M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1971 Press Mis.

1858-59

Dated 11 - 10 - 1861.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 11th October 1861.

No. 158. Read the following Proceedings of the Board of Revenue, dated 21st August 1861, No. 4,577 :—

Read Proceedings of the Madras Government, dated August 12th 1861, Revenue Department, No. 1,616.

(In Cons. 13th August 1861, No. 5,129.)

1. In these Proceedings the Government call upon the Board to state the precise authority under which Mr. Ballard settled a certain boundary dispute between the villagers of Iyavamdraveram, Achaveram and Samalambapuram, and if he did so under Act XX of 1855, to explain how the aggrieved parties could seek redress in the Civil Courts if Government declined to interfere in their case.

2. It is clear from Mr. Ballard's letter to Mr. Knox, dated April 20th 1860, No. 183, that he did not settle the matter formally under Act XX of 1855, for had he done so he must have disposed of it under Regulation XII of 1816 as required by Clause 6 of that Act, for one of the parties, the present Petitioners, declined altogether to accept the proposed boundary.

3. It would seem, therefore, that the boundary was fixed in a summary manner by Mr. Ballard under his general powers as a Settlement Officer, for the matter had been referred to him for disposal by the Collector, and the Board presume that the party, aggrieved by any order so passed by a Revenue Official will always have his remedy in a Civil suit.

4. As Petitioners refused to make an amicable settlement of the dispute or to attend at the marking out of the boundary, the Board are still of opinion that it would be advisable to refer them to the Civil Courts for redress, the more so as it appears from the last paragraph of Mr. Thornhill's letter, recorded in the Government Proceedings under reply, that the disputing parties have been cultivating the lands as marked out by Mr. Ballard since the date of that gentleman's decision.

5. The interference of Government would only be necessary to enable Petitioners to sue had the matter been adjudicated under Act XXVIII of 1860 and had they failed to appeal to the Court within the specified period, but that Act was not passed until June 1860, and Mr. Ballard appears to have decided the case in April of the same year.

(A true Extract.)

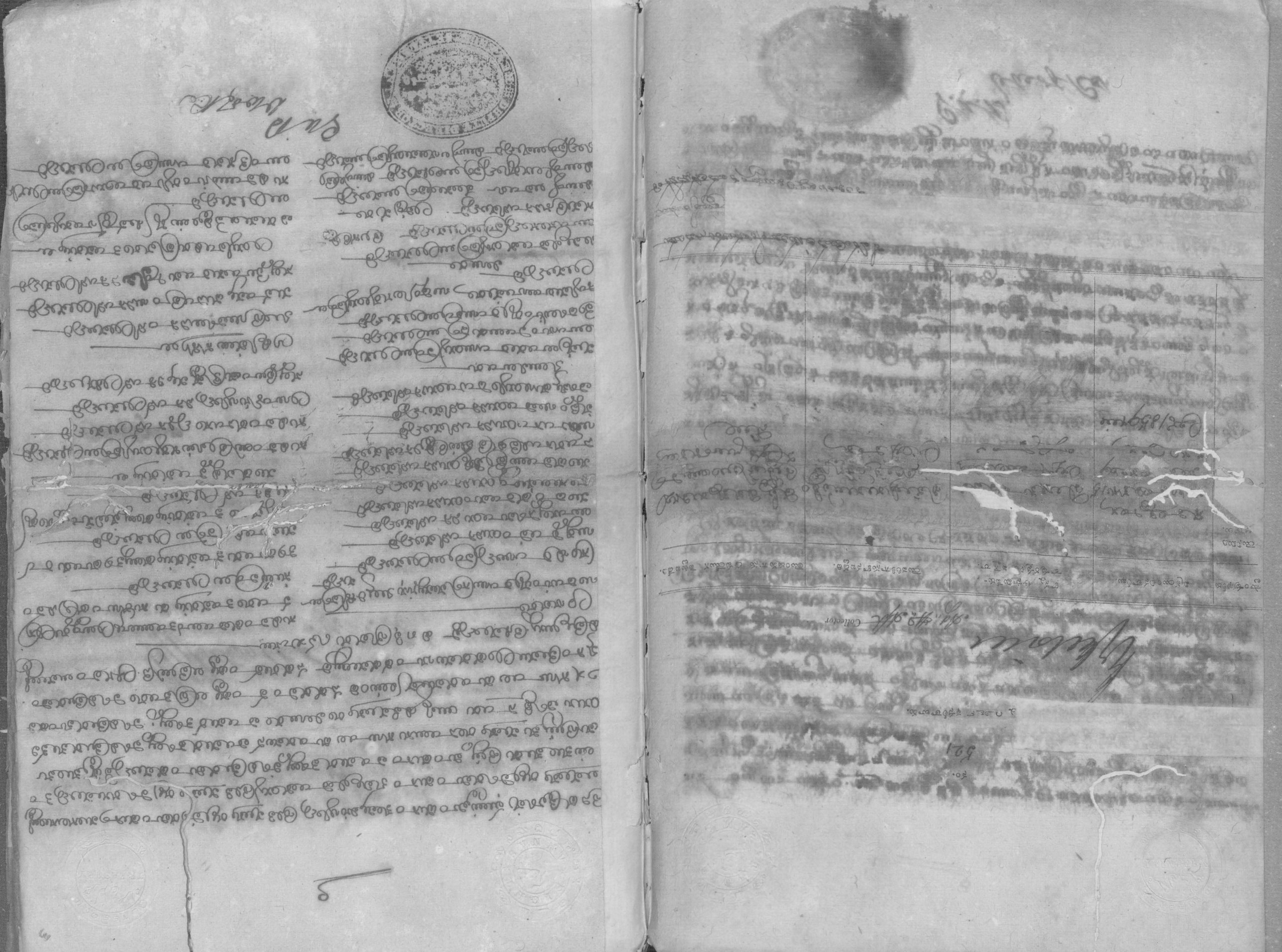
(Signed R. A. DALYELL, *Sub-Secretary.*

No. 159. ORDER THEREON, 11th October 1861, No. 1,971.

Resolved that the following endorsement be passed on Petitions Nos. 1,138 of 1860, and 1,887 of 1861 :—

" Petitioners are informed that the Government will not interfere with the decision regard-
" ing the boundary in question, passed by Mr. Ballard, Deputy Director of Revenue Settle-
" ment."

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



Collector

5

P. N.° 127 of 1860.

Forwarded to the Coll.r for report with reference to the Order of Govt. noted with in.

I have the honor to be,
Sir,
Your most obed.t Servt.
Pub.c Recr.

Revenue P.c Office,
Fort St.t George,
21.st May 1860.

By Order,

R-2079/61

~~Ra 1817/61~~

Plan
des
Environs
de
Pont-à-Mousson
Dressé par Mr. Jacquemin

No. 4,577.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 21st August 1861.

Read Proceedings of the Madras Government, dated August 12th 1861, R. D., No. 1,616.

(In Cons. 13th August 1861, No. 5,129.)

1. In these Proceedings the Government call upon the Board to state the precise authority under which Mr. Ballard settled a certain boundary dispute between the villagers of Iyavamdraveram, Achaveram and Samalambapuram, and if he did so under Act XX of 1855, to explain how the aggrieved parties could seek redress in the Civil Courts if Government declined to interfere in their case.

2. It is clear from Mr. Ballard's letter to Mr. Knox, dated April 20th 1860, No. 183, that he did not settle the matter formally under Act XX of 1855, for had he done so he must have disposed of it under Regulation XII of 1816 as required by Clause 6 of that Act, for one of the parties, the present Petitioners, declined altogether to accept the proposed boundary.

3. It would seem, therefore, that the boundary was fixed in a summary manner by Mr. Ballard under his general powers as a Settlement Officer, for the matter had been referred to him for disposal by the Collector, and the Board presume that the party aggrieved by any order so passed by a Revenue Official will always have his remedy in a Civil suit.

4. As Petitioners refused to make an amicable settlement of the dispute or to attend at the marking out of the boundary, the Board are still of opinion that it would be advisable to refer them to the Civil Courts for redress, the more so as it appears from the last paragraph of Mr. Thornhill's letter, recorded in the Government Proceedings under reply, that the disputing parties have been cultivating the lands as marked out by Mr. Ballard since the date of that gentleman's decision.

5. The interference of Government would only be necessary to enable Petitioners to sue had the matter been adjudicated under Act XXVIII of 1860 and had they failed to appeal to the Court within the specified period, but that Act was not passed until June 1860, and Mr. Ballard appears to have decided the case in April of the same year.

(A true Extract.)

Sub-Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.

Copy to G. Thornhill, Esq., Acting Collector of the Kistna District.

Exd. J. Wright.

Rec'd 12th August/61. Nos 174-175 (2)

Rev.e 1861 Department.

Pro:s of Govt for October.

No. 2079

PROCEEDINGS of the BOARD of REVENUE,

Dated 21st August 1861.

Dep.d 28 do
Rec.d 29th Do
Encl.s 3 nos
Enclosures 10

No. 4,577.

* 6 Encls delivered to the Sets.
vide Encl.e of 11th Oct.r/61.

Stating the authority under which Mr Ballard settled a certain boundary dispute between the inhabitants of 3 villages in Kistna.

No 1971

Resolved that the following endorsement be passed on Petitions 1138 of 1860, and 1887 of 1861.

"Petitioners are informed that "the Government will not interfere with the decision regarding the boundary in question, passed by Mr Ballard "Deputy Director of Revenue "Settlement."

Pro:s Govt
11th October/61

Mr Cs Spiers
To the Board of Revenue. Dep.d 14
I am Dep.d with Petitions
Rec.d 15th

Nos 158 & 159.

Nos 1971. 11th October
With an Order

9th October Reg.d