

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 256

Press
~~Mis.~~

71-72

Dated

6-2-1918.3

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
6th February 1863.*

No. 71. Read the following Proceedings of the Board of Revenue, dated 12th January 1863,
No. 138:—

Read the following letter from the Honorable D. ARBUTHNOTT, Collector of Salem, to W.
HUDLESTON, Esq., Secretary to the Board of Revenue, dated 19th December 1862,
No. 275.

SIR,

1. I have the honor to forward herewith copy of a Decree passed on the 29th November 1862, by the Acting Principal Sudder Amin of Salem in Original Suit No. 12 of 1859, adjudging that the new sluice constructed by the 3rd and 4th Defendants should be removed; that the 1st and 2nd Defendants, viz., Collector and District Engineer, ought not to have been made parties to the suit; and that their costs should be paid by the Plaintiff.

2. The Order of Government sanctioning the defence in this suit has been mislaid in my Office, and I am therefore unable to quote its date. The Board's Proceedings reviewing the Collector's letter on the subject is dated the 23rd November 1859, No. 4,803.

ENCLOSURE No. 1.

ABSTRACT.—Copy of a Judgment passed by the Acting Principal Sudder Amin of Salem in Original Suit No. 12 of 1859.

Board's Proc. 23rd November 1859, No. 4,803.
Govt. " 28th " 1,613.
Original " Suit No. 12, Sub-Court of Salem.
Gopien..... Plaintiff,

versus

Acting Collector..... 1st Defendant.
District Engineer..... 2nd "
Collen..... 3rd "
Kempen..... 4th "

1. Ordered that the above letter and its enclosure be submitted for the information of Government, with reference to the correspondence noted in the margin.

2. The circumstances of this suit were fully reported in the Board's Proceedings of the 23rd November 1859, No. 4,803. Two Dasawanta Inamdars built a new sluice to the Dasawantam Corangary tank in the Salem District, on a lower level than that of an old one by which the water had previously been distributed, whereby the lands of the Plaintiff were deprived of their accustomed supply of water. The Plaintiff entered an action against these parties, and included the Acting Collector and District Engineer as 1st and 2nd Defendants, simply because the former, on the professional opinion of the latter, had instructed his subordinates not to interfere in the matter. The Acting Principal Sudder Amin, in directing the removal of the new sluice, has ruled that neither the Collector nor District Engineer should have been made parties to the suit, and that their costs should be paid by the Plaintiff.

(A true Copy and Extract.)

(Signed.) W. HUDLESTON, *Secretary.*

No. 72.

ORDER THEREON, 6th February 1863, No. 256.

Ordered to be recorded.

(Signed.) C. G. MASTER,
Deputy Secretary to Government.

No. 138.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 12th January 1863.

Read the following letter from the Honorable D. ARBUTHNOTT, Collector of Salem, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated 19th December 1862, No. 275 :—

1. I have the honor to forward herewith copy of a decree passed on the 29th November 1862 by the Acting Principal Sudder Amin of Salem in Original Suit No. 12 of 1859, adjudging that the new sluice constructed by the 3rd and 4th Defendants should be removed ; that the 1st and 2nd Defendants, viz., Collector and District Engineer, ought not to have been made parties to the suit ; and that their costs should be paid by the Plaintiff.

2. The Order of Government sanctioning the defence in this suit has been mislaid in my Office, and I am therefore unable to quote its date. The Board's Proceedings reviewing the Collector's letter on the subject is dated the 23rd November 1859, No. 4,803.

ENCLOSURE No. 1.

ABSTRACT. — Copy of a Judgment passed by the Acting Principal Sudder Amin of Salem in Original Suit No. 12 of 1859.

Board's Procs., 23rd November 1859, No. 4,803.
Govt. „ 28th „ „ 1,613.

Original Suit No. 12, Sub-Court of Salem.

Gopien.....		Plaintiff,
	versus	
Acting Collector.....	1st	Defendant.
District Engineer.....	2nd	"
Collon.....	3rd	"
Kempen.....	4th	"

1. Ordered that the above letter and its enclosure be submitted for the information of Government, with reference to the correspondence noted in the margin.

2. The circumstances of this suit were fully reported in the Board's Proceedings of the 23rd November 1859, No. 4,803. Two Dasawanta

Inadars built a new sluice to the Daswantam Corangary tank in the Salem District, on a lower level than that of an old one by which the water had previously been distributed, whereby the lands of the Plaintiff were deprived of their accustomed supply of water. The Plaintiff entered an action against these parties, and included the Acting Collector and District Engineer as 1st and 2nd Defendants, simply because the former, on the professional opinion of the latter, had instructed his subordinates not to interfere in the matter. The Acting Principal Sadder Amin, in directing the removal of the new sluice, has ruled that neither the Collector nor District Engineer should have been made parties to the suit, and that their costs should be paid by the Plaintiff.

(A true Copy and Extract.)

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

Copy to Honorable D. Arbuthnott, Collector of Salem.

Exd. J. Wright.

Secretary

2028 January 1863

1863. Department
of Justice

No. 121

PROCEEDINGS OF THE BOARD OF EXAMINERS

Dated 12th January 1863.

Despatched 14th

Received 18th

No. 133

Submitting with remarks letter from Collec-
tor of Salem, forwarding copy of the Decree of
the Principal Sudder / in ten of Salem in O. S.
No 12 of 1850.

No. 256

RECORDED

11. Copy of the Decree of the Principal Sudder / in ten of Salem in O. S. No 12 of 1850.

Chin A. L. Prang
Secretary 1863

May 1862