

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1787

Press
~~Mis.~~

371.372

Dated

30 - 9 - 1863

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
30th September 1863.*

No. 371. Read the following Endorsement of the Acting Assistant Inspector General, Mofussil Police, dated Madras, 23rd September 1863:—

Read the following letter from Lieutenant C. A. PORTEOUS, Acting Superintendent of Police, Tinnevely District, to W. ROBINSON, Esq., Inspector General of Mofussil Police, Madras, dated Tinnevely, — September 1863, No. 472.

SIR,

1. With reference to the enclosed papers, marked A and B, I have the honor to forward herewith, for your information, copy of a letter addressed by me to the District Magistrate, on my ascertaining that Veeraragavathatha Charry was alive and at Strivilliputur.*

* He was seen by the Inspector of Strivilliputur who conducted him before the Head Assistant Magistrate and before that Officer owned himself to be Veeraragavathatha Charry.

2. I also enclose copy of the District Magistrate's reply to my letter on this subject; from this it will be seen that the District Magistrate has given me authority to arrest this individual. I have therefore directed the Inspector of Strivilliputur to arrest him quietly, the next time he sees him, and not to release him unless he finds two heavy sureties.

3. I have further the honor to request the Inspector General's instructions on this matter.

Forwarded to the Secretary to Government, Revenue Department, for instructions as to the disposal of Veeraragavathatha Charry in the event of capture.

(Signed) J. TEMPLE, Colonel,
Acting Assistant Inspector General.

No. 372. ORDER THEREON, 30th September 1863, No. 1,787.

1. In their Order of 20th June last, No. 1,092, the Government requested the Inspector General of Mofussil Police, in communication with the Collector of Tinnevely, to institute further enquiries as to the existence of one Veeraragavathatha Charry who had, it was said, disappeared from the District since Fasli 1262. Mr. Robinson was requested to report the result in due course.

2. The Acting Assistant Inspector General now forwards reports which have been received from the Superintendent of Police in Tinnevely on the subject. From these papers it appears that Lieutenant Porteous having received reliable information that the missing man was at

* 24th August 1863, No. 451.

† 25th August 1863, No. 510.

Strivilliputur applied* to the Magistrate for instructions as to his apprehension. In reply Mr. Silver requested† that the man might be apprehended and kept under the surveillance of a Police Constable, the same being reported through the Inspector General of Mofussil Police for communication to Government. The Superintendent has accordingly directed‡ the Inspector of the village in question to arrest the party and not to release him unless he finds

‡ Vide his letter to Inspector General of Mofussil Police, dated — September 1862, No. 472.

two heavy sureties. Colonel Temple in forwarding these papers requests instructions as to the disposal of Veeraragavathatha Charry in the event of capture.

3. The Government observe that no charge has been brought against the individual alluded to, and that it is therefore out of the question to arrest and hold him to security. He must therefore at once be released if still under detention.

4. The question of his existence is a matter of importance to his brother Gopalaswami-thatha Charry, but the Government have no interest in him except that they cannot pay the arrears of ready money allowance entered in his name and payable only during his lifetime until

*Proceedings of the Madras Government, Revenue Department,
30th September 1863.*

It is satisfactorily proved that he is still alive. The reason alleged by the Superintendent of Police for his belief that the latter is the case is that this Veeraragava "was seen by the Inspector of Strivilliputtur who conducted him before the Head Assistant Magistrate" where he owned himself to be the party sought for. This of itself is of course insufficient to prove identity, but the Magistrate has doubtless taken further steps to find out the true state of the case, and he will now be called upon, through the Judicial Department, to report what he has done.

(True Extract.)

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

To the Inspector General of Mofussil Police.
" Judicial Department.
" Board of Revenue.

Exd. S. T. Augustin,

11: 1153.

*Extract from the Proceedings of the Board
of Revenue dated 27th October 1858*

*In C. 9th Dec 1858 Read again the following letters
from the Acting Collector of Tinnevely
Dated 5th Dec 1857 recorded in C. 5th Dec 1857
D. 19th Dec 1857 in C. 15th Jan 1858
D. 1st and 29th Sept 1858*

*1 The sum allowed as referred to in
the above letters, viz Rs 85 and 35
per annum, were granted to Veeraragava
Thachachary for his subsistence and
In C. 7th Sept 1858 were directed in Extract Minutes of
Consultation 19th Aug 1854, N. 972
R.D. p. 3 to be continued to him, during
his life, and then resumed —*

*2. In 1845, disputes about the divi-
sion of the allowance arose between
the Encumber and his younger brother
Gopulakami Thachachary, when the
latter having petitioned Government ob-
tained permission to prosecute his claim
in a Court of Adawlat. A suit was
accordingly instituted and a decree
obtained by the younger brother*

for

for a moiety of the allowance to be paid
in arrears from July 1263 A.D. 1853/54.

3. The allowance in question was dis-
bursed to Venarajana Shathachary, the
elder brother up to July 1262 A.D. 1852/53, and since that time, he has dis-
appeared in order as asserted to evade
the execution of the decree against him,
nothing is known of his place of concealment,
though there is reason to suppose that
he is still living from the circumstances
of his wife wearing jewels which
she would not wear if he were known
to be dead.

4. The younger brother, in moving
the Court for execution, has furnished
good and sufficient security for the
refund of the amount awarded to him,
should he ever be required to do so.
and upon his application, the Court has
called upon the Acting Collector for
payment of a moiety of the allowance
due since July 1263 A.D. 1853/54.

5. The grant being as the Collector
states only for the life of the elder brother,
the share awarded to the younger brother
can only be paid during the life time of the
former. The Board are unable to recommend
a compliance with the request of

Copeland and

3
Copeland and Shathachary. The Govern-
ment authorities have done all they can to
ascertain whether the elder brother
is alive or not, and as they have failed,
it is for the family to establish the
fact on which the payment of the provision
depends.

The circumstances of his wife, still
wearing her jewels, is of little value, for
it only shows that she does not know of his
death. Considering the social position
of widows in this country, it can scarcely
be expected that she should against
her husband's death which is a
fact, if it is wanting. On the other
hand the presumption is against the
supposition that to prevent his brother
getting a moiety of his allowance,
he would desert his family and country.

The security tendered by
Copeland and Shathachary does not
seem good sufficiently. They have
every reason to suppose his brother is
dead for both their officers and his
family, who are interested in proving
his

his existence, have failed to obtain any
clue to his place of concealment or residence.
On the other hand if he is really alive
and concealing himself to defraud
his brother there is no certainty how
long that motive may operate, though
it certainly may be presumed that his
existence will terminate when its ob-
ject is frustrated. Yet the Government
can prove his death as well as when
he is alive, the security cannot be
breached, and there is no knowing how
long such an allowance may thus be
continued on a mere supposition
that Veerara-gava Thathachary is
alive and still living.

8. The Collector will therefore
inform the Court that on 30th January
Thathachary affording proof of his brother's
existence, the sanction of Government will
be solicited for giving effect to its decree.

(True Extract)

Signed J. D. Sim

J. D. Sim Secretary

Acting Collector of Tinnevely

Proceedings

N^o 3399

Proceedings of the Board of Revenue
dated 22nd May 1862

Read the following letter from Silverleg,
Collector of Tinnevely, to W. Whistler, Esq.
Secretary to the Board of Revenue, Madras,
dated 1st April 1862 N^o 125

1. With reference to paragraph
8 of the Board's Proceedings, under date
the 24th October 1858, & taking that the
sanction of Government will be
solicited for giving effect to the Court
Decree in the case of Gopalasamy
Thathachary versus Veerara-gava Tha-
thachary, on the former affording
proof of the existence of the latter,
I have now the honor to submit the
following report for the information
of the Board.

2. On the 3rd of February last,
Gopalasamy Thathachary presented a
Petition to me stating that his brother
Veerara-gava Thathachary is still alive,
and offering to prove the fact. Signed
it

it to the Deputy Collector Venkata
Row for investigation, and after
a full enquiry into the case
he reports, that the strongest evi-
-dence has been adduced, to establish
the fact of, Venaragava Thattachari's
existence. This individual, was seen
in this District in August 1861, by four
respectable persons, of whom is the
Kamindar of Tollaungondan, and again
he was seen, so lately as January last,
by no less than, nine persons of respect-
-ability. The depositions of all these
witnesses on the point are very con-
-sistent, and there is not the smallest
ground to doubt their testimony.

3. The sum due, to Gopalasamy
Thatthachari under the Court Decree,
from the 1st July 1853, to December 1861,
making 8 years 5 months and 20 days,
at Rupees 61-8-0 per annum, as per
statement which accompanied the
late Acting Collector Mr. Mayne's
letter

5
letter of the 24th September 1858, No. 329,
amounts to Rs. 520.14.4.

4. A copy of the Deputy Collector's
report on the result of the investiga-
-tion instituted by him in Gopalas-
-amy Thattachari's Petition, referred
to above, is herewith sent.

Enclosure No. 1
From J. Venkata Row Deputy Collector
To J. Silver, Esq. Collector of Tinnevely
dated 12th March 1862 No. 268-

1. With reference to your Order
of date the 13th ultimo, No. 25, referring the
Petition of one Gopalasamy Thattachari, re-
dated the 2nd idem, and directing me to proceed
in the matter with reference to the Board's
Proceedings of the 27th October 1858, No. 4058,
I have the honor to report the result of my
inquiry into the Petition for your information.

2. It appears from the Board's
Proceedings above quoted that the
Petitioner Gopalasamy Thattachari
has

has obtained a decree against his elder
brother Veeraragava Thattachariar
for a moiety of the income allowed
granted to the said Veeraragava Thattachariar;
that the allowance has
been paid to the elder brother up to
Fali 1262 (1852-53); and that since
that time he has disappeared in
order to evade the execution
of the decree against him, and
the Board in their Proceedings in
question directed the Collector to inform
the Bank that as Gopalasamy Thattachariar
affording proof of his brother's
existence, the sanction of Government
will be solicited for giving effect to its
decree.

An abstract of the evidence
now before me and the Tahsildar
& Shrivilliputtur, with reference to
the Petition of Gopalasamy Thattachariar,
given below, from which it is clear
that Veeraragava Thattachariar is alive
and that the 12th 13th 14th and 15th witnesses
now

6
saw him in August last, and that
the other witnesses except the 7th saw him
in December 1861, and January 1862.
The 10th witness, who is the son-in-law
of the individual, further declares
that he (Veeraragava Thattachariar)
visited his house on the 27 February
1862, and left it immediately. There
is no reason for suspecting the truth
of the evidence of the witnesses some
of them are the nearest connections
of Veeraragava Thattachariar, and
the 9th 10th and 11th witnesses were
unwilling to come forward to give
their evidence, and the 10th and 11th
were convicted and fined by me for
attempting to evade the service of the
summons issued by me in this matter.
Most of the witnesses appear to be
respectable

respectable and trustworthy persons.

The 15th is the Zaminbar of Kollangondam in Shrivilliputtur Taluk.

No. of witnesses	Witnesses prove what point	Remarks
1 st and 2 nd	Prove that Veeraragava Thathachariar put up in the 1 st witness house in the month of December 1861 and January 1862, on his way to his son-in-law, the 10 th witness village, and on his return from thence.	2 nd witness is a Mirasidar and pays 400 Rs. p. year tax to Government.
3 rd 4 th 5 th 6 th 7 th 8 th 9 th 10 th and 11 th	Prove that they saw Veeraragava Thathachariar on the occasion of the consummation of his marriage of his daughter's son which took place in the 10 th witness house in January 1862, at 3 miles from Palamecolla.	The 3 rd and 4 th are related to the 10 th witness, who is son-in-law of Veeraragava Thathachariar, 5 th pays 70 Rs. p. year tax to Govt, 9 th is the father of the 10 th witness.
6 th	Saw Veeraragava Thathachariar in December and January last.	
7 th	Heard that Veeraragava Thathachariar in the Village (Nanickoff) of the Village in which the	Pays 500 Rs. tax to Government.

No. of witnesses	Witnesses prove what point	Remarks
	the above consummation marriage was performed. Heard that Veeraragava Thathachariar had come there at the time.	
12 th 13 th 14 th and 15 th witnesses.	It is clearly proved by these witnesses that Veeraragava Thathachariar, who was a puket, had performed the ceremony of "Muttiratharam" to the son of the 12 th and the son-in-law of the 13 th and brother-in-law of the 14 th witness on the 19 th Aug st 1861, at the 12 th witness house, and the 15 th witness, the Zaminbar of Kollangondam, testifies that he was present on the occasion and received yellow coloured rice from Veeraragava Thathachariar as a mark of his blessings.	The 12 th 13 th and 14 th witnesses were examined by the Tahsildar of Shrivilliputtur in my presence and the 15 th witness having been questioned by the Tahsildar by means of a letter, communicated what he knew in the matter by means of a "Gadast".

*sent with Gadast 4.

The Proceedings held in the

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Petition from GOPAULASAWMYTHATHA CHARRY *alias* GOPAU-LATHATHA CHARRY a resident of the village Sreevilliputhur, Cusbah Tinne-velly, Plaintiff in Original Suit No. 6 of 1846, on the files of the Principal 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.

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 the District since Fasli 1262. Mr. Robinson will report the result in due course.

(True Extract.)

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

To the Board of Revenue.

" Collector of Tinnevely.

" Inspector General of Mofussil Police.

Paragraph 1 to Memorialist.

*God the Supreme of Power
will reward him with pardon
when the individual is self-worth
in him & his case himself*

Exd. S. T. Augustin

2376787

*Memorialist's
brother Veeraragavathatha
Charry is self-worth
in him & his case himself*

No. 451

Office of the Superint^t of Police
Trinivelly 24th August 1863

From Lieutenant C. A. Cortes
Acting Superintendent of Police
S. J. Silver Esq
Magistrate of Triniv.

Sir
With reference to the individual Veerappa
pattasharry mentioned in the documents
herewith forwarded and who it is stated has been
concealing himself since Fasli 1263. I have the
honor to inform you, that I have good reason
to believe, on reliable information, that the above
individual is now ^{at} Streveliputer - consequently I
beg you will be good enough to inform me, what
instructions you wish me to give regarding
his apprehension or otherwise -

2. Unless he is apprehended immediately he
is seen. I am afraid it will be difficult to
make him disclose himself in any other way.

I have the honor to be
Sir

Yours Most Obedt Serv^t
/ Signed C. A. Cortes Lieut^t

/ True copy!

Acting Superint^t of Police
C. A. Cortes
Ag. Superintendent of Police

W. W. W. W. W.
17/9/63

N^o 510.

Immerly Magistrate
Bridget Butcher
Senkashew 25 August 1863

From

J. Silver Esq
Magistrate

To

Lieutenant G. A. Porteous
Acting Superintendent of Police
Immerly

Sir,

In acknowledging the receipt of your letter of the 24th Instant together with its accompaniments, I have the honor to inform you that as you state in your letter under reply that you have good reason to believe (on reliable information) that the individual Veeraragavathachary therein referred to, is now in Ottrevilliputtur, and that unless he is apprehended immediately he is seen it will be difficult to make him disclose himself in any way, I request that you will cause the said individual to be apprehended and kept under the surveillance of a Police constable, and report the same to the Inspector General of Madras Police, for communication to Government.

The enclosures of your letter are returned

I have the honor to be

Yours most Obedt^{ly} Servant
(Signed) J. Silver
Magistrate

(True copy)

G. A. Porteous
Acting Superintendent of Police

G. A. Porteous

Revenue Department

No. 1787

Proceedings of the Madras Government

Under date the 30th September 1863

Read the following ^{endorsement} letter
from the A^d. Assistant Inspector
General of Mysils Police.

Submitting letter from ^{the} Superintendent
Tinnevely Dist^o forwarding corres-
pondence regarding the apprehension
of one Veeraragava thattha Chetty, and
requesting instructions as to
the disposal of the individual in question
on capture.

(Here enter 23rd Sept^r/63)

In their order of 20th
June last No. 1092. the Gov^t
requested the Inspector
General of Mysils Police
communication with the
Collector of Tinnevely to
institute further enquiries
as to the existence of one
Veeraragava thattha Chetty
? had, it was said, dis-
appeared from the District

Sanli 1262. Mr. Blober
was requested to report the
result in due course.

2 The Acting Assistant
Inspector General now for-
wards reports which have
been received from the Sup-
of Police in Tinnevely on
the subject. From these pa-
pers it appears that Lieut.
Porteus having received reli-
ble information that the
missing man was at Stri-
velliputur applied to

Magistrate for instructions
to his apprehension. In reply
Mr. Silver requested that
the man might be apprehended
and kept under the surveillance
of a Police Constable, the
being reported through C.

Inf

24th August 1863 H. 1151.

25th August 1863 H. 510.

vide his letter to Inspector
Genl of Madras Police of
Sept. 1862 H. 472.

+ He must therefore be
once released if
still under deten-
tion.

Inspector General of
Police for communication to
Government. The Superintend-
has accordingly directed the
Inspector of the village in
question to arrest the party
and not to release him unless
he finds two heavy sureties.
Colonel Temple in forwarding
these papers requests instruc-
tions as to the disposal of
Keeraragavathatha Chari in
the event of capture.

The Government ob-
serve that no charge has been
brought against the individual
alluded to and that it is there-
fore out of the question to ar-
rest and hold him to security.

The question of his exis-
tence is a matter of importance
his brother Gopulaswami that

Chari

try but the Govt
interest in him except that
they cannot pay the arrears
of ready money allowance
entered in his name and payable
only during his lifetime
until it is satisfactorily
proved that he is still alive
The reason alleged by the
Superintendent of Police for
his belief that the latter
is the case is that this
"ragava" was seen by the
"Inspector of Shrivellipuzha"
"who conducted him before
the Head Assistant Magistrate"
"where he owned himself
to be the party sought
for. This of itself is of course
insufficient to prove identity"

but the Magistrate has
left taken further steps to
find out the true state of
the case and he will now be
called upon, thro the judicial
Department, to report what
he has done.

cgw

4th Inspector General of Police 20th Sept 1872

5th Judicial Dept

11 Board of Revenue

Revenue 1863 Depar^t.
Pro: of Govt for Sept.

N. 1787.

Pro: of the Madras Govt.
2nd Sept/63.

Letter from the Asst.
Inspector Genl of Mysore
to me requesting instructions
as to the disposal of Tegra:
ragappa Antha Chetty
of Turnevally in the event
of Capture, with orders
thereon.

N. 371 + 372.