M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1125 Press ~~Mis.~~

395. 396

Dated 21 — 5 — 1862.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 21st May 1862.

No. 395. Read the following Proceedings of the Board of Revenue, dated 1st May 1862, No. 2,760 :—

Read the following letter from H. G. SMITH, Esq., Sub-Collector of Salem, to the Honorable D. ARBUTHNOTT, Esq., Collector of Salem, dated Usur, 31st March 1862, No. 73.

SIR,

1. With reference to the Board's endorsement on the accompanying Petition* No. 3,237 of 1861, presented by Padmanaba Kistnachar, residing at Cavarry Patnum in the Kistnagherry Táluq, I have the honor to submit the following explanation.

* Sent with Proceedings.

2. Petitioner states that a portion of an Inám land, which he purchased at a public auction held by the Hindoo Sudder Amín's Court at Salem, in satisfaction of a decree passed by that Court, is now in the possession of one Konarryacharry who refuses to give up the land to the Petitioner. Petitioner therefore prays for the sanction of the Government to enable him to institute Civil Proceedings against the said Konarryacharry, and to recover possession of the land.

3. From the report of the Tahsildár of Kistnagherry, it appears that the claim of the Petitioner relates to 50 goontas of a Butavurthee Inám land, situated in the village of Savoottapully attached to the Pennasavarum Muttum Moottah in the Kistnagherry Táluq. The entire Inám including the portion which the Petitioner claims consists of Acres 9-37·9 bearing an assessment of Rupees 56-6-10 and paying a Jodigy of Rupees 28-3-5 to the Government. The Inám land stood registered in the name of one Vencatapathyacharry at the time of the Survey. After the death of Vencatapathyacharry the Inám passed to his grand-son Konarryacharry (Defendant) and two others in whose names the Inam is registered in the Inám accounts prepared in Fasli 1248 according to the Inám settlement made by the late Collector Mr. Cockburn in that Fasli.

4. The District Moonsiff's Court at Kistnagherry sold 150 goontas of this Inam land in the year 1823 at public auction, in satisfaction of a decree passed by that Court in original suit No. 38 of 1823, against the Inamdar when the Inam land above referred to (150 goontas) was purchased by Tanjore Kistnachar for Rupees 282. Some four years afterwards, Tanjore Kistnachar sold the Inam land to the Petitioner. Petitioner took possession of the Inam land at the time of the sale under the impression that it contained the full extent ; but he since found the land to be deficient by 50 goontas.

5. Petitioner therefore prays for the sanction of the Government to prosecute his rights in the Civil Courts against Konarryacharry, the person who at present has the Inám land in his possession. The sale of the Inám land at public auction by the Moonsiff's Court and the subsequent private sale to the Petitioner both having taken place before to the enactments of 1831 and 1836 came into force, I beg to recommend that sanction may be granted to the Petitioner to prosecute his right in the Civil Courts without prejudice to the interests of Government.

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Endorsement.

The Collector concurs with the Sub-Collector in thinking that the desired sanction may be given without prejudice to the interests of Government.

(True Copy.)

(Signed) D. ARBUTHNOTT, *Collector.*

SALEM, 23rd April 1862.

To the Secretary to the Board of Revenue.

Proceedings of the Madras Government, Revenue Department,
21st May 1862.

Ordered to be submitted to Government with the Board's recommendation that Petitioner be granted the permission to sue in the ordinary Courts which he solicits.

(A true Copy and Extract.)

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

No. 396. ORDER THEREON, 21st May 1862, No. 1,125.

Under Section 2, Regulation IV of 1831, the Government permit Padmanabee Kistnachar to sue in the established Courts for 50 Guntas of a Battavarti Inám land situated in Savoottapully Village, Kistnagherry Táluq, Salem District.

(Signed) P. P. HUTCHINS,
Acting Deputy Secretary to Government.

No. 2,760.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st May 1862.

Read the following letter from H. G. SMITH, Esq., Sub-Collector of Salem, to the Honorable D. ARBUTHNOTT, Esq., Collector of Salem, dated Usur, 31st March 1862, No. 73 :—

* Sent with Proceedings.

1. With reference to the Board's endorsement on the accompanying Petition* No. 3,237 of 1861, presented by Padmanaba Kistnachar, residing at Cavarry Patnum in the Kistnagherry Taluk, I have the honor to submit the following explanation.

2. Petitioner states that a portion of an Inam land, which he purchased at a public auction held by the Hindoo Sudder Amin's Court at Salem, in satisfaction of a decree passed by that Court, is now in the possession of one Konarryacharry who refuses to give up the land to the Petitioner. Petitioner therefore prays for the sanction of the Government to enable him to institute Civil Proceedings against the said Konarryacharry, and to recover possession of the land.

3. From the report of the Tahsildar of Kistnagherry, it appears that the claim of the Petitioner relates to 50 goontas of a Butavurthee Inam land, situated in the village of Savoottapully attached to the Pennasavarum Muttum Moottah in the Kistnagherry Taluk. The entire Inam including the portion which the Petitioner claims consists of Acres 9-37-9 bearing an assessment of Rupees 56-6-10 and paying a Jodigy of Rupees 28-3-5 to the Government. The Inam land stood registered in the name of one Vencatapathyacharry at the time of the Survey. After the death of Vencatapathyacharry the Inam passed to his grand-son Konarryacharry (Defendant) and two others in whose names the Inam is registered in the Inam accounts prepared in Fasli 1248 according to the Inam settlement made by the late Collector Mr. Cockburn in that Fasli.

4. The District Moonsiff's Court at Kistnagherry sold 150 goontas of this Inam land in the year 1823 at public auction, in satisfaction of a decree passed by that Court in original suit No. 38 of 1823, against the Inamdar when the Inam land above referred to (150 goontas) was purchased by Tanjore Kistnachar for Rupees 282. Some four years afterwards, Tanjore Kistnachar sold the Inam land to the Petitioner. Petitioner took possession of the Inam land at the time of the sale under the impression that it contained the full extent; but he since found the land to be deficient by 50 goontas.

5. Petitioner therefore prays for the sanction of the Government to prosecute his rights in the Civil Courts against Konarryachar, the person who at present has the Inam land in his possession. The sale of the Inam land at public auction by the Moonsiff's Court and the subsequent private sale to the Petitioner both having taken place before to the enactments of 1831 and 1836 came into force, I beg to recommend that sanction may be granted to the Petitioner to prosecute his right in the Civil Courts without prejudice to the interests of Government.

ENCLOSURE No. 1.—Petition.

Endorsement.

The Collector concurs with the Sub-Collector in thinking that the desired sanction may be given without prejudice to the interests of Government.

(True Copy.)

(Signed) D. ARBUTHNOTT, Collector.

SALEM, 23rd April 1862.
To the Secretary to the Board of Revenue.

Ordered to be submitted to Government with the Board's recommendation that Petitioner be granted the permission to sue in the ordinary Courts which he solicits.

(A true Copy and Extract.)

Sub-Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.
Copy to Honorable D. Arbuthnott, Collector of Salem.

Exd. J. Wright.

Rev: 1862. Department.
Pro: of Govt for May.

No. 1353.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 1st May 1862.
Despatched. 8th
Received. 9th
C-1-0-

No. 2,760.

Submitting letter from the Sub Collector of Salem reporting on Petition No 3237 of 1861, with the Board's recommendation that the Petitioner be granted permission to sue in Civil Courts for recovery of a certain Inam land.

No. 395 & 396.

28-5-62

No 1125- 21st May
With an Order

C 14 May 62 19

No. 1125-

Under Section 2, Reg: II of 1831, the Govt permit Tadmanab Vishnachur to sue in the establish-ed Courts for 50 Gunlas of a Bait-tavarti Inam land situated in Savattapully village, Vist-nagherry Taluq, Salem district.

W H
Dpmt Sec Govt
21st May 1862
To Copies of
Board of Rev. Circ 21st

J. D. L.