M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue. DEPARTMENT.

G.O. No. 2015	Press ~~Mis.~~
5-6°	
Dated 1—11—	1860.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 1st November 1860.

No. 5. Read the following letter from Colonel A. McCALLY, Commissary General, to Colonel H. MARSHALL, Secretary to Government, Military Department, Fort Saint George, dated Madras, 16th October 1860, No. 243:—

SIR,

1. I have the honor to acknowledge the receipt of the Order* of Government referring to me a petition from one Mahomed Joffer praying that certain landed property belonging to his ancestors and now in use with this Department at Trichinopoly may be restored to him.

* *8th August* 1860, *herewith returned.*

2. I referred the above petition to the Commissariat Officer at Trichinopoly who reports that he has examined the Records of his Office since 1810, and that no rent for the Arrack Godown claimed by the petitioner, appears to have been disbursed, the Quarter Master General's Office of the Division was consulted whose Records commence only from 1837, but from that date it has been borne on the Returns as a public building.

3. I have moreover referred the question to the Quarter Master General of the Army who informs me that in the Return of *public* buildings dated so far back as 31st December 1807 the building is entered therein.

No. 6. ORDER THEREON, 1st November 1860, No. 2,015.

1. Pensioned Sepoy Mahomed Joffer claims as his ancestral property the building with the land attached, now occupied as an Arrack Godown by the Commissariat Department at Trichinopoly; and prays that the value of the property or an equivalent in land, may be granted to him. The Collector, in an endorsement dated October 23rd 1859, states "that the Military authorities, at the earliest period of the assumption of the country, obtained the muntapum in question from petitioner's ancestors;" and he declines to advocate petitioner's claims on the grounds that the Government have been in undisputed possession for full 58 years and had from time to time repaired the building at their own cost. Petitioner then appealed to the Board of Revenue, who "declined to interfere." He next came up to Government, by whom his claim was referred for report to the Commissary General.

2. In the letter now before Government Colonel McCally states that the records of his Department have been examined since 1810 and that no rent appears to have been disbursed for the property claimed by the petitioner, and that so far back as 1807 the Arrack Godown was returned as a *public* building.

3. Such being the facts, the Government resolve to reject the petitioner's claim. The occupation without payment of rent for so many years is satisfactory testimony, in their opinion that the original occupation of the property was obtained from the owner on terms then agreed upon, and which do not now admit of challenge.

4. The Collector of Trichinopoly will acquaint the petitioner with this decision, in reply to his petition to the Government dated 3rd July last.

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

Petitions

No. 2036 of 1860.

Dated 18th June
Recd 26th June } 1860.

From Shri Paramánanda Narayanandra Sánthu late guardian of Beredi Taluq Ganjam.—

Referred to the Bd. of Revenue for disposal.

Passing observations upon the contents of a letter stated to have been addressed to the Court of Wards by the Collector of Ganjam on the 3d June disputing Collectors right to take certain inam lds belonging to himself and others: also his authority to interfere with the arrangements made by the late Zemindar: refers to certain inams granted by the Zemindar

to

to his first wife the Patta Mahadevigaru, and to the the Collectors recommendations thereupon also to certain villages granted in his own name shews that if the Taluq was made over to him, it would be advantageous to all parties

Prays for justice & that what the Collector wrote may be cancelled.—

Dispd 7th Augt

№ 2090 of 1860.

Dated 24th June
Recd 13th July } 1860.

From T. T. Wallaba the Vellia Rajah of Walluvanaad in the Province of Malabar.—

Protesting against the proceedings of the Collector of Malabar in having against

Petitioner is informed that the Govt have in their order of 24 July /60 No. 1221, directed that the payment of the Malikhana allowance should be made as usual, & himself. It was at the same time warned that if he, on any one occasion, failed to pay the allowance of the Junior Rajahs immediately, the Government would order a separate

4c

payments

C.G.M.

against the prevailing custom disbursed to the junior Rajahs their portion of the Malikana, direct from the treasury instead of through himself.

Prays that the old custom may be adhered to in future.—

№ 2106 of 1860
Dated 3d July
Recd 14th July } 1860.

From Mahomed Jaffier Pensioned Sepoy № 24771 of the 2d class inhabitant of Trichinopoly.—

Produces the endorsements of the Collector & Board of Revenue deciding on his claim to a certain Muntapiam belonging to his family for many years and which on the assumption of the country by the British was rented out to the Commissarial Department as an arrack godown.—

Prays that the refusal

Referred to the Military Department & the Commissary General for report Petitioner's claim

C.G.M.
Dy. Secy. to Govt.

See Mins

refusal of the Board and Collector to interfere and cause the restoration of his property may be remedied by Government.—

Dated 7th August

For Saint George,
7th August 1860.

Dated Pro Regnant 1803

2100

Nems. on Pet. 2106 of 1860. — 64

Petitioner is a pensioned sepoy, and states that the Mantapam now occupied by the Commissariat as an Attack Godown at Trichinopoly was the property of his forefathers: that his father who was a Risaldar in the service of the Nabob of the Carnatic used it as a barrack for 8 Companies of Sepoys and 50 Horsemen: that after the British Govt assumed possession of that part of the country in 1801 the Commissary General rented it from his Father: that this circumstance is recorded in the Records of the former Collectors Messrs Wallace & Braden about the year 1803: that in 1819 the Commissary General and the Fort Adjutant required him (Petr) to make certain repairs, which his circumstances not permitting him to do, and that therefore the cause of the repairs to him made the latter party hasten

in possession of his family for 117 years that he now receives no rent for the Mantrapam; and that he cannot obtain any recognition of his just rights.

He produces endorsements of the Collector and Bd of Revenue.

The Collector states (1 Dec/99) that from enquiries instituted it appears that the Military Authorities at the earliest period of the occupation of the country obtained the Mantrapam in question from Petitioners ancestors and converted the place into an Arrack Warehouse. The building has been in the possession of Govt ever since and money has been laid out upon it from time to time for repairs. It is now occupied as a Spirit store by the Commissariat. "The place having been in Govt possession for full 58 years without question, the Collector is not prepared

to advocate the Petitioner's claim - he should apply to the Military authorities."

On 10 Jan. 1800 the Board of Rev. told Petitioner that they could not interfere -

Jere -

Cyer

Dec. - Ent. Mas the Mg dept. to report

refusal of the Board and

Rev 2299.

1

Memorandum.

We must now ask
= cuit of Chalmers

I confer in
separating the claim
by Ellt

Petitioner Richomes Inflar, the person referred to in this letter claims as his ancestral property the house now occupied by the Commissariat department at Trichinopoly as an Arrack Godown, with the land attached, and prays that it may be restored to him or that he may be granted other land in lieu. The Collector in an endorsement dated Oct 23rd '59 admits "that the Mahomedan Authorities at the earliest period of the assumption of the country obtained the usurpation from Petitioner's ancestors" but does not say whether possession was got by purchase or otherwise - and as the Govt have been in undisturbed possession for 50 years and have from time to time laid out money upon the house for repairs, he "is not prepared to advocate the Petitioners claim" Petitioner then appealed to the Board of Rev who "declined to interfere" He next came up to Govt who called upon the Commr Trichy Dist who the Mily Deptt to report

Endorsement dd 10 Jany 1860.

Endorsement by Govt Masters 7th Jany: 1860.

(14) Memo

Rev n°2299.
and Reclaims
n°s 1571. & 2406
of 1860.

on the claim. Col. McCally states that his deeds have been examined since 1810 and that no rent appears to have been demanded for the Arrack Godown in question, and that so far back as 1807 it was returned as a public building.

Mod
Oct 22d

Prop. If the Govt. and disposed to recognize a claim of such a description more definite in formation must be obtained than that supplied by the Collector — viz. from whom, under what circumstances, & on what terms the building was obtained, what relation that person was to Peir, & whether the latter in his turn also the proprietor, & what is the value of the building at this time, & whether it can be shown that a valuable consideration was not given it.

D. Kerr 22 Oct

Should reject the claim — for documentary evidence of payment of rent for so many years, is satisfactory testimony in this Province to establish a title by prescription to the ownership of land, & the Memorialist should be referred to the Civil Courts of Law for that purpose.

Revenue Department

N° 2015

Proceedings of the Madras Government
Under date 1st ~~October~~ Nov. 1860

Read the following
letter from the Commissary General

Reporting that the Landed
Property claimed by Mahomed (Here entered 16th October/60. N°243)
Jaffer appears to be a public building

Perused & approved
Mahomed Jaffer claims
as his ancestral property
the building with the land
attached, now occu-
pied as an Arrack
godown by the Commt
dept. at Trichinopoly.
The Coll. in an endorse-
ment dated Oct 23d/59.
states "that the Rich
authorities, at the
earliest period of the
assumption of the
Country, obtained the
memorialists

and prays that the value of the property or an equivalent in land, may be granted to him.

ment to pass in question from Petitioners ancestors" and declines to advocate Petrs claim on the grounds that the Govt have been in undisputed possession for full 58 years and had from time to time repaired the building at their own cost. Petitioners then appealed to the Bd of Rev., who "declined to interfere." Petr next came up to Govt, by whom his claim was referred for report to the Commy Genl.

2 In the letter now before Govt Col. Pyne fully states that the records of his dept have been examined since 1810 and that no rent appears to have been disbursed for the property claimed by the Petitioners, &

3 Such being the facts, the Govt resolve to reject the Petrs

that so far back as 1807 the Arsenal Grounds was claimed as a public building.- The occupation without payment of rent for so many years is satisfactory testimony in their opinion that the original occupation of the property was obtained from the then owner on terms then agreed upon, and which do not now admit of challenge. ~~They therefore resolve to reject the claim.~~

4 The Coll of Fredericksburg will acquaint the Petitioners with this decision, in reply to his Petition to the Govt dated 3 July last.-

7 Copies
Mily Dept Disp 2
2 Commissary Genl
12 Board of Revs
1 Coll of Fredericksburg

Revenue 1860 Dept.
Pro: of Govt. for Nov.
No 2015.

3-1-11
27-11-13
24-2-15

Pro: of the Madras Govt.
Dt. 1st Nov. 60.

Rejecting the claim of one Mahomed Jaffer to a building occupied as an arrack godown by the Commissariat Dept. at Trichinopoly.

No. 546.

Mahomed Jaffer's claim to the Arrack Godown at Trichy