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191-

Revenue Department

E.M.C. dated 24th February 1857

Back N^{os} 34-35

Order no 191 dated 21st Feb 1857

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

No. 34. Read the following letter from J. D. SIM, Esq., Acting Secretary to the Board of Revenue; to H. FORBES, Esq., Acting Secretary to Government, Revenue Department; dated Fort Saint George 9th February 1857, No. 474.

SIR,

I am directed by the Board of Revenue to submit, for the orders of Government, the accompanying letter from the Acting Collector of Masulipatam, * O. S. 114 of 1856 in Civil Court. dated 13th January 1857, forwarding copy of a plaint^a filed against himself and others, with draft of an answer, and requesting authority to defend the suit at the public cost.

2. This action has been brought for the recovery of Cutties 8 V. 7 P. 3 of land in the village of Cooradah now in the possession of 32 ryots of Goodlavullairoo under the following circumstances.

3. A party of the Goodlavullairoo ryots had for a very long period held some land belonging to the village of Cooradah. In fusly 1262 difficulties arose between the resident ryots of this village and the Goodlavullairoo party regarding the apportionment of the joint rent, and the latter agreed to give up the lands. This agreement was recognized by the settling officer, and the lands were distributed by the Cooradah ryots among 5 of the residents, who sub-divided them among 18 others by whom they were held in fuslies 1263-64 and 65.

4. The agreement for this transfer was signed by seven of the 33 transferring puttadars and by 11 parties on behalf of the Cooradah villagers.

5. Before the settlement of fusly 1263, however, a petition objecting to the transfer was received chiefly from those of the Goodlavullairoo party who had not signed the agreement.

It was rejected, and an appeal was preferred to the Commissioner, who ultimately directed the restoration of the land. This decision was carried out at the settlement of fusly 1265 when fresh engagements were executed by the parties and carried into effect. This second agreement however like the first was not signed by all the parties interested, and, on this informality, Plaintiffs, who originally obtained the land in dispute under an equally informal deed, ground their present claim.

6. As regards the merits of the case, the Board are of opinion that every party holding or entitled to hold a puttah from Government should have been required to give his individual consent to the transfer of his holding, and that therefore the first agreement is invalid as regards all those who did not sign it. The case however concerns the villagers only, and the Acting Collector's answer merely seeks relief from all responsibility. The Board recommend that he may be authorized to file it, if he has not already done so.

No. 35. ORDER THEREON, No. 191; dated 21st February 1857.

The Right Honorable the Governor in Council grants authority for the defence in the first instance at the public expense of original suit No. 114 of 1856, instituted by certain ryots of the village of Cooradah in the Civil Court of Masulipatam against the Collector of that District; but will determine when copy of the decree shall be furnished, whether the costs, if any be adjudged against the Collector, shall be borne by that officer or by the Government.

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

பாதுகாப்பு பிரிவு

செப்பனிருபவர் பெயர் S. ஜி. லீலா

செப்பனிருவதற்காக
எடுத்துக்கொள்ளப்பட்ட நாள் 6/2006

செப்பனிட்டு முடித்த நாள் 8/2006

சுமார் 100	சுமார் 100	சுமார் 100
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Extract from the Proceedings of the Commissioner
Madras dated 7th August 1855.

Read the following Endorsement
on Petition No 1507 of 1855, recently forwarded by
the Collector of Madraspatnam and dated 25th April
1855.

(Was entered No 570)

1. The Petitioners deny that they gave a Ha-
rarnamah as stated by the Head Assistant Col-
lector in this Endorsement, and refer to the Col-
lector's Endorsement of 29th August 1854 in sup-
port of this assertion, where the names not
of Petitioners but of other parties are enumerat-
ed as being affixed to the Hararnamah, who
had no authority from Petitioners
to enter into any engagements on Petitioners be-
half. Petitioners moreover assert that they have
held the lands for many years back, and are
as much entitled to be considered Haidemry-
ots as the other occupants in the Village. They do
not demur to the amount of Siot, altho it has
been raised, and further state that some of
their lands were acquired by purchase.

2. It appears to the Commissioner that
Petitioners did not voluntarily engage to re-
linquish the lands in question, and their
present appeal is one proof of this, their
being the case, they could not be fairly and
legally dispossessed long as they paid the appor-
tionment on them as stipulated in the pattahs,
and considering also the circumstances of
Petitioners

Petitioners' long occupation and of their having
 acquired a portion by purchase, the Commis-
 sioners resolved to direct that the lands in ques-
 tion may be restored to the petitioners, who should
 be put in possession for the present. Further

Resolved that the following
 endorsement be placed on Petition No: 1507 of
 1856.

Petitioners are referred to the Collector,
 to whom instructions have been sent on the sub-
 ject of their representation.

Attest (Signed)

J. S. J. Goldingham,
 Commissioner

The following
 Manuscript

Attest (Signed)

J. S. J.
 Collector

a letter from the Secretary
 to the Board of Revenue to the
 Acting Secretary to Government
 Revenue Department dated 9th
 February 1857. No. 474

2166/57

Copy
 of an Extract from the
 Proceedings of the Commis-
 sioners & further views to the
 effect of a resolution to the
 dated 12th August 1855
 Regarding the Com-
 missioners' No. 1507 of 1855.

Revenue Board Office,
Fort San George,
9th February 1837.

From
J. D. Sin Esq.
Acting Secretary to the Board of Revenue

To
H. Forbes Esq.
Acting Secretary to Government,
Revenue Department.

Sir,
I am directed by the Board of Revenue to submit, for the orders of Government, the accompanying letter from the Acting Collector of Madras, dated 18th January 1837, regarding Copy of a plaint filed against himself and others, with draft of an answer, and requesting authority to defend the suit at the public cost.

2. This action has been brought for the recovery of Cultas 8:7:3¹/₂ of land in the Village of Coradah now in the possession of 32 Pyots of Goodlacullaroo under the following circumstances.

3. A party of the Goodlacullaroo pyots has for a very long period held some land belonging to the Village of Coradah. In July 1262 difficulties arose between the resident pyots of this Village and the Goodlacullaroo party regarding the appertinements of the joint rent, and the latter agreed to give up the lands. This agreement was recognized by

Col. M. G. B. Esq.
in Civil Court.

by the settling Officer, and the lands were distributed by the Corradah pyots among 5 of the residents, who subdivided them among 18 others by whom they were held in 1863. 64 & 65.

The agreement for this transfer was signed by seven of the 30 transferring proprietors and by 11 pyotes on behalf of the Corradah Villagers.

Before the settlement of July 1863 however a Petition objecting to the transfer was received chiefly from those of the Goocharullauro party who had not signed the agreement. It was rejected, and an appeal was preferred to the Commissioner, who ultimately directed the restoration of the land. This decision was carried out at the settlement of July 1865 when fresh engagements were executed by the parties and carried into effect. This second agreement however like the first was not signed by all the parties interested, and, on this informality, Plaintiff, who originally obtained the land in dispute under an equally informal deed, grounds their present claim.

As regards the merits of the case the Board are of opinion that every party holding or entitled to hold a Pattah from Government, should have been required to give his individual consent to the transfer of his holding, and that therefore the first agreement

No. 6 Masulipatam
7th Aug 1855.
In H.C. 20th 9/2/55

is invalid as regards all those who did not sign it. The case however concerns the Villagers only, and the Acting Collector Anderson merely seeks relief from all responsibility. The Board recommend that he may be authorized to file it, if he has not already done so.

I have the honor to be,

Sir,

Your most obedient servant,

Rev. B. Offair,
Fort St. George,
9th July 1854.

Wm
Acting Secretary

To

H. Fortes Esq.

Acting Secretary to Government,

Rev. Department.

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Board of Revenue

U. H. B. & Co. Frankfurt

100

27th
with 4000 lbs
Coffees

the Governor and Council grants
authority for the defence in the
first instance of the public's papers
of original birth of 1836 indicating
that by certain Deputy of the Village
of Concord in the civil court
of New Hampshire against those
brothers of that Guild, but
will determine when copy of
the deed shall be furnished
whether the copy is any longer
subject against the collector,
shall be borne by that office
or by the Government.

(long) (well)
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