

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1022

Press
~~Mis.~~

185-190

Dated

11-6-1918

Not to be folded or roughly handled

G10 NO:- 189-90 Revenue dt 11-6-1863

*Proceedings of the Madras Government, Revenue Department,
11th June 1863.*

No. 189. Read the following Proceedings of the Board of Revenue, dated 23rd March 1863,
No. 1,729:—

Read again letters from the Collector of Tinnevely dated 16th* September 1862, No. 394, and 15th† November 1862, No. 489.

* In Cons. 22nd September 1862, No. 6,075.
† In Cons. 24th November 1862, No. 7,461.

Read also the following letter from the same Officer, dated 9th February 1863, No. 66.

1. With reference to the Proceedings of the Board of Revenue dated 5th January 1863, No. 9, I have the honor to state, that of the four life grants of Chuttrum Yeomiahs amounting to Rupees 267-4-8, referred to in paragraph 1 of the Board's Proceedings under acknowledgment, and which were registered in the name of Nathad Khan in pursuance of the Order of Government dated 24th June 1851, the first item or the allowance for Moharam, amounting to Rupees 155-13-8, was continued to Abdulameah, one of the representatives of the original grantee, under a Decree of the Civil Court dated 6th June 1851.

2. The second item, or the allowance of Rupees 36-4-5, is under abeyance since Fasli 1254, by order of a former Collector dated 3rd April 1845, in consequence of the objections started by Abdulameah.

3. This item is entered in the Statement No. 1 forwarded to the Board by Mr. Bird with his letter of the 29th January 1851, as having been granted to a Mosque called Vaykankaray Pallevassell at Tinnevely.

4. The third and fourth items "Bukreed" and "Ramjan" amounting to Rupees 37-9-4, and Rupees 37-9-3, have all along been in the enjoyment of Nathad Khan, there being no dispute about them, consequently no mention was made of them in my former letters.

5. Of the four Yeomiahs now under discussion, and referred to in my former letter dated 16th September 1862, No. 394, only the life grants or the allowances for Moharam and Ooroos will be found entered in the Statement submitted to the Board by Mr. Bird with his letter of the 29th January 1851, and in his subsequent letter of 3rd September following; the other two items being service Yeomiahs granted from the Sayer Fund, for lighting lamps, &c., in certain Mosques, were not included in the above Statement, which bears reference to the Yeomiahs paid from Chuttrum Fund.

6. In the Decree of the Acting Civil Judge dated 6th June 1851, it is stated that Nathad Khan and Abdulameah were directed subsequently to 1844 to manage the Mosque at *Pettah*, in alternate years, and not the Mosque at Tinnevely now under discussion, as supposed by the Board. The Pettah Mosque was afterwards made over to the management of Madarhussen Khan under the orders of the Board dated 26th September 1850.

1. Resolved that the above papers be submitted for the consideration and orders of the Governor in Council.

No. 1	Rupees 155	13	8	for the celebration of Mohorum feast.
" 2	"	109	0	0 for lighting lamps, &c., in Parahies Meah's Tomb.
" 3	"	56	12	8 for lighting lamps, &c., in the Nabi-khan Cuttack Mosque.
" 4	"	36	4	5 for performance of the ceremony called Ooroosoo in the Vayikameur-ray Mosque.

Rupees 357 14 9

2. From the above correspondence it appears that Mahomed Ethbar Khan made the endowments noted in the margin for the purposes specified.

3. The original grantee of these several allowances left two descendants between whom the allowances have been long in dispute. In 1820, all four allowances were made over to his daughter's son, the father of Abdulameah, present claimant, but in 1824 were made over to his illegitimate son, the father of Nathad Khan, and from 1836 to 1844 were enjoyed by Nathad Khan himself. In that year Abdulameah appears to have made representations regarding Nathad Khan to the authorities which led to all the allowances being held in abeyance.

*Proceedings of the Madras Government, Revenue Department,
11th June 1863.*

4. In 1848 Abdulameah obtained a Decree of the Court in his favor for the allowance of Rupees 155-13-8. This Decree was confirmed on appeal by the Civil Judge, who was of opinion being equally with him a descendant of the original grantee should have the allowance. Abdulameah has accordingly received the allowance since that date, and seeks to obtain the other three allowances in abeyance. As the service for which the allowances were granted appears to have been regularly kept up, the Board support the Collector's recommendation that they should be continued from this date to Abdulameah, the condition laid down in paragraph 8 of Extract from Minutes of Consultation under date 24th June 1851 being of course maintained.

(A true Copy and Extract.)

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

No. 190.

ORDER THEREON, 11th June 1863, No. 1,022.

Ordered accordingly.

(Signed) J. D. SIM,

Secretary to Government.

No. 7,101.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 27th October 1862.

Read the following letter from J. SILVER, Esq., Collector of Tinnevely, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Tenkasy, 16th September 1862, No. 394:—

1. I have the honor to report on the following case involving the claims of two individuals Abdullamah and Nathadukhan, to certain Yeomials in this District, for the consideration and orders of the Board.

2. Mahommed Ethbarkhan, one of the former Mahomedan rulers of this Province, originally founded certain Mosques at Tinnevely, and made an endowment of Rupees 357-14-9 for four different purposes as Yeomials, as particularized below:

- | | | | | |
|-------|------------|-----|----|---|
| No. 1 | Rupees 155 | 13 | 8 | for the celebration of Mohorrem feast. |
| No. 2 | " | 109 | 0 | 0 for lighting lamps, &c., in Parahis Meah's Tomb. |
| No. 3 | " | 56 | 12 | 8 for lighting lamps, &c., in the Nabikhan Cuttack Mosque. |
| No. 4 | " | 36 | 4 | 5 for the performance of the ceremony called Ooroosoo in the Vayikamecurray Mosque. |

Rupees 357 14 9

3. The items Nos. 2 and 3 which are hereditary service Yeomials stand entered in Mr. Cotton's Register prepared in 1819, and in the printed List of Yeomials of this District received from the Board of Revenue with a Memorandum dated 18th January 1860 against Nos. 26 and 31 in the name of one Shaik Muedoom, a servant in the above institutions, who was managing the affairs of the institutions till his death, which took place in December 1819. In 1820 the above Yeomials as well as the stipends Nos. 1 and 4 were made over to the father of Abdullamah, as being the grandson of the original grantee by his daughter. Subsequently in 1824 they were made over to the father of Nathadukhan, and lastly, to Nathadukhan in 1836, and in 1844 the whole of these Yeomials were withheld by Government on the alleged representation of Abdullamah as it is supposed.

4. Items Nos. 1 and 4 which are life grants appear in the printed List of Yeomials above referred to in the names of Abdullamah and Almahomed Nathadukhan.

5. In 1848 Abdullamah instituted a Suit No. 281 of 1848 in the Moofy Sudder Amin's Court for the recovery of the Yeomiah No. 1, and for the restitution of seven silver Panjahs or hands, stated to have been mortgaged by Nathadukhan.

6. The Moofy Sudder Amin passed a decree in favor of Abdullamah; and the Acting Civil Judge in confirming the original decision observed, that the Arzi of the Tahsildar dated 8th December 1844, the order of the Collector dated 30th January 1846, and the Arzi of the Town Canzee, copies of which have been filed by him, fully shew that the applicant Nathadukhan is an unfit person to be entrusted with the disposal of the allowances in question, and unworthy of confidence, and that the Court is of opinion that as the Plaintiff is a lineal descendant of the original grantee and a person of unobjectionable character, he possesses a superior title and that no grounds exist for interference with the original decree.

7. Agreeably to this decision the Yeomiah No. 1 or the allowance due for the Mohorrem viz., Rupees 155-13-8, has been paid to Abdullamah, who continues to celebrate the Mohorrem festival, since 1851.

8. In 1853 Almahomed Kaderkhan brother of Nathadukhan, instituted a suit in the District Munsiff's Court of Nelliambalam Taluk, asserting that during his absence at Trichinopoly, Abdullamah gained over his brother Nathadukhan and obtained a decree in his favor, and that as he is the male representative of the original grantee, the Yeomiah should be paid into his hands.

9. In the decision dated 15th June 1855 it is observed, that a reference to the Trichinopoly Town Causee's report, as also to a copy of the Register prepared in 1814 by the Collector of Trichinopoly, and forwarded to the Board, show that Alshadikhan, father of Almahommed Kaderkhan, is the illegitimate son of Ethbarkhan the original grantee, that it was so urged before the late Provincial Court, and that as the point in dispute was disposed of by the decrees passed in the Courts in 1849 and 1851, the suit has been dismissed. This decision was upheld in appeal both by the Civil and Sudder Courts.

10. Nathadukhan states in a Petition addressed to me that Ethbarkhan was his ancestor, and requests that the allowances in question may be continued to him as they were disbursed to his father, and subsequently to him till 1844, and as he conducts the services in the above institutions.

11. Abdullamiah in a Petition addressed to me represents that Nathadukhan's father was the illegitimate son of Ethbarkhan, that Nathadukhan has been pronounced by Judicial authorities to be unfit to be entrusted with the Yeomiah allowances, that he being the great grandson of Ethbarkhan, is the lawful heir of the original grantee, that his character and preferable title have been acknowledged in the decrees passed by the several Courts, that the Yeomiah No. 1 has been accordingly made over to him since 1851, and he requests that the other items Nos. 2, 3, and 4 now in abeyance, may also be disbursed to him, as he conducts the prescribed services in the above institutions.

12. Allowances granted for the performance of service in religious institutions should be made over to such a member of the family of the original grantee as may be competent to perform the services efficiently and honestly. The question as to Nathadukhan's fitness to be entrusted with the Yeomiah allowances has been finally disposed of by competent Judicial tribunals, and the superior right of Abdullamiah who is the fittest person, has been acknowledged by them. The inquiries made by the Tahsildar and the Police Amin fully prove that Abdullamiah and his brother are conducting the prescribed services in the above institutions.

13. Under the foregoing circumstances, I am of opinion that the allowances, Nos. 2 to 4 should be continued to Abdullamiah, as being the eldest of the surviving members of his family, and I beg to be favored with the instructions of the Board on the subject.

The Board consider that Mr. Silver shows good grounds for his opinion, but before sanctioning the adoption of the course he advocates, they request him to furnish copy of the Order of Government in 1844 withholding the grants, and of the several decrees to which he refers, and also to state on what principle the items Nos. 1 and 4, are, as stated in paragraph 4 of the letter, deemed life grants.

(A true Copy and Extract.)

To J. Silver, Esq., Collector of Tinnevelly.

(Signed) C. G. MASTER,
Acting Sub-Secretary.

Exd. J. Wright.

Requesting further information about certain Yeomiahs.

No. 7,101.

Dated 27th October 1862.

PROCEEDINGS OF THE BOARD OF REVENUE,

No.

1862. Department.

Copy of the Board of Revenue to the Secretary to Government D. C. dated 23rd October 1863

No. 9.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 5th January 1863.

Read the following letter from J. SILVER, Esq., Collector of Tinnevelly, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated 15th November 1862, No. 489 :—

Original Suit No. 281 of 1848 on the file of the Moofy Sudder Amin's Court at Tinnevelly.
Appeal Suit No. 37 of 1850 on the file of the Zillah Court of Tinnevelly.
Original Suit No. 306 of 1853 on the file of the District Moonsiff's Court at Nelliambalum.
Appeal Suit No. 107 of 1855 on the file of the Zillah Court of Tinnevelly.
Extract from the Proceedings of the Sudder Adalat under date the 2nd October 1856.

1. With reference to the Board's Proceedings dated the 27th ultimo, No. 7,101, I have the honor to forward copies of the documents noted in the margin, being the decrees of the several Courts referred to in my letter of the 16th September last, No. 394, and to state that in 1844, no order was passed by Government to withhold the grants spoken of in my letter above quoted,

but that the grants were stopped by the local authorities in that year.

2. As regards the question on what principle, the items Nos. 1 and 4 given in my letter of the 16th September, are deemed life grants, I have the honor to state that in sanctioning several Yeomiahs formerly paid out of the Chuttrum Fund, the Government in their Proceedings of the 24th June and 21st October 1851, Nos. 621 and 1,043, ordered the above allowances to be continued to the holder until his death, and to report his death for the orders of Government, with specification of the family left, and whether the service is or is not kept up, and importance attached to it by the Mahomedan community.

1. The Board require further information before submitting this case to Government. It is observed that in paragraph 8 of Extract from Minutes of Consultation under date 24th June 1851, No. 621, certain allowances were continued for life to the grandson of Ethbar Khan, who on inquiry was found to be the Nathada Khan referred to in the Collector's former letter. These allowances are stated to be for the purposes noted in the margin, and to have amounted to Rupees 267-4-8 per annum, but in the Collector's letter above alluded to, the allowance of Rupees 36-4-5 is said to be for the performance of a ceremony called Ooroosoo, and no mention is made of the other two smaller allowances.

2. Mr. Silver is requested to explain the discrepancy, and to show distinctly how the four Yeomiahs under discussion are entered in the enclosures of his predecessor's letters dated 29th January and 3rd September 1851, Nos. 32 and 195. He will also be good enough to report whether, as stated in the decree of the Acting Civil Judge dated 6th June 1851, Nattada Khan and Abdullamiah were directed, subsequently to 1844, to manage the Tinnevelly Mosque in alternate years, and under what circumstances such orders were issued.

(A true Copy and Extract.)

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

To J. Silver, Esq., Collector of Tinnevelly.

Exd. J. Wright.

[illegible]

enclosure 432 in the Proceed-
ings of the Board of Revenue
is the Secretary to Government
C.P. dated 23rd March 1863.
187729.

1863. Department.

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dec = 7.6/93

Dated 5th January 1863.

No. 9.

Requiring further information about certain allowances.

1011

Requiring further information about certain allowances.

No. 9.

Memorandum of the Village (Village) No. 2 of the 18th Jan of 1851 (May 1851). The first house recognized the grant by having in them a date of 24th June 1851. On 21st decided the transfer of certain portions of the lands and no more to the Trustees of the Institution in which they belonged and the incorporation of the remainder with the first lands; the allowances for the Trustees and the expenses being paid from Public Treasury.

(3) The allowance made to the continued in the life grants by him 8 of the order of 24th June 1851, subject to order after the death of Etcham. Etcham's grand son for the order continued the payment of the allowance to Etcham's grand son. Al Mahmud Mustafa Etcham (Order from 3 of the order of 21st October 1851 No 1043). But order was not given to it in consequence of disputes between him and Abdula.

Requiring further information about certain allowances.

No. 9.

which is the second of the original grants. It is desired to have the allowance made to the latter individual and when the case is before the Board to submit the report accordingly in the case of 24th June 1851 -

3/6/53

No. 1,729.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 23rd March 1863.

Read again letters from the Collector of Tinnevely dated 16th* September 1862, No. 394, and 15th† November 1862, No. 489.

* In Cons. 22nd September 1862, No. 6,075.
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Read also the following letter from the same Officer, dated 9th February 1863, No. 63:—

1. With reference to the Proceedings of the Board of Revenue dated 5th January 1863, No. 9, I have the honor to state, that of the four life grants or Chuttrum Yeomials amounting to Rupees 267-4-8, referred to in paragraph 1 of the Board's Proceedings under acknowledgment, and which were registered in the name of Nathad Khan in pursuance of the Order of Government dated 24th June 1851, the first item or the allowance for Moharam, amounting to Rupees 155-13-8, was continued to Abdulameah, one of the representatives of the original grantee, under a Decree of the Civil Court dated 6th June 1851.

2. The second item, or the allowance of Rupees 36-4-5, is under abeyance since Fasli 1254, by order of a former Collector dated 3rd April 1845, in consequence of the objections started by Abdulameah.

3. This item is entered in the Statement No. 1 forwarded to the Board by Mr. Bird with his letter of the 29th January 1851, as having been granted to a mosque called Vaykan-karay Pallevasel at Tinnevely.

4. The third and fourth items "Bukreed" and "Ramjan" amounting to Rupees 37-9-4, and Rupees 37-9-3, have all along been in the enjoyment of Nathad Khan, there being no dispute about them, consequently no mention was made of them in my former letters.

5. Of the four Yeomials now under discussion, and referred to in my former letter dated 16th September 1862, No. 394, only the life grants or the allowances for Moharam and Ooroos will be found in the Statement sent to the Board by Mr. Bird with his letter of the 29th January 1851, and in his subsequent letter of 3rd September following; the other two items being service Yeomials granted from the Sayer Fund, for lighting lamps, &c., in certain mosques, were not included in the above Statement, which bears reference to the Yeomials paid from Chuttrum Fund.

6. In the Decree of the Acting Civil Judge dated 6th June 1851, it is stated—that Nathad Khan and Abdulameah were directed subsequently to 1844 to manage the mosque at Pettah, in alternate years, and not the mosque at Tinnevely now under discussion, as supposed by the Board. The Pettah mosque was afterwards made over to the management of Madarhussen Khan under the orders of the Board dated 26th September 1850.

1. Resolved that the above papers be submitted for the consideration and orders of the Governor in Council.

No. 1	Rupees 155 13 8	for the celebration of Mohorum feast.
No. 2	" 109 0 0	for lighting lamps, &c., in Parahies Meah's Tomb.
No. 3	" 56 12 8	for lighting lamps, &c., in the Nabi-khan Cuttack Mosque.
No. 4	" 36 4 5	for performance of the ceremony called Ooroosoo in the Vayikamcurray Mosque.
Rupees 357 14 9		

2. From the above correspondence, it appears that Mahomed Ethbar Khan made the endowments noted in the margin for the purposes specified.

3. The original grantee of these several allowances left two descendants between whom the allowances have been long in dispute. In 1820, all four allowances were made over to his daughter's son, the father of Abdulameah, present claimant, but in 1824 were made over to his illegitimate son, the father of Nathad Khan, and from 1836 to 1844 were enjoyed by Nathad Khan himself. In that year Abdulameah appears to have made representations regarding Nathad Khan to the authorities which led to all the allowances being held in abeyance.

4. In 1848 Abdulameah obtained a decree of the Court in his favor for the allowance of Rupees 155-13-8. This decree was confirmed on appeal by the Civil Judge, who was of opinion from the records submitted that Nathad Khan was unworthy of confidence and that the Plaintiff being equally with him a descendant of the original grantee should have the allowance. Abdulameah has accordingly received the allowance since that date, and seeks to obtain the other three allowances in abeyance. As the service for which the allowances were granted appears to have been regularly kept up, the Board support the Collector's recommendation that they should be continued from this date to Abdulameah, the condition laid down in paragraph 8 of Extract from Minutes of Consultation under date 24th June 1851 being of course maintained.

(A true Copy and Extract.)

[Signature]
Sub-Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.
Copy to J. Silver, Esq., Collector of Tinnevely.

Exd. J. Wright.

N-1022.
Ordered accordingly.

FR 24th June/57 N. 32-33

*11-11-77
7-12-77
25/3/78
13/4/78
29/4/78
29/4/78*

*Recd 1863. Department
No: 99 for Dms*

PROCEEDINGS OF THE BOARD OF REVENUE

No. 746.

Dated 23rd March 1863.

Despatched 25th March
Received 30th March
E. 2-4506-5-5

*No. 1720
219/65-CA 1995*

Supporting the recommendation of the Collector of Tinnevely, that the four Chittam Yeomials amounting to Rupees 207-48 be registered in the name of Nathad Khan, continued to Abdulameah.

*No 189490.
6 June/53 as
11
3
No 1022 11 June
M. B. Order*