M.R.O. 14—10,000—21-4-22

# MADRAS RECORD OFFICE.

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## Government of Madras.

Revenue **DEPARTMENT.**

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| G.O. No. 326 | Press ~~Mis.~~ |
| 3-4 | |
| Dated 1 — 3 — 1860. | |

***Not to be folded or roughly handled***

*Proceedings of the Madras Government, Revenue Department, for the month of March 1860.*

No. 3. Read the following Proceedings of the Board of Revenue, dated 31st January 1860, No. 521.

Read letter from the Acting Collector of North Arcot, dated 2nd December 1859, No. 285, reporting on the Memorial addressed to Government by one Kamatchaya, grandson of Mangammál, late Srotriyamdár of Sennia Nellur, in the Trivettur táluq.

(In Con. 5th December 1859, No. 6042.)

*In Consultation, 30th August 1859, No. 4326.* Resolved that the above letter be submitted to Government, with reference to their Proceedings, dated 29th August 1859, No. 1156, Revenue Department.

2. The Srotriyam in question which was of 49 kanis extent, and paid a jodi of Rupees 130-13-5, was enjoyed in two shares by Subaya and Mangammál, under a Parwána issued by the Nawab Sadut Ullah Khan, dated *5th Ramzán year, 4th Jooloos,** which purported to continue the grant of the village "according to the Sanads of former rulers."

* NOTE.—*Sadut Ullah Khan removed the seat of his Government to Arcot in 1712, and is generally known as the first person who assumed the title of "Nawab of the Carnatic."*

3. Subaya, who was the great grandson of the person mentioned in this Parwána, died in 1839, and Mangammál, who was the widow of another great grandson, died in 1850, leaving it appears, two daughters,

1. Atchamma, who was also the widow of Subaya.
2. Latchumamma, who had three sons.
   1. Kamatchaya, the present petitioner, then aged 20 years.
   2. Venkatachelaiya, who was also the adopted son of Subaya, then aged 14 years.
   3. Sundraya, then aged nine years.

Subaya left no heirs of his body.

4. The Collector recommended that the whole Srotriyam should be continued to Venkatachelaiya as the adopted son of Subaya, and the grandson of Mangammál, but the Board saw no sufficient grounds for recommending the continuance to *him* of the second share, and Government concurring in opinion with them, this share was resumed, the claims of the other grand children or of their mother as Mangammál's heirs being not taken into consideration.

NOTE.—*In the tabular statement submitted by the Collector for the quarter ending 31st December 1850, forwarded to Government with the Board's Proceedings, dated 24th February 1851, and disposed of by Government in E. M. C., dated 12th April 1851, No. 359, R. D., Mangammál is said to have left three daughters, two of them bearing the same name Latchumamma, one of whom is stated to be the mother of Venkatachelaiya and the other of Kamatchaya and Sundraya, but this is probably an error, as Sundraya is styled the 3rd son of Latchumamma, and it is not probable that two living members of the same family, sisters, should bear the same name.*

In Con. 24th April 1851 No. 892.

5. The Board presume that their claims were considered to be excluded under the practise which was abrogated by the orders of Government, conveyed in Extract Minutes Consultation, dated 25th January 1854, Revenue Department No. 100, directing that the circumstance of the legal heir being a female, or of the succession having descended through a lineal female heir, should not henceforward be considered any bar to the continued enjoyment of inám lands.

*Board's C. O. dated 9th February 1854, page 2.*

6 Venkatchelaiya was considered as the heir by adoption of Subaya and Atchamma, to be entitled to the half share, but as such his natural mother and brothers had no claims whatever upon him, and as Mangammál's share was resumed, they ceased to derive any benefit whatever from the Srotriyam which had been enjoyed by their family for so many years.

7. The Board have already in their Proceedings quoted in the Extract Minutes Consultation above referred to, recorded their opinion that the theory barring lineal succession by the female side was unsound, and the practise unwarranted, and they consider that the present petitioner's title to succeed, as heir to his maternal grandmother, to the share of the Srotriyam which remained in her enjoyment after her husband's death until her decease, is good and valid.

8. They beg leave, therefore, to recommend that the Collector be instructed to restore it, together with the proceeds that have accrued since resumption, to the petitioner and his heirs, on the same conditions as it was enjoyed by his grandmother Mangammál.

(A true Extract.)

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

*Proceedings of the Madras Government, Revenue Department, for the month of March 1860.*

No. 4. ORDER THEREON, 1st March 1860, No. 326.

1. It is unnecessary to recapitulate the case, which is given with great clearness in these Proceedings. The question to be decided is, whether the order* of Government, directing that descent through the female line should not henceforward be considered a bar to succession to inám land, is to be taken as retrospective or not.

* *Extract Minutes Consultation 25th January* 1854, *No.* 100.

2. Government are decidedly of opinion that it should. Had it been in force in 1851 of course a different order would have been passed upon the report of lapsed yaumias which formed the subject of consideration in Extract Minutes Consultation, dated 12th April 1851, No. 359, as far as the inám now under question is concerned.

3. The Government therefore authorize the Board to restore to the petitioner Kamatchaya, the share of the Srotriyam enjoyed by his grandmother Mangammál, subsequent to her husband's death, with the proceeds which have accrued since its resumption by Government, to be held by him and his heirs on the same conditions as it was enjoyed by his grandmother.

(Signed) T. PYCROFT,
*Chief Secretary.*

No 326

Proceedings of the Madras Government under date the 1st March 1860.

Read the following Proceedings of the Board of Revenue

Submitting a report from the Collector of North Arcot on a memorial addressed to the Home Government by Kamatchaya, who claims the restoration of a half share of the Srotriyam village of Semia Nellur in the Tiruttur Taluq of the North Arcot District.

Received 31 January 1860. No. 52.

E. & C. 25 January 1854. No 100

It is unnecessary to recapitulate the case, which is given with great clearness in these Proceedings. The question to be decided is, whether the order of Government, directing that descent through the female line should not henceforward be considered a bar to succession to inám land, is to be taken as retrospective or not.

2 Government are decidedly of opinion that it should. Had it been in force ~~when the order~~

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in 1857 of course a different order would have been passed upon the report of lapsed zamindaris which formed the subject of consideration in E. L. C. dated 12 April 1857 - No. 357. as far as the zamindari now under question is concerned.

3. The Government therefore authorize the Board to restore to the Petitioner Ramatchaya, the share of the zamindari enjoyed by his grandmother during her widowhood, subsequent to her husband's death, with the proceeds which have accrued since the resumption by Government to be held by him on the same conditions as it was enjoyed by his grandmother.

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