

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2577	<u>Press</u> <u>Mis.</u>
142-143	
Dated 10-12-1944	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
10th December 1862.*

No. 142. Read the following Proceedings of the Board of Revenue, dated 17th November 1862, No. 7,531 :—

Read the following letter from the Honorable D. ARBUTHNOTT, Collector of Salem, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated 4th November 1862, No. 234.

SIR,

1. With reference to the Board's endorsement on Petition No. 3,024 of 1862, I have the honor to refer the Board to my predecessor's letter dated the 9th November 1861, No. 219, in which the particulars regarding the Petitioner's right to the share of Inám land referred to in the Petition have been given.

2. I beg to observe that the Petitioner wishes that orders may be issued on her Petition recognizing her right to the land. I am of opinion that she cannot be recognized as the rightful owner of the land, unless she establishes such right by a Civil action, to do which I think that the sanction of Government may be granted without prejudice to its interests if the Petitioner should wish to have it.

3. The Inám Commissioner has not yet begun the work in the Namkul Talook, to which the Petitioner belongs.

ENCLOSURE No. 1.—Petition.

1. Ordered to be submitted to Government with copy of the Proceedings of the Board alluded to in paragraph 1.

2. The Board concur with the Collector in considering that Petitioner may be granted permission to establish any rights she may have in the Inám land in dispute by a suit in the ordinary Courts.

(A true Copy and Extract.)

(Signed.) R. A. DALYELL, *Sub-Secretary.*

No. 143. ORDER THEREON, 10th December 1862, No. 2,577.

1. The Petition referred to in the foregoing Proceedings is from Vengammal, the same person who addressed Government in No. 1,165 of 1861, and who was informed by the Board (*vide* their Proceedings of 9th January 1862, No. 178) that as the proprietary right in the Inám was not in dispute, the permission of Government was not necessary to enable her to sue for its produce.

2. She has now petitioned the Board averring that while in reply to her former Petition she received sanction to sue for the produce only and not for the land, she is unable to commence a suit even for the former because it is not clearly stated that she is the rightful proprietrix of the Inám. She therefore prays for an endorsement acknowledging her as the owner.

3. The Collector in reporting* on this Petition refers to a previous† letter on the subject of the same Inám. In this Petitioner is mentioned as being in the enjoyment of a share in the Vengaray Agraharam since the death of her husband's brother Anuntharamappa, in whose name the share in question is still registered.

4. With reference to her present request for the recognition by Government of her right, Mr. Arbuthnott is of opinion that unless she establishes such right by civil action an endorsement of the nature sought cannot be granted to her; and the Board concur with him in considering that Petitioner may be granted permission to establish her rights in the ordinary Courts.

5. Though no direct request for this permission has been put forward by the Petitioner it will probably enable her to settle the dispute in which she is engaged, and the Government accordingly direct the following endorsement to be passed on Board Petition 3,024 of 1862.

"Under section 2 Regulation IV of 1831, the Government permit Vengammal to sue "in the established Courts for a share of Inám land in the Vengaray Agraharam, Namkul "Talook, Salem District."

The extent and value of the Inám in dispute should have been reported by the Collector.

(Signed) C. G. MASTER,

Deputy Secretary to Government.

No. 6,495.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 23rd November 1861.

Read the following letter from H. A. BRETT, Esq., Collector of Salem, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated 9th November 1861, No. 219:—

1. Adverting to the Board's Endorsement on Government Petition No. 2,199 of 1861, I have the honor to submit the following report.

2. The Petitioner seeks for permission to sue in the Civil Courts for the recovery of a share in certain Inam land, situated at Vengaray Agraharum, in the Namakul Taluq, and permanently rented out to him by Bagirthi Ammal.

3. The Tahsildar of Namakul reports that according to a deposition given by the Agraharumthars of Vengaray, the share of Inam land referred to in the Petition is registered in the name of Anuntharamappa; that since the death of Anuntharamappa, Venkammal, the wife of Anuntharamappa's brother, has been enjoying the said share; and that Bagirthi Ammal, who is said to have rented the land to the Petitioner, was never in possession of it.

4. The Petitioner contradicts the statement of the Agraharumthars, and maintains that Bagirthi Ammal, who inherited the share from her husband Anuntharamappa (the registered holder of the Inam) permanently rented out the land to the Petitioner in the year 1856; that a Decree has been passed by the Civil Court in Original Suit No. 8 of 1858, acknowledging Bagirthi Ammal as the rightful owner of the share; and that when the Agraharumthars revised the shares of the several shareholders, this share fell to the Karay or Division of Pichucuttien, who with Cupu Pillay, and some others, decline to make over, as they ought to do, the share to the Petitioner.

4. The Petitioner, therefore, requests permission to sue Pichucuttien and others, the present occupants, to compel them to make over the share to him. As it does not appear that the interests of Government would in any way be affected if the Petitioner should be permitted to prosecute his claim in the Civil Courts, I beg to recommend that the desired sanction may be given.

ENCLOSURE No. 1.—Petition.

The Board observe that as Petitioner does not claim the proprietorship of the Inam, no permission of Government is required to enable him to sue for any tenant right of occupancy that he may have therein, and the Collector will be good enough to give him this information.

(A true Copy and Extract.)

(Signed) R. A. DALYELL,
Sub-Secretary.

To H. A. Brett, Esq., Collector of Salem.

Exd. J. Wright.

122577 Rev. Dept.
 Proceedings of the Inland Revenue
 Under date the 10th Decr 1862.
 Read the following Proceeding of the

Board of Revenue

Submitting report from the
 Colls of Salew, on Petition
 No 3054 of 1862, & stating that
 the Bd. concur with the Colls
 in considering that the Pe-
 titioner may be granted per-
 mission to sue for the share
 of the Inam land referred
 to in the Petition:—

(Sent under No 1165 of 1861 No. 7531)

The Petitioner referred
 to in the foregoing Pro-
 ceedings is from Vengam-
 nal. The same person
 who addressed Govt
 in No. 1165 of 1861,
 and who was inform-
 ed by the Board (vide
 their Proceedings of
 6 January 1862 No. 1-5)
 that as the Proprie-
 tary right in the name
 was not in dispute,
 the permission of Govt
 was not necessary to
 enable her to sue for
 its produce.

She has now peti-
 tioned the Board
 averring that while
 in reply to her former
 Petition she received
 sanction to sue for
 the produce only and
 not for the land

was in the name of the
 Colls of Salew, on Petition
 No 3054 of 1862, & stating that
 the Bd. concur with the Colls
 in considering that the Pe-
 titioner may be granted per-
 mission to sue for the share
 of the Inam land referred
 to in the Petition:—

1861 Department.

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 23rd November 1861.

Rev-3209/62

No. 6495.

Observing that as Petitioner in No 2199 of
 1861, does not claim the proprietorship of the
 Inam permission of Government is not requir-
 ed to enable him to sue for any tenant right
 of occupancy.

she is unable to commence
a suit even for the
former because it
is not clearly stated
that she is the right
ful proprietor of
the land. She therefore
prays for an en-
dorsement acknow-
ledging her as the
owner.

The Collector in re-
porting on this peti-
tion refers to a pre-
vious letter on the
subject of the same
land. In this Peti-
tion is mentioned
as being in the en-
joyment of a share
in the Vengaray Agrar-
haram since the
death of her husband's
brother Annthara-
mappa in whose
name the share
in question is still
registered.

* 4 Nov 1862 No. 234

* 9 Nov 1861 No 219

With reference to her
present request for the
recognition by Govt
of her right, Mr An-
buthoth is of opi-
nion that unless
she establishes her
right by civil action
an endorsement
of the nature sought
cannot be granted
there: and the Board
concur with him
in considering that
petitioner may be
granted permission
to establish her rights
in the ordinary course.

As it is desirable
that Govt should
be aware of the
actual extent
and value of
the land
referred to, they re-
quest the Board
to obtain this in-
formation, and
at the same time
see over.

& ascertaining whether Vengammals request for per-
 mission to sue for the share
 of certain Inam land in Salem
 of Vengammal &
 one for land which,
 according to the
 statement of the
 Archaramidars
 is already in her
 possession.

Brief Memoir

Though no direct request for
 this permission has been put
 forward by the Petitioner it
 will probably enable her to
 settle the dispute in which
 she is engaged and the Govt
 accordingly direct the Col-
 lector to recommend the
 matter to Board of Revenue
 3024 of 1882.

Under sec 2 Act IV of 1881

- "the Govt permit Vengammal
 & one in the Established
 Council for a share of Inam
 land in the Vengaray Agrar-
 "haran, Mankul Taluq.,
 "Salem District."

The extent & value of the Inam in dispute
 should have been reported by the Collector.

14 Copies Collected by the Collector
 with 2 Enclosures & 1 Indentation in 1882

Revenue 1862-63
Pro: of Govt for Deer

No 2577.

Pro: of the Madras Govt.
Dy 10th Decemr 1862.

Permission to enclose
with established Courts
granted to one Bengamun
of Bengary Agraham
Mankul Talug in
Salun for the recovery
of a share of Chann
land.

No 2443.