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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	474	Press ~~Mis.~~
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Dated	28 — 3 —	18 86.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, for the month of March 1860.

No. 85. Read the following Proceedings of the Board of Revenue, dated 27th February 1860, No. 1,016 :—

Read the following letter from T. J. KNOX, Esq., Officiating Collector of Salem, to W. HUDLESTON, Esq., Officiating Secretary to the Board of Revenue, Fort St. George, dated Ossúr, 8th November 1859, No. 239 :—

With reference to the Board's endorsement on Petition No. 87 of 1859, I have the honor to report as follows :—

2. The Petitioners state that a portion of their Inám lands, is enjoyed by another party unlawfully, and, therefore, request permission to sue him in the Civil Court for recovering the same.

3. It appears from the records that a Gauda Inám in the village of Vattamacholápuram in the Rasipúr táluq, measuring acres 19-23-6, assessed at Rupees 39-1-7, stands registered in the name of one Tirvanatíta Chetti in the Survey accounts.

4. From the Inámatí accounts of Fasli 1267, it appears that after the death of the Survey Registerdar, the Inám was in the enjoyment of his grandsons Muttuswámi Chetti, Chadaya Chetti, and Appu Chetti alias Vaidialinga Chetti.

5. From the present enquiry it appears that this Inám was divided into three parts ; two of them were taken possession of by the Survey Registerdar's grandsons Appu Chetti and Swámi Chetti, and a third was put into the hands of Chittambala Chetti, son to the Survey Registerdar by his second wife, Tailamma. On the death of these persons, Appu Chetti's portion passed into the hands of his daughter and son-in-law, in virtue of a deed of gift executed by the said Appu Chetti, in the cycle year Vikruti, corresponding to A. D. 1830. It is now in the possession of one Chadaya Chetti, the son of the daughter of Appu Chetti, and it has been nearly twenty-nine years in this family's enjoyment.

6. The share of Swámi Chetti was taken possession of by his son Vaidialinga Chetti, one of the Petitioners, Muttuswámi Chetti, one of the Petitioners and the son of Chittambala Chetti is now in possession of the third share. These two latter persons now request permission to sue Chadaya Chetti in the Civil Court, as he is the son of the daughter of Appu Chetti, and so had no right to inherit Appu Chetti's share, which should fall to them as next heirs.

7. The claims of the Petitioner to the portion of the Inám land is founded on the fact that Appu Chetti had no direct male heirs, and that they are themselves next heirs to Appu Chetti ; but the inheritance of an Inám by heirs through a daughter is fully recognized by the existing Inám rules, and as the Petitioners allow Appu Chetti was the legal proprietor of the share now in possession of his grandson, I do not think it advisable to permit the Petitioners to sue the defendant. The claim of the Petitioners properly forms a matter to be settled exclusively by Revenue Authorities or by the Inám Commissioner.

8. On subject of the Ináms of this kind, Mr. Brett in reply to the Board's Circular letter, dated the 30th January 1856, No. 293, submitted a full report in his letter of the 23rd June 1858, No. 80, that Gauda Ináms were originally granted to persons employed as heads of village, and that the holder of the Inám conducted the duties now performed by the Maniyakáran in collecting the revenue, &c.

9. Mr. Brett was of opinion that as these Ináms were originally granted for the performance of public duties, are now enjoyed without any service, these Ináms should be resumed after the death of the present incumbents, who continue enjoying for a lengthened period. The Government have also classed this Inám under resumable Inám. Before any final decision could be passed as to the nature and title of this class of Ináms, it would be prejudicial to the interests of Government, to refer the parties to a civil action, which amounts in fact to an approval of the present tenure of Gauda Ináms.

Paragraph 14.

Submitted to Government, with reference to their endorsement on Petition No. 2,734 of 1859, seeking leave to sue in the Court for certain Gauda Inám land.

2. The two Petitioners who represent two male branches of the registered Inámdar's family and hold two shares of the Inám, seek to sue the representative of a female branch who holds the third share, on the ground that the descent through a female when such heirs exist is barred. The Acting Collector considers that the nature and position of Gauda Ináms should exclude them from adjudication by the Courts, but the Board observe that by a recent Order Government placed these Ináms on the same footing as others in regard to the operations of the Inám Commissioner. As, therefore, the circumstance of enjoyment will not affect the right which Government has reserved to itself in the rules laid down for the Commissioner's guidance, and

Extract Minutes Consultation, 23rd November 1859, No. 1,593, Revenue Department.

In Con. 24th November 1859.

the question may thus be considered to be a personal one between the parties, the Board do not see sufficient ground to recommend that the permission sought be refused.

(A true Extract and Copy.)

(Signed) W. HUDLESTON, *Sub-Secretary.*

No. 86. ORDER THEREON, 28th March 1860, No. 474.

1. The Gauda Ináms in Salem appear to be of the same character as what are called Désáyi Ináms in other Districts; they are not village service Ináms. See Proceedings of the Board of Revenue dated October 4th, 1859, No. 3,987, and the Order of Government thereon.

2. Under the provisions of Section II, Regulation IV of 1831, Government are pleased to grant authority to Muttuswámi Chetti and Vaidialinga Chetti to sue in the Civil Court for the possession of certain Gauda Inám land situated in the village of Vattamacholápuram in the Rasipúr táluq of the Salem District.

3. The Board are requested to enforce the Order of Government respecting the use of native terms.*. Such barbarisms as "Survey registerdar," ought never to be admitted in English correspondence.

*Order dated 21st January 1856, No. 70.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

Rev. Dept.

No. 474.

Proceedings of the Madras Government

Under date the 28th March 1860.

Read the following

Proceedings of the Board of

Revenue

Submitting with the Board's recommendation a letter from the Collector of Salem reporting on Government Petition No. 2734 of 1859 seeking leave to sue in the Court for certain Gauda Inám land

(Here enter 27th Feb. 1860 No. 1016)

Gauda

Muttuswámi

Vaidialinga

1. The Gauda Ináms in Salem appear to be of the same character as what are called Désáyi Ináms in other Districts. They are not village service Ináms. See Proceedings of the Board of Revenue dated October 4th 1859 No. 3987, and the order of Government thereon.

2. Under the provisions of Section II Regulation IV of 1831 Government are pleased to grant authority to Muttuswámi Chetti and Vaidialinga Chetti to sue in the Civil Court

the possession of certain Gounda known land situated in the village of Sattamacho Cóppuram in the Rasipaur Taluq of the Salem District.

3. The Board are requested to enforce the order of Govern-ment respecting the use of native terms† Such barbarisms as "Survey registerdar" ought never to be admitted in Eng-lish correspondence.

† Order dt 21 Jany 56 & No 70.

Hill
March 12.

To The Board of Revenue Dispc 29
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