

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	470	Press Mis.
Dated	5-4-	1859

Not to be folded or roughly handled

470

Fort Saint George, Revenue Consultation of 5th April 1859.

No. 22. Read the following Extract from the Proceedings of the Board of Revenue, dated 24th March 1859, No. 1036.

Read letter from the Acting Collector of Salem, dated 2nd March 1859, No. 40.

(In Con. 7th March 1859, No. 922.)

Ordered that the above report be submitted to Government with reference to their Endorsement, dated 11th November last on Petition No. 3011 of 1858.

2. The enquiry that has been made shows that not only is the alleged sale of the land to Petitioner's late husband Soobaroyacharry altogether unproved, but that he held the land from Streenavasa Charry the Maniundar, on Puttah renewable yearly.

3. The Petitioner has therefore no good grounds for suing for possession of the land, and the Board recommend that the permission to do so may be refused.

(A true Extract.)

(Signed) W. HUDLESTON, *Sub-Secretary.*

No. 23. ORDER THEREON, No. 470; dated 5th April 1859.

The interest of Government is in no way implicated in the dispute between the parties in this case. The ordinary Courts of Adawlut are the proper tribunals for the trial of such issues between private persons; the Governor in Council therefore sees no reason for cutting off the Petitioner from seeking a remedy there, and he accordingly grants him permission to do so, under Section II. Regulation IV. of 1831.

(Signed) J. D. BOURDILLON,
Secretary to Government.

IN CON. 7TH MARCH 1859, No. 922.

From A. HATHAWAY, Esq., Acting Collector of SALEM,

dated Darampoory, 2nd March 1859, No. 40.

With reference to the Endorsement passed on Government Petition 3,011 of 1858; I have the honor to report as follows.

2. Petitioners (Mother and Son) seek the permission of Government, to sue for recovery of possession of a piece of land, from Streenavasa charry, who, notwithstanding that he had in 1849 sold it to Soobooroyacharry, (the 1st Petitioners' husband), has, since the death of the latter, given it for cultivation to a third party.

3. From the Record received this day from the Acting Sub Collector, it would appear, that the ground in question is Lakhiraj Garden land—called "Puttalamarum Thotum"—forming part of the "Karay", or "division" of Coonnattoor Pitchaya Streenavasa Iyengar, situated in the Agraharum of Naravalloor, subject to a Jary Moottah.

4. The village in question is a Surva Manium, apportioned into 10 Kareys of 4 villages each; the lands of each shareholder being subject to a fresh allotment every 10 years.

5. The plea of purchase is in no way supported by evidence, either oral or documentary.

6. On the contrary, the Record shews, that in 1849, Soobbaroyacharry, obtained a Puttah for one year, from Streenavasacharry, for the land in question, and cultivated it till his death, paying the yearly assessment of Rupees 12½, fixed in the said Puttah, which is the only one granted.

7. The 1st Petitioner, in her deposition before the Tahsildar, acknowledges that the Puttah was for one year only.

8. On the demise of the said Soobaroya charry, the owner exercised his undoubted right of renting the land to another person.

9. I cannot therefore support the Petitioners' prayer.

10. The original Puttah, with translate, accompanies this report.

ENCLOSURE 1.

TRANSLATION OF A TAMIL PUTTAH.

Poonjah cultivation Puttah, executed on the 32nd Vyasee of the year Savoomya, by Streenevasachariar of Vengaray, to Soobbanachary, Son of Vuthanachary, a resident of the Cusbah village of Thindamungalum. The whole of my land called Puttalamaram, situated in the Agraharum of Naravalloor, and attached to the Caray of Coonnattoor Pitchaya Streenevasiengar, is given to you for Poonjah cultivation, this year, for Rupees 12. You should pay the whole of this sum, from the month of Alpesy, within the month of Pungoony, and cultivate the Poonjah land with Poonjah produce.

The Puttah is thus executed.

(Signed) Streenevasa Auchariar.

WITNESSES.—Boommasamoodrum Vencatavurdiengar. I know.

Sashacheliengar Son of Vencatasiengar. I know.

This document was written by myself.

(True Translation.)

(Signed) A. HATHAWAY,
Acting Collector,

ENCLOSURE 2. Petition. 3011 of 1858.

Case to be referred

2/5/59

1022 Rev. Mr. ...

No. 1036.

EXTRACT from the PROCEEDINGS of the BOARD of REVENUE, dated 24th March 1859.
Read letter from the Acting Collector of Salem, dated 2nd March 1859, No. 40.

(In Con. 7th March 1859, No. 922.)

Ordered that the above report be submitted to Government with reference to their Endorsement, dated 11th November last on Petition No. 3011 of 1858.

2. The enquiry that has been made shows that not only is the alleged sale of the land to Petitioner's late husband Soobaroyacharry altogether unproved, but that he held the land from Streena-vasa Charry the Maniumdar, on Puttah renewable yearly.

3. The Petitioner has therefore no good grounds for suing for possession of the land, and the Board recommend that the permission to do so may be refused.

(A true Extract.)

S. J. Bourdillon

To

J. D. BOURDILLON, Esq., Secretary to Government, R. D.
Copy to Acting Collector of Salem.

Sub Secretary.

Revenue 1859 Separate
Cons 5th April

No 512

Abstract from the Proceeds
from the Sale of the same

Patent 24th March 1854.
Recd 26

2 Inds.

McN

Submitting a letter from the
Acting Collector of Customs
reporting on Section No 311
of 1853, and recommending
that the provisions therein
by which he refused.

No 22 + 23.

With an order
No 470 = 5th April 1859.

No 470

Abstract of the same

is in no way implicated in the dis-
pute between the parties in this
case the ordinary Courts of Appeal
are the proper tribunals for the
trial of such cases between private
persons, the Government in Council
therefore has no reason for calling
off the petitioners from seeking a
remedy there, and accordingly
grants him permission to do so,
under Section 11 Regulation II of 1831.

That 24th April 1859
5th April 1859
Copy to the Secretary
Copy to the Secretary
Copy to the Secretary
Copy to the Secretary