M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 809	Press ~~Mis.~~
173 - 174	
Dated 11 . 4 . 1861.	

Not to be folded or roughly handled

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

No. 173. Read the following Proceedings of the Board of Revenue, dated 28th March 1861, No. 1,650 :—

Read the following letter from P. GRANT, Esq., Collector of Malabar, to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Angadipuram, 7th March 1861, No. 59.

SIR,

With reference to the correspondence noted in the margin, I have the honor to forward, for the information of the Board, copy of the judgment passed by the Principal Sudder Amín of Tellicherry in original Suit No. 17 of 1860.

To Board of Revenue, dated 29th September 1860, *No.* 187.
Proceedings from „ „ *9th October* „ „ 4,596.
Order of Government „ *11th* „ „ „ 1,840.
Received with Board's Proceedings, dated 13th idem, „ 4,709.

Board's Proceedings 9th October 1860, No. 4,596.
Order of Government 11th „ „ „ 1,840.
Original Suit No. 439 of 1860.

Plaintiff.
Vira Varma Rajah of Kottayam,
Versus
Defendants.
1. P. Grant, Esq., Collector.
2. Oochamel Ramoothy.
3. Manan Amboothy.
4. Padavathy Canan.
5. Oochooma Tholancootty.
6. Padavathy Kanath Coonhamboo.
7. Poolambel Karinjen.

Submitted for the information of Government, with reference to the correspondence noted in the margin.

The Plaintiff's claim has been dismissed with costs.

(A true Copy and Extract.)

(Signed) J. D. SIM, *Secretary.*

No. 174. ORDER THEREON, 11th April 1861, No. 809.

Ordered to be recorded.

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

Original Suit No. 17 of 1860.

Judgment.

This is a very simple case. The Plaintiff claims the land as his jenm, and as forming part of his jenm land called Ama Padna alias Apu Padna. This pretension of his is not supported by any documentary evidence. Oral testimony, which admits of easy fabrication, is worthless.

The Sketch I filed by the 1st Defendant and which tallies exactly with the one prepared by a sworn Amin deputed by this Court, shews that the parcel of land in dispute forms part of a River. The correctness of these Sketches is not disputed by the Plaintiff. Rivers, as a matter of course, are the property of the reigning Sovereign alone, and no one else can have a right to the same. The Court is aware that in the case of alluvion or increment by the recess of River or the Sea, the land so gained becomes the property of him to whose estate the recess of the River or Sea has annexed it, but the spot in dispute cannot be viewed in that light.

no recess of the River being even pretended, and it being, on the contrary, quite clear that a portion of the River has been dammed up and converted into land thro' industry.

The Plaintiff's action chiefly rests on the plea that the parcel of land in dispute forms part of his jenm land, but as he has signally failed to prove such to be the case, the suit must be dismissed with costs against him.—

Judgment pronounced 4th February 1861.

Expiration of thirty days 5th March 1861.

Sgd/ J. P. Pereira.

Provl Subr Admin.

/True Copy/

P. Grant
Collector.

1861.

Deptt.

No 1

In a letter
from the Collector of
Malabar d/7th March
1861 No 59.

Ditto 1686 of 1861.
Ditto 18 March

Judgment passed
by the Principal Sudr Amin
of Tellicherry in O.S.
No 17 of 1860.

12 7 2 87

11th Oct. 1860 Nos. 177-178.

(2)

Rec'd 1861 Department
Rec: of Govt. for April
No 192

Proceedings of the
Board of Revenue

Dated 28th March 1861
Desp'd 28th
Rec'd 30th
Encls. 1 Ol.

No. 809.
Is recorded
Fort St. George
11th April 1861.

No. 1650

Submitting for
information a letter from
the Collector of Malabar
forwarding copy of the
judgement passed by the
Principal Sudder Amin
of Tellicherry in O.S.
No. 439 of 1860.

No. 173 & 174.

No 809 - 11th April 61
Recorded

C4. April 08.8.