

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1292	Press Dist.
332.335	
Dated	20. 6 1918

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
20th June 1863.*

No. 331. Read the following Petition from GOPAULASAWMYTHATHA CHARRY
alias GOPAULATHATHA CHARRY a resident of the village Sreevilliputhur,
Cusbah Tinnevely, Plaintiff in Original Suit No. 6 of 1816, on the files of the Prin-
cipal Sudder Ameen's Court of Tinnevely, to the Honorable A. J. ARBUTHNOT,
Chief Secretary to the Government of Fort Saint George, dated 8th May 1863: —

MOST RESPECTFULLY SHEWETH,

With infinite respect and submission your Petitioner begs leave to submit that he, being
dissatisfied with the Endorsement of the Government, dated 15th April 1863, which was passed
by a mere oversight of the records related to the deplorable case of your Petitioner, appeals
therefrom to His Excellency the Secretary of State for India, believing he could at least obtain
justice from him, and that therefore he prays your Honor will be so gracious as to despatch to
that authority his accompanying Memorial with four enclosures in support of his case, and prays
your Honor will think it proper to recommend him favorably. The original and two other
copies of Memorials, each with four enclosures as will be required, are herewith submitted.

In doing this act of charity your Petitioner as in duty bound shall ever pray.

No. 335. ORDER THEREON, 20th June 1863, No. 1,092.

1. Ordered that the Memorial received with this letter be forwarded to the Secretary of
State, and that intimation of the same be given to the Memorialist.

2. Copies of the Proceedings of the Board of Revenue, dated 27th October 1858 and
22nd May 1862, Nos. 4,053 and 3,299, will be furnished to the Inspector General of Mofussil
Police, and he will be requested, in communication with the Collector of Tinnevely, to institute
further enquiries as to the existence of Memorialist's brother Veeraragavathatha Charry, who is
said to have disappeared from District since Fasli 1262. Mr. Robinson will report the result
in due course.

(Signed) J. D. SIM,
Secretary to Government.

To

His Excellency The Secretary
of State for India.

The humble Memorial of Gopaula Chatter-
jee alias Gopaulasainy, this that have
a resident of village Trinivalli in the
District of Original Suit & of 1846 on the
files of the Principal Sub Court of
Trinivalli.

Most humbly Sheweth

That your Excellency's Memorialist
respects & in a pious way to say his deplorable case before
your Excellency's gracious and Compassionate mind trusting
your Excellency will not also refrain back from acceding
to his applications, as follows.

I. That when an order was issued to create Manum, the
Manum that existed by the name of your Memorialist's
father, were united in the joint name, Gopaula Chatter-
jee alias Chatterjee, of your Memorialist & his brother,
the Certificate showing the age & height of your
Memorialist and they accordingly & mutually signed
their respective shares up to 1832 when they quarrelled
and the said brother of your Memorialist having got
divorced in the Court of the Sub Court managed to get
possession of the Manum and enjoyed the produce
of the same to the exclusion of your Memorialist.

II. That as your Memorialist's brother concealed & took illegal possession of the Certificate, your Memorialist instituted the Original Suit No. 233 of 1835 on the files of the Moonsiff Court of the District of Madras in the Zillah of Ponnemully and a Decree was passed in his favor -

III. That your Memorialist's brother who was the 1st Defendant in the aforementioned Suit, appealed against that Decree in Appeal Suit No. 68 of 1836 on the files of the Civil Court of Madras and that Court confirmed the Original Decree observing in the 4th Sheet of the Appeal Decree as a heretofore all the proceedings & the inspection of the Certificate itself, that your Memorialist's case was undisputed & true and that he was the sole claimant to the Certificate of the Mannim lands; there was no further appeal against it and the Original Certificate remains with the Appellate Lower Court -

IV. That the then Collector Mr. Eden agreed to the said Decree granted the Mannim to your Memorialist who enjoyed it for a space of about 8 years -

V. That the next Collector having ^{been} required to grant the same, your Memorialist upon obtaining the permission of the Government and also the said Collector as a Defendant in Original Suit No. 68 of 1836 on the files of the Principal Sudder Court wherein he (Collector) fully admitted and deposed that the Mannim were granted (granted) in 1839 to your Memorialist under the Orders of Mr. Eden, and a judgment was consequently passed in your Memorialist's favor on the strength

strength of that allegation. There were no appeals against it and in execution of that Decree the Mannim to be paid from this Mannim has been continued to be delivered to your Memorialist upto July 12 62 under the process of the Court -

VI. But when the above Court asked the Collector in 1863 to grant to your Memorialist the income realized from the said Mannim according to the terms of the said Decree, the Collector answered that the Board of Revenue at Madras had forwarded an order to him directing to obtain more evidence on the point whether your Memorialist's brother was alive and recommend for further order of the Court -

VII. That your Memorialist in obedience to that order produced evidence of gentlemen and other reliable persons and the Collector having your Memorialist's trusts, recommended the Mannim in the favor of your Memorialist -

VIII. That your Memorialist has also in 1860 addressed the Board with a Petition to the above effect and produced for perusal an ^{attested} copy of the Appeal Decree referred to above in Appeal Suit No. 68 of 1836 of the Zillah Court of Madras and a Public Copy of the Certificate filed in that Suit & other records, praying for an order to remove the Appeal Decree which was withdrawn along with the intrigues of your Memorialist's brother, sent to the greatest surprise & misfortune of your Memorialist ~~therefore~~ the Board ordered, without even looking into any of your Memorialist's records, that your Memorialist's application cannot be acceded to -

IX. That your Memorialist thereupon appealed to the Governor in Council at Madras who also confirmed their order without going fully into the merits & facts

looking all the papers I furnished an endorsement stating
merely that they agreed with the Board that no satisfactory
evidence of the existence of your Memorialist's brother
having been tendered your Memorialist's application
cannot be acceded to.

II. That your Excellency's Memorialist being
now greatly dissatisfied with the said endorsement
instructs your most gracious Excellency to accept
his Memorial on the following observations viz.

1. That if proper authorities do not listen
to a man's complaint of grievance and
decline to give redress, as in this case, it would
be quite apparent that gross injustice
would be the effect of such action, and ex-
actly putting the claimant in the hands of
obtaining justice which is in-
questionable, entitled.

2. That the aforesaid two endorsements
are wholly incompatible with the
alleged Public decree and the various
orders of this Government, in which
your Memorialist clearly observes that
this Government disallows this man
servant's orders, and that they did
not attach weight to the finding of the
Deputy Collector arrived at after a full
inquiry, that your Memorialist's brother
is alive.

3. That the said two endorsements your
Memorialist learns, from the said endorse-
ments without delay that a certain man
voluntarily offered to render aid

for the existence of his brother it may not be worthy
of credit.

4. But your Memorialist has tendered the evidence
of a noble person's mercy in obedience to the order
of the Board of Revenue at Madras, which your
Memorialist is at a loss to know what induced
the two authorities to disbelieve the proof of
their own officers & Public Orders. Your
Memorialist need not call from the evidence
of his brother, or his intrigues.

5. That the 4th Sheet of the attested Copy of the
appeal decree in question as well as the
Certificate referred to therein, will, in your
Excellency's person, thank clearly that
your Memorialist was the right claimant
to the Certificate Manumission in dispute.
The said copy of the appeal decree & Certificate
are herewith submitted to your Excellency
kind consideration.

6. That it is only owing to the intrigues of
your Memorialist's brother, and of the Officers
in the Collector's Office that so many
impediments were thrown in the way
of obtaining your Memorialist's manumission
properly & proper relief from this
Government.

7. That your Memorialist as mentioned
in the said Decree shall be at correspond-
ence with those given in the Certificate
and he is entitled to the benefit of the
manumission.

XI. In Conclusion Your Excellency's poor Memo-
rialist therefore most humbly craves your Excellency

Charitable and Compassionate Mind with,
on a mature Consideration of the deplorable
case of your Memorialist, issue such orders
that the Manum may be (jammed) allowed
in his name as he is entitled there to.

For the Act of Charity & Justice
as in duty bound

Shall Ever Pray

8th May
~~April~~
1863

Your Obedt. Obedient
and Humble Servant

[Signature]

The papers herewith enclosed for your
Excellency's perusal, are,

An attested Copy of the Certificate of 1822.
Do Do of the appeal decree passed
in Appeal Suit No. 68 of 1836 on the
files of the Civil Court of Madras.
Government Endorsement dated 13th June 1860.

D^o 15th April 1863.

who is said to be disappeared from the district since Feby 12 62. Mr Robinson will report the result in due course.

Fort St. George
20th June 1862
To The Board of Revenue
" Coll^y of Tinnevely
" Inspector Gen^l of Mofussil Police
" Bara to Memorials

Ordered that the Memorial received

with this letter be forwarded to the Secretary of State,
and that intimation of the same be given to the

Memorialist.

No 334 + 335.

12/20/53 R.H.

Copy made Dec. 20/53
Eng 7/20th Jan 1857
of 1853.

Revenue 1853 No 157
Pro: of Govt for June
1853.

From Sopanlatha:
= the ferry, a resident
of Village Greenville
= puttin -

Noted 8th 3/53
Received 2nd 3/53

Enclaves 3

From the 10th of the month
the 10th of the month
of 1853.

Forwards Memorial
in duplicate for trans.
mission to the Secy
of State, appealing
against the decision
of this Govt in his
application for the
registry of certain
boundary lands in
the same.

With enclosures
at 10/53 R.H.

Original
of the Memorial
relating to the
boundary of the
Village of Greenville
of 1853.