Revenue Department

G.O. 2015 Spare copy

Dated 1-11-1860.

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.

* 8*th 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.

