M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2138 Press ~~Mis.~~

245-246

Dated 14-11- 1860.

Not to be folded or roughly handled

No. 245. Read the following Proceedings of the Board of Revenue, dated 18th October 1860, No. 4,755:—

Read the following letter from B. CUNLIFFE, Esq., Collector of Madras, to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Saidapet, 7th September 1860, No. 363.

1. With reference to paragraphs 46 and 47 of a Despatch from the Home Government, dated 9th September 1859, No. 10, Revenue Department, and forwarded with Board's Proceedings of the 18th May last, No. 2,409, I have the honor to submit a genealogical table, showing the family of the late Puttábi Rámaya, claimant to the Nattár Srotriyam of Gudinelvái in this District.

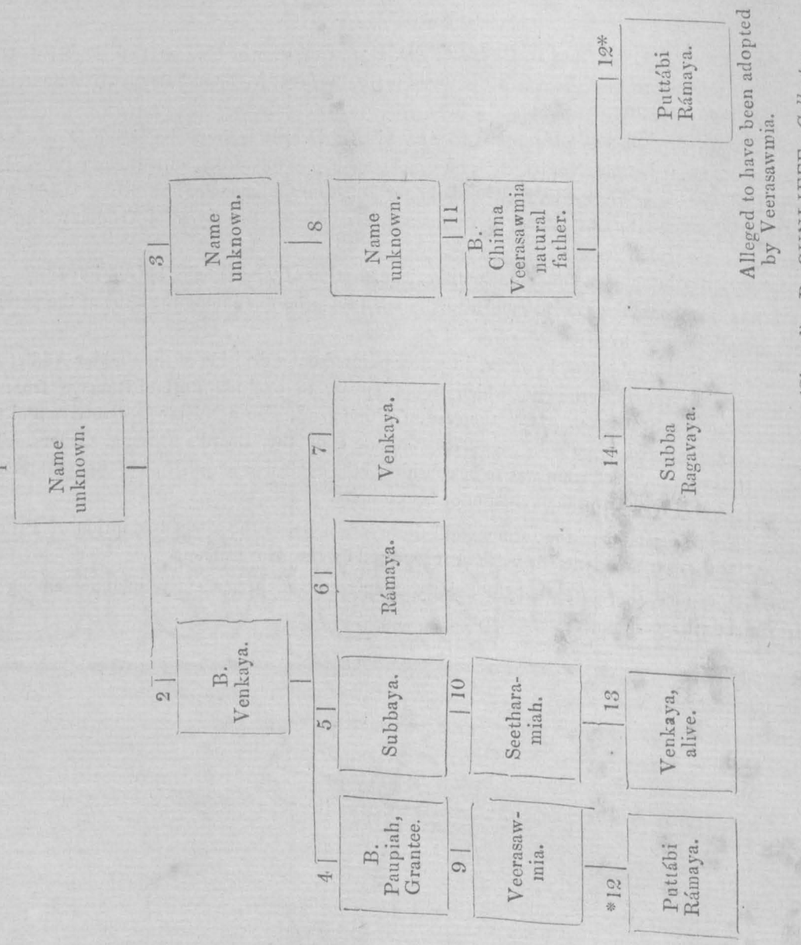
2. This shows him to have come within the definition of "legal heirs" given in paragraph 7 of the Board's Proceedings, 23rd June 1857, No. 2,146, as he was among the issue of the paternal great grandfather of the grantee.

3. The Sarishtadár has, however, just now pointed out a decision of the Sudder Adálat and concurred in by the Government, which would appear to exclude Puttábi Rámaya from the succession to the Srotriyam. It is the case of Utuntangal, also a Náttawár Srotriyam of this District, and reported in note 4, page 278, Volume I of the Board's Circular Orders. The decision was that the Srotriyam was to be considered the exclusive acquisition of the grantee and to descend to his lineal, to the exclusion of his co-heirs.

4. The descendants of the former kind there are none, as the alleged adoption of Puttábi Rámaya by the last Srotriyamdár was not recognised by the Government.

5. I presume, therefore, that the Srotriyam may now be permanently included among the Government villages.

GENEALOGICAL TABLE.



Alleged to have been adopted by Veerasawmia.

(Signed) B. CUNLIFFE, *Collector.*

To Government, 26th February 1855.
From „ No. 426, Revenue Department, dated 16th, in Cons., 19th April 1855, No. 1,006.
To „ 2nd May 1856.
From „ No. 841, Revenue Department, dated 9th August, in Cons., 2nd September 1856, No. 3,094.
To „ 23rd June 1857.
From „ No. 692, Revenue Department, dated 11th July, in Cons., 7th August 1857, No. 2,791.
To „ 7th August 1857.
From „ No. 356, Revenue Department, dated 6th, in Cons., 7th March 1860, No. 1,076, paragaph 5.

1. Ordered to be submitted to Government with reference to the correspondence noted in the margin, in which the facts of the case are so fully detailed, that it would be superfluous to repeat them here at length.

2. It will suffice to state that it is in the Board's opinion clearly proved that the Náttawár Srotriyam of Gudinelvái was granted in Fasli 1201 by the Nawáb Omdut ul-Omrah to B. Paupiah, by whom and his three undivided brothers it was enjoyed up to 1801, when Venkaya, the youngest of the four brothers, was in possession and surrendered to Mr. Greenway the documents connected with the grant, as per his receipt dated 13th October of that year.

3. No Sanad was issued for this village as was done in the case of the other similar Srotriyams, when Government abolished the office of Náttawár and bestowed the Srotriyams attached to it in hereditary tenure on the families which had held the office, but this omission cannot have arisen from any inferiority of title on the part of this particular family, as Mr. Greenway made a favorable exception in their favor by disbursing to Venkaya the proceeds of the

Srotriyam, in consideration of his family having enjoyed it uninterruptedly since the grant by the Nawáb, at the time that he attached the Srotriyam itself with all others of a like kind, and in every other case retained the proceeds in deposit.

4. It would indeed seem more likely that, as formerly observed by the Board, this *quasi* recognition of the family right, and release of the village, tended to cause the omission (as unnecessary) of a formal grant which was issued in cases where the claims were less strong.

5. In 1807 the Srotriyams and Ináms in the Carnatic which had been attached were released out of consideration for the hardships that the families of the Srotriyamdárs had undergone, and under date 10th November of that year, an order was issued by Mr. Cazalet that the Srotriyam of Gudinelvái now in question should be restored on the original footing to Veerasawmia, the son of B. Paupiah the original grantee, from which it may be inferred that Venkaya, the younger brother of B. Paupiah, and the last member of the family who had been in possession of the Srotriyam, was no longer living.

NOTE.—*It was purposely entered in the accounts as* Srotriyam, *to retain alive a claim which it was felt might be preferred with prospect of success.*

See Enclosure No. 2 *in Collector's letter, dated* 16*th October, in Cons.*, 18*th December* 1854, *No.* 3,915.

6. Veerasawmia held the Srotriyam until his death in 1833, when it was sequestered "in the absence "of any sufficient evidence in the office (of the Col- "lector of North Arcot in which District it was then "included) to warrant its continuance to the next "heir."

7. They were the claims of his so-called adopted son and distant blood relation Puttábi Rámaya, and of his near cousin Venkaya, which were laid before Government in the first of the communications quoted above.

8. Rámaya's claim *by adoption* has been rejected by Government, but the Home Government have directed that his claims *by descent* independently of such adoption, which were alluded to by the Board in their Proceedings of 23rd June 1857, should be taken into consideration, and it is on this point that the present report is submitted.

9. The genealogical tree furnished by the Collector, and which corresponds with that submitted to Government in 1854, shows, as stated by the Collector, that P. Rámaya came within the definition of the legal heirs of Veerasawmia, but Mr. Cunliffe doubts whether such claim by descent can be admitted under the ruling of the Sudder Adálat Court quoted by him, which was based on the principle that co-heirs and their descendants cannot claim to succeed to property of the nature of Ináms, &c., conferred on an individual by a Government grant (as a reward for his personal services), and that only his direct heirs can claim the inheritance.

10. The Board consider it unnecessary to argue this point, as it appears that P. Rámaya is dead, and also because the claim of Venkaya to succeed *by descent* is much stronger than any claim possessed by P. Rámaya independently of his alleged adoption. Venkaya is the grand nephew of the original grantee, being the grandson of Subbaya, the grantee's *second* brother. Now as it is proved that when Mr. Greenway attached the Srotriyam in 1801, Venkaya, the *youngest* brother of the original grantee, was in possession, though Veerasawmia son of that grantee was living, and as it appears that the family was undivided, there can be no question that the Nawáb's grant of the Srotriyam had not been treated as restricted in the manner supposed in the ruling quoted by the Collector, and, moreover, the circumstances of the case are not altogether identical with those then under consideration, inasmuch as in the present case no Sanad was issued by Government conferring the Srotriyam on any particular person "and his heirs," and had such been issued, it is probable that under the circumstances of the case, Venkaya who was in possession when Mr. Greenway sequestered the Estate, would have been selected as the member of the family in whose name the Sanad should run, in which case under the ruling of the Sudder, Veerasawmia, the last holder and the son of the original grantee under the Mussuluman dynasty, would have been excluded from the succession.

Proceedings of the Madras Government, Revenue Department,
14th *November* 1860.

11. P. Rámaya, whose claim by adoption the Board supported, being dead, and his claims by adoption having been rejected by Government, the Board resolve to recommend that Venkaya be admitted to succeed to the Srotriyam and to the mesne profits from 1854, (when the claim on the part of the family was renewed, Government having already declined to allow them from date of sequestration) as heir by direct descent of one of the four undivided brothers who jointly enjoyed the Srotriyam and successively discharged the duties of the office to which it was attached, and as the senior representative of the family.

(True Copies and Extract.)

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

No. 246. ORDER THEREON, 14th November 1860, No. 2,138.

1. The matter referred to in this paper is the question of succession to the Náttawár Srotriyam of Gudinelvái in the District of Madras. The case was considered by Government in their several Proceedings noted in the margin, when the claims of one B. Puttábi Rámaya to the lands as the descendant of the original grantee, were rejected, owing to long neglect to prefer his claims, and also to his failure to prove his alleged adoption by the last holder. The Secretary of State having however in his Despatch of 9th September 1859, paragraph 47 suggested the expediency of reconsidering the opinion of Government with reference to a statement made by the Board* that "Puttábi Rámaya through "the great grandfather of the family seems to have "claims barring the escheat," the case was again referred to the Board.

16th April 1855, *No.* 426.
9th August 1856, ,, 841.
11th July 1857, ,, 692.

* *Proceedings June 23rd* 1857, *No.* 2,146, *paragraph* 8.

Proceedings 6th March 1860, *No.* 356.

2. The Board have accordingly obtained further information respecting the family of the grantees of the Srotriyam, and they report the true heir by descent is not Puttábi Rámaya, but Venkaya, whose claim was also mentioned in their Proceedings of June 1857 above referred to. Venkaya is the grandson of Subbaya one of the brothers of the original grantee and the Government agree with the Board (paragraphs 2 and 10) that the grant must be regarded as made to all the four brothers. Puttábi Rámaya, who is now dead, was descended from an uncle of the said four brothers. The Board recommend therefore that Venkaya be admitted to succeed to the Srotriyam; and that the mesne profits from 1854, when the claim on the part of the family was renewed, should be paid to him, the Government having already declined to allow them from the date of sequestration, on the ground that no claim had been brought forward.

3. On the information now laid before him, the Honorable the Governor in Council considers the title of Venkaya to be good; and he accordingly directs that the Srotriyam be made over to him. He is not however prepared to order payment of the mesne profits; as he does not find that Venkaya ever preferred any claim to the Srotriyam. His title appears to have been elicited simply in the course of the inquiry made into the claims of Puttábi Rámaya.

(Signed) T. PYCROFT,
Chief Secretary.

Revenue Dept.

No 2138.

Proceedings of the Government of Madras
under date 14th November 1860

Read the following Proceedings of the Board of Revenue
here enter 18th October 1860
No 4755

The matter referred to in this paper is the question of succession to the Natta-gum Shrotrium of Sudunelvai in the District of Madras. The case was considered by Government in their several Proceedings noted in the margin, when the claims of one D. Puttabi Ramiah to the lands as the descendant of the Original Grantee, were rejected, owing to long neglect to prefer his claims, & also to his

16th April 1855 No 426
9th Augt 1856 " 841
1st July 1857 " 692

Rejd 4th April 55 Rs 32-33
R. 12 August 56 — 41-42
— 14 July 57 — 16-17.
— 15 March 60 — 62.
Dept

Copy with Letter to Collr
Dept 23rd Novr 60 No 2112.

(5) Rev. Con.
Proc. of Govt for Forwg
No 2424
Proceedings of the Board
of Revenue.

Dated 15th
Dept 29th
No. 30
Nov 1860

Submitting a Copy of Proceedings of the Board of Revenue on the petition of Dorasawmy Gudimelam and recommending that Venkatayah be admitted to succeed to the Shrotrium & to receive possession from 1854

No 2405.

Copy with Letter to Collr
dated 31st Octr 1860
No 2138. 14. Nov.

his failure to prove his al: legd adoption by the last holder. The ~~Right Honble~~ Secretary of State having however in his Despatch of 9th September 1859 p: 47 sug: gested the expediency of re- considering the opinion of Government with resp: to a statement made by the Board that "Puttabi Ra: miah thro: the great-grand father of the family seems to have claims barring the escheat", the case was again referred to the Board -

2 The Board consider it unnecessary to enter into the claims of Ramiah as it appears that indivi: dual is dead & also be: cause the claims of one Venkiah

× Progs June 23d/57 & No 2146 D8.

Progs 6th March 1860 No 356

have accordingly obtained further information respecting the family of the grantees of the Shrotriums - And they report the true heir by descent is not Puttabi Ramiah, but Venkiah, whose claim was also mentioned in their Proceedings of June/57 above referred to - Ven kiah is the grand son of Sub. biah one of the brothers of the original grantee and the Govt agree with the Board (Paras 2 and 10) that the grant must be

be regarded as made to all the four brothers - Puttabi Ramiah, who is now dead, was descended from an uncle of the said four brothers - The Board

Venkiah to succeed by descent is much stronger than any claim poss'd by Ramiah independent: tly of his alleged adoption - Venkiah being heir by di: rect descent of one of the four undivided brothers who jointly enjoyed the Shro: trium & successively dis: charged the duties of the Of: fice to which it was at: tached - They recommend therefore that Venkiah be admit: ted to succeed to the Shro: trium & the mesne profits from 1854, when the claim on the part of the family was renewed should be paid to him, they Govt having al: ready declined to allow them from date of lapses:

hation

had been brought forward –

Nattawar Shrotrium of Gudimelvai – Madras List:

trating, on the ground that no claim
3 On the information now laid before him,
the Govr. in Council considers the title of Venkiah to be good; he accordingly directs that the Shrotrium be made over to him – he is not however prepared to order the payment of the mesne profits; as he does not find that Venkiah ever preferred any claim to the Shrotrium – His title appears to have been elicited in the course of the enquiry made into the claims of Puttabi Rami: ah

12 Copies to Bd of Rev
Dispr. 15

17th Apl 1855 No 32-33-
12th Augt 1856 No 41-42
14th Jany 1857 No 16-17.
18th Augt do No 48-49.
10 Mar do No 62.

Copy in my Letter to Govt
Dy 23d January 1861 No 12

Revenue 1860 Deptt
Pro: of Govt for Novr

No 2138

Pro: of the Madras Govt
Dy 14th November 1860

Ordering that the Nattamaiyar Kottiyam of Gudimelvai in the District of Madras, be made over to Venkaya.

No 245 & 246.

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