

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1397

Press

~~Mis.~~

378-379

Dated 25 - 6 - 1862.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
25th June 1862.*

No. 378. Read the following Proceedings of the Board of Revenue, dated 23rd June 1862 :—
Read the following letter from J. SILVER, Esq., Collector of Tinnevely, to W. HUDLESTON,
Esq., Secretary to the Board of Revenue, Chepauk, dated Tenkasy, 14th June
1862, No. 232.

SIR,

1. I have the honor to forward translation of a *Plaint* filed by the *Zamindár* of *Ettiapuram* through a *Vakíl* in *Original Suit No. 262 of 1861* on the file of the *Muftry Sudder Amín's Court of Tinnevely*, in which I am included as a supplemental Defendant, together with Draft of an answer proposed to be put in by me, for the Board's approval.

2. The Plaintiff instituted a suit against 57 Ryots of *Velathicolam Village* in the *Ottapadarum Taluq*, stating that the whole of the 148 shares into which the above village is divided were enjoyed by him and the above Ryots jointly up to *Aundoo 1036, (A. D. 1860-61)* that in the following year he wanted to enjoy separately the 15½ shares which exclusively belong to him, but the above Ryots would not allow it, and that he therefore sues them for the purpose of having his 15½ shares apportioned to him.

3. Some of the Ryots (Defendants) filed a statement in the Court representing that as 11½ shares of the village in question belong to Government, the Collector should be included as a supplemental Defendant, and accordingly a notice was issued to me.

4. The case is as follows :—

According to the *Ayaut* account the village of *Velathicolam* is composed of only 120 shares, of which 3½ shares were enjoyed by a relation of the late *Zamindár* of *Kadalgudy*, and 8 shares by a relative of the late *Zamindár* of *Panjalanurchi*. When these *Zamindáris* were sequestered in 1803, these 11½ shares escheated to Government. Ever since they have been entered in the *Jamabandi* accounts as Government shares, subsequently the remaining 108½ shares were sub-divided by the shareholders into 132½ shares in *Fasli 1221, (1811-12)* and then into 136½ shares in *Fasli 1226, (1816-17)*. Of the lands belonging to the above village including the 11½ shares belonging to Government, a portion is cultivated by the shareholders themselves, and the remainder by the *Porakudies* (under tenants) who enjoy the crops, some under agreements with the sharers and others without them. *Chaturbhogam* is deducted on the original 120 shares in favor of the shareholders, and that on the 11½ shares is carried to the credit of Government. There are no particular lands that could be said to form those 11½ shares, nor are there separate *Puttahs* for them, neither is it known by what particular Ryots they are cultivated. Under these circumstances I conceive no objection to the apportionment of the lands being made as solicited in the *Plaint*. By the arrangement now proposed, not only the 11½ shares due to Government will be distinctly defined, but also *Swamibhogam* which is now paid only to the *Pangalies* by the *Porakudies*, could be collected thereon in addition to *Chaturbhogam* on behalf of Government.

5. As the time allowed for filing my answer in the suit will expire on the 4th proximo, and as I have been informed that a further extension of time will not be granted, I request to be favored with the Board's instructions on the subject, at an early date.

6. Pressure of business during the *Jamabandi* has prevented my addressing the Board earlier on this matter.

1. Ordered that the foregoing letter and its enclosures be submitted for the early consideration of Government with the Board's recommendation that Mr. Silver be permitted to file the answer proposed by him.

2. The facts of the case need not be recapitulated. They are given at length in the Collector's letter, and the Board coincide with him in considering that an apportionment of the lands among the parties concerned will have a beneficial effect so far as Government have any stake in the matter.

3. The *plaint* in this case was filed, the Board observe, on 10th December last. The Collector pleads "pressure of business during the *Jamabandi*" as the reason why he did not ask for instructions until the 11th instant. His letter did not reach the Board's Office till a

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week after that date, and as the 4th proximo is the latest day for filing an answer there is barely time to obtain the orders of Government and communicate them to the District in the ordinary manner.

(A true Copy and Extract.)

(Signed) C. G. MASTER, *Acting Sub-Secretary.*

No. 379.

ORDER THEREON, 25th June 1862, No. 1,397.

1. The Government sanction the defence, in the first instance, at the public expense of O. S. No. 262 of 1861, on the file of the Mufty Sudder Amin's Court of Tinnevely brought against the Collector of that District by the Zamindar of Ettiapuram, but will determine, when the Decree is submitted, who should bear the costs if any be adjudged against that officer.
2. The delay in submitting this case for orders is wholly inexcusable.

(Signed) J. D. SIM,

Secretary to Government.

Recd = 1862 @ 1947
0.10 of 1862 for 1867.

Proceedings of the
Board of Revenue

Dated 23rd
May 23 } June 1862.
Dec 21st }
E. 2. 2. 2. 2.

Received 23rd May 1862
Oct 2 1862.

Submitting letter
from the Coll^y of Timor,
regarding O. 1862 of 1861
on the file of the Budget
of 1862. Timor, with
Board's recommendations
that the Coll^y be permitted
to file the documents pro-
posed by him.

No 1867. 25 June

Revised

1867

The 23rd of 1862 on the
defence in the first instance of the
public defence of 1862 of 1867 on
the file of the Budget of 1862.

Board of Revenue brought the
proceedings of 1862 of 1867 on the
file of the Budget of 1862. Timor,
with Board's recommendations
that the Coll^y be permitted
to file the documents pro-
posed by him.

From 1862 1867 }
25 June 1862 } J. A. V.

11 Copies to the
1867 of 1862 1867 }
1867 of 1862 1867 }