

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 657	Press Mis.
46-412	
Dated 26-3-1862	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
26th March 1862.*

No. 411. Read the following Proceedings of the Board of Revenue, dated 8th March 1862, No. 1,556:—

Read the following letter from A. PURVIS, Esq., Collector of the Godavery District, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated Munda-
petta, 31st January 1862, No. 15.

SIR,

1. With reference to the Board's Proceedings, dated 4th October last, No. 5,360, I have

No. 1. Copy of the Decree of the Subordinate Court at Rajahmundry in Suit No. 68 of 1847, dated 12th November 1850.

No. 2. Do. do. in do. No. 168 of do. do.

No. 3. Do. do. of the Civil Court do. in Appeal Suit No. 101 of 1851, dated 17th October 1854, together with copy of Petition No. 14 of 1855.

the honor to forward copies of the Decrees of the Sub and Civil Courts at Rajahmundry in Original Suits Nos. 68 and 168 of 1847, and in Appeal Suit No. 101 of 1851, preferred by Mandapati Ramachandra Razu, Peddabalabadra Razu and Tripati Razu for the recovery of certain Inám lands in the villages of Bolleddupalem, &c., as noted in the margin.

2. The parties Mandapati Peddabalabadra Razu and Changanti Gunga Razu were called on to produce any documents they might have, and those presented by them in the Courts on which the Decrees are founded, and before the Deputy Collector attached to the Inám Commission on which he based his decision.

3. The former individual does not seem to remember much about the matter. The docu-

No. 4. Extract from the Proceedings of the late Zillah Court at Rajahmundry, dated 4th November 1842.

No. 5. Order of the Sub-Judge of Rajahmundry to the Nazir, dated 8th March 1851.

No. 6. Extract from the Proceedings of the Civil Court, dated 19th August 1852.

ments he presented to the Courts are still, he supposes, on the records. He produces three documents as specified in the margin, copies of which Nos. 4, 5 and 6, are submitted herewith. These, he says, were also handed over to and returned by the Deputy Collector of the Inám Commission, who quotes two of these documents in his decision.

No. 7. Patta executed by Mandapati Butchi Venkiah to C. Gunga Razu, dated 7th of Maghasuddhim in Vaya, A. D. 1826-27.

Nos. 8 to 14. Seven Dumbalas given by the Amildars of Kotapilli to C. Gunga Razu from Fasli 1243 to 1249.

No. 15. Extract from the Proceedings of the Civil Court, dated 27th January 1855.

4. C. Gunga Razu produces nine documents marked from Nos. 7 to 15, copies of which I beg to send herewith. They were, he says, presented to the Court, excepting of course the Civil Court's Proceedings of 27th January 1855; the whole of them were, he states, produced before the Inám Deputy Collector. The documents under

notice were quoted in the Court's Decrees, and in the decision of the Deputy Collector forwarded with my letter of the 3rd September last. A genealogical table of the Mandapati family was submitted with my letter of the 30th September 1858.

No. 4,966, under date 28th October 1858.
,, 5,360, „ 4th „ 1861.

1. Resolved that the above letter with its enclosures, and copies of the Board's Proceedings noted in the margin, be submitted for the consideration and orders of the Governor in Council.

2. The Inám Commissioner has applied to the Collector to release from attachment certain

1. { In Chinna Kondipudi, 24 acres (dry.)
1. { In Bolladapalle, 100 acres, (24 dry and 76 wet)
2. In Bolladapalle, 20 acres.

Inám lands as noted in the margin, being satisfied that one Peddabalabadra Razu has established his right to the first-named portions, and one Changanti Gunga Razu to the remainder.

3. It appears that towards the close of the last century, Government took possession of the Corcondah Zamándri on the death of the last proprietor apparently without heirs. His mother, Atchaya by name, was however granted a ready-money allowance and seems to have retained, rent free, the Inám lands now under discussion.

4. At her death in 1824, these lands passed into the hands of Butchi Venkiah, the widow of an individual who was said to have been adopted by Atchaya, and she retained them until her death in 1841 when numerous claimants appeared before the Court, viz., Peddabalabadra Razu, now recommended as Inámár, his brother and nephew, and one Rungiah, the three former all contending that Atchaya had during her life time adopted a successor through whom they claimed, though they differed as to the person whom she had adopted, and the latter stating that the lands had been conditionally sold to him.

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

5. The Court dismissed all these claims, but on a fifth party Ramachendra Razu, a minor, putting in a claim for the lands as the adopted son of Butchi Venkiah, proceedings were held under date 4th November 1842, wherein it was ruled that the minor's claim was without foundation, as Butchi Venkiah's own husband did not appear to have been regularly adopted by Atchaya.

6. Eventually the Court decided when the proposed Inámdár made a second claim to the land as heir male of the last Zamíndár of Corocondah and brought a regular suit, that the lands should be equally divided between him and the Defendants in the suit, Chinna Balabadra Razu and Tripati Razu who gave a Razeenamah consenting to the arrangement.

7. The lands were accordingly placed in their possession in December 1843, but in 1844 Gunga Razu was, by order of the Special Commissioner who had superseded the Northern Provincial Court, placed in possession of that portion of the land which the Inám Commissioner now proposes to restore to him, he having been subsequently dispossessed of it as shown hereafter.

8. The lands were so held until 1847, when two suits were commenced in the Rajahmundry Subordinate Court, the one, No. 68 of 1847, by Ramachendra Razu already referred to, as the minor who claimed the lands as having been adopted by Butchi Venkiah, and who now sued for possession of the whole lands, and the other by Peddabalabadra Razu and Tripati Razu who sued Gunga Razu for that portion of the land which had been made over to him by the Special Commissioner's orders as abovementioned.

9. The Sub-Judge in giving judgment in both cases entered fully into the merits of each, and held (1) that the Plaintiffs in the first, No. 68 of 1847, had clearly no right, as the adoption of Butchi Venkiah's own husband was not proved; and (2) that Plaintiffs in the second case, No. 168 of 1848, had entirely failed to prove their right to the land held by Gunga Razu, or to any portion of that held by themselves, as the evidence they produced of the relationship to the last Zamíndár of Corocondah was altogether untrustworthy. He added that Gunga Razu's claim to the land was equally without foundation, as it rested on a transfer to him by Butchi Venkiah who had no power to make any such disposal of the property.

10. Peddabalabadra Razu and Tripati Razu appealed to the Civil Court against the decision against them in Gunga Razu's case, but that tribunal affirmed the decision of the Sub-Court.

11. On receipt of the decrees of the Sub-Court, the Collector attached the lands on behalf of Government, and they have been under his charge up to this time, and when the matter was brought before the Board by Petitioner in 1858, they did not deem the Petitioner's claims deserving of consideration.

12. The Deputy Collector attached to the Inám Commission, V. Vencatachellum, considers the attachment of the Ináms to be unjust, and apparently with no other evidence before him than that which was produced to the Sub-Court, has made a recommendation for the restoration of these Inám lands, at one-fourth assessment to the parties mentioned above, who it is true did hold them for a period of six years, but were during that time in illegal possession according to the ruling of the Sub-Court.

13. The Inám Commissioner supports his Deputy, and requests that the lands may be handed over to the parties, but the Board cannot concur with his apparent acceptance of his subordinate's opinion of documents and evidence, in preference to that deliberately arrived at by a competent Court.

(A true Copy and Extract.)

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

No. 412.

ORDER THEREON, 26th March 1862, No. 657.

1. The Governor in Council concurs entirely in the views of the Board.
2. The Inám Commissioner ought not to have allowed his Deputy to re-open claims settled years previously by Courts of competent jurisdiction, nor should he have called upon the Collector under such circumstances to make over the lands without reference to the Board of Revenue.

(Signed) J. D. SIM,

Secretary to Government.

Requesting to be furnished with copies of the Court's decree referred to in his letter of 30th September 1858, No 140, on the subject of Petitions Nos 532, and 632, of 1858, and of other documents connected therewith.

No. 5,360.

Dated 4th October 1861.

Rev: 753/62

PROCEEDINGS OF THE BOARD OF REVENUE,

No.

1861 Department

Butchi Venkiah's adopted son, Ramachendra Razu, is the last adopted son of Butchi Venkiah's own husband, who died in 1842. He is now 1862, 1855-56.

REGISTER of Inams in the Village of Belledundole in the Taluq of Kottapalli in the Godavery District.

"to oust them) was rejected. The opinion of the Subordinate Court that the defendants had no claim might have been given grounds to the Collector to sue them for the recovery of it, but did not authorize him to deprive them of it after the "the Sub Court's regular decree, the Civil Judge cannot formally pass orders affecting that decree on a summary petition. The petitioners should take copy of these proceedings and show them to the Collector, and should that office "make a regular appeal."

Pada Balabhadraraz produced a copy of this proceedings to the Collector, and requested the release of the attachment of this Inam, but no orders have been given by him on the petition as yet.

From the genealogical tree it appears that Pada Balabhadraraz is the collateral relation to the deceased Buchi Venkia as his great-grandfather and the great-grandfather of the husband of the deceased Buchi Venkia.

after summary inquiry. He has enjoyed the produce of this Inam agreeably to the Proceedings of the Zilla Court of 4th November 1842, to the date it was attached by the Collector.

As this party is in a very distressed state he has been unable to file a suit against the Collector or to prefer an appeal from the Sub Judge's decree as advised by the Civil Judge.

I think it will meet the interests of Government and the ends of justice if this Inam (of 100 acres) be confirmed to Pada Balabhadraraz as the collateral relation of the deceased Buchi Venkia subject to one-fourth of the assessment, the second party Chaganti Gungarazu his portion of this Inam under a deed of gift, dated 3rd February 1827, executed by M. Buchi Venkia the second party in column 15. He has been in the enjoyment of this Inam from property of late Buchi Venkia, but the same was released by the order, dated 5th August 1844 of the Special Commissioner, who was appointed on the abolition of the late northern Provincial Court.

M. Pada Balabhadraraz filed a suit 168 of 1847 in the Sub Court of Rajahmundry against this party, who was appointed on the abolition of the late northern Provincial Court.

On seeing this decree Mr. Prendergast, Collector, ordered on the 21st December 1850 the attachment of the recovery of this land denying Buchi Venkia having given this Inam. The Sub Judge not only dismissed the Plaintiff's appeal No. 101 of 1851 upon the decree of the Sub Judge Mr. Anstruther Civil Judge, observed that this portion of the Inam, without any proceedings on the subject from the Court.

The Inamdar produces the original deed of gift together with seven Dumbalas which were granted by the opinion recorded by the Sub Judge does not affect respondent. This Inamdar has presented several petitions to the Collector of the Special Commissioner to have been under the enjoyment of this Inamdar since several years to be unjust, and confirmed to him subject to one-fourth of the assessment which is 10 Rupees.

I consider that the attaching of this Inam which has been proved by several documents and the proceedings of the Special Commissioner to have been under the enjoyment of this Inamdar since several years to be unjust, and confirmed to him subject to one-fourth of the assessment which is 10 Rupees.

1st February 1861.

Signed) V. VENKATACHELLUM, Deputy Collector.

1st February 1861.

The Collector is requested to submit to the Board, with as little delay as possible, copies of the Court

To A. Purvis, Esq., Collector of the Godavery District.

Exd. J. Wright.

(Signed) (True Copies)
A. PURVIS, *Collector.*

(Signed) A. PURVIS, Esq.

referred to in his letter, dated 30th September 1858, No. 140, and of the documents on which they are founded.

(True Copies and Extract.)

Signed) V. VENKATACHELLUM, *Deputy Collector.*

by the Deputy Collector attached to the Inam Commission based his decision.

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

PROCEEDINGS OF THE BOARD OF REVENUE, dated 4th October 1861.

Read the following letter from A. PURVIS, Esq., Collector of the Godavery District, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated Cocanada, 3rd September 1861, No. 111 :—

1. With reference to my letter of the 30th September, and the Board's Proceedings, dated 28th October 1858, on the subject of Petitions Nos. 532 and 632 of 1858, addressed by Mandapati Balabadraraz and Tirapatiraz of Ragudivapuram in the late Kottapilli Taluk, I have the honor to forward copy of a letter from the Inam Commissioner, dated 31st May last, requesting me to

China Kondipudi.	Acres.
Mandapati Peda Balabadraraz 3 putties or.....	24
Bolladupole.	
The above Mandapati Balabadraraz P. 12 T. 10, or 100	
Chagunti Gangaraz P. 2 T. 10, or	20
Total.....	144

make over the Inams in the villages of Bolladupolum, and China Kondipudi, as noted in the margin, to Mandapati Peda Balabadraraz, and Chagunti Gangaraz. The claims were not considered tenable by the Civil tribunals, as stated in my letter above referred to, but the Inam

Commissioner considers they have been satisfactorily established from the inquiry held by the Deputy Collector V. Venkatachellum then employed in the Commission, copy of whose opinion on the claims is herewith submitted for the Board's information.

2. As the Inams have been out of the possession of the present claimants for some years, and their right to them was not recognized by the Board, I hesitate to make them over without the sanction of the Board.

ENCLOSURE No. 1.

From G. N. TAYLOR, Esq., Inam Commissioner, to A. PURVIS, Esq., Collector of the Godavery District, dated Palmanair, 31st May 1861, No. 236.

* 24 Acres of dry land situated in the village of Chinna Kondipudi in Kottapilli Taluk.

demise of its last holder Buchi Venkia, and to restore it to the party named in the margin, whose claims to the Inam have been satisfactorily established in a recent inquiry held by Deputy Collector V. Venkatachellum Pantala.

Mandipati.
Peddakala.
Bhadrazu.

2. The deceased Inamdar Buchi Venkia held an Inam also in the village of Boleddapole which was similarly attached. A portion of this Inam has been granted in gift to one Chaganti Gangaraz who had the enjoyment of the land up to the date of Venkia's death, when in common with all her other holdings, this was also placed under attachment. The alienation having been satisfactorily proved, I have the honor to request that this individual may be put in possession of the alienated portion, the remainder being made over to Pedda Balabadraraz, to whom it was awarded on the same grounds as those in which the Inam alluded to in the first paragraph has been confirmed to him.

Acres 20 of wet land.	
Acres. 100	
Particulars.	
Dry.....	24
Wet.....	76

No. 4066.

Extract from the Proceedings of the Board of Revenue, dated 28th October 1858
In Con. 28th October 1858. Read letter from the Collector of Rajahmundry, dated 30th Sept. 1858.
(Here enter No. 140.)

Ordered that the following Endorsement be passed on Petitions Nos. 532 and 632 of 1858 :—
"The Board of Revenue having received a report from the Collector on the subject of this Petition find no sufficient reason to interfere on Petitioners' behalf."
(A true Extract.)

(Signed) W. HUDLESTON,
Sub Secretary.

To

A. PURVIS, Esq., Collector of Rajahmundry.
Copy to Petitioners.

8. The lands were so held until 1847, when two Suits were commenced in the Rajahmundry Subordinate Court, the one, No. 68 of 1847, by Ramachendra Razu already referred to, as the Minor who claimed the lands as having been adopted by Butchi Venkiah, and who now sued for possession of the whole lands, and the other by Peddabalabadra Razu and Tripati Razu who sued Gunga Razu for that portion of the land which had been made over to him by the Special Commissioner's orders as abovementioned.

9. The Sub-Judge in giving judgment in both cases entered fully into the merits of each, and held (1) that the Plaintiffs in the first, No. 68 of 1847, had clearly no right, as the adoption of Butchi Venkiah's own husband was not proved; and (2) that Plaintiffs in the second case, No. 168 of 1848, had entirely failed to prove their right to the land held by Gunga Razu, or to any portion of that held by themselves, as the evidence they produced of their relationship to the last Zemindar of Corocondah was altogether untrustworthy. He added that Gunga Razu's claim to the land was equally without foundation, as it rested on a transfer to him by Butchi Venkiah who had no power to make any such disposal of the property.

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13. The Inam Commissioner supports his Deputy, and requests that the lands may be handed over to the parties, but the Board cannot concur with his apparent acceptance of his subordinate's opinion of documents and evidence, in preference to that deliberately arrived at by a competent Court.

(A true Copy and Extract.)

[Signature]

Sub-Secretary.

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

„ G. N. Taylor, Esq., Inam Commissioner.

„ A. Purvis, Esq., Collector of the Godavery District.

Exd. J. Tulloch.

*For the Board of Directors
of the Godavery District
to be sent to the Board of Directors
of the Godavery District
15th Dec 1858.*

Dec 15/58

*The Secretary to Government
Rajahmundry
28th Dec 1858
and to the Board of Directors
of the Godavery District
15th Dec 1858.*

*Dec 15/58
Dec 15/58
Dec 15/58*

19 January 1925