M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 49 — ~~Press~~ Mis.

266-267

Dated 21 — 5 — 1859.

Not to be folded or roughly handled

In Con. 21st March 1859, No. 1162.

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

dated Denken Cottah 16th March 1859, No. 48.

With reference to the order passed upon Government Petition, No. 3028, of 1858, I have the honor to submit the following report.

2. From the record received from the Acting Sub Collector, it appears that the lands (for the recovery of possession of which Petitioner seeks permission to sue) consist of 4 goolies of Poonjah land, and are situate in the Veerachipolliem Agraharum, Talook Senkagherry.

3. There are at present 10 sharcholders of this Agraharum; but, some sixty-eight years ago, apparently previous to a partition taking place, the villagers, mortgaged this portion to the grand-father of Chennien (Defendant); with whose family, possession has since rested.

4. In 1854, Petitioner having claimed this land, as portion of his share in the Agraharum, the Defendant executed a razeenamah before the Tahsildar, by which he was bound-either to cede the land to Petitioner, or to pay to him the yearly assessment, with arrears of 76 Rupees.

5. In consequence, however, of Defendant's default to act up to this agreement, Petitioner applied on the 25th September 1858, to the Collector, who recommended him, by an endorsement, to seek permission of Government to sue for recovery of the land.

6. I am of opinion that no objection exists to the permission thus sought, being granted.

7. The original Razeenamah and Endorsement, with translates are forwarded.

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Enc. 1.

Translation of a Tamil Razeenamah.

To M. R. R. GOVINDAROW, Tahsildar of the Senkerydroog Talook,

Razeenamah presented, with compliments, by both parties, viz., Plaintiff Vencatapatty Iyen, a resident of the Cusbah of Senkerydroog and Defendants, Soobbaramien (1) Moottien Soobbien (2) Tammoyen Ramien (3) Thetchather Samien (4) Ramakistmien (5) Lutchmenarayen (6) Ammabutter Chennappien (7) Caroongalaputty Arthanary Iyen (8) Thetchather Samien (9) Mahajanums of the Agraharum of Verachepoliem.

Whereas, on the Plaintiff preferring a complaint in the Hoozoor, under date the 16th June 1854, to recover from us (Defendants) 4 Goontas of land appertaining to the field named Cannum pilloocarattoo, together with the assessment thereof from the year Havalumbee up to this date, we both parties have mutually compromised the subject of the complaint under the following condition, viz., that the Plaintiff should remit the assessment of the land, as requested by us (Defendants;) that the land should be put in the possession of the Plaintiff before the 30th Chittry of the year Nala; that until the land is put in the possession of the Plaintiff, the assessment of the land amounting to Rupees 76, should be paid to the plaintiff besides paying him the proper assessment of the land from the year Nala; and we have executed a document in the name of the Plaintiff to the above effect, we therefore declare that we would abide by the above conditions and beg that this our Razeenamah may be accepted and our complaint rejected.

With compliments

Vencatapatty Iyen.....	(Signed.)
Soobbaroyen.....	,,
Mootten Soobbien.....	,,
Tummaya Ramien.....	,,
Ramakistnien.....	,,
Achylandien.....	,,
Lutchmenarayanien.....	,,
Arthanaray Iyen of Caringalputty.....	,,
Thetchather Samien.....	,,
Somien.....	,,

22nd January 1856.

Statement taken before Govinda Row the Head of Police and Tahsildar of Senkerrydroog at the Cusbah of Senkerrydroog on the 23rd January 1856.

Q. Have you brought this Razeenamah here of your own consent and will?

A. Yes, we have brought it of our own consent and will.

Soobbaramien..... (Signed.)
Moottayen..... "
Reppien..... "
Tummayen Ramien..... "
Thetchather Samien's son Soobbarow..... "
Ramakistnien..... "
Achylanda Iyen..... "
Lutchmeenarayanien..... "
Arthanarayen of Caroongulputty. "
Thetchather Samien..... "

Witnesses for this,

Mootoosawmy Iyen Curnum of Cuttary village. I know

Cooppamoottoo pillay curnum Goomastah of Madavadoo. I know

(Signed) Govindarow Tahsildar.

(True Translation)

(Signed) A. HATHAWAY,
Acting Collector.

Enc. 2.

Translation of a Tamil Endorsement passed by the Collector, Mr. Brett, on Petition, No. 726 of 1858.

On a perusal of the records received from the Sub Collector's office, with the yadast, No. 30 of the 4th September, it appeared that you and the Defendants Mahajanum. Soobbaramien and others, filed a Razeenamah before the Tahsildar of Senkerydroog, on the 22nd January 1856, to the effect that the teerva, of the 4 Goontas of land, payable to you by the Defendants from the year Havalumbee should be remitted; that the land in question, should be put in your possession by the Mahajanums (Defendants) within the 3rd of the month of Chittre of the year Nala; that in default of Mahajanums doing so, they should pay back the amount remitted, viz., Rupees 76 to you, and that they should pay the teerva of the land to you, from the year Nala.

If the Defendants do not abide by the conditions specified in the Razeenamah, you should obtain the sanction of the Government, under Regulation IV of 1831, to get redress in the Civil Courts by filing a regular suit, the village in which the disputed land is situated being an Arthamaneyum Agraharum.

Enc. 3.

Petition No. 3028 of 1858.

No. 1386.

Extract from the Proceedings of the Board of Revenue, dated 19th April 1859.

Read letter from the Acting Collector of Salem, dated 16th March 1859, No. 48.

(In Con. 21st March 1859, No. 1162.)

Resolved that the above letter be submitted to Government with reference to their Endorsement of 4th November last on Petition No. 3028 of 1858.

2. The land which Petitioner seeks to recover by Civil suit, is portion of an Agraharum of which Petitioner is one of the shareholders and was mortgaged sixty-eight years ago to the ancestor of one Chennien who is now in possession.

3. Petitioner's right to this land was admitted apparently by his co-sharers in 1856, when a Razeenamah was executed in which they agreed to restore the land to him or pay him the assessment due on it, but the person in possession does not appear to have been a party to that agreement.

4. It would also seem that petitioner's ancestor must have been a party to the mortgage; but be this as it may, these circumstances do not in the Board's opinon afford sufficient ground for refusing him permission to prosecute his claim by Civil action, which they accordingly recommend may be granted to him.

(A true Extract.)

Sub Secretary.

To

J. D. BOURDILLON, Esq., Secretary to Government, R. D.

Copy to Acting Collector of Salem.

Revenue 1859 Report
Cons. 27 May 1859

Extract from the Proceedings
of the Board of Revenue

Dated 19th April 1859
Read 30
Read 2 May
2 Encls. No. 1386.

Submitting a letter
from the Asst. Collector
of Salem reporting on
Petn. 3028 of 1858 and re-
commending that the
permission sought by
Petr. to prosecute his
claim by Civil Action
be granted to him.

Mis. No. 27 of 1859
266 & 267

Cir. 7 May 1859

With an order

No. 79.

Permission is granted to Vencatachella Soobbara Mudpilay and others in the Civil Courts for a portion of the Agaharam village of Veerachipalliem alleged to have been mortgaged 68 years ago by the ancestor of Chennien and in possession.

This permission is not to interfere with the interests of Govt.

H. Sudes
Actg. Secy. to Govt.

Fort St. Geo. 21st May 1859.

Copy to the Board of Revenue Circ. No. 21.

To the Mr. Gaz. with Mem.
Ordered to be published 26th May 59.
in Extraordinary