M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 800 Press ~~Mis.~~

101-102

Dated 17-5-1860

Not to be folded or roughly handled

HH2
31-8-23

No. 101. Read the following letter from J. D. SIM, Esq., Secretary to the Board of Revenue, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, dated 12th May 1860, No. 2,324 :—

With reference to the Proceedings of Government, dated 7th March 1860, Revenue Department, No. 362, I am directed by the Board of Revenue to submit herewith the accompanying correspondence* which has passed between the Board, the Chief Engineer, and the Officiating Collector of Chingleput respecting the suit noted in the margin,† which was brought for damages &c., consequent on the extension by the Public Works Department of the Chittátúr Tank Bund.

In Con. 9th March 1860, No. 1,094.

* From Officiating Collector of Chingleput, 29th March in Con. 2nd April 1860.
Proceedings of Chief Engineer and Collector, 5th do.
From Chief Engineer 14th in Con. 14th do.
From Officiating, Collector of Chingleput, 5th in Con. 10th May 1860.

† Principal Sadar Amín's Court of Chingleput.
O. S. No. 4 of 1859.
Plaintiff
The Srotriyamdárs of Virarágavapuram in Chingleput.
Versus
Mr. Shubrick,
Captain Moberly,
and 10 others.

2. The Government will see from the last letter from the Officiating Collector, that he has endeavoured to effect an arbitration in the matter in dispute, but without avail. From personal inspection Mr. Ellis now considers that the Virarágavapuram Srotriyamdárs (the Plaintiffs in the suit) have grossly exaggerated the losses they have sustained by the extension of the Bund. They estimated the extent of land rendered unfit for cultivation at 10 Kánis; whereas the land has not been rendered unfit for cultivation and much of it is actually under cultivation. It also seems that the cultivators, who pay rent to the Srotriyamdárs, are contented with the present position of the Tank, provided no further additions are made to the Bund, and a sluice is constructed to carry off the surplus water.

3. Mr. Ellis offered to obtain compensation to the Virarágavapuram Srotriyamdárs, by a reduction of their Peshkash, if they would produce their accounts for 10 years previous to the alteration of the Bund, and those of the subsequent collections and thus show the actual amount of their losses. With this reasonable suggestion they have refused compliance, and threaten to proceed with their Suit unless a large portion of the Chittatúr lands are given to them.

4. Under these circumstances Mr. Ellis is of opinion, and the Board concur with him, that the Suit should be allowed to proceed. Mr. Ellis proposes to file an answer denying the correctness of the allegations of the Plaintiffs and offering to pay any loss which the Court may, after investigation, adjudge to have actually occurred to them from the improvement of the Bund, or to remedy the injury by the construction of a sluice to let off the surplus water in the Tank. The Board do not see that any thing further need be done, and they accordingly recommend that the present Collector may be authorized to file the defence, which has been prepared by his Acting predecessor.

5. The time allowed for filing the answer expired on the 10th instant, but Mr. Ellis has applied for an extension of a month to permit of the Orders of Government being received.

6. The delay in submitting the case, in the first instance occurred while Mr. Shubrick was Collector and for this reason, no doubt, has not been noticed by Mr. Ellis.

7. A copy of this letter has been forwarded this day to the Chief Engineer.

No. 102. ORDER THEREON, 17th May 1860, No. 800.

The Chief Engineer will be requested to lay before Government without delay a succinct narrative of the proceedings in the matter of the improvement of the Chittátúr Tank, submitting at the same time all the correspondence that has passed between his Office and the local Officers on the subject. The Report should specify, among other things, the amount of the Estimate and of the actual outlay, and the nature of the work done; and should state also what objections were raised by the Srotriyamdárs, and what consideration was given to those objections. If there is a map of the locality in the Office of the Chief Engineer or of the District Engineer it should be submitted. This Report should be submitted without any delay, as the time allowed by the Court for filing an answer is limited.

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

From the Chief Engr.
Dy. 31 May for. Con 1129.
in Rs. for pmd - Re 129-130.

No 101 & 102.

Rec'd 1860 Despatch
Proc: of Govt 20th May
No-1008

From The Secretary to the
Board of Revenue
To The Secretary to Govt
Revenue Depart.

Dated 12th
Desp. 14 } May 1860.
Rec'd 14
Encl. 3 Engl. Letters. 2324.
& Encls.

No. 800. 17th May

Submitting the correspondence which has passed between the Board the Chief Engineer and the Officiating Collector of Chingleput respecting the Suit brought by the Shrotriemdars of Veerbaragavapuram for damages &c consequent on the extension by P.W.D. of the Chittatur Tank Bank and recommending that the present Collector may be authorized to file the defence which has been prepared by his retiring predecessor.

W Macdowall

Secret
Immed
Confidl
Chittatur

Govt Yr George
17th May 1860

No. 800

The Chief Engineer will be requested to lay before Government without delay a succinct narrative of the proceedings in the matter of the improvement of the Chittatur tank, submitting at the same time all the correspondence that has passed between his office and the Local officers on the subject - The Report should specify, among other things, the amount of the Estimate & of the actual outlay, and the nature of the work done; and should state also what objections were raised by the Shrotriemdars, and what consideration was given to those objections - If there is a map of the locality in the office of the Chief Engineer or of the District Engineer it should be submitted. — This Report should be submitted without any delay, as the time allowed by the Court for filing our answer is limited.