

①

15³ 3² 2¹

Revenue Department

Minutes of consultations

14th July 1857

Back Numbers 16-17

Order no 692 dated 11th July 1857

இதையொப்பம்

16th April 1855, (No. 426, Revenue Department). Government decided that the Shotriem was one of the class-styled Nauttawar, and in para. 2 they remark that the other similar Shotriems were granted or continued on the stipulation that they should escheat in default of legal heirs. The mere want of a sunnud in the present case does not under the circumstances appear to invalidate the claim.

Fort Saint George, Revenue Consultation of 14th July 1857.

of the family to have the question of succession settled on the same principle as if a sunnud had issued, there being nothing to shew or even lead to the supposition that the non-issue of a sunnud was owing to any default of theirs. Puttaby Ramier is described as "the great grandson of the uncle of the original grantee" Paupier, "and his cousin B. Venkiah as "the grandson of a brother of the original grantee." Both these parties seem to come within the definition of "legal heirs" given by the Pundits of the Sudr 9th August 1852 in from Government of "legal heirs" given by the Pundits of the Sudr 31st August 1852, No. 843, R. D. Udalt in their opinion that in default of lineal heirs the succession rested in the father's descendants as far as grandsons, the paternal grandmother, the paternal grandfather, the uncles and their sons, and failing these again to the paternal great grandfather, his sons and their issue.

8. Setting aside the adoption therefore Venkiah as grandson of the last Shotriemdar Veersawmier's uncle and Puttaby Ramier through the great grandfather of the family, seem to have claims faring the escheat. It is however unnecessary to consider the matter in this light until Government determine on the question of Puttaby Ramier's adoption by the last Shotriemdar.

(A true Extract.)

(Signed) J. D. SIM, Acting Secretary.

No. 17. ORDER THEREON, No. 692; dated 11th July 1857.

In their Proceedings above recorded, the Board of Revenue reply to the resolution of Government contained in para. 9 of Extract Minutes Consultation dated 9th August 1856, No. 841, directing that more accurate enquiry should be made, whether the claimant of the Goodinelvoy Shotrium in Chingleput was really an adopted son of the last Shotriumdar who died in 1829.

Ex. M. C. No. 841 of 9th Aug. 1856, para. 4. 2. The facts of the case are briefly as follows. When the last Shrotriumdar died, a claim was set up on behalf of the present Petitioner as the adopted son of the deceased. This claim was disallowed, and in 1833, the village was formally attached. Twenty years afterwards, Petitioner again claimed the Shrotriem, but this time as the son of the last Shrotriumdar. It was conclusively proved that he bore no such relationship, and he then revived the claim to succeed on the score of adoption. The oral testimony he adduced to prove his claim was shown by Government to be clearly worthless, while of the three documents constituting his written evidence, the first proved nothing, and the third was irrelevant; Government nevertheless called for the originals of the two first documents, and directed that an accurate enquiry should be made, as stated above, respecting the adoption, remarking that, "had the adoption really taken place in 1822 there could have been no difficulty in establishing its truth in 1829," and also that, Venkiah, the other claimant, who at first declared that the Petitioner was the adopted son of the deceased, afterwards stated that he was only his foster son.

Ex. M. C. No. 841 of 9th Aug. 1856, para. 6.

Ib. para. 7.

ment nevertheless called for the originals of the two first documents, and directed that an accurate enquiry should be made, as stated above, respecting the adoption, remarking that, "had the adoption really taken place in 1822 there could have been no difficulty in establishing its truth in 1829," and also that, Venkiah, the other claimant, who at first declared that the Petitioner was the adopted son of the deceased, afterwards stated that he was only his foster son.

Para. 8

3. The Collector of Chingleput instituted an inquiry, during which sundry parties deposed, most minutely, to every circumstance which occurred at an adoption which is said to have taken place 37 years ago; as four of the deponents are only 55 years old, this event must have taken place when they were quite young; but it is difficult to believe that five individuals can have retained in their memories the same circumstances, and the same circumstances only, regarding a ceremony of which each must, in the interim, have attended very many. The reasons assigned for the remembrance of these circumstances are those commonly given by natives, and such as should carry little weight in deciding on the value of evidence; one recollects the circumstances with minuteness because "his brother was married in the same year," another "was married himself the month after" the circumstances he relates; another states that he recollects the date

Fort Saint George, Revenue Consultation of 14th July 1857.

and hour of the adoption, because the adoptive father's merasy was sequestered for arrears of revenue "a few" months after the adoption.

4. If there were nothing else indicative of the suspicious nature of this evidence, the answers to the first question put to the deponent Poloo Naick would be sufficient to condemn it; that individual on being asked "whose son is this Puttaby Ramier now before the Cut-chery"? at once betrayed the purpose for which he had appeared, and replied "he is the adopted son of Veerasawmy, Shrotriumdar of Goodinelvoy."

5. The Government proceed to consider the documentary evidence adduced.

6. The first and third documents have already been disposed of in para. 7 of Extract Minutes Consultation of 9th August, and the Government see nothing in any of the Documents, as now submitted, which leads them to think more favorably of the Petitioner's claim than they did when formerly discussing its merits. It is difficult to conceive why, if the deed of partition produced be a genuine document, the adoption should have been suppressed by the Petitioner himself, when starting his claim after twenty years quiescence in 1853.

7. Under all the circumstances of the case, the Government decline to recognize the alleged adoption of Petitioner. The additional oral evidence Ex. Min. Cons. 9th August 1856, para. 6. now supplied by the Collector has served to confirm the doubts to which the suspicious behaviour of the claimant, and the utterly worthless character of the oral evidence formerly submitted, gave rise.

8. The Board suggest, but do not press or prominently put forward, other grounds on which the Shrotrium may be given to Petitioner; they have not been urged by himself, and on many accounts the Government do not consider the present a fitting time to alienate the revenues of the state, and to supply parties with arguments which shall enable them to avoid taxation.

(Signed) H. FORBES,

Acting Secretary to Government.

Extract from the Proceedings of the Board of Revenue, dated 23rd June 1857.

Read letter from the Collector of Chingleput dated 15th April 1857 forwarding certain documents and further depositions relative to the claim of Pattaly Ramier to the Shamien of Goodenbury in his District.

(Here Enter Nos)

In pursuance of the Order of Government contained in para 6 of E. & A. Minutes of Consultation dated 16 April 1855 N^o 426 Revenue Department, the Board of Revenue, in their Proceedings dated 2nd May 1856, submitted two letters from M. Shabuck in the claim set up by Pattaly Ramier to the Goodenbury Shamien as the heir of Perra Ramier the late Shamindar.

*dated 29th Nov. in 24th Decemr. 1855
dated 7th March in 27th May 1856*

On a consideration of the evidence then before the Board they agreed with M. Shabuck in his second letter that

that the adoption of P. Ramier by Verasamier
the late Goodenelway Shastri was suf-
ficiently established and on that ground
they recommended that he should be put
in possession of the Shastri in question
which it was previously decided by Govern-
ment was of the same hereditary charac-
ter as the other Nattawan Shastris in
the Chingleput District.

San. to C. Min. Cms. No. 423
dated 16 April 1856

3. Government however in
Extract Minutes of Consultation No. 821
dated 9 August 1856 reviewing the
Board's communication expressed some
doubts arising from the unsatisfactory
nature of the oral evidence and the private
character of the documents produced,
as to P. Ramier's adoption by Verasa-
mier. The Board were directed to cause
more accurate enquiry to be made on
that point and to call for the original
documents for the inspection of Government.

4. In reply to the Board's
requisition the Collector forwards Deposi-
tions (with Translations) from five
individuals who state on oath that they
were

were all eye-witnesses of the ceremony of Puttaby Ramier's adoption. That the said individual was by birth the son of Veerasamiak of Vayalankallu and the son by adoption of Veerasamiak late Shothriemdar of Goodenclay and that the natural and adoptive fathers were cousins. In other important particulars also, such as time and place of adoption and age of Puttaby Ramier at the time, the statements are corroborative of each other.

5. The Collector also submits the originals of the Deeds of Settlement and Partition and of the Tahildar's Report referred to by Government in para 7 of the Order quoted in para 3 of these Proceedings. The Deeds are executed on Stamp paper and the Board see no reason for doubting their genuineness.

6. The Board have already expressed their opinion in favor of the claim and have only to repeat their recommendation that Puttaby Ramier be put in possession of the Shothriem and the surplus proceeds of the Estate from the date of the claim being preferred.

dated

preferred, as determined in the concluding
para of Extract Minutes of Consultation
16 April 1855 N^o 426.

4. But supposing the evidence
now adduced to be still unsatisfactory in
the estimation of Government and insufficient
to overcome the doubts raised by the long
quiescence of the claimant and his suspicious
proceeding in claiming first as the natural
and then as the adopted son of the last
Shrotriundar, it remains still to be considered
whether Pattabji Ramier has a claim to
succeed by descent independent of the
alleged adoption. The Collector of Shinglapur
in his letter dated 7 March 1856 states ^{In (m) 2^d Aug 18}
that the succession to the Estate is limited
to "lineal" heirs, but does not mention on
what authority he makes this assertion.
In Extract Minutes of Consultation 16 April
1855 (N^o 426 Revenue Depart.) Government
decided that the Shrotriundar was one of the
class styled Nautilwar and in para 2
they remark that the other similar Shro-
triundars were granted or continued on the
supposition that they should inherit in
default of legal heirs. The more want
of

of a Sannad in the present case does not under the circumstances appear to invalidate the claim of the Family to have the question of succession settled on the same principle as if a Sannad had issued. There being nothing to show or even lead to the supposition that the non-issue of a Sannad was owing to any default of theirs. Puttaby Ramier is described as "the great grandson of the uncle of the original grantee. Paupier and his cousin B. Venkiah as "the grand-son of a brother of the original grantee." Both these parties seem to come within the definition of "legal heirs" given by the Pundits of the Sudr Udalat in their opinion that in default of lineal heirs the succession rested in the Father's descendants as far as grandsons, the Paternal grandmother, the Paternal grandfather, the uncles and their sons, and failing these again to the Paternal great grandfather, his sons and their issue.

8. Setting aside the adoption therefore Venkiah as grandson of the last Shrotriandar Veeraswami's uncle and Puttaby Ramier through the great grand-son

From Coll. of M. and
in Feb. 2nd May 1886.

9th August 1882
in From Coll. of 31 Aug 1882
1883 A.D.

grandfather of the Family seem to have
claims jarring the Escheat. It is however
unnecessary to consider the matter in this
light until Government determine on the
question of Pullaby Runners' adoption
by the last Shrotrun dars.

(A True Extract)

L. L. L.
Ag Secretary

To

H. C. Forbes Esq.

Ag Secretary to Government

Revenue Department

17th 44th / 55th 42nd 32nd 43rd.
 a- 12th Aug 5th / 56th a- 41 44th
 a- 31st Aug 5th / 52 a- 21 42nd

Col. J. W. F. T. E.
 17th 53rd 1857, 1855
 14th 15

Dec. 1857 Receipt
 10th 14th 21st July

Reduced from the
 Proceedings of the
 Board of Revenue.

Part 23rd
 Dec. 25th, June 1857
 13th 18th 18th 18th

1856 692 11th 14th
 1854 148

relating to the
 Board of Revenue, a letter
 from the Secretary of the
 Board on the subject of
 the Board of Revenue
 relating to the Board
 of Revenue, a letter
 from the Secretary of the
 Board on the subject of
 the Board of Revenue

1854 148

Revenue Dept

1892

Extract from the Minutes of Consultation

Under date the 11th July 1857

Read the following

papers

~~From B. Tiddahy Rannick
the adopted son of Vayay
-sawinick the Mestrian dat
and Mersy day of Gaddy
-nelway or Vayer Salook in
the hills of Chingleput.~~

Here enter 5th January 1856

Extract from the Pro: of the
Board of Revenue

Here enter 23rd June 1857 No. 2146

A

1/6

On these Pro-

ceedings above recorded,

the Board of Revenue

reply to the resolution

of Government contain-

ed in para 9 of Extra

minutes Consultation

dated

dated 9 August 1856 & 10
841 directing that more
accurate enquiry should
be made, whether the
claimant of the Goodi-
meloy Shrotrium in
Chingleput was really
an adopted son of
the last Shrotriumdar
who died in 1829.

2. The facts of the
case are briefly as
follows: When the last
Shrotriumdar died,
a claim was set up
on behalf of the pre-
sent Petitioner as
the adopted son of
the deceased. This
claim was disallowed,
and in 1833 the Village
was

Exhibit 1000
of 9 Aug 1856

9
was formally attached.
Twenty years after
wards, Petitioner
again claimed the
Shrotrium, but this
time as the son of
the last Shrotriumdar.
It was conclusively
proved that he bore
no such relationship,
and he then revived
the claim to succeed
on the score of
adoption. The oral
testimony he adduced
to prove his claim
was shown by
Government to be
clearly worthless, in
violation of the Rree
documents constituting
his

his written evidence
the first proved nothing,
and the third was
irrelevant. Government
nevertheless called
for the originals of
the two first documents,
and directed that
an accurate enquiry
should be made, as
stated above, re-
specting the adoption,
remarking that, "had
the adoption really
taken place in 1822,
there could have been
no difficulty in es-
tablishing its truth
in 1829, and also
that, Venkiah, the
other claimant, who
at

the 10 3rd
at first declared that
the Petitioner was
the adopted son of
the deceased, after-
wards stated that
he was only his foster
son.

3. The Collector
of Chingleput in situ-
tion at an enquiry,
during which many
practices deposed, not
minutely, to every
circumstance which
occurred at the
adoption, that it
seem to have taken
place 57 years ago,
at four of the depo-
sits were only 55
years old, this went
much

must have taken place
when they were quite
young; but it is
difficult to believe
that five individuals
can have retained
in their memories
the same circumstan-
ces, and the same
circumstances only,
regarding a cere-
mony of which
each must in the interest
have attended very
many. The persons
assigned for the mem-
ories of these cir-
cumstances ~~are~~
those commonly given
by natives, and such
as should carry little
weight.

11 4th
weight in deciding
on the value of evidence,
one recollects the
circumstances with
minuteness because
"his brother was
married in the
same year," another
"was married him-
self the month
after the circum-
stances he relates,"
another states that
he recollects the
date and hour of
the adoption, because
the adoptive fathers
were at that time
interested for
reasons of revenue
"a few months after
the

✓
the adoption.

4. If there were nothing else indicative of the suspicious nature of this evidence, the answer to the first questions put to the deponent Polo Saich, would be sufficient to condemn it; that individual on being asked "whose son is this Hattahkivavaiuk now before the Aitchery?" at once betrayed the purpose for which he had appeared, and replied "he is the adopted son of Sem-savung."

Shrotrunmas

12

Shrotrunmas of Pooder
"malooy"

5. The Government
proceed to consider
the documentary evi-
dence submitted.

6. The first and
chief documents
have already been
disposed of in Para-
7 of Extract Minutes
Dissolution of 9 August
and the Government
see nothing in any
of the Documents,
as now submitted,
which leads them
to think more favora-
bly of the Petitioner's
claim than they did
when formerly discussing
it.

the merits. It is difficult
to conceive why, if the
deed of Partition pro-
duced be a genuine
document, the adoption
should have been
suppressed by the Pe-
titioner himself when
starting his claim,
after twenty years
quiescence in 1853.

Under all
the circumstances of the
case, the Government
declines to recognize
the alleged adoption
of Petitioner. The
additional oral evi-
dence now supplied
by the Collector has
served to confirm

the

Exhibit Contg. Aug. 1866
page 6

the doubt to which
the suspicious behavior
of the claimant
and the utterly
worthless character
of the oral evidence
formerly submitted,
have risen.

8 The Board suggest but
do not press or
promissarily put
forward, other
grounds on which
the objection may
be given to Petition-
er, they have not
been urged by him-
self, and on many
accounts the Post
do not consider
the present a

fitting

fitting time to alienate
the revenues of the State,
and to supply parties
with arguments which
shall enable them to
avoid taxation.

The following
endorsement will
be made of Petition No.
100 of 1856. Government
are not of opinion
"that the claims of
"Petitioner to succeed
"to the Goodinloy
"Shrine as the
"adopted son of the
"late Ruler has
"been made good
"and his request
"that the village may
"be registered in
his

Copies to the H. of R.
with 13 Encl.
Disp. 13

Copy to G. L. & E.
of 17 Dec. 1857. N. 45
P. 14 & 15

24

Revenue 1857 Dept.
D. to Council, 11th July.

1862.

Contract. Minis. of Com.
D. 11th July 1857.

Pro. from Bd. of Rev. 17th Aug. 1857
C. 1891 in Com. 18th Nov. 49
Tomb of Rev. 18 Oct. 1857 C. 2424

Passing orders on the
claim of Puttaby Ramier
to the Goodinloy Shro.
Shrine in the District of
Chingleput.

1864/7.

22 July 1864