M.R.O. 14—10,000—21-4-32.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2297	Press ~~Mis.~~
106-107	
Dated 4—12—	18 61.

Not to be folded or roughly handled

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

No. 106. Read the following Proceedings of the Board of Revenue, dated 5th November 1861, No. 6,058 :—

Read again letter from the Collector of Madras, dated 4th September 1861, No. 299.

(In Cons. 5th September 1861, No. 5,664.)

Read also the following letter, dated 23rd October 1861, No. 355, from the same Officer :—

To Board, 22nd July 1861, No. 238.
Board's Proceedings to Government, 6th August 1861, No. 4,242.
Board's Order, 31st August 1861, No. 4,727.
To Board, 4th September 1861, No. 299.
From do., 5th October 1861, No. 5,377.

Adverting to the correspondence marginally noted, I have the honor to request you will obtain the sanction of Government for my defraying the amount decreed, and the costs particularized in the 3rd paragraph of my letter of the 12th June 1861, No. 189, in Suit No. 8 of 1859 on the file of the Mufti Sudder Amín's Court of Chingleput.

In Cons. 30th August 1861, No. 5,525.

1. Ordered that the letters above recorded be submitted to Government, with reference to their Proceedings, dated 29th August 1861, No. 1,735.

Original Suit No. 8 of 1859, on Mufti Sudder Amín's file.

2. The foregoing papers relate to the subject matter of a suit brought by the Zamíndár of Padianullur against the Tashíldár of Ponneri Táluq and others, for illegal attachment of his estate on account of a petty arrear of 80 Rupees, and for loss of grain occasioned through the alleged negligence of the above parties whilst it was under their charge. The Mufti Sudder Amín who tried the case gave judgment in favor of the Zamíndár with an award of costs and damages to the extent of Rupees 310 5-7, making with the expenses incurred by the first and second Defendants, an aggregate of Rupees 427-2-10.

	Rs.	A.	P.
Damages	187	5	10
Plaintiff's costs	122	15	9
1st and 2nd Defendants' costs.	116	13	3
Total...	427	2	10

Government Order, 29th August 1861, No. 1,735.

3. The Government on consideration of the case exonerated the first Defendant (the Tashíldár) from blame, and left it to the Board to decide what portion of the decreed amount should be recovered from the Zilladar (the second Defendant) and others, who had charge of the grain ; and if this course was impracticable to determine how otherwise they shall be punished.

From Collector, 4th September 1861.

4. The Collector reports that the Zilladar is no longer in the service of Government, having been put out of employ in the late revision of establishment. As regards the village Taliary, the Board have not deemed it necessary to hold him personally responsible, because of his various duties, and the long period of six or seven months during which the Zamíndár purposely allowed the grain to remain in his custody.

5. Under these circumstances there seems no course left open, but for Government to bear the costs of the action ; and sanction is, therefore, requested for the payment by the Collector, of Rupees 427-2-10 to the Plaintiff and others engaged in the Suit.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 107. ORDER THEREON, 11th December 1861, No. 2,297.

Under the circumstances stated the Government sanction the payment of Rupees (427-2-10) four hundred and twenty-seven, Annas two and Pice ten, being the amount of the costs in the action brought by the Zamíndár of Padianallur, in the District of Madras.

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

No. 5,377.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 5th October 1861.

Read the following letter from B. CUNLIFFE, Esq., Collector of Madras, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated Saidapet, 4th September 1861, No. 299 :—

1. With reference to the orders of the Board, No. 4,727, forwarding Government Proceedings 29th August, No. 1,735, I have the honor to state that, as mentioned in paragraph 7 of my letter of the 22nd of July last, the parties more immediately in charge of the grain were the Zillahdar and the village Taliary. The former is not in the Government service, having been placed out of employ at the late revision of Establishment. As to the latter, I hope that his various duties will be taken into consideration, when punishing him for the indifferent care of grain which was in his custody for the long period of six or seven months.

2. The loss from exposure was probably as great as that from theft, and had the Zemindar really wished to recover his property, he might have done so at an early period of the attachment, as the balance was trifling.

3. He wished, however, to put the grain into our hands, to see how we should dispose of the dispute about the Mirassi "Coopattam;" and the Taluk officials, knowing the litigious character of the Zemindar, were afraid to act, in what they feared might entangle them in a Civil suit.

4. He fell in arrear this year also, not from inability to pay, but to impose on us, as he supposed, the solution of the Coopattam question. A certain amount of grain was attached, and that very night, a small portion was stolen, under strong suspicion that the act was committed by the Zemindar's servants, in order to bring on the old complication of short delivery, when the grain was restored. However, I released the attachment and took the estate under management for the debt, and purposely saddled him with the expense of an Amin and two Peons. On finding this he paid up at once.

Under all the circumstances of the case, the Board do not deem it necessary to inflict any punishment on the Taliary, or to hold him personally liable for the damages awarded.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To B. Cunliffe, Esq., Collector of Madras.

Rxd. J. Wright.

1861 Department.

No.

PROCEEDINGS of the BOARD of REVENUE,

Dated 5th October 1861.

Despatched.

Received.

No. 5,377.

Deeming it unnecessary to inflict any punishment on the Taliary who had charge of the grain attached for arrears of revenue due from the Zemindar of Padiamathur,

No. 6,058.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 5th November 1861.

Read again letter from the Collector of Madras, dated 4th September 1861, No. 299.

(In Cons. 5th September 1861, No. 5,664.)

Read also the following letter, dated 23rd October 1861, No. 355, from the same Officer:—

To Board 22nd July 1861, No. 238.
Board's Proceedings to Government, 6th August 1861, No. 4,242.
Board's Order, 31st August 1861, No. 4,727.
To Board, 4th September 1861, No. 299.
From do., 5th October 1861, No. 5,377.

Adverting to the correspondence marginally noted, I have the honor to request you will obtain the sanction of Government for my defraying the amount decreed, and the costs particularized in the 3rd paragraph of my letter of the 12th June 1861, No. 189, in Suit No. 8 of 1859 on the file of the Mufti Sudder Ameen's Court of Chingleput.

In Cons. 30th August 1861, No. 5,525.

1. Ordered that the letters above recorded be submitted to Government with reference to their Proceedings, dated 29th August 1861, No. 1,735.

Original Suit No. 8 of 1859, on Mufti Sudder Ameen's file.

2. The foregoing papers relate to the subject matter of a suit brought by the Zemindar of Padianullur against the Tahsildar of Ponneri Taluq and others, for illegal attachment of his estate on account of a petty arrear of 80 Rupees, and for loss of grain occasioned through the alleged negligence of the above parties whilst it was under their charge. The Moofti Sudder Ameen who tried the case gave judgment in favor of the Zemindar with an award of costs and damages to the extent of Rupees 310-5-7, making with the expenses incurred by the 1st and 2nd Defendants, an aggregate of Rupees 427-2-10.

	Rs.	A.	P.
Damages.....	187	5	10
Plaintiff's costs.....	122	15	9
1st and 2nd Defendants' costs.....	116	13	3
Total.....	427	2	10

Government Order, 29th August 1861, No. 1,735.

3. The Government on consideration of the case exonerated the 1st Defendant (the Tahsildar) from blame, and left it to the Board to decide what portion of the decreed amount should be recovered from the Zilladar (the 2nd Defendant) and others, who had charge of the grain; and if this course was impracticable to determine how otherwise they shall be punished.

From Collector, 4th September 1861.

4. The Collector reports that the Zilladar is no longer in the service of Government having been put out of employ in the late revision of establishment. As regards the village Taliary, the Board have not deemed it necessary to hold him personally responsible, because of his various duties, and the long period of six or seven months during which the Zemindar purposely allowed the grain to remain in his custody.

5. Under these circumstances there seems no course left open, but for Government to bear the costs of the action; and sanction is, therefore, requested for the payment by the Collector, of Rupees 427-2-10 to the Plaintiff and others engaged in the Suit.

(A true Copy and Extract.)

Secretary.

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

Copy to B. Cunliffe, Esq., Collector of Madras.

Exd. J. Wright.

(10)

Rev 1861 Department.
Pro. of Govt for December

No. 2679

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 5th November.
Despatched. 13 — —
Received. 14 D
E.I.

No 6,058.

Submitting a letter from the Collector of Madras requesting sanction for the payment of Rupees 427-2-10 to the Zemindar of Padiapullur and others engaged in Suit No 8 of 1859.

No 2297

Under the circumstances stated the Govt. sanction the payment of Rs. 427-2-10 (four hundred and twenty seven, annas two and pice ten being the amount of the costs in the action brought by the Zamindar of Padiacullum in the District of Madras.

Fort St George
11th December 61

To Exors- Board of Rev: Cash 12
" Acct General 6
" Cash Paymaster 5