாதிகளு
குபவுகுமசடிவெசபதுககிறதுககள கால பபருகுமஅக வுனனெகால பாலகெடையும வாதிய
னுடையபாடடிககு வுருபவுகெடையும பூசீனிவாசகாயருடைய பெணசாதிககு வுருபவகெ
டையம இவவாதமாயககுமபணணிககொணடதாகவு தஆாயெகுெபெயபாலபுஉசெ
வாதியானுடையபாடடிவாதிககுசடையானுடைய பலகையு கருநாமாவையு குடுதது
வாடுவாதிபெககு வுயால பெருதிககுடுகதாகவு அதிலசடையானுடைய பஙகுமிநதவா
திபெயபாதியல தவெனனுககணடுககிறதாகவு கருநாமாபயாற காமம தகருமா
இபுமுதல தகுமமாநிபுவனாககுமசடையபஙககுவாயபபடவாயமலுககெடுகா
சயது அனுயஉ பயாசசிடபஙகுகுயசஅருகெருதாயுயதஅனுடிபயாசா
பஙகுசாயஉம அதிலவாதியநிககொணடதுருநாருயடஅனுவுகெபாககிவாறெ
னடையது குஅாநயஅனுயக பயாசாபஙகுசாயஉமவகுசாறதிாம குநாசியு
அனுயஉ பயாசசட பஙகுகுயசலாபவகனபபட வுகெபஙகுமவாறெவறுமெ
பெனறுகணடுககிது

சடையாறுத தஆாயெசகுமாறசிபுயசகைபயாலாடசிது

கவுதயாறிவாதிகுதத உததிரவுசடையாறுசததுயததமெஙயாறிலககணெ
டுககிறதுஙகளமுநுதுமமொருநாதாயருடைய நினனொகருககுசசெ
நதமலல லவெனனுமசடையானககயபறுககுதனனிததவாவெளெபாவடியாலவா
கிாலெ தனககுமதனபுகுசனஙமசுவாமியெககுமெயலலாஅவததிகசிபு
தனததபாறுகுதவாடடதாகவு தனபுகுசனுடைய தகபபன உயாவொாவெட

VH

திருவெங்கடவெளிலையைச்சுயாதனதெருவத்துக் கும்பதாம்வக்கு ... மாறு
கும்பதாறெதயதிறவதக்கிலசுமுகமலிளவன் திருப்புக்கலவாலகிறது

கு அறுபயடுமாதிருநாயா — கு அரவிக்கந்திருமலைபா நாயக்கமயிகிநிவா
வைகிற்று மதுகுமயிபாருமெ திருப்புநக்கத்துக்க்கறயிருத்தக்கரித்தனைக்
கியப — கு —

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யாருக்கிற பொதுதானொழிய விலைசாசனக்கிரையமாகவுஞ் சிலசில வகளிவுதியாகவுந் தன்பு
த்திரனெப்பெருக்குவாங்கியாருக்கிறதாகவும் அதற்காகத் தன்னிடத்தில் ஞாயருதலத்தில் வெசகளாயாருக்கிற
தாகவுஞ் சொக்கநாதபுரமுடைய ருத்திரக்கண் ஸ்ரீனிவாசஞ்செயராகிறது பொன்பெருந்தையா
ருடைய பெண்சாதி வெங்குபாயம்மாளாகிய சொருபாயம்மாளாயும் பொது தன்னகி-
வ சமாயமாருக்கு-த ராவிருக்கிறகைகளி அருப்பு கொலியாகிவாங்கிக் கொண்டு தன்தக
ப்பனுட்டுக் கப்பொயவை— தாகவும் வாதியாருடைய சமுசாரங்களுமகவுது பிர
திவாதியாருடைய புத்திரவும் பொதுமயெக்க சமுசாரங்களாயாருந்ததில் அ
பெண்டமதன் புத்திரன் பாளியால் லாமல் வியாதியாயாருந்த பொது உடம்பாதி
வாதியை தேருபெடுத்துக் கொண்டு மடியாய உதிரவும் பண்ணியாருந்ததாகவும் அங்ஙல
அந்தக்குளத்தையும் அடையாறுடைய தகப்பன் சக்காழிபு முசாசமம் சமலத்தான்த
தில் இருந்ததாலேயும் பொது தெருவெடுத்துக் கொள்ளுகிறதற்கு சந்தரப்பட்டாமல் பு
சுனிறந்த பொருளாக்கும் தெருவெடுத்துக் கொள்ளாமல் தன்புக்குனிறந்த பொன
பாரப்பாரோடைக் கொண்டதையைத் தத்துவெடுத்துக் கொண்டதாகவும் கவதுபிரதிவாதியா
ருடைய பெரசராகக்கண்கிரும்பட்டாருதலானதுகளிலும் தாக்கலாயிருக்கிற
தாகவும் அடையாளந்தாரென்கிறதையும் அநுபவித்துக் கொண்டு வருகிறதாகவும் கவது பிரதி
வாதி புத்திரசாகுறபொருப்பாதத்தியாயம்மாள் கூடயிருந்தவளாயிருந்தொருப்பங்கு த
க்கிடைக்க வேணுமென்று கொக்கிலஇ என்றும் யாதல்லாமல் மதுனாசி
லாகக் கொடுத்தேயாட்டயுருத்திய நாயக்கருது நெமயில் அப்பாலு பிரதிவாதியா
கு யாதோன்புத்திரபெருக்குத்திறப்பான பொருளைடை மதுனாகுறிலலாகக் கொடு
லடையாளந்தபுத்திரக்குத்தான் பாத்தியவதி யென்று சொப்பண்ணிவாச்சுதை
திறப்புக்கையை எடுத்துக் கொண்டதாகவும் தாங்கள் வுக்கு பொதுமக்களோட
மாபாருபார்த்துக் கொண்டிருக்கலாயென்றும் மீதாபாயம்மாளவாதி பெருக்கவும்
பொதுமவுபாலெழுதிக்கெடுத்திருப்பதிலேயென்றும் -கிலைது பாகிக்காதகை
திலங்களில் சிலதைத் தான் எதிர்த்துச் சந்தாராயாக்கிச் செலுத்தி வைச்சுப்பாலடை
திலதனதமிடுக்கொண்டதாகவும் தன்புத்திரனுடைய சம்மதியானபெரில்தன்சாதி

னொலவெளிசசிலலாவு யாதொருததுவதமவருசமமாறதெ
யதாற தெயதிலைகிகலவு அதுகமபாணாசதிறபுகளவாவதிறதறகு -

வெயதெலதெயதைவலாவாபிறவெ

அாஙயமதொறதுஙய அவாகுசெது தெமயற எயலா பிறதிவாதிகக
வசிசவு அமுககாமசயதுவெ திரு யாகக தாறதாககிறதககாறிததைககுக
டதது ———

கொறல . தொலசி — தாமிறு
சொவலததாற

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யாருடைய முன்னிலைக்கு ௨வது பிறதிவாதியைத் தத்தெடுத்துக் கொண்டதாகவும் அ
திறாக்ஷீ தாயபாயம்மாளும் சம்மதிப் பத்திரமெழுதிக் குடுத்திருக்கிறதாகவும் சீதாபாயம்
மாளிறந்து போனபோது ௨வது பிறதிவாதி கருமதெல்லாஞ் செய்து அவருக்கும் ௧வது பி
றதிவாதி புசேவைக்கேற்ற பொதுவந்தசாந்திராதித்திதுக் கொண்டு வருகிறதாகவும் யாழிதில
க்கண்டிருக்கிற துணைவாதிக்குக் குடுத்திருப்பதில்லையென்றும் இந்து சாஸ்திரப்படிக்கு இறந்து
போனவளுடைய சொத்துக்குப் பெண்சாதியே பாத்தியஸ்தியென்றும் யாதொரு சவுக்கத்திற்காக
வுண்கம் வியாட்சியங்களிற் செல்லுவெலிச்சில்லாக கொண்டிருப்பதுவாவினபெரில
தீறப்பாயாக்குகிறதாகவும் ஆகையால் ௩ஆம் நெ வாடைய க்ஷேத்திய - ௧வது திட்டம் ௪வது பிறதி
வாதிக்கு உவபாரிவுப்படிக்கு மனுசெல்லாச் கொண்டிருப்பதுவா அனுபவ
உத்தாயப்படிக்கித் தீறப்புச்செய்ய வேணுமென்று கேட்டுக்கிறது

௯ உத்திரவு ௩ஆம் உயக்ஷேப்பாலமுறாப்பயலாட்சித்து

௨வது பிறதிவாதிக்கு ௧வது ஷரிகைகையுமொண்டாவது தொட்டுப்பொய்யும்
ஞாத்தொட்டுஞ்சிகளிலடப்பட்டு ஷமெ உத்திரவு குடுக்கத்தப்பப் போனதுநால
இதவியாட்சியத்தை யெதிலப்பாரா யாயவாசாரிக்குமப்படி உத்தாமாசித்து

சப்பிலமெணுப்பாயச்சன ஆவாடையுக்ஷேமெயழுக்ஷப்பயலாட்சித்து
ரிப்பிறி - ரிசாயாண்டாப்பயலாட்சித்து

வாதி தலக்ஷ வெசகள்

௩ஆம் உயக்ஷேப்பாயவரிழு உயக்ஷ பொட்டகிறனாமா - ௬ஆகல
௨வது ஆவா உயக்ஷே யெப்பாலமு உயக்ஷ வாதிக்கு ஸ்ரீதாபாயம்மாளெழுதிக்
குடுத்தெயாவுக்குறக்கல - ௧ - ஈவது ஆவா உயக்ஷே மாற சிழு உயக்ஷ தொகுநாத
நாயருடையமகனாமசுவாமி நாயருடைய சந்ததிக்குயாவகிஞ்சு சாபிதான கல - ௧ -
சவது - ஷை உப்பமு உக்ஷமிளசாயதா - ௧ -

௧வது பிறதிவாதியுடைய தலக்ஷ வெசகள்

௧வது ஆயகுஷனிழு உயன ௧வது பிறதிவாதியுடைய மாமனாறொருநாத
யெருமையாருடைய பழகாளிகளும் அண்ணிக்கொண்ட சம்மதிப்பத்தி

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

கையொப்பம் —

கோபால. வெங்கடசாமி

[illegible]

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டம் - ௧

௨வது காளயுக்தி ௵ சித்திரை ௴ ௨ ௳ வெங்கடபதி திவாதி புருசனாமசுவாமி ஐ
யருக்கு லெட்சுமினாராயா எழுதிக்கொடுத்த கிரைய சாதனம் - ௧

௩வது காளயுக்தி ௵ ஆனி ௴ ௬ ௳ கிலபடி நாராயா ராமசுவாமிஐயருக்
கு எழுதிக்கொடுத்த கிரைய சாதனம் - ௧

௪வது காளயுக்தி ௵ ஆனி ௴ ௨௰ ௳ கோபால ஐயங்கார் ராமசுவாமி ஐ
யருக்கு எழுதிக்கொடுத்த கிரைய சாதனம் - ௧

௫வது காளயுக்தி ௵ ஆவணி ௴ ௯ ௳ ராமசுவாமி ஐயன் வைத்தியநாதையருக்கு எ
ழுதிக்கொடுத்த கிரைய சாதனம் - ௧

௬வது ௸ ௵ ௸ ௴ ௨ ௳ யால கிலபடினா அம்மாள் மேலப்பட்டியாருக்கு எ
ழுதிக்கொடுத்த கிரைய சாதனம் - ௧

௭வது ௸ ௵ ௸ ௴ ௯ ௳ வெங்கடேசையன் மேலப்பட்டியாருக்கு எழுதி
க்கொடுத்த கிரைய சாதனம் - ௧

௮வது ௸ ௵ ௸ ௴ ௯ ௳ குப்பையன் வகாரா எழுதிக்கொடுத்த கிரை
ய சாதனம் - ௧

௯வது ௸ ௵ ஆவணி ௴ ௨௰ ௳ மணஞாயயவகா ராமசுவாமிஐய
ருக்கு எழுதிக்கொடுத்த ஒத்திபத்திரம் - ௧

௰வது காளயுக்தி ௵ கார்த்திகை ௴ ௨௰ ௳ வெங்கடையன்வகா ராம
சுவாமிஐயருக்கு எழுதிக்கொடுத்த ஒத்திபத்திரம் - ௧

௰௧வது காளயுக்தி ௵ புரட்டாசி ௴ ௨௰ ௳ கோபால ஐயன்காரை
யாருக்கு எழுதிக்கொடுத்த ஒத்திபத்திரம் - ௧

௰௨வது காளயுக்தி ௵ தை ௴ ௨௰ ௳ கோபால ஐயன் ராமசுவா
மிஐயருக்கு எழுதிக்கொடுத்த கிரைய சாதனம் - ௧

௰௩வது காளயுக்தி ௵ ஆவணி ௴ ௧ ௳ வெங்கடையன்வகா ராம
சுவாமிஐயருக்கு எழுதிக்கொடுத்த ஒத்திபத்திரம் - ௧

திருநெல்வெலி ஜில்லாவுக்கு யாற்றெனறுத்திருப்பதாம வந்த மா
திருநெல்வெலி ஜில்லாவுக்கு தம்முடைய பாணா ஆற்றுக்கால வாங்கி
தம்முடைய பத்திரங்களை தெரிவித்தவைக்கிலவு

குமாரய்யர் ... பெயர் ... 
வைத்து முகம ... யாருக்கு ... கிரக ...
முத்தையா ...

கோபால ... 
கிருஷ்ணா

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யசுவது சாதாரண ௵ ஆனி மீ ௨௰ உ நிலபதிணய்யங்கா
ரையாருக்கு யெழுதிக் கொடுத்த கிரைய சாதனம் - க

யகுவது ௵ வைகாசி மீ உய உ திருவெங்கிடாசாரியா
ரையாருக்கு யெழுதிக் குடுத்த கிரைய சாதனம் - க

யசாவது ௵ வைகாசி மீ ௨௰ க பெருமாளய்யங்காரை
யாருக்கு யெழுதிக் குடுத்த கிரைய சாதனம் - க

யஎவது ௵ மீ ௨௰ ௩ கோபாலய்யங்கார் யெழுதிக்
குடுத்த கிரைய சாதனம் - க .

யஅவது ௵ மீ உ நிலபதிணய்யங்காரையாருக்கு யெ
ழுதிக் குடுத்த வதிபத்திரம் - க

யகூவது ௵ ஆனி மீ ௬ உ திருவெங்கிடமய்யனங்கார் மெ
ய்யாடியாருக்கு யெழுதிக் கொடுத்த வதிபத்திரம் - க

உயவது ௵ மீ உய உ திருவெடுவய்யங்காரைடியா
ருக்கு யெழுதிக் கொடுத்த கிரைய சாதனம் - க

உயகவது ௵ ஆனி மீ கலாசபுதெ கோபாலய்யங்கார் மெ
ய்யாடியாருக்கு யெழுதிக் கொடுத்த கிரைய சாதனம் - க

உயஉவது ௵ மீ உ பாரஜதய்யங்கார் யெழுதிக் கொ
டுத்த கிரைய சாதனம் - க

உயஙவது ௵ மீ உசா செல்லய்யங்காரைடியாருக்கு யெ
ழுதிக் கொடுத்த கிரைய சாதனம் - க

உயசவது ௵ மீ உ பாலதிரெமசிய்யய்யங்காரமெலப்ப
டியாருக்கு யெழுதிக் கொடுத்த கிரைய சாதனம் - க

உயருவது ௵ மீ ய கு நாராணய்யங்காரைடியாருக்க
யெழுதிக் குடுத்த கிரைய சாதனம் - க

உயசாவது ௵ கலாயபுய கடாரமய்யங்காரெழுதிக்கு

திடு தொலவெலசிலலாஅ யாதுதெண்ணூதிதுகூ யபதாமவதை மொராசில

துமமூ யபதாமதெ யதி வைக்கிலஅ ருகூகம பிள்ளை திரெபுக்கல் வாங்கிரதா

கூஅாஙயமகூ மொரதிடு ஙய அாடக்கூ நெமபரஙயக்கூள பாதிதியாதிகா

வைதின்அசமூகமயா யினுடை திரெபுக்கதூரக்கரயிதத்தகொனித்தணை

கூதககியா திது —

ஜெரல. வெலசி சாயிஞ

கிரவுதரா

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தகிறைய சாசனம் - ௧

௨௰௭ வது ௸ இல் ஜுலாயி ௴ ௩ உ அளகியநம்பிராமய்யங்காரெழுதிக்குடுத்த கிறைய சாதனம் - ௧

௨௰௮ வது ௸ இல் ௴ ௨ உ யால அனவாராய்யங்காரெழுதிக்கொடுத்த கிறைய சாதனம் - ௧

௨௰௯ வது ௸ இல் ஆகஸ்டு ௴ ௨ உ கிஷ்ணய்யங்காரெழுதிக்கொடுத்த கிறைய சாதனம் - ௧

௩௰ வது ௸ இல் செப்டம்பர் ௴ ௧ உ சீனிவாசஅய்யங்காரெழுதிக்கொடுத்த கிறைய சாதனம் - ௧

௩௰௧ வது - ௲௮௱ ௯௰ ௵ புரட்டாசி ௴ ௨௰௪ உ சங்கரநாராயணபிள்ளை யெழுதிக்கொடுத்த ஒத்திபத்திரம் - ௧

௩௰௨ வது ௲௮௱௰௯ ௵ அக்டோபர் ௴ ௩ உ சங்காலிங்கம்பிள்ளை சொக்கலிங்கம்பிள்ளையாருக்கு யெழுதிக்கொடுத்த கிறைய சாதனம் - ௧

௩௰௩ வது ௲௮௱௰௯ ௵ நவம்பர் ௴ ௬ உ சிதம்பரம்பிள்ளையாருக்கு யெழுதிக்குடுத்த கிறைய சாதனம் - ௧

௩௰௪ வது ௸ இல் ௴ ௨ உ யால அண்ணாப்பிள்ளையாருக்கு யெழுதிக்கொடுத்த கிறைய சாதனம் - ௧

௩௰௫ வது ௸ இல் ௴ ௨௰ உ பலவேசமுத்து மேலப்படியாருக்கு யெழுதிக்கொடுத்த கிறைய சாதனம் - ௧

௩௰௬ வது மதுரைச்சில்லாக்கோட்டு ௲௮௱௰௯ ௵ டிசம்பர் நாயக்கல் பிறந்த ரெபுக்கல் - ௧

௩௰௭ வது - ௲ ௮௱ ௨ ௴ ௨௰ உ ராயம்மாள் கயத்துமிர பாதிக்கு யெழுதிக்கொடுத்த சம்மதி பத்திரம் - ௧

அகியாண்டு சட்டசுதிரனாய்வானையின் தம்பிலந்தாநத்தக்க நடவடிக்கைக்கூ மதுரைச்சில்லாக்கோட்டு பண்டிதருடைய

திருநெலவெலிசிலலாகூயாதநெணாதகிருபபதாவலிருமகோரிமொ

நியபபதாரெயதிவைககீலசுவருககமபினா ௲ ௱௭ புநவலவாலகிரதரெ

[illegible]

கூஅாநயமமேமாநிபுநபை [illegible] நெமபநப

பாரிதிவாதிகளவைகீசஆவருகெம [illegible] யனுமநிரயபுநகதுககிரக

காகிதிதனைதகுகிககபபட [illegible]

[illegible]

வர்வயூதிசெகிஜூபபளளிபுரொவிஞசியாலகொாடடுபணடிதருடைய
துவாயபூகெவுணமாயவாகிஇஆலொசினசெயததிலபுரொவிஞசியாலகொா-
டடுபணடிதருமமதுரைககொாடடுபணடிதருமகவதுபாாதிவாதியுடை
யபுததசனாருமசுவாமிநாயாதனதகபபனுககுபாககாலமசெவவெநடையா
நததாகவுமஇநதநாலெழுடியானுடையதகபபனுடையஆஸதிமெ
லதுககமெழுடியானபாதியலதனனுடையஎழுடியானுடையதாயசீதாபா
யமமாளுமெழுடியானுடையமசகினியாகியவெஙகுபாயமமாளுடைய
னனவலகிாஇககமடடுமபாதியலதாளனாமாமசுவாமிநாயா
கிாஅயெனதினபெரிலஎழுடியானுடையபெணசாதியாகியகவதுபாாதி
வாதிஇவனுககுபாதியலதியெனறுமவுகையாளெலசீதாபாயமமாளுக
தலைழுஆஸதியலயாதொருபஙகுஊசியுவாாதிககுஇயாலயெழுககுகொ
டாதொருவாததிலுமதாயமுமஅதிகாரமுமஇலலையெனறும
திரியாயஉசொலலுகிறாகளஅதிராலெவாதிதனககுபயாலநக
கொணடவரதபயாலமுததிலுமதாயனுககுசசெலலாததாயாகெ
ரதமுகாதிாஇநாலெழுடியானவியாடசியததைதனககிடைசெய
பபடடுவாதிதனககுபாரிதிஉகிாவிலகவதுபாாதிவாதிவெதுபாாதிவாதி
யையெநுவெடுததுககொளளநாயமாமெனகிறதைகெளவாகெயடிககிற
னபபபடிககுஒருநாதமுயமககுதாணயெணவளிபபெறுயாகுநதுதாமெ
பாதியலநதொனறுமொனனுலஎழுடியானுடையஆஸதிமுறுவதுககு
லலெலாவியாடசியமாடவெனமஅனகையானெலகொாயடாவாதிவியா
டசியததைதனககிடைசெயநதுயாகிணடியாலகணடகிகிறவாயாடசியசச
லவுமுசூவுதுமவாதிதாமெகுககமபடியாயகிரயபுசசெயயலாடசிது

| | | | | |
|---|---|---|---|---|
| | ௵ | அறு பயாக | | பகுதி |
| கவதுபாாதிகிதனவாகீழுகுடெலளிகமிவைகுபாதத | ஸயக | ௰ | 11 | 11 |
| கவதுபாாதிவாதிககுசெனாஅசசிககோயாதகிபபு | அயன | ௪ | 11 | 11 |

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|---|---|---|---|---|
| நவது பிரதிவாதி சாட்சிகளுக்கு கொண்டுபோன செலவுபடி | [illegible] | [illegible] | [illegible] | [illegible] |
| ஆக 4வது பிரதிவாதிக்கு வாதியிடத்தில் வரவேண்டியது [illegible] | [illegible] | 11 | 11 | 11 |
| வாதி தனக்கு [illegible] | [illegible] | [illegible] | 11 | 11 |
| வாதிக்கு [illegible] | [illegible] | [illegible] | 11 | 11 |
| [illegible] வாதி [illegible] செலவுபடி | 11 | [illegible] | 11 | 11 |
| வாதி சாட்சிகளுக்கு [illegible] செலவுபடி | [illegible] | [illegible] | 11 | 11 |
| ஆக வாதியினத்தில் [illegible] | [illegible] | 11 | 11 | 11 |

[illegible]

[illegible]

[illegible]

[illegible]

Translated

Signed) Pakeyanadapillay

Traslator

(Signed) J. Horsley

Assistant Judge

[illegible]

[illegible]

Examined, Signed) G. Vencatasawmy

Sherestadar

[illegible]

(A true Copy)

J. Horsley

G. Vencatasawmy

Sheristadar

Copy in [illegible] Letter to [illegible]
d/24th Feby 1857 No 6

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Decree
in O.S. No 32 of 1829
of the file of the Auxiliary Court of Tinnevelly

Re 1869/56

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[illegible]

[illegible]

[illegible]

Exd J. Vencata Swamy
Sheristadar

[illegible]

[illegible]

[illegible]

[illegible]

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