

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1022	Press Mis.
Dated	1-5-	1866

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
1st May 1866.*

No. 3. Read the following Proceedings of the Board of Revenue, dated 18th April 1866, No. 2,688.

Read the following letter from the Collector of North Arcot, to the Secretary to the Board of Revenue, dated Polur, 10th March 1866, No. 58:—

1. I have the honor, with reference to the Board's Proceedings, dated 12th and 23rd ultimo, Nos. 1,001 and 1,313, to enclose, for their perusal, translations of five petitions* received from the first

widow and from the eldest son of the second widow of the late Poligar of Bungary Polliem.

2. The first widow, Subbamagaru, states in her petitions that the late Poligar, her husband, first married two wives on one and the same day, who both died soon after without issue.

3. Subbamagaru further represents that, on the 2nd September 1847, the late Poligar married her at the Palace during the day time, whilst his marriage with the other wife (Vencatamagaru) was celebrated in an adjoining house during the night of the same day. Under these circumstances, she maintains that she is entitled to be considered the first, and Vencatamagaru the second, surviving widow.

4. I beg in addition to the papers adverted to above, to enclose free translations of two Statements marked A. and B. taken from the Purohita (family priest) Siva Ramiah, and Mudu Krishnama Nayanivaru, half-brother of the late Poligar's father.

5. These papers confirm the fact that the first double-marriage did take place, and that both the wives, then married, died without issue.

6. From these, the Board will likewise gather that Subbamagaru, the first of the two surviving wives by the second double-marriage, has five sons and two daughters, the eldest of the former, named Chendrasekhara Nayanivaru, being now twelve years of age.

7. The same papers will further shew that the second surviving widow by this double alliance, named Vencatamagaru, has three sons and three daughters, her eldest son, Seshama Nayanivaru, being about fourteen years old.

8. This Seshama Nayanivaru represents, in support of his own claim, that he is the first born of the sons of the late Poligar, that he is seventeen years of age, and is now prosecuting his studies at the Government School at Chittoor.

9. The Statement marked A., given by Mudu Krishnama Nayanivaru, who is the second surviving son by the sixth wife of the late Poligar's grandfather, named Chendrasekhara Nayanivaru, affords an immediate illustration, from the family history, of the principle which regulates the succession to the Polliem. From this, the Board will learn that, on the occasion of the installation of the late Poligar's father, his (deponent's) elder brother Venkatappa Nayanivaru, a son by the sixth wife, although at the time forty years old, and the senior in years, was set aside, with the full consent of the family, in favor of his half-brother Peddaramappa Nayanivaru, (the late Poligar's father,) then thirty years, and his (Venkatappa Nayanivaru's) junior by birth, on the ground that this latter, his junior half-brother,

was the eldest son of the fifth, and the then *senior surviving* wife who was recognized as the Dharma Bhariya or Puttapu Bhariya under the principle of precedence observed in the family, and noticed in Minutes of Consultation, dated 4th September 1827, reviewing the Board's Proceedings, dated 3rd May 1827, on a detailed report of the then Principal Collector, Mr. Nisbet, dated 6th April 1826, on the question of succession in the case of the late Poligar.

10. The complication which thus at first sight presents itself, as to whether the son of the first surviving widow, though junior in point of age, shall succeed in preference to the son of the second surviving widow, who is his senior by birth, disappears, and is conclusively settled by this precedent in the family history."

11. As the case thus stands, I have no hesitation in recommending that Chendrasekhara Nayanivaru, the eldest son by Subbamagaru, the first of the two surviving widows, be recognized as heir and successor to the late Poligar, in preference to Seshama Nayanivaru, his half-brother, who, though his senior by birth, must give place by virtue of the inferior title of his mother Vencatamagaru as second wife, such course of succession being sanctioned by family precedent, and recognized in principle in the views laid down in Note 4, page 171, Board's Circular Order, volume I.

12. The enclosures of Petition No. 5 have been retained for the purpose of being returned to the party who filed them. They are authenticated copies of a Civil Decree, and certain other deeds executed and registered in the Civil Court at Chittoor, on the 3rd April 1861, by the late Poligar. These set forth, on the one hand, that the Polliem with its arable land, tanks, channels, topes, &c., is reserved to the rightful heir and successor, and on the other hand, that, inasmuch as Vencatamagaru, his second wife, and her three sons, desire to live separately, a "Kayempatta" has been executed in their favor, whereby five villages are assigned to them for maintenance, subject to an annual assessment of Rupees 1,350, payable to the Poligar, besides certain Dasabandam lands measuring Ks. 2.2, together with monthly allowances to the three sons, on the following scale:—

	RS.	A.	P.
First son	35	0	0
Second son	23	13	0
Third son	23	13	0
Total	82	10	0

13. These documents are strong additional evidence as they clearly indicate, that it never entered into the mind of the late Poligar, that any such counter-claim as that now advanced by the son of the second surviving widow could arise.

14. I do not think that there is any necessity for the Board's interposition as Court of Wards, as Subbamagaru retains the services of her late husband's advisers, and is, I am informed, quite capable of administering the affairs of the Polliem until her eldest son can take the management into his own hands. In making this recommendation, I propose the same course as that directed to be taken under similar circumstances in paragraph 5, Extract from Minutes of Consultation, dated 4th September 1827.

15. In one respect perhaps might official pressure be advantageously exercised, and that is, in requiring Subbamagaru to place her son either at the Chittoor

School, or at any other of the Government Educational Institutions which she may prefer. On this point I have not yet sounded her, but propose doing so, if permitted, as soon as the question of succession has been finally settled by Government.

ENCLOSURE No. 1.

ABSTRACT.—Translation of an Arzi addressed by Subbamagaru, first widow of the deceased Poligar of Bungary Polliem.

ENCLOSURE No. 2.

ABSTRACT.—Translation of an Arzi addressed by Subbamagaru, first widow of the deceased Poligar of Bungary Polliem.

ENCLOSURE No. 3.

ABSTRACT.—Translation of an Arzi addressed by Subbamagaru, first widow of the late Poligar of Bungary Polliem.

ENCLOSURE No. 4.

ABSTRACT.—Translation of an Arzi addressed by Chendrasekhara Nayanivaru, son of the deceased Ramadasappa Nayanivaru, Poligar of Bungary Polliem.

ENCLOSURE No. 5.

ABSTRACT.—Translation of an Arzi addressed to J. D. ROBINSON, Esq., Collector of North Arcot, by Seshama Nayanivaru, first son of the widow of the deceased Poligar and his mother Vencatama.

ENCLOSURE No. 6A.

ABSTRACT.—Translation of a statement made by Mudu Krishnama Nayanivaru, half-brother of the late Poligar Ramadasappa Nayanivaru, before the Collector of North Arcot.

1. Ordered that the above paper be submitted to Government, in continuation of the Board's Proceedings, dated 12th and 23rd February 1866, Nos. 1,001 and 1,313, relative to the recent death of the Poligar of Bungary Polliem, Ramadasappa Nayanivaru, and with the Board's recommendation that Chendrasekhara Nayanivaru, the eldest son of Subbamagaru, the senior widow of the deceased, be recognized as his successor in the Polliem, and that an Istimirar Sannud for the Estate be issued in his name.

2. It appears that the late Poligar first married two wives, sisters, at one and the same time, both of whom died without issue, and that he next married the above-named Subbamagaru in the day time with full ceremonies as his Puttapu Bhariya, and at night of the same day, and with less ceremony, Vencatamagaru, who also survives him, and whose eldest son advances a claim to the Estate as the first-born son of the deceased Poligar.

3. The Government are well aware that the rank of the mother, rather than the priority of birth of the children, very generally determines the succession in such cases by the custom of the families and country, and in the case of the Bungary Polliem there are precedents to prove that such was the custom of this parti-

Proceedings of the Madras Government, Revenue Department,
1st May 1866.

cular family, Pedda Ramapa Nair (the father of the late Poligar) having been

See
From Collector of North Arcot, dated 6th April
1826, paragraphs 7 to 11.
Board's Proceedings, dated 3rd May 1827, para-
graphs 7 and 8.
Extract from Minutes of Consultation, dated 4th
September 1827, No. 681, Revenue Depart-
ment, paragraph 5.

recognized as heir to his father Chen-
drasekhara Nair with reference to his
mother's rank, and to the exclusion of
his elder born brothers, with express
approval, and Ramadasappa, the late
Poligar, having accordingly been
installed as Poligar by order of Govern-

ment during the life-time of his uncles, one of whom still survives, and has now
deposed in favor of the course recommended by the Board for adoption.

4. The family priest also testifies to the custom of the family, the expectation
of the people on the Estate, and the wishes of the late Poligar as expressed on his
death-bed, which were similarly reported by the Sheristadar and Vakeel of the
deceased when informing the Collector of his death.

5. The fact of the junior widow and her family having for some time past,
been allotted a separate maintenance, corroborates the above opinion as to the
rightful succession.

6. The Board are of opinion that in the interests of the Minor it is decidedly
advisable that the Estate be placed under the Court of Wards.

No. 4. ORDER THEREON, 1st May 1866, No. 1,022.

Land Revenue

1. The Estate of Bungary in North Arcot is an
"Unsettled Polliam," and the succession to it depends on
the pleasure of Government.

2. The Right Honorable the Governor in Council is pleased, in the exercise
of his prerogative, to declare Chendrasekhara Nayanivaru the next holder of the
Polliam in succession to his late father, Ramadasappa Nayanivaru.

3. The Board of Revenue, in their capacity of Court of Wards, will take the
necessary measures for assuming charge of the Estate, and will make arrangements
without delay for the proper education of the children of the late Poligar.

4. With reference to G. O. dated 10th November last, No. 2,730, the
Government wish to know whether the late Poligar applied for a Sunnud, and
whether the Estate is involved or not.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.

Exd S. T. Augustin.

72-1022
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for the proper edu-
cation of the children
of the late Poligar.
With reference to
G.O. of 10.11.1865 last
No. 2730, the Jnt. Dist
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late Poligar applied
for a Sannud. and
whether the estate
is involved or not.

1863-4. J. D. S.
P.S. As the minor is
12 years old, I am in-
clined to think the
issue of a Sannud should
rather be deferred. But
this can be settled when
the Jnt. Dist. Officer
has replied. 5th May 66.
C.S. 4/10/66 1220

Rev. 1866. Department.
Pr. of Govt. Secretary

No. 1135.
PROCEEDINGS OF THE BOARD OF REVENUE,
Pr. B. of Govt. dated 17th July
1866 & 20th Oct.

Dated 18th April 1866.
Sd/-
20th
27.04.66

No. 2,688.

Recommending that Chendrasekhara Nayani-
varu be recognised as successor to the Bungary
Polliem in North Arcot and that an Istimrar
Sannud for the estate be issued in his name and
the estate brought under control of Court of
Wards.

1866. 14th May

With orders