M.R.O. 14—10,000—21-4-22.

# MADRAS RECORD OFFICE.

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## Government of Madras.

Revenue DEPARTMENT.

G.O. No. 5-5-6 Press ~~Mis.~~

208-210

Dated 13 — 3 — 1862.

***Not to be folded or roughly handled***

No. 209. Read the following Proceedings of the Board of Revenue, dated 17th February 1862, No. 1,121:—

Read the following letter from W. M. CADELL, Esq., Collector of Tanjore, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated 6th February 1862, No. 44.

Sir,

No. on the Board's file 512.

| | V. | M. | G. |
|---|---|---|---|
| Extent ..... | 0 | 3 | 4⅞ |
| | Rs. | A. | P. |
| Tariff assessment ..... | 9 | 4 | 10 |
| Deduct Shrótrium Jódi..... | 3 | 1 | 0 |
| Difference.. | 6 | 3 | 10 |

1. I have the honor to report on Petition No. 2,650* of 1861, addressed to Government by Aiaditchit *alias* Letchumikundum Ditchit, applying for permission to have a Decree of the Civil Court executed on certain Shrótrium lands situated in the village of Thovur in the Tanjore Táluq, and the extent and value of which are noted in the margin.

2. From the inquiries now made into the matter, it appears that 16 Velis of Nanja land in the said village were, in the year 1810, granted by the Government of Madras to one Hussain Khan on Shrótrium tenure in recognition of his services as a Military Officer. The grant is duly entered in No. 36 of the Register made in the year 1810, and from its terms was to be extended for three generations. It appears further that the grandson of the original grantee is now in enjoyment of the Melwaram (or the Government share) of the produce of the land.

3. Petitioner states that his grandfather, Mirasidár of the village, and who had two sons including his father, mortgaged one pangu of land inclusive of that now under dispute, to one Chinnagopavanjar, who re-mortgaged it to one Yeggiaramaiyan; that the latter individual died since, and his brother by name Ramaiyan mortgaged it again to one Naranapaiyan; that the said Naranapaiyan had executed to his (Petitioner's) uncle an agreement binding himself to restore possession of the land whenever the amount of mortgage was re-paid to him; that on the death of the last mortgagee, his sons named Pangaiyan and Sinuvaiyan having refused to act up to the stipulations of the said agreement, his (Petitioner's) uncle had recourse to a Civil action for the recovery of the land, and obtained a Decree in his favor; and that his uncle having since died, and himself inherited his property, he (Petitioner) seeks to have the decree now executed.

4. The Defendants deny the Petitioner's claim, and state that the land in dispute continues in their family from the time of their grandfather.

5. Hussain Alli Khan, grandson of the original grantee, is now in the receipt of the Melwaram of the produce of the land. The point at issue between the contending parties being, however, simply the Mirasi right of the land, I conceive that the required permission is, in this case, not necessary.

Though the Board concur with the Collector in considering that the permission of Government is not necessary to enable the Courts to adjudicate in such cases, they resolve to submit the case for the orders of Government.

(A true Copy and Extract.)

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

No. 210. Order thereon, 13th March 1862, No. 556.

Under Section 2, Regulation IV of 1831, the Government permit Aiaditchit *alias* Letchumikundum Ditchit to sue in the established Courts for V. 0, M. 3, G. 4⅞ of Shrótrium land situated in the village of Thovur, Tanjore Táluq, Tanjore Distict.

(Signed) C. G. MASTER,

*Deputy Secretary to Government.*

No. 1,121.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 17th February 1862.

Read the following letter from W. M. CADELL, Esq., Collector of Tanjore, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated 6th February 1862, No. 44:—

1. I have the honor to report on Petition No. 2,650* of 1861, addressed to Government by Aiaditchit *alias* Letchumikundum Ditchit, applying for permission to have a Decree of the Civil Court executed on certain Shrotriem lands situated in the village of Thovur in the Tanjore Taluk, and the extent and value of which are noted in the margin.

* No. on the Board's file 512.

| | V. | M. | G. |
|---|---|---|---|
| Extent..... | 0 | 3 | 4½ |
| | RS. | A. | P. |
| Taraff assessment..... | 9 | 4 | 10 |
| Deduct Shrotriem Jodi..... | 3 | 1 | 0 |
| Difference..... | 6 | 3 | 10 |

2. From the inquiries now made into the matter, it appears that 16 Velis of Nunjah land in the said village were, in the year 1810, granted by the Government of Madras to one Hussain Khan on Shrotriem tenure in recognition of his services as a military officer. The grant is duly entered in No. 36 of the Register made in the year 1810, and from its terms was to be extended for three generations. It appears further that the grandson of the original grantee is now in enjoyment of the Melwaram (or the Government share) of the produce of the land.

3. Petitioner states that his grandfather, Mirasidar of the village, and who had two sons including his father, mortgaged one pangu of land inclusive of that now under dispute, to one Chinnagopavanjar, who re-mortgaged it to one Yeggiaramaiyan; that the latter individual died since, and his brother by name Ramaiyan mortgaged it again to one Naranapaiyan; that the said Naranapaiyan had executed to his (Petitioner's) uncle an agreement binding himself to restore possession of the land whenever the amount of mortgage was re-paid to him; that on the death of the last mortgagee, his sons named Rangaiyan and Sinuvaiyan having refused to act up to the stipulations of the said agreement, his (Petitioner's) uncle had recourse to a Civil action for the recovery of the land, and obtained a Decree in his favor; and that his uncle having since died, and himself inherited his property, he (Petitioner) seeks to have the decree now executed.

4. The Defendants deny the Petitioner's claim, and state that the land in dispute continues in their family from the time of their grandfather.

5. Hussain Alli Khan, grandson of the original grantee, is now in the receipt of the Melwaram of the produce of the land. The point at issue between the contending parties being, however, simply the Mirasi right of the land, I conceive that the required permission is, in this case, not necessary.

ENCLOSURE No. 1.—Petition.

Though the Board concur with the Collector in considering that the permission of Government is not necessary to enable the Courts to adjudicate in such cases, they resolve to submit the case for the orders of Government.

(A true Copy and Extract.)

Sub-Secretary.

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

Copy to W. M. Cadell, Esq., Collector of Tanjore.

Exd. J. Wright.

Rev= 1862. Department.
Pro: of Govt for March.

17-

PROCEEDINGS OF THE BOARD OF REVENUE,

*Dated* 17*th February* 1862.
*Despatched*. 21 d——
*Received*. 26th——
E. I o=

No 1,121.

Submitting for orders a letter from the Collector of Tanjore reporting on Petition No 2650 of 1861, applying for permission to have a Decree of the Civil Court executed on certain lands.

No 209 & 210.

No 556 of 13th March

With an order

No 556.
Under Section 26
=gulation XII of 1831, the Govt
=mit Aradiketel alias
Sebastiampitturdum Setteket to su
in the Established Courts of
o m G.
o. 3 4/8 of Shrotriem law
Situated in the village of
Hoor, Tanjore Taluq, Tan
=jore District.—

From Lt. Govt
13th March 1862
14 Copies
To
The Bd of Rev Cir. 214
2—— Jud. Cons. with Mr. Ls.