M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 406 — Press / Mis.

489-490

Dated 25 - 2 - 1862.

Not to be folded or roughly handled

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

No. 489. Read the following Proceedings of the Board of Revenue, dated 10th February 1862, No. 937.

Read the following letter from V. H. LEVINGE, Esq., Collector of Madura, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated Madura, 13th December 1861, No. 318:—

SIR,

1. With reference to the Government Order, dated the 8th July last, No. 1,369, communicated by the Board on the 14th idem, I have the honor to state, that the only Suits recently prosecuted regarding the Ramnad Zamíndári were two in number, viz., one* brought by Kunjara Nachiar *alias* Aunundayee an alleged widow of Moottoonizia Regoonada Saithoopathy the adopted son of the Istimirar Rani of Ramnad with a view of being recognized as the heiress of the present Ramnad Rani after her demise, for preventing waste of the Estate real and personal, and obtaining an allowance for the support of herself and her family until she should succeed to the Estate, and the other† by Moottoonizia Regoonatha Moottooramalinga Taver, calling himself an adopted son of the present Rani, praying to be put in possession of the Zamíndári and to have the protest of the Collector against the adoption cancelled, to both of which the Collector was a party on behalf of Government.

* O. S. No. 3 of 1856, on the file of the Civil Court of Madura.

† O. S. No. 1 of 1860, on the file of the Civil Court of Madura.

2. The result of the former was a declaration that the Plaintiff Kunjara Nachiar has no right to succeed to the Estate, after the present Rani, she being only the step mother-in-law, and excluded from inheriting, and that the Zamíndár of Ramnad for the time being should pay to the Plaintiff 400 Rupees per mensem from the date of the institution of the suit to the date of the Decree, with 12 per cent. interest and proportionate costs, and further pay monthly the first Plaintiff 300 Rupees, and her daughter (the second Plaintiff), 100 Rupees as maintenance, so long as they may live, and do not under Hindu Law forfeit their claim to such by misconduct.

3. The disposal of the latter case was, that the Collector's protest against the adoption or the order for the attachment of the Estate and its appertenances on the Rani's demise, was cancelled, that the Collector (the second Defendant), having failed altogether to establish any right to interfere with the Estate or question the act of the Rani in respect to it, is prohibited from such interference, as it was clear to the Court that he or Government have no grounds whatever for ordering its being escheated as an heirless property, or right; while there are legal claimants to it to interfere with it or the owner for the time being, save in such manner as the regulations prescribe for the due collection of Revenue, &c., and that the Rani, subject to the provisions of Hindu Law, and Section VIII, Regulation XXV of 1802, could assign and transfer without the previous consent of the Collector or of any authority to the Plaintiff or to whomsoever she may think proper by sale, gift or otherwise, her proprietary right in the Ramnad Zamíndári. This award the Court remarks does not bar the Collector's right to bring a regular action for the Estate, if he conceives the Government is in a position to establish a superior claim to the party in possession, but that under the circumstances noted above, he is prohibited summarily seizing the Estate as an escheat to Government while as at present there are heirs.

4. The two Decrees have now been appealed against and are still pending before the Sudder Court. All the circumstances connected with them are so familiar to the Board, that I do not think it necessary to add any thing more on the subject.

No. 1,369, dated 8th July 1861.

G. O. No. 1,257, 26th June 1861.
G. O. No. 1,844, 20th September 1861.

Ordered to be submitted for the information of Government, with reference to their Order quoted by the Collector. The Appeal against the Decree in Original Suit No. 1 of 1860, and the defence of the action on the part of Government in the Appeal preferred by Kunjara Nachiar against the Decree in O. S. No. 3 of 1856 have, as the Government are aware, been entrusted to Mr. Dale, and on the termination of the suits a further report will be made to Government.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

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

No. 490. ORDER THEREON, 25th February 1862, No. 406.

The Government will await the further report on the termination of the Appeal Suits pending before the Sudder Court, promised by the Board of Revenue.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

against and are still pending before the Sudr Court. All the circumstances connected with them are so familiar to the Board, that I do not think it necessary to add any thing more on the subject.

Madura,
13th December 1861

I have &c.
Signed V. R. Pennige
Collector

Ordered to be submitted for the information of Government with reference to their Order quoted by the Collector. The Appeal against the Decree in Original suit No 1 of 1860, and the defence of the action on the part of Government in the Appeal preferred by Kunjara Ettachiar against the Decree in O.S No 3 of 1856 have, as the Government are aware, been entrusted to Mr Dale, and on the termination of the Suits a further Report will be made to Government.

No 1367 of 3d July 1861

G.O. 1157 June 26th/61
G.O. 1844 Sept 20th.

J. Sullivan
Secretary

To J. D. Sim Esqre
Secretary to Government
Revenue Department.

Capt. M Wedderburn Assistant

Pro. 26th June 1862 pp. 261-262
8 July " " 129-130
20th Sept " " 194-196

Nos. 489 & 490

C 15 February 1882

Rev. 1862 Departmt
Pro: of Govt for
No. 396.
Proceedings of the Board
of Revenue.

Dated 10th
Dep. 10th
Rec. 11th
February 1862

No. 1797

Submitting for information a
letter from the Collector of Mu
-tan reporting the result of the
suits prosecuted regarding the
Kaithwar Zimindary.

No. 406 - 25 Feb

406

No. 406.

The Govt will await
the further report on
the termination of the
appeal suits pending
before the Sudder Court
promised by the Bd of Reve
-nue.

J. B.

Fort St George
25th July 1862
To the Bd of Revenue

W. W.

Dispd 26.