Reverse Consultation.

No. 654

Dated 11th to 17th May 1859

Proceedings of the Madras Government, Revenue Department, from 11*th to* 17*th May* 1859.

No. 14. Read the following Extract from the Proceedings of the Board of Revenue, dated 10th May 1859, No. 1674.

Read again letter from the Acting Collector of Tinnevelly dated 11th March 1859, No. 105.

(In Con. 15th March 1859, No. 1060.)

Read letter from the same Collector under date the 6th April 1859, No. 150.

(In Con. 11th April 1859, No. 1589.)

In the former of the letters recorded above, the Acting Collector submits an amended plaint and draft of answer in the case adverted to in the Proceedings of the Board of the 1st September 1858, and the Extract Minutes Consultation of Government of the 9th Idem, the Court having directed that the former plaint should be objected to as wanting in precision.

2. The Plaintiff now confines his suit to a claim for the refund of 15 Rupees realized by the sale by the Government officers, of his property on account of Chatoorbagum, and for the prohibition of a similar demand in future.

3. With the aid of the letter last recorded, the Board understand that the Plaintiff, though under-tenant possesses and holds a Puttah for certain Palmyrah trees situated in a village of which the 8th Defendant and others are Soodra Meerasidars, or as they are termed Pungalies, and that in Fuslies 1265 and 1266 the full shist on the trees being demanded of him he claimed deduction of the Chatoorbagum remission, which not being allowed he withheld the amount and suffered distraint and sale of his goods for its recovery, and now sues to recover the same. It further appears that the Chatoorbagum remission has been allowed by the Government officers to the Pungalies, though not holding the Puttah, and has been paid to them from the sum realized by the sale of the Plaintiff's goods.

From Acting Collr. 8th May in Con. 7th June 1858, *No.* 1973.

4. Chatoorbagum is a remission allowed to cultivators belonging to certain privileged classes. Whether it was due to the 8th Defendant and his associates, may admit of a doubt, both on account of their not holding the Puttah and of their belonging to the Soodra caste; but the Board cannot see that the Plaintiff could have the slightest claim to it, and are consequently of opinion that he was properly called upon to pay the full teerwa, and subjected to distraint and sale of his goods on neglecting to do so. What the Government officers did with the money recovered from him, whether they retained the whole for Government or paid a portion as Chatoorbagum to some of the Defendants is a matter with which he had no concern, since he was required to pay no more than was due by him.

5. Such being the case the answer proposed by the Collector appears to them sufficient, and they resolve to solicit the sanction of Government to its being filed, with the omission of the 1st plea which seems to them superfluous.

6. On re-consideration of the explanation contained in the Acting Collector Mr. Mayne's letter of the 8th May 1858, the Board are not satisfied of the propriety of Chatoorbagum remission having been paid to the Pungalies in the case in question, and resolve to require Mr. Levinge to consider and report whether claim to the same on their part is not barred.

In Con. 7*th June* 1858, *No.* 1973.

First. On account of their not holding the Puttah.

Secondly. Because they are of the Soodra caste.

7. The Collector's letter reached the Board just at the time their press was withdrawn and owing to delay consequent on the first introduction of the new system, the time for filing the above answer expired on the 27th Ultimo, but the Acting Collector has doubtless applied for an extension under the Board's standing orders.

(A true Extract.)

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

Costs

Proceedings of the Madras Government, Revenue Department, from 11th to 17th May 1859.

No. 15. ORDER THEREON, 12th May 1859, No. 654.

The Honorable the Governor in Council grants authority for the defence in the first instance at the public expense of the suit instituted by Mayamootoo Nadan in the Principal Sudr Ameen's Court against the Collector of Tinnevelly and others, but will determine when a copy of the Decree shall be furnished, whether the costs, if any be adjudged against the Collector, shall be borne by that officer or by the Government.

The Board will instruct the Acting Collector to quote Clause I. Section II. Regulation IV. of 1831, in support of para. 3 of the draft answer.

2. The Government approve of the Board's intention to call for information as to the rights of certain of the Defendants to Chaturbaugum. The explanation should be clear and full and should be laid before Government; it should include an exposition of the whole subject of Chaturbaugum in Tinnevelly, and should be accompanied by the Board's opinion thereon. The practice in connection with this deduction, as exemplified in the instance given in Mr. Levinge's letter, appears to be complicated to a high degree, and eminently suited to favor corruption in the subordinate Revenue servants. The Board will report on the subject with the least possible delay.

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

Revenue Department

No. 654

ceedings of the Madras Government

Under date the 12th May 1859

Read the following

Extract from the Proceedings

of the Board of Revenue

(Recd enter 10th May 1859 No. 1674)

The Abstract
can be sent
afterwards

The Honorable the
Governor in Council grants authority
for the defence in the
first instance at the
public expense of the
suit instituted by Maya-
mootoo Nadan, in the
Principal Sudr Ameen's
Court against ~~the Collector~~
the Collector of Tinnevelly
and others, but will
determine when a Copy
of the Decree shall be
furnished, whether the
Costs

costs, if any be adjudged against the Collector, shall be borne by that Officer or by the Govt.

The Board will instruct the Acting Collector to quote clause first Section II Regulation IX of 1831 in support of para 3 of the draft answer.—

2— The Government approve of the Board's intention to call for information as to the rights of certain of the Defendants to Chaturbanjum. The explanation should be clear & full and should be laid before Government; it should include an exposition of the whole subject timely of Chaturbanjum and should

should be accompanied by the Board's opinion thereon. The practice in connection with this deduction, as exemplified in the instance given in Mr. Levinge's letter, appears to be complicated to a high degree, and eminently suited to ~~promote corruption in favour~~ the Subordinate revenue servants. ~~at least~~. The Board will report on the subject with the least possible delay.—

J.D.H.

R.A. Copy to the Bd of Rev.
Dispt. 12 May
2 Pltd — to do — 13th

Revenue 1859 Deptt
Cons 17th May.

No 654.

Pro: of the Madras Govt
Dy 12th May 59.

Pro: of the Board of Revt Dy
23d February 60 & No 442
Inclos.

Authority to defend at
public Cost, the Suit instituted
by Mayancoodoo Nadan in the
Principal Sudr Ameens Court
against the Collector of Tinnevelly
and others, granted. Calling for
information as to the Rights of
certain of the Defendants to
Chaturbangum including an
exposition of the whole subject
of Chaturbangum in Tinnevelly
with the Board's opinion
thereon -

19-20
14-9-58

No 14 & 15-