M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1450 Press ~~Mis.~~

32.33

Dated 4 — 8 - ~~19~~ 1863

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 4th August 1863.

No. 32. Read the following Petition from MUPPATTY MUTTIYÁL RÁYADU, RAMANNAH, LAKOBAIYA and M. VENKANNA, residing at Madras :—

State that their former Petition regarding the division of certain property which was referred to the late Sudder Court under the Government Order of No. 1,372, dated 23rd June 1862, was rejected without any hearing. Submitting the Extract Proceedings of the High Court, pray that redress may be granted to them as solicited in their former Petition.

(Here enter 22nd June 1863.)

No. 33. ORDER THEREON, 4th August 1863, No. 1,450.

* Procs. 5th June 1861, No. 725, Judicial Department.
Do. 17th February 1862, No. 9, and 23rd June 1862, No. 1,372, Revenue Department.

1. The Petition here recorded refers to a subject which has been before Government on three previous occasions.*

2. The Petitioners having appealed against a decision passed by the Agent of Vizagapatam, approving and confirming the finding of a Panchayat in regard to the partition of the Petitioners' property, the appeal was in the first instance referred to the late Sudder Court. The Judges, however, refused to interfere, having ascertained from the Agent that his order had been issued from the Revenue Department.

3. Mr. Fane's statement in this respect is clearly erroneous, but it seems that the High Court are still of opinion that they have no jurisdiction. The Petitioners therefore request that the Governor in Council will himself interpose to afford them that redress which they have failed to obtain elsewhere.

4. The Governor in Council has accordingly taken the matter again into consideration. From Mr. Fane's explanation recorded in Proceedings of the 23rd June 1862 there seems to be no doubt that his predecessor and himself acted in the case under review with reference to the general principles laid down for their guidance in the Agency Rules. The procedure to be followed in referring disputes to Panchayats is clearly prescribed in the 21th of the old Rules, corresponding with Rule XXVII in the revised Code. But notwithstanding the irregularity observable in Mr. Fane's proceedings, the Government agree with the Board of Revenue that his decision is substantially correct, and should not be set aside for want of form only. The Petitioners will accordingly be informed that the Governor in Council sees no reason to disturb the order passed by the Agent. It would seem to be still open to them to seek redress by a regular suit, but on this point they can if so disposed seek legal advice.

(True Extract.)

Acting Deputy Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

order had been issued

No. 1450. 1453

4th August 63.

Read the following petition dated 22nd June 63

From Ruppatty Muttiyál
Chiyadee, Kammma,
Nellore, & Dr. Venkama

{ 22 June 63 }

The Petr here records
refers to a subject which
has been before Govt on
three previous occasions. ×

The Petrs having appeal
against a decision passed
by the Agent of Vizagapatam
approving & confirming
the finding of a Punchayat
in regard to the partition
of the Petrs property, the
appeal was in the first
instance referred to the
late Sudder Court. The
Judges, however, refused to
interfere, having ascertained
from the Agent that his
order had been issued
from the Rev: depart

+ Bo: 5 June 61, No 725 Jud. Dept
– 17 Feb? 62, No 9 ×
23 June 62, No 1372 R.D.

Mr. Fane's statement in this respect is clearly erroneous, but it seems that the High Court are still of opinion that they have no jurisdiction. The Petrs therefore request that the Govt in Council will himself interpose to afford them that redress which they have failed to obtain Elsewhere.

The Govt in Council has accordingly taken the matter again into consideration. From Mr Fane's Explanation recorded in Proc: of the 23rd June 1862 there seems to be no doubt his predecessor & himself that he acted in the case ~~under review~~ with reference to the general principles laid down for their guidance in the Agency Rules. The procedure to be followed in referring disputes to Panchayats in particular

to be clearly prescribed in the 24th of the old Rules, corresponding with Rule XXVII in the revised Code. But notwithstanding the irregularity observable in Mr Fane's proceedings, the Govt agree with the Bd of Revenue that his decision is substantially correct, & that it should not be set aside for want of form ~~in the~~ ~~opinion~~ only.

The Petrs will accordingly be informed that the Govt in Council sees no reason to disturb the order passed by the Agent. It would seem to be still open to them to seek redress by a regular suit, but on this point if so disposed they should seek legal advice.

WK

11 Copies to the Bd of Revl Cert to Augt
1 — — — Petition Cert with one Enclosure Cert to Augt GL

Revenue 1863 Sept.
Pro: of Govt for Augt.
No 1450.

Pro: of the Madras Govt.
Dtd 4th Augt 63.

Petition from Musspatty
Mullial rayadu &c of
Vizagapatam praying that
the orders passed by the
Govt regarding the divi-
sion of certain property
may be cancelled, nega-
tived -

No 32 & 33.

No 30 - Sept 1st Augt