M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2310 Press Mis.

379.230

Dated 27-10-1925

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 29th October 1862.

No. 379. Read the following Proceedings of the Board of Revenue, dated 10th October 1862, No. 6,795:—

Read the following letter from J. SILVER, Esq., Collector of Tinnevelly, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Tenkasy, 26th September 1862, No. 406:—

SIR,

Referring to my letter of the 14th June last, No. 232, I have the honor to inform the Board that the Moofty Sudder Amín's Court at Tinnevelly having been abolished, the Suit No. 262 of 1861 on the file of that Court has been transferred to the Principal Sudder Amín's Court, where it was numbered as Original Suit No. 19 of 1862, and I now beg to forward translation of a Diary Order passed by the Principal Sudder Amín, from which the Board will perceive that the Collector, the 58th Supplemental Defendant, has been excluded from the Suit.

ENCLOSURE No. 1.

Translation of a Diary Order passed by the Principal Sudder Amín of Tinnevelly in Original Suit No. 19 of 1862, or No. 262 of 1861 on the file of the late Moofty Sudder Amín's Court.

The Plaintiff's Vakíl has this day informed the Court that no portion of the 11½ shares specified in the written statement filed by the 58th Supplemental Defendant as belonging to Government, pertains to the Plaintiff, and therefore the above Defendant will be excluded from the Suit. The question as to the costs incurred by the said Defendant will be decided when a decision is passed in the Suit.

From the inquiries made by the Plaintiff's Vakíl regarding the particulars of the Plaint, and from the oral statements of the other Vakíls at the time of hearing, it ought to be determined in the first place whether the Suit is barred by the Statute of Limitations or not.

Therefore the Plaintiff is to prove that the Defendants Nos. 1 to 52 had cultivated the lands under litigation with the permission of the Plaintiff's ancestors, and of the Plaintiff, and divided the produce between themselves and the Plaintiff's ancestors and the Plaintiff, up to Audoo 1036. The litigating Defendants are to prove that it was not so, and that each of them has enjoyed the land in his possession under proprietary right for more than twelve years.

16th September 1862. (Signed) KRISTNASAWMY, *Principal Sudder Amín.*

(True Translation.)

(Signed) J. SILVER, *Collector.*

1. Ordered to be submitted for the information of Government, with reference to the Board's Proceedings dated 23rd June 1862, No. 4,046, and Proceedings of Government thereon dated 25th idem, No. 1,397.

No. 262 of 1862.
Mootoosawmy Jegaveera Rama Ettapa Naidoo, Zamíndár of Ettiapuram ... ... Plaintiff.
Venkataramada Iyer, and 56 other Ryots ... ... Defendants.
Collector of Tinnevelly... ...Supplemental Deft.

2. The particulars of this Suit will be found fully detailed in the Collector's letter of the 14th June recorded in the Board's Proceedings above quoted. They are briefly these. The Zamíndár of Ettiapuram filed an action in the Court of the Moofty Sudder Amín of Tinnevelly, against 57 Ryots his co-sharers in the village of Velathicolum, in which the Government also hold 11½ shares, these shares having escheated to them on the sequestration of the Zamíndárís of Kadulgudy and Panjulancurchi in 1803; the object of the Ettiapuram Zamíndár being to force a separate allotment of his own shares. At the instance of some of the Defendants, the Collector was included as a Supplemental Defendant; and as he was clearly of opinion that an apportionment of the lands among the parties concerned would have a beneficial effect, so far as Government had any stake in the matter, his answer prayed that the lands falling within the 11½ shares pertaining to Government out of the original shares might be secured to Government, and stated that he had no objection to the shares belonging to the Plaintiff out of the remaining lands being apportioned to him as solicited in the Plaint. The usual sanction of Government for defending the Suit at the public expense was conveyed in their Proceedings of the 25th June above referred to.

3. From the Collector's present letter it appears that on the abolition of the Moofty Sudder Amín's Court, the Suit was transferred to the Principal Sudder Amín's Court as Original Suit No. 19 of 1862, and that by a Diary Order (copy enclosed) the latter Officer has excluded the Collector from the Suit on the ground that the Plaintiff's Vakíl has disclaimed all ownership, on the part of the Zamíndár, to any portion of the 11½ shares specified as pertaining to Government. He has left the question of the Collector's costs to be determined when passing a decision in the Suit, in furtherance of which he appears to have issued points to be proved by the parties concerned. The Collector will report when the question of costs is finally determined.

(True Copies and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 380.

ORDER THEREON, 29th October 1862, No. 2,310.

Ordered to be recorded.

(Signed) P. P. HUTCHINS,

Acting Deputy Secretary to Government.

No. 6,795.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 10th October 1862.

Read the following letter from J. SILVER, Esq., Collector of Tinnevelly, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Tenkasy, 26th September 1862, No. 406:—

Referring to my letter of the 14th June last, No. 232, I have the honor to inform the Board that the Moofty Sudder Amin's Court at Tinnevelly having been abolished, the Suit No. 262 of 1861 on the file of that Court has been transferred to the Principal Sudder Amin's Court, where it was numbered as Original Suit No. 19 of 1862, and I now beg to forward translation of a Diary Order passed by the Principal Sudder Amin, from which the Board will perceive that the Collector, the 58th Supplemental Defendant, has been excluded from the Suit.

ENCLOSURE No. 1.

Translation of a Diary Order passed by the Principal Sudder Amin of Tinnevelly in Original Suit No. 19 of 1862, or No. 262 of 1861 on the file of the late Moofty Sudder Amin's Court.

The Plaintiff's Vakeel has this day informed the Court that no portion of the 11½ shares specified in the written statement filed by the 58th Supplemental Defendant as belonging to Government, pertains to the Plaintiff, and therefore the above Defendant will be excluded from the Suit. The question as to the costs incurred by the said Defendant will be decided when a decision is passed in the Suit.

From the inquiries made at the Plaintiff's Vakeel regarding the particulars of the Plaint, and from the oral statements of the other Vakeels at the time of hearing, it ought to be determined in the first place whether the Suit is barred by the Statute of Limitations or not.

Therefore the Plaintiff is to prove that the Defendants Nos. 1 to 52 had cultivated the lands under litigation with the permission of the Plaintiff's ancestors, and of the Plaintiff, and divided the produce between themselves and the Plaintiff's ancestors and the Plaintiff, up to Audoo 1036. The litigating Defendants are to prove that it was not so, and that each of them has enjoyed the land in his possession under proprietary right for more than 12 years.

16th September 1862.

(Signed) KRISTNASAWMY, Principal Sudder Amin.

(True Translation.)

(Signed) J. SILVER, Collector.

1. Ordered to be submitted for the information of Government, with reference to the Board's Proceedings dated 23rd June 1862, No. 4,046, and Proceedings of Government thereon dated 25th idem, No. 1,397.

2. The particulars of this Suit will be found fully detailed in the Collector's letter of the 14th June recorded in the Board's Proceedings above quoted. They are briefly these. The Zemindar of Ettiapuram filed an action in the Court of the Moofty Sudder Amin of Tinnevelly, against 57 Ryots his co-sharers in the village of Velathicolum, in which the Government also hold 11½ shares, these shares having escheated to them on the sequestration of the Zemindaries of Kadulgudy and Panjulancurchi in 1803; the object of the Ettiapuram Zemindar being to force a separate allotment of his own shares. At the instance of some of the Defendants, the Collector was included as a Supplemental Defendant; and as he was clearly of opinion that the an apportionment of the lands among the parties concerned would have a beneficial effect, so far as Government had any stake in the matter, his answer prayed that the lands falling within the 11½ shares pertaining to Government out of the original shares might be secured to Government, and stated that he had no objection to the shares belonging to the Plaintiff out of the remaining lands being apportioned to him as solicited in the plaint. The usual sanction of Government for defending the Suit at the public expense was conveyed in their Proceedings of the 25th June above referred to.

No. 262 of 1862.

Mootoosawmy Jegaveera Rama Ettapa Naidoo, Zemindar of Ettiapuram ... ... Plaintiff.

Vencataramada Iyer, and 56 other Ryots... ... ... Defendants.

Collector of Tinnevelly... ... ..Supplemental Deft.

Rec.d 25th June/62. Nos 378-379

Rev.e 1862. Department.

Proc.s of Govt. for October.

No. 2867

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 10*th October* 1862.
Despatched. 13 Oct.
Received. 11th ——

No. 6,795.

2870

Submitting a letter from the Collector of Tinnevelly, forwarding translation of a Diary Order passed by the Principal Sudder Amin in O. S. No 19 of 1862, and requesting the Collector to report when the question of costs is finally determined.

Ex. No 2310

RECORDED

From 21st Sept. to 9th Oct. for 18

3. From the Collector's present letter it appears that on the abolition of the Moofsy Sudder Amin's Court, the Suit was transferred to the Principal Sudder Amin's Court as Original Suit No. 19 of 1862, and that by a Diary Order (copy enclosed) the latter Officer has excluded the Collector from the Suit on the ground that the Plaintiff's Vakeel has disclaimed all ownership, on the part of the Zemindar, to any portion of the 11½ shares specified as pertaining to Government. He has left the question of the Collector's costs to be determined when passing a decision in the Suit, in furtherance of which he appears to have issued points to be proved by the parties concerned. The Collector will report when the question of costs is finally determined.

(True Copies and Extract.)

Secretary.

To Honorable T. Pycroft, Chief Secretary to Government.

Copy to J. Silver, Esq., Collector of Tinnevelly.

Ed. J. Wright.

Nos 379 & 380.

Rec.d 19th Oct. for Rep.