M.R.O. 14—10,000—21-6-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	861	Press Mis.
Dated 1st July		1857.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, from 25th June to 1st July 1859.

No. 46. Read the following Extract from the Proceedings of the Board of Revenue, dated 15th June 1859, No. 2284.

Read letter from the Collector of Tanjore, dated 8th June 1859, No. 123.

(In Con. 13th June 1859, No. 2745.)

In the above letter the Collector of Tanjore reports the institution of a Suit against him, a Vuttum Curnum and another in the Sub-Court of Combaconum,

O. S. No. 9 *of* 1859. and request permission to defend himself and the Curnum at the public expense.

2. The circumstances of the case are as follow;—

**1st Defendant in the present Suit.*

O. S. No. 897 *of* 1843.

†*Plaintiff in the present Suit.*

‡*Waste land common to the villagers.*

one Vengoosastry* obtained a decision from the Myaveram District Moonsiff's Court, adjudging to him certain lands belonging to Gowry Soobien.† These lands were accordingly, on the requisition of the Court, transferred to Vengoosastry and registered in his name. Vengoosastry had however in Fusly 1261 and 1262 reclaimed a portion of the Samoodayem‡ Perumpoke of the village, and this was also made over to him as a Merassidar, under the Moonsiff's decision.

3. It is this last act of the Collector which has led to his being included in the Suit.

4. The Collector pleads that his act was in accordance with the usage and tenures of the district, and as this seems to the Board a valid answer, they recommend that he may be authorized to file it, and defend the Suit at the public expense.

5. The time for filing the answer expires on the 14th Proximo.

(A true Extract.)

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

No. 47. ORDER THEREON, 30th June 1859, No. 861.

It is not apparent from the draft answer whether the Collector made over the land in question to the 1st Defendant or not: explanation is requested on this point.

2. It appears however that he did transfer the registry of the land from the Plaintiff to the 1st Defendant, and that without a requisition from the Court. As at present informed the Governor in Council doubts the propriety and the legality of this act. The rights of the 1st Defendant, whatever they were, arose out of a Decree of Court; the enforcement of a Decree is the duty of the Court itself, and it does not appear under what authority the Collector acted in this matter beyond the terms of the formal requisition from the Court. Explanation on this point also is requested.

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

Revenue Dept.

No. 861.

Proceedings of the Madras Government

Under date the 30th June 1859

Read the following

Extract from the Proceedings

of the Board of Revenue

(Here enter 15th June /59 No 2284)

It is not apparent from the draft answer whether the Collector made over the land in question to the 1st Defendant or not explanation is requested on this point.

2 It appears however that he did transfer the registry of the land from the Plaintiff to the 1st Defendant, and that without a requisition from the Court-

As at present informed
the Governor in Council
doubts the propriety
and the legality of
this act: The rights of
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whatever they were,
arose out of a decree
of Court; the enforcement
of a decree is the duty
of the Court itself, and
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this matter beyond the
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Court. Explanation on
this point also is ~~&~~
requested.

~~6~~ Copies to the Bd of Rev Dispd 30th

Revenue 1859 Departt.
Pro: of Govt 1st July.

No 861.

Pro: of the Madras Govt
Dd 30th June 59.
Recd 23rd July 59
Cert 1386 in Cor.

Explanation on certain points connected with the institution of a suit in the Sub Court of Combaconum in which the Collector has been included as a Defendant, requested -

No 46 & 47.