M.R.O. 14—10,000—21-4-22

# MADRAS RECORD OFFICE.

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## Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 563 ~~Press~~ Mis.

Dated 30-11-1859.

**Not to be folded or roughly handled**

To,

The Right Honorable the Secretary of State
for India in Council.
East India House.
London.

The humble petition of Balummal,
Widow of the late Venkataramesoy,
Moottahdar of Velloor & Shelloor
in the Paramuthy Talook:—
Salem.

Most humbly Sheweth,

That Memorialist being aggrieved with the orders passed in her case by the local Govt., begs most humbly and respectfully to address your Honor in Council on the subject of her grievances in the earnest and fervent hope that justice will be rendered her.

That Memorialist has been unjustly dealt with by being kept out of the possession & enjoyment, thro' an illegal act of the late Collr. Mr. Brett, of her due portion of her late husband's Estates as well as of her bona fide property, her Stridhanum, the Moottah of Madthanachetty, will be apparent to your Honor in Council from the following brief statement of her case.

Memorialist's late husband was Moottahdar of the two Moottahs of Velloor & Shelloor, and died in February 1858. On his demise, Kamatchiummaul the 2nd. Widow addressed the Collr. requesting that the whole of the Estates should be registered in joint names of herself and Memorialist, but subsequently she having, through the intrigues and insidious persuasions of certain parties inimical to Memorialist preferred a claim to the sole registry in her name, on the alleged false ground of her being the Senior Widow, tho' at the same time she expressed her willingness to give Memorialist a full half share. With this request the Collr. of his own accord, without reporting the subject to the higher Authorities agreeably to C. O. of the 25th August 1834, complied.

The impropriety of this act of the Collr. is fully admitted by the Board of Revenue, and yet notwithstanding which, both the Board and Govt., on very untenable grounds, direct Memorialist to prosecute her claims in the Civil Courts, thereby causing her to undertake unnecessary litigation.

That while the whole of the facts recorded on the proceedings held in the case are in favor of Memorialists claims as well as the report of the Collr. Mr. Hathaway, and while the course pursued by Mr. Brett is admitted to be altogether illegal, the local Govt. contrary to such facts have not indeed disallowed Memorialist's claim but they have evaded deciding the matter at issue, tho' clear & unquestionable in itself; and very inconsistently desire her to establish her claims in the Courts, and to prove that which requires no proof. The Govt. decided that because Ramatchi-ummal is in possession they could not interfere. Memorialist humbly submits that Ramasamy Reddy was previously in possession of the whole of the Estate, and if, it were legal for the Collr. to dispossess him and place Ramatchi Ummaul in possession, it would be equally legal for the higher Revenue Authorities to interfere on behalf of Memorialist. Whilst it is within the province of the Revenue Board to decide the matter equitably, they refused to interfere, notwithstanding the repeatedly expressed willingness of the 2nd. Widow to give Memorialist an equal share of the two Mootahs. The decision of the Board is contrary to all law, justice and right. That it is contrary to all law and justice will seem clear from the consideration that a subordinate officer (the Collr.) was allowed to dispossess one party, viz. Ramasamy Reddy, and place another in possession contrary to the provisions of Reg. V of 1822, and then they refuse to interfere with regard to Memorialist's claims. The property in question does not devolve exclusively either on the Senior or Junior Widow. It is private property and can be disposed of by sale or mortgage or otherwise alienated, and the Govt., whichever way the Mootahs are disposed of, will not lose a single fraction of Revenue; and by their registering the Mootahs in the joint names of Memorialist and the other Widow, will prevent unnecessary litigation.

Memorialist claims two things viz. the registry of a moiety of her late husband's Landed Estates, and the restoration of the Mootah of Mootanchetty which was presented to her by her Mother as Stridhanum or marriage dowry for her own private expenses. That Memorialist has an undoubted right to both no one pretends to deny, either the higher or lower Authorities, or even the other widow herself; and it is only in consequence of the unlawful proceedings of the late Collr. Mr Brett in placing the 2nd. Widow in possession of all three Mootahs, that the Govt. thought proper to refer her to a course of litigation which will be as vexatious as well as it is altogether unnecessary. That it is unnecessary will be apparent when it is remembered that there is not the slightest dispute with respect to Memorialist's claims, and that it is only thro' the single act of the Collr., done on his own individual responsibility and acknowledged to be illegal, that Memorialist is placed in the present dilemma.

In confirmation of her claim, she would humbly submit the following points for the consideration of Your Honor in Council, premising that none of the facts is and has not been ever disputed by any one.

1st. Memorialist is one of the two legitimate Widows of the late Mottahdar Venkatramreddy.

2nd. She is the Senior and older Widow, not only the oldest in age — she being 18 years old and the other widow twelve — but she was also the first in nuptials as was proved by the depositions of her Mother in law, the mother of Memorialists late husband, of the Prohelas and other Witnesses who attended the marriage.

3rd. Whether she is the Senior or Junior Widow, she is still, according to Hindu Law, entitled to an equal share with the other Widow. — In Strange's Manual of Hindu Law, para 320, it is stated that "the wives are viewed on an equality and inherit jointly." This subject is fully explained in Chap. II Mitacshara. It is also admitted by the highest Judicial Authorities in Southern India that the widows of one husband inherit jointly. Such also is the general usage obtaining throughout the country, in accordance with which, among numerous other instances, the Board of Revenue directed in 1849 that the Mootah of Teralum should be jointly registered in the names of the two ~~Mootahs~~ Widows of the late Mootahdar who belonged to the same District as that of the Memorialist. In 1850 also they directed that the two Widows of the Mootahdar of Keerumbar in the same District should be jointly registered.

4th. Kamatchee Ummaul herself expressed her willingness from the first to allow Memorialist an equal share of the Estate, and had the Collr. reported the matter without delay to the Board of Revenue, the present dispute would not have arisen.

5th. In addition to a moiety of her late husband's Estates, Memorialist has a peculiar and exclusive claim to the Mootah of Moothanchetty, it being

her

her Stridhanum or marriage dowry, bestowed on her by her mother for her private expenses: further there is documentary proof that the said Mattah belongs to her, the same being recorded in the Collr's Registry of the 16th August 1856.

In the Board's C. O. of 11th May 1854, it is declared that "females are likewise entitled to the property given to them as dowry at their nuptials." See also Sir T. Strange's Hindoo Law Chap. X pages 25, 231 and 247 and also Colebrooke's translation of Mitacshara Chap. II Section XI page 365.

From a review of the whole of the facts of the case it will be clear that whilst there is no question or doubt as to the validity of Memorialist's claims, the local Govt. have on the mere grounds of the opposite party being in possession through an illegal act of the Collr., evaded deciding the question according to its merits, and unnecessarily referred Memorialist to the Courts.

The chief ground on which the Govt. referred referred her to the Courts is that the opposite party has been in possession for a year. That there has been no unnecessary delay in Memorialist representing her claims to the Authorities will be seen from the facts that Memorialist's husband died in February 1858; the Collr. passed his final order placing the other widow in possession by ousting Ramasawmy Reddy, on the 26th October 1858, and gave Memorialist a copy of his decision in the December of the same year.

Memorialist appealed to the Board in the following January and their decision was given only in July last. From the above statement it is clear that Memorialist made no delay in preferring her appeal to the higher Revenue Authorities within whose jurisdiction the matter fully lay, and it was their province to set aside the illegal proceedings of the Collr. If the higher Authorities decline to interfere, they should have at the same time disallowed the interference of their Subordinate Officer and allowed the whole question to go before the Courts. Instead of doing this however they virtually confirmed the illegal and unauthorized proceedings of the Collector. Should Memorialist file a suit there is not the smallest doubt but that she would be placed in possession of her rights: but in that event she will have to proceed against against the Collr., by whose means she has been deprived not only of a moiety of her husband's estate, but also of her own peculiar property which she inherited from her mother. The difficulty has been created by the Collector, and it could be easily disposed of by Govt. by their simply passing an order causing the the joint registry of her name with that of the other widow. Memorialist is poor being deprived of all her rights, and she is both unwilling and unable to go to law. Moreover the 2nd widow does not object to give her a moiety and it would be unfair and unjust to sue her.

In view of all the foregoing facts Memorialist most humbly solicits Your Honor in Council to take her case into merciful consideration and pass orders directing that her name may be jointly registered with that of the 2nd Widow, who fully admits her claim, and that the Madtalo of Madthanchetty her Stridhanum may be restored to her.

For which act of justice and mercy, Memorialist as in duty bound

Will ever pray—

Madras
26th October
1859.

No. of 1859.
From Balummal, Senior Widow of the late Venkatram Reddy Moottahdar of Pelloor and Shelloor in the Paramuthy Talook: Salem.

Dated 26th }
Recd } October 1859.
R 2096/59

Represents that whilst she as the Widow = the oldest in age as well as the first in nuptials of the late Moottahdar is entitled to a moiety of her husband's Estate, as also to the Mootah of Mootthanchelly to wh. she has a peculiar & exclusive claim from its being her Stridhannum or marriage dowry inherited from her Mother, the Collr unauthorizedly and without reporting the subject to the higher Authorities agreeably to C. O. 25th August 1834, made over the whole of the property to the 2nd Widow & on Memt complaining to Govt they without taking the subject into proper consideration virtually confirmed the illegal proceedings of their Subordinate officer, tho' they admitted it to be improper and referred her to the C. Courts, thereby causing her to undertake unnecessary litigation — unnecessary from the circumstance of the other Widow having repeatedly expressed her wishes to allow Memt a full half share: — prays in view of the facts herein set forth that her case may be taken into consideration & orders passed directing that a moiety of the 2 Moottahs of her husband may be registered in her name and the Mootah of Mootthanchelly restored to her.

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To

The Right Honorable the Secretary
of State in Council for India
East India House
London.

The humble Memorial of
Balummal, Widow of the
late Venkatram Reddy Moottah-
dar of Pelloor and Shelloor in
the Paramathy Talook: Salem

Most humbly Sheweth.

That Memorialist being aggrieved with the orders passed in her case by the local Govt., begs most humbly and respectfully to address your Honor in Council on the subject of her grievances in the earnest and fervent hope that justice will be rendered her.

That Memorialist has been unjustly dealt with by being kept out of the possession and enjoyment thro' an illegal act of the late Collr Mr Brett, of her due portion of her late husband's Estate as well as of her bona fide property, her Stridhannum, the Moottah of Mootthanchelly, will be apparent to your Honor in Council from the following brief Statement of the case.

Memorialist's late husband was Moottah-dar of the two Moottahs Pelloor & Shelloor and died in February 1858. On his demise Kamatchee-mmal the 2nd Widow addressed the Collector requesting that the whole of the Estates should be registered in the joint names of herself and Memorialist, but subsequently, she having thro' the intrigues and insidious persuasions of certain parties inimical to Memorialist, preferred a claim for the sole registry in her name on the alleged false ground of her being the senior Widow, though at the same time she expressed her willingness to give Memorialist a full half share. With this request the Collr of his own accord complied without reporting the subject to the higher Authorities agreeably to C. O. of the 25th August 1834.

The impropriety of this act of the Collr is fully admitted by the Board of Revenue: notwithstanding which both they and Govt. on very untenable grounds direct Memorialist to prosecute her claims in the Civil Courts thereby causing her to undertake unnecessary litigation.

While the whole of the facts recorded on the proceedings held in the case are in favor of Memorialist's claims as well as the report of the Collr Mr Hathaway, and while the course pursued by Mr Brett is admitted to be illegal the Govt. contrary to such facts have not indeed disallowed Memorialist's claims but have evaded deciding the matter at issue, tho' clear and unquestionable in itself and very inconsistently desire her to establish her claims in the Courts and prove that which requires no proof.

The Govt. decided that because Kamatchee Ummal is in possession they would not interfere. Memorialist humbly submits that Ramasamy Reddy was in possession previously of the whole of the three Moottahs, and if it were legal for the Collr to dispossess him and place Kamatchee Ummal in possession it would be equally legal for the higher Revenue Authorities to interfere on behalf of Memorialist. Whilst it is within the province of the Board to decide the matter equitably they refused to interfere, notwithstanding the repeatedly expressed willingness of the 2nd Widow to give Memorialist an equal share of the two Moottahs. The decision of the Board is contrary to law, justice and right. That it is contrary to law & justice will seem clear from the consideration that a subordinate officer, the Collr. was allowed to dispossess one party viz Ramasamy Reddy and place another in possession contrary to the provisions of Reg V of 1822, and they then refuse to interfere with regard to Memorialist's claims. The property in question does not devolve on either the Senior or Junior Widow exclusively. It is private property and can be disposed of by sale or mortgage or otherwise alienated, and the Govt. whichever way the Moottahs are disposed of will not lose a single fraction of revenue, and by their registering the Moottahs in the joint names of Memorialist and the other Widow they will prevent unnecessary litigation.

Memorialist claims two things, viz. the registry of a moiety of her late husband's landed Estates and the restoration to her of the Moottah of Moothanchelly which was presented to her by her mother as Stridhanum or marriage dower for her own private expenses. That Memorialist has an undoubted right to both no one pretends to deny, either the higher or lower Authorities or even the other widow herself, and it is only in consequence of the illegal proceedings of the late Collr Mr Brett in placing the 2nd Widow in possession of all the three Moottahs that the Govt. thought proper to refer her to a course of litigation which will be at vexations as well as it is altogether unnecessary. That it is unnecessary will be apparent when it is remembered that there is not the slightest dispute with regard to Memorialist's claims, and that is only thro' the single act of the Collr. done on his own responsibility, and which is also admitted to be illegal, that Memorialist is placed in the present dilemma.

In confirmation of her claims she would humbly submit the following points for the consideration of your Honor in Council, premising that none of the facts is and has not ever been disputed by any one.

1st. Memorialist is one of the two legitimate Widows of the late Moottahdar Vencatrama Reddy.

2nd. She is the Senior and elder Widow, not only the oldest in age – she being 18 and the other but 14 years old – but she is also the first in nuptials as was proved by the depositions of her Mother-in-law – the Mother of Memorialist's late husband – of the Prohits and other witnesses who attended the marriage.

3rd. Whether she is the Senior or Junior Widow, she is still, according to Hindu Law, entitled to an equal share with the other Widow. In Strange's Manual of Hindu Law, para 320, it is stated that "the wives are viewed on an equality & inherit jointly." See also Mitacshara Chap II. This rule is followed by the highest Judicial Authorities of Southern India, it being in accordance with the general usage of the Country and the Dhurma Shastras. Agreeably thereto, the Board in 1849 directed the Moottah of Verialum to be registered in the joint names of the 2 Widows of the deceased Moottahdar in the self same District. In 1850 also they directed that the 2 Widows of the Moottahdar of Keerumbar in the same District should be jointly registered.

4th. Kamatchee Ummal herself expressed her willingness from the first to allow Memorialist an equal share of the Estate, and had the Collr. without delay reported the matter to the Rev. Board, the present dispute would not have arisen

5th. In addition to a moiety of her husband's estates, Memorialist has a peculiar & exclusive claim to the Moottah of Madthaucchetty, it being her Stridhanum or marriage dower, bestowed on her by her Mother for her private expenses: further there is documentary proof that the said Moottah belongs to her as is recorded in the Collector's registry of the 16th August 1856. In the Board's C.O. 11th May 1854, it is declared that "females are likewise entitled to the property given to them as dowry at their nuptials" See also Sir T. Strange's Hindu Law Chap X page 25: 231 & 247, and Colebrooke's translation of Mitacshara Chap II Section XI page 365.

From a review of the whole of the facts of the case it will be clear that whilst there is no question or doubt as to the validity of Memorialist's claims the Govt. have on the mere ground of the opposite party being in possession, thro' an illegal act of the Collr. evaded deciding the question according to its merits and unnecessarily referred Memorialist to the Courts.

The chief ground on which Govt. referred her to the Courts is that the opposite has been in possession for a year. That there has been no unnecessary delay in Memorialist representing her claim to the Authorities will be seen from the facts that Memorialist's late husband died in Feby 1858; the Collr passed his final order placing the other Widow in possession, by ousting Ramasamy Reddy, on the 26th October 1858, and gave Memorialist a copy of his decision in December of the same year. Memorialist appealed to the Board in the January following and their final decision was given only in July last.

From the above statement it will be clear that Memorialist made no delay in preferring her appeal to the Revenue Authorities within whose jurisdiction the matter fully lay and it was their province to set aside the illegal proceedings of the Collr. If the higher Authorities decline to interfere they should have at the same time disallowed the interference of their subordinate officer and allowed the whole question to go before the Courts. Instead of doing this however, they virtually confirmed the illegal & unauthorized proceedings of the Collr. Should Memorialist file a suit there is not the smallest doubt but that she would be placed in possession of her rights, but in that event she will have to proceed against the Collr by whose means she has been deprived not only of a moiety of her husband's estate, but also of her own peculiar property inherited from her Mother.

Memorialist is poor being deprived of all her rights and she is unwilling & unable to go to Law. Moreover the other Widow does not object to give her a moiety and it would be therefore both unfair and unjust to sue her. The difficulty has been created by the Collr and it is against him alone that Memorialist will have to proceed. The subject could be easily disposed of by Govt simply passing an order causing the joint registry of her name with that of the other Widow: there is no necessity whatever to undertake litigation.

In view of all the foregoing facts Memorialist most humbly solicits Your Honor in Council to take her case into merciful consideration and pass orders directing that her name may be jointly registered with that of the 2nd Widow who fully admits her claim and that the Moottah of Moothanchetty her Stridhannum may be restored to her.

For which act of justice and mercy Memorialist as in duty bound Will ever pray.

— [illegible]

as S.
ctober
59.

No of 1859.
From Balummal Senior Widow of the late Venkatram Reddy, Modtahdar of Pelloor and Shelloor in the Paramathy Talook: Salem.

Dated 26th. } October 1859
Recd. } R 2096/59

Represents that whilst she, as the Widow – the oldest in age as well as the first in nuptials – of the late Mootahdar, is entitled to a moiety of her husband's Estates as also to the Mootah of Madthanchetty to wh. she has a peculiar & exclusive claim from its being her Stridhanum or marriage dowry inherited from her mother – the Collr. unauthorizedly and without reporting the subject to the Higher Authorities agreeably to C.O. 25th. Augt. 1834 made over the whole property to the 2nd. Widow and on Memt. complaining to Govt. they without taking the subject into proper consideration virtually confirmed the illegal proceedings of their subordinate officer, tho' they admitted it to be improper and referred her to the C. Court; thereby causing her to undertake unnecessary litigation – unnecessary from the circumstance of the other widow having repeatedly expressed her wishes to allow Memt. a full half share:- prays in view of the facts herein set forth that her case may be taken into consideration and orders passed directing that a moiety of the 2 Modtahs of her husband may be registered in her name, and the Modtah of Modthanchetty restored to her.

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To

The Right Honorable the Secretary of State
for India in Council:
East India House
London.

The humble Memorial of
Balummal, Widow of the late
Venkatram Reddy, Mootahdar
of Pelloor & Shelloor in the
Paramathy Talook: Salem.

Most humbly Sheweth,

That Memorialist being aggrieved with the orders passed in her case by the local Govt., begs most humbly and respectfully to address your Honor in Council on the subject of her grievances in the earnest and fervent hope that justice will be rendered her.

That Memorialist has been unjustly dealt with by being kept out of the possession and enjoyment, thro' an illegal act of the late Collr. Mr. Brett, of her due portion of her late husband's Estates as well as of her bona fide property, her Stridhanum the Mootah of Madthanchetty will be apparent to your Honor in Council from the following brief statement of her case

Memorialist's late husband was Mootahdar of the Mootahs Pelloor and Shelloor and died in February 1858. On his demise Kamatchee-ummaul addressed the Collr. requesting that the whole of the Estates should be registered in the joint names of herself and Memorialist, but subsequently she having thro' the intrigues and insidious persuasions of certain parties inimical to Memorialist preferred a claim for the sole registry in her name on the alleged false ground of her being the Senior Widow, tho' at the same time she expressed her entire willingness to give Memorialist a full half share. With this request the Collr. of his own accord, without reporting the subject to the higher Authorities agreeably to C. O. of the 25th August 1834, Complied.

The impropriety of this act of the Collr is fully admitted by the Board of Revenue, notwithstanding which both the Board and Govt., on very untenable grounds direct Memorialist to prosecute her claims in the Civil Courts, thereby causing her to undertake unnecessary litigation.

While the whole of the facts recorded on the proceedings held in the case are in favor of Memorialist as well as the report of the Collr Mr Hathaway, and while the course pursued by Mr Brett is admitted to be altogether illegal, the local Govt. contrary to such facts have not indeed disallowed Memorialist's claim, but have evaded deciding the matter at issue, though clear and unquestionable in itself, and very inconsistently desire her to establish her claim in the C. Courts, and prove that which requires no proof.

The Govt. decided that because Kamatche Ummaul is in possession, they would not interfere. Memorialist humbly submits that Ramasamy Reddy was previously in possession of the entire Estate, and if it were legal for the Collr to dispossess him and place Kamatche Ummaul in possession, it would be equally legal for the higher Revenue Authorities to interfere on behalf of Memorialist.

Whilst it is within the province of the Revenue Board to decide the matter equitably they refused to interfere, notwithstanding the repeatedly expressed willingness of the 2nd Widow to give Memorialist an equal share of the two Mottahs. The decision of the Board is contrary to all law, justice and right. That it is contrary to justice and right will seem clear from the consideration that a subordinate officer the Collr. was allowed to dispossess one party, viz Ramasamy Reddy, and place another in possession contrary to the provisions of Regn V of 1822, and they then refuse to interfere with regard to Memorialist's claims. The property in question does not exclusively devolve on either the Senior or Junior Widow: it is private property and can be disposed of by sale or mortgage or otherwise alienated, and the Govt., whichever way the Mottahs are disposed of will not lose a single fraction of Revenue, and by their registering the Mottahs in the joint names of Memorialist and the 2nd Widow will prevent unnecessary litigation.

Memorialist claims two things, viz. registry of a moiety of her husband's landed Estates and the restoration of the Mottah of Mathanchetty, which was presented to her by her mother as Stridhanum or marriage dowry for her own private expenses. That Memorialist has an undoubted right to both no one pretends to deny, either the higher or lower Authorities, or even the other widow herself, and it is only in consequence of the illegal proceedings of the late Collr Mr Brett in placing the 2nd Widow in possession of all three Mottahs that the Govt. thought proper to refer her to a course of litigation which will be as vexatious as well as it is altogether unnecessary. That it is unnecessary will be apparent when it is remembered that there is not the slightest dispute with regard to Memorialist's claim, and that it is only through the single act of the Collector, done on his own individual responsibility, and which is acknowledged to be illegal, that Memorialist is placed in the present dilemma.

In confirmation of her claims She would humbly submit the following points for the consideration of Your Honor in Council, premising that none of the facts is and has not been ever disputed by any one.

1st. Memorialist is one of the two legitimate Widows of the late Moottahdar Venkatram Reddy.

2nd. She is the Senior and older Widow not only in point of age - she being 18 years old and the other widow but 14 - but she was also the first in nuptials as was proved by the depositions of her Mother-in-law, the Mother of her late husband, the Prohetas and the other witnesses who attended the marriage.

3rd. Whether she is the Senior or Junior Widow, she is still according to Hindu Law entitled to an equal share with the other Widow. In Strange's Manual of Hindu Law, para 320, it is stated that "the wives are viewed on an equality and inherit jointly." See also Mitacshara Chap II. This rule is followed by all the highest Judicial Authorities in Southern India as indeed it is in accordance with general usage and the Dhurma Shastras. Among numerous other instances the Rev. Board directed in 1849 that the Moottah of Verialum in Salem should be registered in the names of the two Widows of the Moottahdar. In 1850 they ordered that the Moottah of Keerumbar in the same District should be jointly registered in the names of the two Widows.

4th. Kamatchee Ummaul herself expressed her willingness from the first to allow Memorialist an equal Share of the Estate, and had the Collector without delay reported the matter to the Revenue Board, the present dispute would not have arisen.

5th. In addition to a moiety of her late husband's estates, Memorialist has a peculiar and exclusive claim to the Moottah of Moothanchetty, it being her Stridhanum or marriage dower, bestowed on her by her Mother for her private expenses: further there is documentary proof that the said Moottah belongs to her as is recorded in the Colr.'s registry of the 16th August 1851. In the Bd's C. Os of 17th May 1854 it is declared that "females are likewise entitled to the property given to them as dowry at their Nuptials." See also Sir T. Strange's Hindoo Law Chap X× and Colebrooke's translation of Mitacshara Chap II Section XI page 365:

× Vol I page 25 - 231 & 247

From

From a review of the whole of the facts of the case it will be clear that whilst there is no question or doubt as to the validity of Memorialist's claims, the local Govt. have, on the mere ground of the opposite party being in possession, thro an illegal act of the Collr., evaded deciding the question according to its merits, and unnecessarily referred Memorialist to the Courts.

The chief ground on which the Govt. referred her to the Courts is that the opposite party has been in possession for a year. That there has been no delay unnecessarily in Memorialist representing her claim to the Authorities will be seen from the facts that Memorialist's husband died in February 1858: the Collr. passed his final order placing the other widow in possession, by ousting Ramasawmy Reddy, on the 26th October 1858, and gave Memorialist a copy of his decision in December of the same year. Memorialist appealed to the Board in the following January, and they passed their final decision only in July last. From the above statement it is clear that Memorialist made no delay in preferring her claim to the higher Revenue Authorities within whose jurisdiction the matter fully lay, and it was within their province to set aside the illegal proceedings of the Collr. If the higher Authorities declined to interfere, they should have disallowed the interference of their Subordinate officer and allowed the whole question to go before the Courts. Instead of doing this, however, they virtually confirmed the illegal and unauthorized proceedings of the Collr. Should Memorialist file a suit, there is not the smallest doubt but that she would be put in possession of all her rights; but in that event she will have to proceed against the Collr. by whose means she has been deprived not only of a moiety of her late husband's Estates but also of her own peculiar property inherited from her Mother.

Memorialist is poor, being deprived of all her rights, and she is unwilling and unable to go to law. Moreover the other Widow does not object to give her a moiety, and it would be therefore unfair and unjust to sue her. The difficulty has been created by the Collr. and it is against him that Memorialist will have to proceed, but the subject could be easily disposed of by Govt. simply passing an order causing the joint registry of her name with that of the 2nd. Widow: there is no necessity whatever to undertake litigation.

In view of all the foregoing facts Memorialist most humbly solicits Your Honor in Council to take her case into merciful consideration and pass orders directing that her name may be jointly registered with that of the 2nd Widow who fully admits her claim and that the Moottah of Modhanchetty her

her Stridhana may be restored to her.

For which act of justice and mercy, Memorialist as in duty bound

Will Ever pray.

Madras
26th October
1859.

No                of 1859.
From Balummal, senior Widow
of the late Venkatrama Reddy
Mottahdar of Velloor and
Shelloor in the Paramathy
Talook: Salem.

R 2096/59.

Dated 26th }
Recd.- } October 1859.

Represents that whilst
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to the higher Authorities agreeable
to C.O. 25th Augt 1834, made
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of her husband may be
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the Mottah of Mothanchetty
restored to her.

Revenue 1859 Departt.
Pro: of Govt. 30th Novr.
No. 2096

From Balummal, Senior
R 9-11-57
Widow of the late Venkat-
-rama Reddy Mottahdar
of Pelloor & Shelloor in the
Paramathy Talook in Salem.

Dated 26th October, 1859
Recd. 14th November " "
3. Enclo.

Submits a Memo:
:rial to the Home
Govt. regarding her
claim to a moiety
of her late husband's
Estates and to a
Moottah as her Stree:
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Lodge.

Mis No. 563

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To

T. Pycroft Esq.
Chief Secretary to Govt.

Sir,

I respectfully request that you will be pleased to forward the accompanying Triplicate copies of my Memorial to the Right Honorable the Secretary of State for India.

I beg to remain
Sir
Your Most Obedt. Servant

Madras,
26th October,
1859.