

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1805

Press
~~Mis.~~

108-009

Dated

5-10-1860.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
5th October 1860.*

No. 103. Read the following Proceedings of the Board of Revenue, dated 2nd October 1860,
No. 4,479:—

Read again letter dated 24th August 1860, No. 121, from the Officiating Collector of Trichinopoly, reporting the institution of a Suit in the Mufti Sudder Amin's Court, by Mutamopan and Mullamopan, Cultivators of Yerore, against the Deputy Collector, Sundara Pillai and another, and requesting permission to defend it at the public expense.

(In Cons., 29th August 1860, No. 4,279.)

Read also letter dated 19th September 1860, No. 132, furnishing the information called for in the Board's Proceedings of the 1st idem, No. 3,997.

(In Cons., 22nd September 1860, No. 4,747.)

1. Resolved that the letters above recorded, be submitted for the consideration and orders of the Honorable the Governor in Council.

*Mufti Sudder Amin's Court.
No. 11 of 1860.*
1. Mutamopan, } Cultivators of } Plaintiffs.
2. Mullamopan, } Yerore, }
 } versus. }
1. Chedumbara Gownden of Yerore, } Defendants.
2. Sundara Pillai, Dy. Collector, }

2. The object of the Suit is to recover possession of certain unirrigated land granted by the Revenue authorities to one Ramasawmy Gownden, the 1st Defendant.

3. The Plaintiffs allege that the land in question is ancestral property which has eventually vested in them; that they have cultivated and enjoyed it, as may be proved by the Pattas in their possession; and that they have exercised acts of ownership, such as building stone works to prevent inundation, and mortgaging the land. They admit, however, that it has been "fallow" for some years.

4. The draft answer proposed to be filed, states that the land has been waste for eleven years, and that the Plaintiffs had forfeited all right of possession. It appears further from the second letter recorded at the head of these Proceedings, that the Plaintiffs did not offer security for the assessment as alleged by them; and that the land was given to the 1st Defendant on account of priority of application alone.

5. As already remarked in their Proceedings of the 1st September 1860, No. 3,997, the Board consider that the Plaintiffs' right to the disputed land, had wholly lapsed, and that no preferential claim to it could be founded on their prior occupancy. They are, therefore, of opinion that the Suit should be defended, and accordingly recommend that sanction be granted for filing the revised draft answer herewith submitted.

6. The time for filing an answer will expire on the 7th November next.

(A true Extract.)

(Signed) J. D. SIM, Secretary.

No. 109.

ORDER THEREON, 5th October 1860, No. 1,805.

The Honorable the Governor in Council sanctions the defence in the first instance at the public expense of Suit No. 11 of 1860 instituted against Sundara Pillai, Deputy Collector of Trichinopoly and another in the Mufti Sudder Amin's Court by Mutamopan and Mullamopan; but he will determine when a copy of the decree shall be submitted, whether the costs, if any be adjudged against the Deputy Collector, shall be borne by that Officer or the Government.

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

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IN CON. 22ND SEPTEMBER 1860, No. 4,747.
From A. R. McDONELL, Esq., Collector of TRICHINOPOLY,
dated Trichinopoly, 19th September 1860, No. 132.

In reply to the latter part of your letter of date the 1st instant, No. 3,997, I have the honor to inform you that the plaintiff Mootta Mooppen did not offer to the Deputy Collector, Sundaram Pillay [2nd defendant], security for assessment of the land in question either in person or by petition.

2. The first defendant Ramaswamy Gounden is a resident though not a Pattadar in the village where the land in dispute is situated; however, his father Chedembara Gounden being a Pattadar, the first defendant enjoys a portion of land that fell to his share as a divided member of the family.

3. Preference was given to the first defendant solely on account of priority of application.

Exd. J. Tulloch.

assessment is true; whether the preference was given to 1st Defendant on account of priority application, and whether he is a resident or Pattadar of the village in which the land is situated.

(A true Extract.)

(Signed) J. D. SIM,
Secretary.

A. R. McDonell, Esq., Acting Collector of Trichinopoly.

d. J. Wright.

Letter from the
Collector of Trichinopoly
to the Board of Revenue
dated 19th Sept 1860 No. 132.
Regarding Suit.

P 27/3/60

Enclosure 2 in Proceedings
of the Board of Revenue
to the Secretary to Government
dated 2nd Oct 1860
1860-44479.

1860-44479

No. 3,997.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st September 1860.

Read letter from the Collector of Trichinopoly, dated 24th August 1860, No. 121.

(In Cons., 29th August 1860, No. 4,279.)

Original Suit No. 11 of 1860, Mufty Sadr
Amin's file.

1, Moottamoopen, } Cultivators } Plaintiffs,
2, Nullamoopen, } of Yerore, }

1, Chedumbara Gounden of Yerore, } Defendants,
2, Soondara Pillai, Deputy Collector, }

1. The Acting Collector of Trichinopoly reports the institution of a Suit in the Mufty Sadr Amin's Court of that District against his Deputy Collector Soondara Pillai and another, and requests permission to defend it at the public expense.

2. The object of the Suit is to recover possession of certain unirrigated land granted by the Revenue authorities to the 1st Defendant.

3. Plaintiffs admit that the land had been "fallow for some years," but allege that they objected to its grant to 1st Defendant and offered to cultivate it, providing security for the assessment.

4. The Deputy Collector (2nd Defendant) ordered the land to be made over to 1st Defendant on the plea that it had been waste for 11 years and that Plaintiffs had no real intention of cultivating it.

5. The Board consider that Plaintiffs' right to the land in question had wholly lapsed, and that no preferential claim to it could be founded on their prior occupancy. But before submitting the case to Government, the Board wish to know whether Plaintiffs' alleged offer of security for the assessment is true; whether the preference was given to 1st Defendant on account of priority of application, and whether he is a resident or Puttadar of the village in which the land is situated.

(A true Extract.)

(Signed) J. D. SIM,
Secretary.

To A. R. McDonell, Esq., Acting Collector of Trichinopoly.

Exd. J. Wright.

Board's Proceed:
= mgs to the Collr of Trichinopoly dated 17th Nov
= 1860 No. 3997 regarding
Suit.

24/3/60

Enclosure 3 in Proceed:
= mgs of the Board of
Revenue to the Secretary to
Government R. D. dated
22 October 1860 No. 1479.

1860 Dec 1st

No. 4,479.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 2nd October 1860.

Read again letter dated 24th August 1860, No. 121, from the Officiating Collector of Trichinopoly, reporting the institution of a Suit in the Mufti Sudder Amin's Court, by Mootamopen and Nullamopen, Cultivators of Yerrore, against the Deputy Collector, Soondara Pillay and another, and requesting permission to defend it at the public expense.

(In Cons., 29th August 1860, No. 4,279.)

Read also letter dated 19th September 1860, No. 132, furnishing the information called for in the Board's Proceedings of the 1st idem, No. 3,997.

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1. Resolved that the letters above recorded, be submitted for the consideration and orders of the Honorable the Governor in Council.

Mufti Sudder Amin's Court.
No. 11 of 1860.
1 Mootamopen, { Cultivators of } Plaintiffs,
2 Nullamopen, { Yerrore, }
versus
1 Chedumbara Gownden of Yerrore, } Defendants.
2 Soondara Pillai, Dy. Collector, }

2. The object of the Suit is to recover possession of certain unirrigated land granted by the Revenue authorities to one Ramasawmy Gownden, the 1st Defendant.

3. The Plaintiffs allege that the land in question is ancestral property which has eventually vested in them; that they have cultivated and enjoyed it, as may be proved by the Puttahs in their possession; and that they have exercised acts of ownership, such as building stone works to prevent inundation, and mortgaging the land. They admit, however, that it has been "fallow for some years."

4. The draft answer proposed to be filed, states that the land has been waste for eleven years, and that the Plaintiffs had forfeited all right of possession. It appears further from the second letter recorded at the head of these Proceedings, that the Plaintiffs did not offer security for the assessment as alleged by them; and that the land was given to the 1st Defendant on account of priority of application alone.

5. As already remarked in their Proceedings of the 1st September 1860, No. 3,997, the Board consider that the Plaintiffs' right to the disputed land, had wholly lapsed, and that no preferential claim to it could be founded on their prior occupancy. They are, therefore, of opinion that the Suit should be defended, and accordingly recommend that sanction be granted for filing the revised draft answer herewith submitted.

6. The time for filing an answer will expire on the 7th November next.

(A true Extract.)

[Signature]

Secretary.

To J. D. Bourdillon, Esq., Secretary to Government, R. D.

Copy to A. R. McDonell, Esq., Officiating Collector of Trichinopoly.

Exd. J. Wright.

Revenue 1800 Deputy
 Secy of Treas for October
 No 21/3.

Proceedings of the
 Board of Revenue

Dated 2^o }
 Decr 4^o } October 1800
 Decr 5^o }
 Enos 3-24/10/1800
 5 Decr 1-24/9

W^o of the Board of Revenue by the Secy
 1800 No 21-3-11

Acting Secy meets the
 Board's recommendations on
 the evidence with the Secy
 Collector of Surinam by res
 porting the institution of Bd.

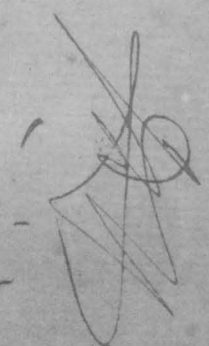
No 11 of 1800 with the Secy
 such Council Board against
 the Deputy Collector's demand
 respecting the revenue proceeds
 of certain unincorporated land.

No 1805. 5: Decr
 With an Order

No 1805 No 1805
 The Secy the Gov^r in

Council sanctions the defence in the
 first instance at the public expense of
 out No 11 of 1800 institute a separate sum
 -dances Pillai Deputy Col^r of Surinam by and
 p^ro the in the Master's sudden Council Board
 by Master's p^ro and Mullam p^ro; but
 he will determine when a copy of the
 decree shall be submitted, whether the cost
 of any be paid against the Deputy
 Collector, shall be borne by that officer
 or the Government.

20th Decr 1800
 5 October 1800



12th Decr
 The Board of Revenue p^ro 3 Decr 1805

No 1805 109