Revenue Department

Minutes of Consultations

23rd June 1857

Back Numbers 28-29

Order no 612 dated 17th June 1857

பாதுகாப்பு பிரிவு - 1

செப்பனிடுபவர் பெயர் . கி. வெங்கடாசலம்

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் 7/06

செப்பனிட்டு முடித்த நாள் 11/06

கரிபார்த்தும் முதல் மு. நி. பா. எ. கையொப்பம்

சரிபார்த்தும். 2ம். நி. பா. எ. கையொப்பம்.

உத்தியோகி உத்தியோகர் கையொப்பம்

Fort Saint George, Revenue Consultation of 23d June 1857.

No. 28. Extract from the Proceedings of the Board of Revenue, dated 8th May 1857, No. 1468.

In Consultation 8th May 1857.
Board's No. 9 of 1857.

Read letter dated 13th March 1857, from the Collector of Chingleput, reporting on Government Petition No. 3045-1856.

(Here enter No. 72.)

Ordered that the foregoing letter be laid before Government, with reference to their endorsement dated 13th January 1857.

(A true Extract.)

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

No. 29. ORDER THEREON, No. 612; dated 19th June 1857.

1. In the Petition above recorded, the owner of a certain portion of Enam land in the village of Poonamallee in the District of Chingleput, complains of the issue of a Government Grant conveying the said land to the person who now tenants it. He also states that the Officer Commanding Poonamallee ordered him to lower the rent of the land; and he deprecatessuch interference and begs for the annulment of the grant.

2. From the Collector's report it appears that the question of the ownership of the land claimed, has been litigated between the Petitioner and his tenant, and decided in favor of the former; and the tenant, "apparently," Mr. Shubrick says, "to escape his consequent liability for rent," applied for a Grant of the land; the Tahsildar, to whom the application was forwarded for report, omitted to make enquiry as to the proprietary right to the ground, assuming that it belonged to Government; a Grant was accordingly issued in the name of Petitioner's tenant on August 1st 1856, No. 378.

3. It further appears from the Collector's letter that Colonel Impett did represent the tenant's inability to pay the rent demanded, to the Collector, but on being informed by the latter officer that the Petitioner's right had been judicially established, he did not further press the matter. Mr. Shubrick now recommends the annulment of the Grant No. 378, it having been issued under a misapprehension.

4. The Governor in Council is accordingly pleased to direct that the Grant in question be declared null and void, and that the following endorsement be passed on Petition No. 3045 of 1856.

"Petitioner is informed that orders have been issued cancelling the Grant made on August "1st 1856 to one Venkatachalachary, of 2 Grounds and 1338 Square feet of land which is reported "to have been decreed to Petitioner."

5. Adverting to the neglect of the Tahsildar to ascertain the fact of there being any lien upon the land previous to reporting that there was no obstacle to the issue of a Grant, the Government direct that proper notice be taken of such remissness.

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

Fort Saint George, Revenue Consultation of 23d June 1857.

Read the following papers.

No 27. To the Right Honorable Lord HARRIS, Governor in Council of Fort St. George dated Madras 16th December 1856, No. 3045.

The Humble Petition of Sheik Mahomed inheritor of the Sunnud Manieum, or land of Cumal Fakeer of Poonamallee.

My Lord,

That your Petitioner's ancestor Cumal Fakeer during his life time enjoyed the above Manieum which was granted by Allumgheer Badshaw from many years and after his demise it has been under my charge without any molestation. Some inhabitants having their houses built on the above Manieum were paying to my fore-father and myself at 8 Annas per month for a ground, out of whom two person's named *Vencatachela Acharey* and *Aununtha Acharey* in consequence of having failed to pay their rent due to me your Petitioner was obliged to proceed against them in the Moonsiff's Court of Trepasore district in the year 1849, No. 400, who decided that until the inhabitants are paying the land tax they are entitled to possess the ground for their occupation and if they refuse to pay it they are to take their tenements and leave the ground to the petitioner agreeable to the Regulations of Government; this decree being disagreeable to the petitioner's adversaries, viz. the said Vencatachela Acharey and Aununtha Acharey they made appeal and special appeal in the appeal Courts at Chinglyput who also confirmed the decision of the Native Judge, and so the Defendants of your Lordship's petitioner were obliged to discharge the tax due to him from the 22d June 1852, up to the 31st January 1856, shortly after they formed a deception inventing that the ground on which their houses are built is connected with the cantonment of Poonamallee, applied to the Commanding officer to obtain them a Government grant who forwarded the application to the Collector of Chingleput who sent a Taked to the Tasheldar of Poonamallee talook to enquire into the particulars of the ground and bring the same to his notice. Your petitioner then represented to the Collector producing all the vouchers connected with the decision of the appeal Courts and objected that Government grants should not be given to the people who have built their houses in the Manieum ground; on the contrary, the *Naib Serestadar* Varadachary sent a false report to Government of the Collector's Cutcherry aided and obtained a Government grant for your petitioner's Defendants. Your Lordship's petitioner again presented his petition to the Collector on the 1st October 1856, stating that it was quite unfair for him to earn a Government grant to the people who have built their habitations in the manieum ground which was perused by the Head Serishtadar of the Collector's Cutcherry who also objected that it was improper to give a Government grant to the Petitioner's adversaries, which induced the Collector to write to Government and the Officer Commanding the station regarding the obstacle, and at the same time endorsed on the 14th November last on the Petitioner's address that he has no objections to your Petitioner's laying his complaint to Civil Court for the recovery of the rent due to him by his defendants up to the present date, as also communicated the same to the Commanding Officer on the 29th *idem*. Your Lordship's Petitioner in order to be acquainted with the opinion of the Commanding Officer, represented the case to him on the 8th (December) Instant who ordered me to lower the land tax; at any rate then your Petitioner has hitherto recovered from the parties above alluded to, and if the Petitioner does not willing to do so will be refered the whole case to Government for final decision: your Lordship's Petitioner therefore now begs that your Lordship will be pleased to order the Commanding Officer that he may not arise any objections to the land tax which was hitherto recovered by him from the defendants, and if he has any reason to do so he may refer the matter to the Judicial Department or Civil Court and be pleased to order the Government grant to be cancelled.

No. 3045 of 1857.

Referred to the Collector of Chingleput, through the Board of Revenue, for report.

FORT ST. GEORGE,
13th January 1857.

By order
(Signed) M. NORMAN,
Deputy Secretary to Government.

Forwarded to the Collector for report with reference to the order of Government noted within.

REVENUE BOARD OFFICE,
FORT ST. GEORGE,
21st February 1857.

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

To The Right Honourable Lord
Governor in Council
of
Fort St. George

My Lord

The Humble Petition of Sheik Mahomed inheritor of the Sunnud Monieum or land of Cumal Fakeer of Poonamallee

That your Petitioner's ancestor Cumal Fakeer during his life time enjoyed the above Monieum which was granted by Allumgheer Badshaw from many years and after his demise it has been under my charge without any Molestation Some inhabitants having their houses built on the above Manieum were paying to my fore father and myself at 8 Annas per Month for a ground out of whome two person's named Vencatachela Acharey and Auneuntha Acharey in Consequence of having failed to pay their Rent due to me your petitioner was obliged to proceed against them in the Moonsiff's Court of Trepasore district in the year 1849 No 400 who decided that until the inhabitants are paying the land tax they are intitled to possess the ground for their occupation and if they refuse to pay it they are to take their tenements and leave the ground to the Petitioner agreeable to

to the Regulations of Govt. this during disagreeable to the
Petitioners adversaries by the said Venadachella Acharey and
Sunnutha Acharey they made Appeal and Special Appeals on
the Appeal Courts at Chunglepet who also confirmed the decision
of the Native Judge and as the defendants of Your Lordships Petitioner
were obliged to discharge the Tax due to him from the 22d June 1855
up to the 31st January 1856. Shortly after they formed a deception
pretending that the Ground on which their houses are built is
connected with the Cantonment of Ponnamallee applied to the
Commanding Officer to obtain them a Government Grant who
forwarded the Application to the Collector of Chunglepet who
sent a Sahed to the Tasheldar of Ponnamallee Taloob to enquire
into the particulars of the Ground and bring the same to his notice
Your Petitioner then represented to the Collector producing all
the Vouchers connected with the decission of the Appeal Courts
and objected that Government grants should not be given to the
people who have built their houses on the Maniem ground
on the Contrary the Varadachary Native Serestadar sent a false report to
Government of the Collectors Cutcherry ended and obtained
a Government Grant for your Petitioners defendants
Your Lordships Petitioner again presented his petition to
the Collector on the 1st October 1856 stating that it was
quite unfair for him to earn a Govt. Grant to the people who
have built their habitations in the Maniem ground which
was perused by the Head Serestadar of the Collectors Cutcherry
who also objected that it was improper to give a Government
Grant to the Petitioners adversaries which induced the

Collector to write to Government and the Officer Commanding the
Station regarding the Obstacle and at the same time endorsed on
the 14th November last on the Petitioners address that he had
no objections to your Petitioner laying his complaint to the Civil
Court for the recovery of the Rent Due to him by his defendants
to the present date as also Communicated the same to the
Commanding Officer on the 29 idem Your Lordships petition
in order to be acquainted with the opinion of the Commanding
Officer Represented the Case to him on the 8th December Instant but
who ordered me to lower the land tax at any rate then your
Petitioner has hitherto recovered from the parties above alluded
to and if the Petitioner does not willing to do so will be
referred the whole Case to Government for final decision
Your Lordships Petitioner therefore now begs that your
Lordships will be pleased to order the Commanding Officer
that he may not raise any objections to the land tax which
was hitherto recovered by him from the defendants and
if he has any reason to do so he may refer the matter to
the Judicial Department or Civil Court and be pleased
to order the Government Grant to be Cancelled

For which Act of Charity

Your Lordships Petitioner as
in duty bound shall ever Pray

Madras.
16th December 1856.

Revenue Department

No. 1458

Extract from the Proceedings of the Board of Revenue dated 8th May 1857.

Read letter dated 13th March 1857 from the Collector of Chingleput, reporting on Government Petition No. 3045/1856.

(Para entered No. 721)

Ordered that the foregoing Petition be laid before Government, with reference to their Endorsement dated 13th January 1857.

(A true Extract)

(L.S.) L. Dundas.
Acting Sub Secretary

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

Ordered 8th May 1857.

Rec'd 12th Answd 18th May 1857.
Returned 13th June 1857.

(3045-1856.)

Petition the Collector of Chingleput through the Board of Revenue for report.

By order

L. Dundas
Sub Secretary

Rec'd 12th June 1857
Returned 13th June 1857

By Sub Secretary

Forwarded to the Collector for report with reference to the Order of Government noted within.

Revenue Department
Fort St. George
21st May 1857.

By Order

L. Dundas
Sub Secretary

Forwarded to the Collector for report with reference to the Order of Government noted within.

Revenue Department
Fort St. George
21st May 1857.

By Order

L. Dundas
Sub Secretary

N.° 1791

Official Memorandum.

The Acting Secretary to the Board of Revenue has the honor to inform the Deputy Secretary to Government, Revenue Department, that the Book referred to in his Memorandum dated 14.th May 1857 is not on the Board's Office but with the Registrar of Government Grants, to whom a Memorandum has been sent for it.

By Order,

J. D'Lisle

Ag Secretary

Revenue Board Office
Fort St George
29.th May 1857

To

A. Norman Esq.
Deputy Secretary to Government,
Revenue Department.

Petitions 1857 Departt

No. 17.

Official Memo

From
The Actg Secretary to the
Board of Revenue

To
The Deputy Secretary to Govt.
Revenue Departt.

Dated 29th May 1857.
Rec'd 30th May 1857.
No. 1751

Informing him that
the Book referred to in the
Memo of 14th Instant is not
in the Board's office but
with the Registrar of Govt
Grants to whom application
has been made for it.—

2.D

No 612

Extract from the Minutes of Consultation
dated the 17th June 1857

Read again Pet.n 3045
of 1856 and letter from
the Collector of Bengalpoor
dated 13 March 1857
reporting on the same
submitted with the
Dep.y of the Board of Rev.
No 1468 of 8 May 1857

In the Petition above recorded
the owner of a certain
portion of Inam land
in the Village of Poona
in the District of
Chingalpoot, complains
of the issue of a Sud grant
conveying the Land
to the petitioner
land of a Jaudy Soldier.

new tenants it: He also states that the Officer commanding Pomaramby ruled him to lower the rent of the said land; & he deprecates such interference and begs for the amendment of the grant.

2. From the Collectors report it appears that the question of the ownership of the land claimed, has been litigated between the Petitioner and his tenants, & decided in favour of the former. and the tenants, apparently, Mr. Shubrick says, "A Escape

his consequent liability for rent," applied for a grant of the land; the Tahildar, to whom the application was forwarded for report, omitted to make enquiry as to the proprietary right & the ground, appearing that it belonged to Govt.; a grant was accordingly issued in the name of the tenant on Aug 1. 1856 No 378.

3 It further appears from the Collectors letter that the Collector did represent the tenants inability to pay the rent demanded, & the Collector, but on being

informed by the latter
officer that the Petr.
right had been judici-
ally established, he
did not further prep
the matter. Whe-
reupon now recommends
the Cancellment of
the Grant No 378, it
having been issued
under a misappre-
hension
4 The Govt. in C is accor-
dingly pleased to direct
that the Grant in
question be declared
null & void & that
the following Endorse-
ment be passed
on Petn No 3045
of 1856.
"Petr is informed
"that orders have

J-10.

"been issued cancelling the
"Grant made on August
"1. 1856 to one Venkatacha
"lachary, of 2 Rs 1338
"½ pt. of land which is
"reported to have been
"decreed to Petr."
5. Adverting to the neglect
of the Tahsildar to ascertain the fact
of there being any lien
upon the land the
Govt. direct that
proper notice be taken
of such remissness.

E. H.

W.M.
June 9.

3 Copies to the Registrar
with an Order Dispr. No 20
1 — Do — Do — Dispr. No 20