M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1776	Press ~~Mis.~~
50. 54	
Dated 3 co—	18 60.

Not to be folded or roughly handled

No. 50. Read the following Proceedings of the Board of Revenue, dated 21st February 1860, No. 920 :—

Read again letter from the Collector of Tanjore, dated 19th November 1859, No. 245, reporting on the Memorial of one Kodandarámaiya to the Home Government.

(In Cons., 24th November 1859, No. 5,863.)

1. Resolved that the above letter be submitted to Government, with reference to their Proceedings, dated 4th October 1859, No. 1,352, *In Cons., 5th October* 1859, *No.* 4,965. Revenue Department, calling for a report on the memorial in question.

2. The facts of the case are so simple that the Board are unable to imagine what good grounds of complaint the memorialist can believe himself to possess.

3. He was security, along with two others, for the renter of certain villages in the year 1826, A.D., and in his security bond, as stated by the Collector, described the lands pledged by him as of the value of Rupees 600.

4. The renter fell into arrears, and the securities were called on to make good his default. Memorialist alone did not respond to this call, and after the lapse of 15 months allowed to him to meet the liability, his land was, after due notice, sold by public auction to the highest bidder for Rupees 800. This sale memorialist now seeks to have set aside on payment by him of the price realised, but the purchaser has re-sold the lands to other persons, so that even were there any good reason to comply with the request, which there does not appear to be, compliance is now no longer in the power of Government. The grounds upon which the memorialist seems to base his claim, are,

(1.) That less consideration was shown to him than to the other joint securities ;

(2.) That his land was sold for less than its real value ;

but it seems more than doubtful whether either of these grounds have any existence in fact, and even if true they would not constitute sufficient reason for upsetting an arrangement which was legal and formal, and is now of some 25 or 30 years standing.

(A true Extract.)

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

No. 51. ORDER THEREON, 3rd October 1860, No. 1,776.

Ordered that the foregoing Proceedings and letter alluded to therein together with the Memorial from one Maruthúvakudi Kodandarámaiya of the Kottalam Táluq in the District of Tanjore, be forwarded to the Home Authorities and that intimation of the despatch of the latter be given to the Memorialist.

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

IN CON. 24TH NOVEMBER 1859, No. 5863.

From W. M. CADELL, Esq., Collector of TANJORE,

dated Vullum, 19th November 1859, No. 245.

I have the honor to submit the following report on the memorial presented by Kothandaramian, mirasdar of Maruthuvakudi in Kuttalam taluq, which accompanied the Board's Proceedings of the 8th ultimo, No. 4072.

2. In Fusli 1236, A. D. 1826-27, the petitioner and two other mirasdars became respectively 1st, 2nd and 3rd securities for one Venkappian, who had rented certain villages from Government. After a lapse of two years, there being a large balance against the aforesaid Venkappian, the property of petitioner was zabted to meet the same, and a report thereof made to the Board of Revenue, who authorized the sale, by auction, of petitioner's land. Orders were thereupon issued to the tahsildar of Kuttalam to publish everywhere a notice to the above effect and make it generally known, and on the day fixed the then Sub-Collector, Sir H. Montgomery, proceeded to the place himself in person, and after much difficulty and after spending the whole day in attempting to get a higher price, sold petitioner's land for 800 Rupees. The points of complaint on which petitioner dwells in his petition are: 1stly, that the lands of the two other securities were *not* sold whilst his was; the answer to this is that these two securities paid up at the very first a good portion of the sum for which they were responsible, whilst petitioner, during the 15 months allowed him, refused to pay any thing at all; 2ndly, that the land was worth much more than it was sold for; this is met by the simple fact, that petitioner in his security bond stated the land to be worth *only* 600 Rupees, and that the Sub-Collector had great difficulty in obtaining 800 Rupees for it; and 3rdly that as the land is now worth 4,000 Rupees, and petitioner is willing to hand over to the purchaser the sum he gave for it in auction, viz., 800 Rupees, it should on this condition be restored to him (petitioner); as it is utterly impossible to meet the petitioner's wish in this respect, it seems useless to say any thing more regarding this last point.

Exd, J. Tulloch.

No. 920.

PROCEEDINGS of the BOARD of REVENUE, dated 21st February 1860.

Read again letter from the Collector of Tanjore, dated 19th November 1859, No. 245, reporting on the Memorial of one Kothundaramien to the Home Government.

(In Con. 24th November 1859, No. 5863.)

In Con. 5th Oct. 1859, No. 4965. Resolved that the above letter be submitted to Government, with reference to their Proceedings, dated 4th October 1859, No. 1352, R. D., calling for a report on the memorial in question.

2. The facts of the case are so simple that the Board are unable to imagine what good grounds of complaint the memorialist can believe himself to possess.

3. He was security, along with two others, for the renter of certain villages in the year 1826, A. D., and in his security bond, as stated by the Collector, described the lands pledged by him as of the value of Rupees 600.

4. The renter fell into arrears, and the securities were called on to make good his default. Memorialist alone did not respond to this call, and after the lapse of 15 months allowed to him to meet the liability, his land was, after due notice, sold by public auction to the highest bidder for Rupees 800. This sale memoralist now seeks to have set aside on payment by him of the price realised, but the purchaser has resold the lands to other persons, so that even were there any good reason to comply with the request, which there does not appear to be, compliance is now no longer in the power of Government. The grounds upon which the memorialist seems to base his claim, are,

1st. That less consideration was shewn to him than to the other joint securities;

2nd. That his land was sold for less than its real value;

but it seems more than doubtful whether either of these grounds have any existence in fact, and even if true they would not constitute sufficient reason for upsetting an arrangement which was legal and formal, and is now of some 25, or 30 years standing.

(A true Extract.)

Sub Secretary.

To

T. PYCROFT, Esq., Chief Secretary to Government.
Copy to Collector of Tanjore.

Exd. J. Wright.

4th Oct. 1859 p. 135-136.

Copy in a Letter to Govt
of 4th Oct. 1860 No. 913.

Revenue 1860 Depart
Rec. of Govt No. 407 for Octr

Proceedings of the
Board of Revenue

Dated 21st
Desp. 24th } February 1860
Rec. 25th
C. 1- with 2 Os. Encls.

No 920

Submitting with the Board's remarks a letter from the Collr of Tanjore reporting on the memorial of Kothunda-ramien praying for the restoration of certain lands pledged by him and sold by public auction.-

No. 1776. 3d Octr

With an order.

No. 1776. 76

Ordered that the fore-going Proceedings and [illegible] dated 5 thereon together with the Memorial from one Maruthiva Hotti Kothandaramaya of the Kottalam Taluq in the District of Tanjore, be forwarded to the Home Authorities and that intimation of the same despatch be given to the Memorialist.

For Sr Geo:
3d October 1860

No 50 & 51.

C 27 Feby R 2 March
C 21 September 1826