M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1264 Press
~~Mis.~~

115-116

Dated 7-8- 1862.

Not to be folded or roughly handled

No. 115. Read the following Proceedings of the Board of Revenue, dated 8th May 1862, No. 2,916:—

Read the following letter from P. GRANT, Esq., Collector of Malabar, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated Calicut, 26th March 1862, No. 65.

To Board of Revenue, dated 24th October 1857, No. 158.
From „ „ „ 11th Nov. „ „ 3,875, conveying Extract from Minutes of Consultation, dated 10th idem, No. 1,144.
To Board of Revenue, dated 19th October 1861, No. 220.
Extract from Proceedings Board of Revenue, dated 29th October 1861, No. 5,932.
Proceedings of the Madras Government, dated 6th November 1861, No. 2,121.
* No. 17 of 1857.
† No. 464 of 1861.

SIR,

With reference to the correspondence noted in the margin, I have the honor to forward for the information of the Board of Revenue, copies of the decrees in the Original* and Appeal† Suits therein adverted to, passed by the Subordinate Court of Calicut, and the Civil Court of Tellicherry.

Board's Proceedings, 15th May 1858, No. 1,735.
Procs. of Govt., 10th August 1858, R. D., No. 1,144.
„ 6th Nov. 1861, „ „ 2,121.

Original Suit No. 17 of 1857.
Sub-Court of Calicut.
Plaintiff.
Rajah of Palghat.
Defendants.
1. Mr. J. J. Tomlinson.
2. Krishna Chetty.
3. Amakara Rowten.
4. W. Robinson, Esq., Acting Collector.
5. P. Grant, Esq., Collector.

1. Resolved that the foregoing be submitted for the information of His Excellency the Governor in Council, with reference to the correspondence noted in the margin.

2. This Suit was instituted by the Plaintiff in 1587 to establish his proprietary right to certain hills and the forests thereon. The claim was contested by the Collector on the ground that the property escheated to Government on the death of Chenat Nair. The Court accordingly dismissed the Suit with costs.

3. Against this decision the Plaintiff appealed, and the Civil Judge remanded the Suit to the Sub-Court to enable the Plaintiff to produce certain documents to prove his title to the hills; these documents having been found wholly insufficient to establish his claim, the Suit was again dismissed.

4. A second-appeal was then preferred when the Suit was again remanded by the Civil Judge, who ordered a Commissioner to be deputed to inspect and make a plan of the property sued for. The result of the Commissioner's report being against the Plaintiff, the Suit was again dismissed.

Original Suit No. 237 of 1860.
Mufty Sudder Amin's Court at Tellicherry.
Plaintiff.
Attapuram Shangaren—Embrandere.
Defendants.
1. Jemmy Mithele Illom Damudren—Embrandere.
2. Karaden Ambu.
3. P. Grant, Esq., Collector.

5. This Suit was instituted against the Collector and others for the recovery of two pieces of land which the Plaintiff claimed as his Jenm property. The Collector resisted the claim on the plea that most of the land was part of the bed of a river, and that the remainder was so, until recently; and that such land was by law and the usage of the District the property of the State. As the decree of the Mufty Sudder Amin was in favor of the Plaintiff, and as it appeared opposed to the undoubted right of Government over the land under litigation, an appeal was preferred by the Collector against the decision of the Mufty when the Civil Judge reversed the decree of the lower Court, and dismissed the original Suit with costs.

(A true Copy and Extract.)
(Signed) R. A. DALYELL, *Sub-Secretary.*

No. 116. ORDER THEREON, 9th June 1862, No. 1,264.
Ordered to be recorded.
(Signed) P. P. HUTCHINS,
Acting Deputy Secretary to Government.

Lxd. J. Wright.

No. 2,916.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 8th May 1862.

Read the following letter from P. GRANT, Esq., Collector of Malabar, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated Calicut, 26th March 1862, No. 65 :—

To Board of Revenue, dated 24th October 1857, No. 158.
From " " " 11th Nov. " " 3,875, conveying Extract from Minutes of Consultation, dated 10th idem, No. 1,144.
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Proceedings of the Madras Government, dated 6th November 1861, No. 2,121.
* No. 17 of 1857.
† No. 464 of 1861.

With reference to the correspondence noted in the margin, I have the honor to forward for the information of the Board of Revenue, copies of the decrees in the Original* and Appeal† Suits therein adverted to, passed by the Subordinate Court of Calicut, and the Civil Court of Tellicherry.

ENCLOSURE No. 1.

ABSTRACT.—Original Suit No. 17 of 1857.

ENCLOSURE No. 2.

ABSTRACT.—Appeal Suit No. 464 of 1861.

ENCLOSURE No. 3.

ABSTRACT.—Decree of the Civil Court of Tellicherry.

Board's Proceedings, 15th May 1858, No. 1,735.
Procs. of Govt., 16th August 1858, R. D., No. 1,144.
" 6th Nov. 1861, " " 2,121.

Original Suit No. 17 of 1857.
Sub-Court of Calicut.
Plaintiff.
Rajah of Palghat.
Defendants.
1. Mr. J. J. Tomlinson.
2. Krishna Chetty.
3. Amakara Rowten.
4. W. Robinson, Esq., Acting Collector.
5. P. Grant, Esq., Collector.

1. Resolved that the foregoing be submitted for the information of His Excellency the Governor in Council, with reference to the correspondence noted in the margin.

2. This Suit was instituted by the Plaintiff in 1857 to establish his proprietary right to certain hills and the forests thereon. The claim was contested by the Collector on the ground that the property escheated to Government on the death of Chenat Nair. The Court accordingly dismissed the Suit with costs.

2. Against this decision the Plaintiff appealed, and the Civil Judge remanded the Suit to the Sub-Court to enable the Plaintiff to produce certain documents to prove his title to the hills; these documents having been found wholly insufficient to establish his claim, the Suit was again dismissed.

3. A second appeal was then preferred when the Suit was again remanded by the Civil Judge, who ordered a Commissioner to be deputed to inspect and make a plan of the property sued for. The result of the Commissioner's report being against the Plaintiff, the Suit was again dismissed.

Original Suit No. 237 of 1860.
Mufty Sudder Amin's Court at Tellicherry.
Plaintiff.
Attapuram Shangaren—Embrandere.
Defendants.
1. Jenmy Mithele Illom Damudren—Embrandere.
2. Karaden Ambu.
3. P. Grant, Esq., Collector.

4. This Suit was instituted against the Collector and others for the recovery of two pieces of land which the Plaintiff claimed as his Jenm property. The Collector resisted the claim on the plea that most of the land was part of the bed of a river, and that the remainder was so, until recently; and that such land was by law and the usage of the District the property of the State. As the decree of the Mufty Sudder Amin was in favor of the Plaintiff, and as it appeared opposed to the undoubted right of Government over the land under litigation, an appeal was preferred by the Collector against the decision of the Mufty when the Civil Judge reversed the decree of the lower Court, and dismissed the original Suit with costs.

(A true Copy and Extract.)

Sub-Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D., with enclosures.
Copy to P. Grant, Esq., Collector of Malabar.

Exd. J. Wright.

Revs 1862. Department.
Pro: of Govt for June.

No. 1407.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 8th *May* 1862.
Despatched. 13th
Received. 14th
C. 3-Ol. and 2 Returned 15-10-62

No. 2,916.

Submitting for information letter from the Collector of Malabar forwarding copies of decrees in certain Original and Appeal Suits passed by the Subordinate Court of Calicut and the Civil Court of Tellichery, with the Board's remarks thereon.

Pro of the Bd of Rev dy 23 Augt 62 Cal. 2404
Pro Dept of Rev. dy 24th Sept 62 Cal. 2368 to Rs.

N. 115 & 116-

C. 16 May 62 22d

Pro Dept of Rev dy 24th Sept 62 Cal. 2368 to Rs.

N. 1264-

From Dept of Govt 9th June 1862