M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1916 Press ~~Mis.~~

385-336

Dated 19—10—1869.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
19th October 1860.

No. 335. Read the following Proceedings of the Board of Revenue, dated 19th October 1860, No. 4,778 :—

Read the following letter from J. D. MAYNE, Esq., Counsel for the Defendant and Appellant, to J. D. SIM, Esq., Secretary to the Board of Revenue, Madras, dated 18th October 1860 :—

SIR,

1. I have to request that you will grant me an authenticated copy of a letter addressed by the Board of Revenue to the Collector of Masulipatam, dated the 28th of May 1832.

2. I wish to produce the entire letter at the hearing of R. A. 103 of 1857, which comes in for decision in the Sudder Court on the 20th instant. In that case the Collector, who is plaintiff, has filed one paragraph of the letter in question, omitting the other paragraphs which explain the former. The entire letter is of considerable importance to the decision of the cause; and therefore I trust that the request may be granted.

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1. Submitted for the orders of Government.

2. The Board recommend that a copy of the letter be granted, as part of it has been filed on behalf of Government.

3. A copy of the letter accompanies, for the inspection of Government.

(A true Extract and Copy.)

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

No. 336. ORDER THEREON, 19th October 1860, No. 1,916.

Ordered that the Board of Revenue be authorized to give Mr. Mayne a copy of the letter in question.

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

Revenue Department.

To, The Collector in the Zillah of Masulipatam.

Sir,

I am directed by the Board of Revenue to acknowledge the receipt of your letter of the 12th Instant, and to state that as the widow of the Vijeruma Pettah Zemindar has only a life interest in the Estate and she cannot confer on another a property in it which she does not herself possess and as the Estate is likely to escheat to Government on her death the Board are of opinion that the transfer ought not to be registered.

: 28th May 1832.

2. Your argument that the registry if refused bars a right if it exists on one side, while the registry if granted would not bar any right which may exist on the other, appears to the Board to be founded in error, inasmuch as if the right claimed by the widow is good, she can by recourse to a Court of Adawlut compel the Collector to register the transfer.

3. The Board however direct me to explain that these remarks are not intended to be viewed as instructions, as it has been ruled by the Sudr Adawlut that you must act in regard

regard to the registry of the transfer on your own
responsibility.-

I have the honor &c.

Revenue B.- Office,
Fort St. George,
28th May 1832.

(Signed) J. C. Morris.
Acting Secretary.

True Copy

J. D. Drew

Rev: 1860 Depart.
Pro: of Govt for October.

No 2313.

Proceedings of the
Board of Revenue
Dated 19th
Desp.
Rec. 19 } October 1860.
1. Encl.

No. 4778

No 1916 - 19th October

Submitting with the Board's recommendation a letter from J. D. Mayne Esq requesting that copy of a letter from the Collector of Masulipatam dated 28th May 1832 may be furnished to him for production in the Sudr Court at the hearing of R. A. No 103 of 1857.

No 335 & 336.

Written Order

No 1916

Ordered that the Board of Revenue be authorized to give Mr. Mayne a copy of the letter in question.

Fort St. George
19 October 1860.

Ltr

Copy to the Bd of Rev. Dis. 19
12 Sheets do — to do 22

Copy to Commissioner