

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2568	Press ← Mis. →
136-125	
Dated	9-12-1918

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
9th December 1862.*

No. 124. Read the following Proceedings of the Board of Revenue, dated 5th December 1862 :—

Read the following letter from G. A. BALLARD, Esq., Collector of Malabar, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Calicut, 18th November 1862, No. 235A.

SIR,

1. A Suit* was filed before the District Moonsiff of Temelporom in September 1859 by the parties noted against Kawlapara Nair, a petty chieftain of Valawanad, and eleven others, for the restoration of the lands named in the margin†.

2. The Plaintiffs who are junior Rajas of Palghat, alleged the lands to be the jenm property of their family.

3. The 1st Defendant Kawlapara Nair, from whom the lands were stated to have passed into the hands of the other Defendants, asserted in his answer that two of the lands Nos. 4 and 5, were his own ancestral property, and the remaining lands Nos. 1, 2, 3 and 6, had been purchased outright by his Karnavan or uncle from the Plaintiff's family.

4. A few of the other Defendants did not answer, but those who did, generally admitted to have acquired possession from the 1st Defendant under various tenures.

5. While matters were in this position, it came to the knowledge of the Collector that the lands sued for belonged to Chenat Nair, whose Estate has escheated to Government from want of heirs.

6. Mr. Grant, my predecessor, directed a searching enquiry to be made, with a view to elicit all existing evidence of the Government title.

Makarom 921 (January, February 1746).

NOTE.—This Deed was about 70 years after filed as an Exhibit in a
* No. 2,232 of 1816. Civil Suit* before the former Zillah Court of South Malabar by a distant heir of the mortgagee, to prove the mortgage title.

† Nos. 1, 2, 3 and 6.

§ Nos. 1 and 2, dated 7th Tulam 983 (21st October 1803).

|| Nilakandam Nair.

¶ These two form three of the lands given in the Pattiyom. The remaining eleven lands appear to have been acquired from Chenat Nair subsequent to the original mortgage.

7. The result was the discovery of a Deed executed by Chenat Nair, so far back as 1746, assigning on mortgage to one Madi Narainan eight lands, in which four‡ of those now sued for were included.

8. Another document of a subsequent date, confirmatory of the Government right to two§ of these four lands was also discovered. It was a Pattiyom or grant given by a former Sub-Collector of the District, Mr. Drummond, to the heir|| of the mortgagee Narainan after Chenat Nair's property had escheated to Government.

9. In this document 14 lands appertaining to the escheat are inserted and among them the two¶ just adverted to. The insertion of the latter lands is demonstrative of the fact that they were in the possession of the heir at that time, as Pattiyoms were as a rule granted only to the actual holders of Chenat Nair's lands.

Where the holders could not produce documents to show the nature of their claims, they were allowed to retain possession on simple lease. Such was the case in the instance under notice. The heir of the mortgagee had not the mortgage Deed in his hands to produce before Mr. Drummond, as it had been *previously* pledged to another party, but as he was in possession of the lands, a Pattiyom authorizing their retention on simple lease was granted.

10. That these lands were all known and proved to be Chenat Nair's, is clear by a list drawn out by Mr. Drummond nearly at the same time, after a personal investigation into the claims asserted on behalf of certain other parties to the lands. Mr. Drummond

Pattiyom is dated 21st and the list 24th
October 1803.

Ordered to be submitted to Government in
with the Board's recommendation that the Collector's
proceedings in this matter be confirmed and
that he be authorized to file the proposed as
annexes as slightly altered in red ink by the
Board.

2. The time for putting in the defence
will expire on the 15th Instant.

(True Copy & Extract)

[Signature]

Secretary

To

J. D. Sin Esgre

Secretary to Government

Revenue Department.

with enclosures

[Signature]
C. H. Finch

Nov 1862 @ 1045

Ms. 3351.

Proceedings of the Board
of Managers.

Ms. 2508.

The Collector's

Proceedings are confirmed,
and he is authorized to
file the proposed annex
announced by the Board.

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cgw

Ms. 3351

Submitting letter from the
College of Medicine with the
Board's recommendation that
the College should be in the
matter of Grant's claim to certain
lands forming part of Grant's
former estate, he confirmed
and that he is authorized
to file the annex proposed
by him.

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Ms. 2508. p. 1000

MS 124-125

MS 3351