

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1429	Press G.O.
3-4	
Dated 1-7-	1862.

Not to be folded or roughly handled

No. 3. Read the following Proceedings of the Board of Revenue, dated 10th June 1862, No. 3,695:
Read the following Tabular Report from A. PURVIS, Esq., Collector of the Godavery District, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated Cocanada, 3rd May 1862, on the lapsed Yaumia in that District.

Case number.	Talug and village, extent and value of the entire Inam.	When, and by whom granted, name of the original grantee; Sanads or other documents in support of the grant.	Nature of the grant, charity or service; nature of the duty prescribed by the grant.	Name of the last holder, date of his decease, and the relationship in which he stood to the grantee.	Share enjoyed by the deceased and that held by the other members.	Family left by the deceased, and name and age of the parties, their circumstances and the means of subsistence proposed by them.	Recommendation of the Collector, and the grounds on which it is made.	Recommendation of the Board of Revenue.	Decision of Government.
1	Kotia Ramachendrapuram Talug, Nallur village, Rupees 46-3-3 per annum in lieu of resumed Inam lands.	Formerly granted by Narob Joharulla Khan, and since continued on hereditary tenure to Burcoordarbagnum, under sanction of Government dated 20th June 1848, and 5th January 1855.	Charity.	Burcoordarbagnum, original grantee died on 9th August last.	Entire.	1. Silarkhan, Nikka husband, aged 42 years. 2. Kurashatbagum, daughter, aged 18 years. 3. Hazarabagnum, do. do. 13 years. 4. Jayanallikhan, son, aged 11 years. 5. Meer Saib, paternal uncle's son, aged 40 years.	Statement No. 1 accompanying the report of a former Sub-Collector Mr. Forbes to the Board of Revenue, dated 18th February 1848, shows an allowance of Rupees 115-8-0 sub-divided into two shares, viz., Rupees 69-4-9 entered in the name of Meer Saib (No. 5 in column 7), and Rupees 46-3-3 in the name of Burcoordarbagnum. The same was sanctioned by Government in Extract from Minutes of Consultation, dated 20th June 1848. Burcoordarbagnum having died, the claimants in column 7 contend for the allowance enjoyed by her. No. 1 is her third husband by a Nikka marriage, and sets up a claim on behalf of his own children. Nos. 3 and 4, and No. 2 the daughter of the deceased by another husband, request that the allowance may be continued in the name of Jayanallikhan, No. 4 subject to his paying the shares due to Nos. 2 and 3, his sisters. He has also obtained a certificate from the Court, under Act XXVII of 1860. No. 5 Meer Saib puts forward a claim to the allowance. He states that the deceased's marriage to No. 1 was not legal; that consequently her issue have no right to the allowance which descended to the deceased from her father's family, and		

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							that he being her nearest lawful relative alive, should receive the allowance. His relationship to the deceased is shown below :—		
							1 2 3		
							Son Akbarally. Daughter Shumsbeer Begum.		
							4 5 6 7 8 9		
							Son Meer Sahdar Ally. Daughter Meer Burcoordar Begum.		
							Son Meer Bobberally. Daughter Burcoordar Begum.		
							Son Meer Saib. Daughter Jayana Begum.		
							Son Meer Jafferally. Daughter Meer Saib. Daughter Meer Jafferally. Son Meer Saib. Daughter Jayana Begum. Son Meer Saib. Daughter Jayana Begum.		
							10 11 12		
							Daughter Kurashat Begum. Daughter Hajara Begum. Son Jayanally Khan.		
							According to his Statement, the widow of Merah Joharulla Khan, by name Sardarbegum adopted Nos. 1, 2 and 3, and appointed them as her heirs. The adopted Nos. 1, 2 and 3 after		

Sirdarbegum's death enjoyed the allowance of 30 Pagodas (equivalent to Rupees 115-8-0), viz., 12 Pagodas each of the two brothers, and 6 Pagodas the sister. On their death, their children received the allowance. No. 4 (brother) and No. 9 (1st husband according to the Nikka ceremony) died leaving no heirs, and their allowances amounting in all to 18 Pagodas were inherited by No. 5 the deceased Burcoordarbegum. Under a Razinamah, she transferred 6 Pagodas of her allowance to Nos. 6 and 7, retaining 12 Pagodas for her share. Of the two, No. 7 died without heirs, and thus Meer Saib No. 6 came into enjoyment of the 12 Pagodas of his father Akbarally, and the 6 Pagodas transferred to him under a Razinamah No. 5 Burcoordarbegum. At the date of Mr. Forbes' report, the allowance was enjoyed in the above proportions. The same was recommended and sanctioned.

Meer Saib produces the deed of adoption by Sirdarbegum, in which she recognizes Nos. 1, 2, 5 and 9 as her legal heirs. No. 3 is not mentioned therein, but No. 9 is her son. No. 5 is mentioned as one of the heirs independently of the name of her father.

His second document is the Razinamah under which he received 6 Pagodas from Burcoordarbegum in excess of the share inherited by him. In this agreement he binds himself not to claim any thing further from her.

The third document is an answer to the question put to the Cazi of Rajahmundry by Meer Saib. The question premises that No. 4 brother, and No. 9, husband of Burcoordarbegum, died childless; that Burcoordarbegum has since remarried; and that the whole of the 10 Putties of land (for which the money allowance was substituted) is the joint property of the family. Meer Saib asks the Cazi to determine in what shares the land should be enjoyed according to Law by himself, his sister, and Burcoordarbegum, the surviving members of the family. The Cazi replied that if the Statement submitted in the question be all true, 2 out of the 4 Putties of Meer Babbally's land should go to Meer Saib, and that 2 Putties should fall to the share of Burcoordarbegum, and that of the Putties enjoyed by No. 9, late husband to Burcoordarbegum, only one-fourth or half Putti should be left her, and the remainder inherited by Meer Saib. This opinion was expressed by the Cazi during the life-time of Burcoordarbegum, but Meer Saib did not take any further steps to establish his claim if he had any.

4 *Proceedings of the Madras Government, Revenue Department,*
1st July 1862.

Case number.	Taluk and village, extent and value of the entire Inam.	When, and by whom granted, name of the original grantee; Sanads or other documents in support of the grant.	Nature of the grant; charity or service; nature of the duty prescribed by the grant.	Name of the last holder, date of his decease, and the relationship in which he stood to the grantee.	Share enjoyed by the deceased, and that held by the other members.	Family left by the deceased, and name and age of the parties, their circumstances and the means of subsistence proposed by them.	Recommendation of the Collector, and the grounds on which it is made.	Recommendation of the Board of Revenue.	Decision of Government.
							The question does not say in what shares the 10 Putties were enjoyed by the different members of the family, but the Cazi seemed to know that 4 belonged to Babbarally, and 2 to Meerjafarally alias Nanah Saib (Nos. 4 and 9). From all the circumstances, it is clear that Buracoordarbegum by the death of her brother and 1st husband, came into the possession of an allowance of 18 Pagodas, of which she voluntarily gave up to Meer Saib 6 Pagodas in 1843. She must have had a share of her own, besides what she derived from the two relatives, because under the Mahomedan Law females and males equally inherit paternal property, and further Buracoordarbegum, is mentioned in the deed of adoption as one of Sardarbagum's heirs. Meer Saib and Buracoordarbegum settled their rights in 1843, and entered into an agreement. Mr. Forbes must have entered into the question of the rights at the time of his recommendation to the Board. The Government sanctioned the allowance in 1848, and it was enjoyed, in the proportions sanctioned by both parties ever since. The legality of the marriage does not appear questionable. If Nikka marriage is legal in the case of a male, it is also so in the case of a female. Her issue is therefore legitimate, and are fully entitled to inherit the allowance of their deceased mother. Meer Saib's claim does not appear tenable. If the children are not to have the allowance of the deceased, it should lapse to Government, Meer Saib's interests having been long since divided from those of Buracoordarbegum. I would recommend that the allowance of the deceased, viz., Rupees 46-3-3, be sanctioned in the name of the male heir Jayanalli Khan on the understanding that he is to allow the shares due to his sisters.		

Proceedings of the Madras Government, Revenue Department, 5
1st July 1862.

1. Ordered to be submitted to Government.
2. The Board of Revenue support the Collector's recommendation, that the allowance of Rupees 46-3-3 be registered in the name of Jayan Ali Khan, the son of the deceased, on the understanding that he is to allow his sisters their respective shares.
3. Should the Government accede to the above recommendation, the Collector will pay the arrears that are due on account of the allowance in question to Jayan Ali Khan, during whose minority a guardian should be appointed.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 4.

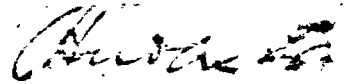
ORDER THEREON, 1st July 1862, No. 1,429.

In accordance with the recommendation of the Board of Revenue, the Governor in Council sanctions the continuance of the allowance of Rupees 46-3-3 in the name of Jayan Ali Khan from the date of his mother's demise, on the understanding that he is to allow his two sisters their respective shares.

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

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(A true Copy and Extract.)



Secretary.

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

Copy to A. Purvis, Esq., Collector of the Godavery District.

Exd. J. Wright.

20 June 4.8 No 25 30-
5 January 55-34-35

Received 1862.
Department.
No. 1688.

PROCEEDINGS OF THE BOARD OF DIRECTORS.

Dated 10th June 1862.

Despatched. / 2 - 4 - 1864

Received. 13

No. 3,695.

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Submitting a tabular report from the Collector of the Godavery district, on a lapsed Yeomiah in his district, with the Board's recommendation that the allowance of Rupees 46-8-3 therein referred to be registered in the name of Jayan Ali Khan and that the arrears due be paid to him by the Collector.

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Edmund. 1824.

92-1429

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