Revenue Department

Minutes of Consultation

27th July 1858.

Back No. 42 & 43.

Order No. 1028 D 24th July 1858

செப்பனிடுபவர் பெயர் : ஏ.ஸ்ரீவாணிவேல்

செப்பனிடுவதற்காக எடுத்துக்-
கொள்ளப்பட்ட நாள் : 8/08

செப்பனிட்டு முடிக்க நாள் : 11/08

25/11/08
சரிபார்க்கும்
முதல் ம.பா.எ.
கையொப்பம்

சரிபார்க்கும்
இரண்டாம்
ம.பா.எ.
கையொப்பம்

ஆராய்ச்சி
உதவியாளர்
கையொப்பம்

Fort Saint George, Revenue Consultation of 27th July 1858.

No. 42. Read the following Extract from the Proceedings of the Board of Revenue; dated 12th July 1858, No. 2583.

In Cons. 12th July 1858. Read letter from the Collector of Chingleput, dated 21st June 1858.

(Here enter No. 173.)

2113 1857
1024 } 1858
1328 }

Resolved that the above Report be laid before Government, with reference to their Endorsements on the Petitions noted in the margin.

2. Petitioner's late husband and his younger brother held 1-24th share of the Shrotrium villages of Caderpoor and Maradum. Petitioner claims the share in the former on the ground that her husband and his brother had divided, and lived separately.

3. The Collector states that from the records of his office, and the enquiries recently instituted through the Tahsildar of the talook, Petitioner's husband and brother were undivided, and that on the death of the former in 1838, his share of both villages passed to his brother, who bound himself to pay Petitioner Rupees 21 annually for maintenance, under penalty of forfeiting the share of Caderpoor, until all arrears due to Petitioner should be made good.

4. The brother failed to act up to his agreement, and the share in Caderpoor was made over by Mr. Freese to the Petitioner, who moreover sued her brother-in-law in the Moofty Sudr Ameen's Court, for the arrears due to her and obtained a favourable decree, which has since been executed. Her brother-in-law then applied to the Civil Court to be replaced in possession of the share of Caderpoor, according to the original agreement, as nothing more was due to Petitioner, and the Collector has been called upon to make the transfer.

5. Under these circumstances Mr. Shubrick recommends that Petitioner's claim be rejected.

6. In this view the Board concur, as they take it for granted, that the question of division of interests was duly considered in the course of Petitioner's suit for the recovery of the arrears of her maintenance.

7. It is not clear, however, that the Moofty Sudr Ameen and the Civil Judge had authority to interfere, as regards either the possession of the Shrotrium, or the right to maintenance from its proceeds.

8. The Collector states that the delay which has occurred in disposing of these Petitions was caused by the non-receipt of information from the Tahsildar, and the pressure of business in connection with the Settlement.

(A true Extract.)

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

No. 43. ORDER THEREON, No. 1028; dated 24th July 1858.

The Government concur in the views expressed in these Proceedings. Ordered accordingly that the following endorsement be made upon Petitions Nos. 2113 of 1857 and 1024 and 1328 of 1858.

"Petitioner's request is inadmissible. The Government see no reason to interfere with the present arrangements."

(Signed) T. PYCROFT,
Chief Secretary.

3/1056

No. 2583.

Extract from the Proceedings of the Board of Revenue, dated 12th July 1858.

In Con. 12th July 1858. Read letter from the Collector of Chingleput, dated 21st June 1858.

(Herewith No. 173.)

2113 1857
1624 } 1858
1638 }

Resolved that the above Report be laid before Government, with reference to their Endorsements on the Petitions noted in the margin.

2. Petitioner's late husband and his younger brother held 1-24th share of the Shrotriam villages of Caderpoor and Marsdum. Petitioner claims the share in the former on the ground that her husband and his brother had divided, and lived separately.

3. The Collector states that from the records of his office, and the enquiries recently instituted through the Tahsildar of the taluk, Petitioner's husband and brother were undivided, and that on the death of the former in 1838, his share of both villages passed to his brother, who bound himself to pay Petitioner Rupees 21 annually for maintenance, under penalty of forfeiting the share of Caderpoor, until all arrears due to Petitioner should be made good.

4. The brother failed to act up to his agreement, and the share in Caderpoor was made over by Mr. Freese to the Petitioner, who moreover sued her brother-in-law in the Moofty Sudr Ameen's Court, for the arrears due to her and obtained a favourable decree, which has since been executed. Her brother-in-law then applied to the Civil Court to be replaced in possession of the share of Caderpoor, according to the original agreement, as nothing more was due to Petitioner, and the Collector has been called upon to make the transfer.

5. Under these circumstances Mr. Sandberg recommends that Petitioner's claim be rejected.

6. In this view the Board concur, as they take it for granted, that the question of division of interests was duly considered in the course of Petitioner's suit for the recovery of the arrears of her maintenance.

7. It is not clear, however, that the Moofty Sudr Ameen and the Civil Judge had authority to interfere, as regards either the possession of the Shrotriam, or the right to maintenance from its proceeds.

8. The Collector states that the delay which has occurred in disposing of these Petitions was caused by the non-receipt of information from the Tahsildar, and the pressure of business in connection with the Settlement.

(A true Extract.)

Secretary.

To

W. H. BAYLEY, Esq., *Acting Secretary to Government, R. D.*

Copy to Collector of Chingleput.