M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 127 — Press / Mis.

252 253

Dated 18— 1 — 1861.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
18th January 1861.

No. 252. Read the following letter from MUPPASWARAIEN, late Curnum of Katchpalli Village in Salem, to T. PYCROFT, Esq., Chief Secretary to Government, dated Madras, 14th December 1860:—

MOST RESPECTED SIR,

1. I beg leave most respectfully to forward to you the enclosed in *triplicate* addressed by me to the Honorable the Secretary of State; and to request that you will be graciously pleased to submit the same to its address with such recommendation you are pleased to make at your earliest convenience.

2. Please excuse the trouble given by.

P.S.—The favor of an answer is solicited and to be sent to the care of G. Canapati Naick Muttumári Chetti Street, No. 64, or to Katchpalli in the Táluq of Sangary in the Zilla of Salem.

———

No. 253. ORDER THEREON, 18th January 1861, No. 127.

Ordered that the Memorial submitted with the foregoing letter be forwarded to the Home Government and that intimation of its despatch be given to the Memorialist.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

ma letter England
5 Jan 1861 No 5.

[illegible]

[illegible] 127
[illegible] 252–253

TO

THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA.

THE HUMBLE PETITION OF MOOPPASWARIEN;
LATE KURNUM OF KATCHAPULLY VILLAGE,
TALUQ SHENKURDROOG, ZILLAH SALEM.

RESPECTFULLY SHEWETH,

That aggrieved by the endorsement of the local Government dated 20th September 1860 viz, "petitioner is informed that he was dismissed by order of Government," he most respectfully begs leave to prefer this his appeal therefrom on the following grounds.

1. That the office of Kurnum from which your petitioner was ejected is an hereditary one, and although he has committed wrong—of which he is not aware—yet it is humbly submitted that the members of his family cannot be deprived of the privilege, which is an infraction of the principle laid down in Regulation XXIX, of 1802.

2. That the offence laid against your petitioner is that he has conceiled certain cultivation lands, a charge which is wholly unsupported by evidence, as will appear from the order of the Thasildar, which he quotes below for your information:

Thakeed issued by Ramasawmiah Thasildar Shenkari Droog—to Mooppaswarien Village Kurnum Kutchoopully, &c. Villages.

1st *Charge.*—In the Village of Iyemputty, a place containing 18 *Nunjah* fields down to the Tank, measuring acres 11-5-10 yielding Revenue Rs. 34-4-5 were in your possession. Out of which 14 fields were only cultivated by you up to Fusly 68, yielding Revenue Rs. 25-12-8; for which you received Puttah in your name and in the name of one Moottusawmien your brother—and entered in the accounts the remaining 4 fields as unoccupied. On this, in Fusly 69 one Thandavaroya Moodelly has first made Durkast for the said 4 fields; to prevent them from being put into the possession of the said individual you have cultivated a few fields and to support your claim you have made Nagien one of your relatives to give a subsequent Durkast. The fields thus left unoccupied being within the stone wall erected by you and being in your possession it was brought to light that you might have in previous years cultivated the lands, and let your cattle to graze in them and deceived Government of the Revenue due.

2d *Charge.*—It is also brought to light that in the said Village a small place called Korakootta—containing 6 fields yielding Revenue 11-13-9 was entered in the accounts up to Fusly 68, as unoccupied; and now you have cultivated it and made your relative one Nagien to make a Durkast in Fusly 69; though you have done so, yet it has been brought to notice that the said fields with the stone wall around them being left in your possession you might have also cultivated them in previous years and concealed the cultivation.

These two cases were enquired in last Jamabundy, and you were found fault of the above 2 cases, for which the Acting Collector fined you 20 Rs. When that circumstance was brought to the notice of Government they in their Extract from the Proceedings, dated 28th May last No. 867 resolved your removal, to which effect an order of the Collector was received on the 8th June; and therefore you are to be considered as having been dismissed from your duty from the 7th Instant.

CUDDAH, 22d June 1860. (Signed) C. RAMASAMIAH, Thasildar.

3d. That the lands mentioned in the above Extract were left uncultivated for years, which fact will be proved by the records of the Collector's Cutcherry of Salem, and had any reference been made to them, your petitioner has reason to believe that he would not have been punished so summarily and arbitrarily. The Acting Collector has imposed upon your petitioner a fine of 20 Rupees, which punishment was enhanced by the local Government by the removal from the office of Curnum of your petitioner which was held by his family from time immemorial. This, your petitioner humbly submits, is incompatible with the ends of justice, the more so, because the Collector, who is on the spot was satisfied that the imposition of fine was sufficient, supposing that he was guilty of the charge imputed to him.

4th That in a matter of this kind, there should be clear proof, and your petitioner ventures to submit that such proof is not forthcoming, as will more fully appear from the order of the Thasildar quoted in para second of this appeal.

5th. That it is alleged that Nagiur referred to in the said endorsement has made a durkast for the lands in opposition to that made by one Thandavaroya Moodelly at the instigation of your petitioner, and granting, for the sake of argument, that it is so, your petitioner begs to submit that instead of supporting the charge preferred against him, it fortifies his statement that the lands were lain waste for years, and had they actually been cultivated by your petitioner, there would have been no occasion either for Nagiur or Thandavaroya Moodelly to make a durkast to the Circar undertaking the cultivation thereof. This is an important point on which the whole case rests, and your petitioner is inclined to believe that if the local Government had noticed it, they would not have arrived at the conclusion of ordering his removal.

6th. That Section VII, Regulation XXIX of 1802, provides that the succession to a vacant Curnumship shall devolve upon the heirs of the prior incumbent, and although your petitioner is considered to be disqualified to hold it, his heirs are entitled to it, and your petitioner submits that Her Majesty's government, which is based on sound constitutional principle will not deny this privilege which is guaranteed by the Legislative Enactment, as well as by the Royal proclamation.

7th. That the Curnum, who has jointly performed the duties of Curnum with your petitioner, and who still holds that office, has also made mention in his annual reports to the effect that the lands in question are *chary* or waste land; so that it is humbly submitted that his testimony is not only conclusive, but must lead to the restoration of your petitioner to his former situation.

Under these circumstances, your petitioner most humbly prays that, as the representative of Her Majesty, you will be pleased to receive this appeal, and annul the decision of the local government, which appears to have been come to upon a misapprehension of facts.

And your petitioner, as in duty bound,
WILL EVER PRAY.

MADRAS, 14th December 1860.

No 20 April 1860 Ps. 92-93
" 28 May 1860 Ps. 107-108
Copy in a Letter to Engd
dd 18th January 61 No 5.

Revenue 1860 Depart.
Pro: of Govt for Janry 61.

No 2964.

From Mooppanswarien late Kurnum of Katchapully Village in Salem.

Dated 14th December 1860.
Rec. 15
6 Encls
Submits in triplicate a Memorial to the Home Govt praying for the restoration to his former situation of Kurnum.

No 252 & 253.

No 127. 18th January
With an order

No 127.
Ordered that the Memorial submitted with the foregoing Letter be forwarded to the Home Govt, and that intimation of its despatch be given to the Memorialist.

Fort St Geo:
18th January 1861.

C5 1st Janry Rd 11th