

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1920	Press Mis.
270.271	
Dated	23-10-1963

Not to be folded or roughly handled

No. 270. Read the following Proceedings of the Board of Revenue, dated 24th September 1863, No. 6,089:—

Read the following letter from the Honorable R. S. ELLIS, C.B., Collector of Madras, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Saidapet, 29th August 1863, No. 333.

SIR,

1. I have the honor to lay before the Board the following facts connected with a share in the Shrotriem village of Pondur, and request their instructions as to the disposal thereof.

2. The Board will find a full history of the Shrotriem village of Pondur in the letter of Mr. Maltby, the late Acting Collector of this District, dated the 30th July 1847. I shall therefore content myself by giving a brief history of the case.

3. The Shrotriem village of Pondur originally formed a portion of the Padi Muttah, since reverted to Government in the Conjeveram Talook.

4. The original grantee of the Shrotriem village was one Audiappah Mudali, but the object of the grant could not be ascertained, the original Parwanah having been lost. In 1791 the village was registered in the name of Muttu Mudali, the brother of the original grantee by Mr. Balfour. In 1809, the village is stated to have been in the possession of Ramakistna Mudali, the son of the original grantee, and Veda Chella Mudali, his grand nephew. In 1813, on the death of Ramakistna Mudali without issue, the Shrotriem village was registered in the name of Veda Chella Mudali alone, and again in 1815 jointly in the names of Veda Chella Mudali and his brother Annasami Mudali. Veda Chella Mudali died in 1830, leaving two sons, Ponnambala Mudali and Audiappah Mudali, of whom the latter was the adopted son, the adoption having taken place before the birth of his own son.

5. After the death of Veda Chella Mudali, Annasami Mudali claimed to be the absolute proprietor of the whole village to the exclusion of the sons of the deceased Veda Chella Mudali, on the ground that the latter during his life-time allowed him no share in the village, and that therefore he had a right to enjoy the whole village in his turn. Annasami Mudali also produced an instrument said to have been executed by the deceased, constituting him the absolute proprietor of the whole village during his life, which however was pronounced as invalid by Mr. Maltby.

6. Mr. Maltby, the late Acting Collector of the District, fully entered into the merits of the case, and recommended to the Board that the Shrotriem village should be divided into two portions and made over, the one to the sons of the deceased Veda Chella Mudali, and the other to Annasami Mudali.

Vide Proceedings of the Board 15th November 1847, and the Madras Government Secretary's letter to the Secretary to the Government of India, 21st September 1847, No. 1,039, and the reply of the latter Officer, 9th October 1847, No. 941.

7. The Government accordingly sanctioned the above proposal, with the proviso that the grant should be continued during the lives of Annasami Mudali and the two sons of Veda Chella Mudali.

8. According to this last Order, the Shrotriem village was registered in the joint names of Annasami Mudali and his two nephew, Ponnambala Mudali and Audiappah Mudali.

9. Annasami Mudali died in October 1852, and his share of the village lapsed to the Government.

10. Ponnambala Mudali also died on the 8th January 1863, and the only registered proprietor of the Shrotriem village that is now surviving is Audiappah Mudali, the adopted son of the late Veda Chella Mudali.

11. Audiappah Mudali contends that the entire half share which he and his late brother were enjoying should be continued to him during his life.

12. It remains for the Board to determine whether, according to the request of Audiappah Mudali, he should be permitted to enjoy the entire half share, or whether one-fourth share has lapsed by the death of his brother Ponnambala Mudali.

*Proceedings of the Madras Government, Revenue Department,
23rd October 1863.*

13. It will be remembered that Audiappah Mudali is the adopted son of the late half sharer Veda Chella Mudali, and according to Hindu Law (a son having subsequent to his adoption been born to his adoptive father) entitled to only one-fourth of his adoptive father's property, or, as regards the Shrotriem, to one-eighth of the whole Shrotriem.

The Board consider that the whole of the half share of the Inám should be registered in the name of Audiappah Mudali, but the orders of Government will be taken in the matter, with reference to the correspondence quoted by the Collector, and to the Order of Government dated 11th December 1852, No. 1,201.

No. 271. ORDER THEREON, 23rd October 1863, No. 1,920.

The Governor in Council agrees with the Board and authorizes the registration in the name of Audiappah Mudali, of the half share hereto fore enjoyed by him in common with his deceased brother Ponnambala Mudali.

(True Extract.)

(Signed) C. G. MASTER,

Deputy Secretary to Government.

To the Board of Revenue.

„ Collector of Madras.

Exd. S. T. Augustin.

No. 6,089.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 24th September 1863.

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11. Audiappah Mudali contends that the entire half share which he and his late brother were enjoying should be continued to him during his life.

12. It remains for the Board to determine whether, according to the request of Audiappah Mudali, he should be permitted to enjoy the entire half share, or whether one-fourth share has lapsed by the death of his brother Ponnambala Mudali.

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(A true Copy and Extract.)

Sub-Secretary.

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

Copy to Honorable R. S. Ellis, C. B., Collector of Madras.

Exd. J. Wright.

18-1920
The Governor in Council agrees with the Board and authorizes the registration in the name of Audiappah Mudali, of the half share heretofore enjoyed by him in common with his deceased brother Pannambala Mudali.

Front St. George
23rd Oct 1863

14 copies to the Secy Genl Dept 26 Oct
M C - a Collr of Madras Dept 28 Oct

5/11/14
18.2.19.

18021 Sept 14/14 No 37-38
2 Nov 14/14 " 15-16
11 Dec 14/14 " 20-21

PROCEEDINGS OF THE BOARD OF REVENUE

No. 2347.

Rev 1863. Department
Secy of Govt for India

Dated 24th September 1863.
20/10/1863
20/10/1863

No. 6,089.

Submitting letter from the Collector of Madras reporting on the Shrotriem village of Pundar and requesting the Board's instructions as to the disposal thereof.

1860. 23 Oct

With an Order