

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. <i>1073</i>	Press Mis.
Dated <i>4. 3.</i>	18 <i>86</i>

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
4th May 1866.*

No. 107. Read the following Proceedings of the Board of Revenue, dated 30th April 1866, No. 3,024.

Read the following letter from the Collector of the Kistna District, to the Secretary to the Board of Revenue, dated Nizampatam, Repalli Talook, 7th April 1866, No. 111:—

1. I have the honor to forward, herewith, translation of a complaint brought by Rajah Yarlagudda Ankemud Bahadur, Zemindar of Devarakottah Purganah, in the Principal Sudder Ameen's Court at Masulipatam, in original Suit No. 8 of 1866, against myself and the Deputy Director of the Revenue Settlement, as well as against certain Ryots of Pramurru village, in the Talook of Gudivadah, for the recovery of a certain piece of land called "Jagadala Doddi," which, at the time of the demarcation, was included under Pramurru village, together with its assessment for the past Fuslies.

2. The following facts of the case have been gathered from the papers received with the accompanying copy of a letter from Mr. W. Wilson, Head Assistant Collector of this District, on special duty, Revenue Settlement Department.

3. On the confines of the village of Pramurru, in the Gudivadah Talook, is a piece of land of about ninety acres, which has immemorially gone by the name of "Jagadala Doddi," as it is said to have been the site of a sanguinary fight in former days. A superstitious feeling, and abundance of land elsewhere, combined to prevent its being cultivated or indeed entered in the accounts of Pramurru, or in those of the adjoining villages of

Padasanagallu...	...	...	...	} Devarakottah Zemindary.
Batlapanumurru	...	...	...	
Vuruturu Agraharum	...	...	Nuzid do.	

when it became necessary to demarcate Pramurru, the other villagers disclaimed the possession of the land, and Mr. Ballard, the then Deputy Director, ordered the same to be demarcated as a separate khandam or tract in the Pramurru limits. Soon after this had been done, the Padasanagallu people put in a claim to the land; but as they had before disclaimed it, Mr. Ballard rejected their claim.

4. Upon this, the Zemindar of Devarakottah forwarded a petition to the Director of the Revenue Settlement as an appeal against the order of Mr. Ballard, which informed the Zemindar "that the land was entered in the accounts of Pramuru under the reasons set forth in the Kyfeyot presented by the Kurnum, Munsiff, and Pettanadars of Padasanagallu village before the Inspector, Gopala Charri."

5. As from the information supplied by Mr. Ballard, with reference to the Director's endorsement on the above petition, it appeared that his first proceedings were held without any reference to the Zemindar, the Director instructed Mr. Ballard to call upon the Zemindar to produce evidence in support of his claim.

6. The Zemindar being called upon twice on the subject, informed the Deputy Director that his records being in much confusion, he was unable to find any documents to support his claim; but that if he could find any thing in his favor on further search, he would submit it.

7. On this being communicated by Mr. Morris, the Director of the Revenue Settlement, passed an endorsement* on the Zemindar's Petition in the following

Dated 28th July 1860.

*Proceedings of the Madras Government, Revenue Department,
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words:—"The Zemindar is at liberty to appeal to the Civil Court within the period prescribed in Section 25, Act No. XXVIII. of 1860."

8. The Zemindar did not take this course within two Calendar months from the date of the above endorsement, but petitioned the Revenue authorities till April 1865, when the Collector informed him that he could not interfere with his case, as he did not appear to have brought the suit, as recommended by the Director.

9. With the plaint, have been filed the village Dowles of Padasanagallu, to which village it is stated that the suit belongs, for Fuslies 1248, 1249, and 1250. Mr. Wilson examined these accounts in Court by the permission of the Judge, and is of opinion that they are genuine; and that the site unquestionably belongs to Padasanagallu.

10. I have been unable personally to examine these documents as the rules of the Court prohibit their being sent out for perusal.

11. The accounts rendered by the Zemindar in support of his claim, appertain to the time of his minority, when the estate was under the management of the Court of Wards. The Huzur accounts for that period were all destroyed by the late cyclone, and there is, therefore, no means of testing their validity.

12. Mr. Wilson has furnished a map of the village of Pramurru prepared in his Department. He states that it will shew that the "Jagadala Doddi," as delineated in the Plaintiff's plan, is substantially correct.

13. As the disputed land was never claimed to be Government property till the year 1859, when, as the adjoining Zemindary villagers disclaimed it, it was ordered to be demarcated as a separate tract in the limits of Pramurru village without reference to the Zemindar. I concur with Mr. Wilson in thinking that there is no good ground for defending the suit, and think that the ground in question should be restored to the Plaintiff.

Fuslies.	Land. Acres.	Assessment. Rs. A. P.
1270 ...	64-24	84 0 0
1271 ...		80 6 8
1272 ...		80 6 8
1273 ...		81 6 8
1274 ...		82 14 0
1275 ...		82 1 4
		491 3 4

14. Since the land was demarcated as the Government property, the assessment, as entered in the marginal state, ment, has been collected from its cultivators, and tickets have been issued to them by the Settlement Department for Fusly 1276.

15. The accompanying Notice was issued to my predecessor by the Court, intimating that the Plaintiff had applied for an injunction to order the Collector to refrain from granting Puttahs for the disputed land. The time allowed in it will expire on the 17th instant. As I see no grounds for opposing the compliance with the Plaintiff's prayer, I request the Board will be pleased to allow an amicable adjustment of the suit; and to obtain the sanction of the Government for refunding to the Plaintiff Rupees 491-3-4, being the past six year's assessment.

16. I have applied to the Court for one month's time more to put in my answer to the plaint, and to the above notice regarding the issue of an injunction.

*Proceedings of the Madras Government, Revenue Department,
4th May 1866.*

From the Head Assistant Collector of Kistna, on special duty, Revenue Settlement Department, to the Collector of the Kistna District, dated Masulipatam, 16th March 1866, No. 83-51.

In continuation of my letters, Nos. 55-34 and 86-19, dated 17th ultimo and 12th current, I

1. Petition from the Zemindar of Devanacottah 24th January 1866.
2. Abstract of further petition from do. do. dated 25th March 1866, with copy of Director's endorsement, 28th July 1866.
3. Letter from Mr. Ballard, to Director, dated 3rd April 1866, No. 50, with one enclosure.
4. Director's Proceedings, 13th April 1866, No. 227.
5. Letter from Mr. Morris to Director, dated 17th July 1866, No. 115, with one enclosure.

have the honor herewith to forward to you the papers noted in the margin, which have been received by me from the Central Office at Madras, and which seem to be all that are in existence relative to the subject of the Suit No. 8 of 1866 in the Court of the Principal Sudder Ameen of Masulipatam. I enclose also copy of

the Map and Extracts from the village Dowlest of Padasanagallu for Fuslies 1248, 1249, and 1250 filed by the Plaintiff. For your information, I enclose also the Departmental Map of the village of Pramurru, which will shew that the Jagadala Doddi, as delineated in the Plaintiff's plan, is substantially correct; copy of a letter addressed by me to the Officiating Director is also forwarded. With reference to the conclusion thereof, I would suggest an examination, by you, of the original Dowles now in Court. They appeared to me genuine, and their genuineness is the only question at issue, for till 1859 the subject of suit was never denominated or claimed to be Government property. If satisfied of the genuineness of these, I would advise an adjustment of the suit by calling upon the Plaintiff to withdraw paying costs on condition of giving up the site to him.

ENCLOSURE No. 2.

ABSTRACT.—Translation of a complaint in Original Suit No. 8 of 1866, Masulipatam Principal Sudder Ameen's file.

ENCLOSURE No. 3.

ABSTRACT.—Copy of a Notice issued by the Principal Sudder Ameen's Court at Masulipatam.

1. The Board approve the proposal to relinquish the land in question to the Zemindar, who seems clearly entitled to it.

2. Application will be made to Government for leave to refund to him the amount of collections since Fusly 1270, viz., Rupees 491-3-4.

No. 108.

ORDER THEREON, 4th May 1866, No. 1,073.

Land Revenue

1. From the Collector's letter it appears that the Zemindar was twice called upon in 1860 to produce evidence in support of his claim to the land which forms the subject of the suit reported. His reply is stated to have been that his records were in much confusion, and he was then unable to find any documents to support his claim. He now produces the "Dowles" of the village, to which the land is said to appertain, for the years 1838, 1839, and 1840, and Mr. Wilson, who examined these documents in the Court, considers them genuine. If this be the case, the right of the Zemindar is indisputable; but the Government are not informed whether the documents are now produced for the first time, and whether search has been made in the Collector's records for evidence in support of or antagonistic to the Zemindar's claim. Nor does it appear why the Collector has not himself examined the documents in the same way as Mr. Wilson did.

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2. The suit was filed on the 17th January last, and the Collector addressed the Board on the 7th April, only ten days before the time fixed by the Court. So that unless the Court has granted additional time, the orders of Government will arrive too late to be of use.

3. If the Court has granted additional time, the Collector will himself examine the documents carefully, and if satisfied that they are genuine and correct, will withdraw all claim on the part of Government to the land.

4. The Collector will explain the cause of the delay in reporting the case.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.

the Collector of the Kistna District

Noted by the Collector of the Kistna District
2nd May 1866
J. D. SIM

W. M.

22-10-73
From the letter it appears that the Zamindar has twice called upon in 1860 to produce evidence in support of his claim to the land which forms the subject of the suit reported. His reply is stated to have been that his records were in much confusion and he was then unable to find any documents to support his claim. He now produces the "Dawles" of the village, which the land is said to abut on, for the years 1838, 1839 & 1840, and Mr. Nelson who examined these documents, considers them genuine. If this be the case, the right of the Zamindar is indisputable - but the fact are not informed whether the documents

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are now produced for
the first time since the
search has been made
in the Court records for
evidence in support of
or against the claim of the
Zemindar. Now
does it appear as if the
Clerk has not himself
examined the doc^s in
the same way as Mr.
Wilson did -
The suit was filed
on the 17th Jan^y last &
the Clerk only addressed
it on the 7th April -
i.e. 10 days before the time
fixed by the Court - so that
unless the plaintiff has produced
additional time the order

of the Court will arrive
too late for the
order -

If the Court
has passed an
order at this time, the
Clerk will himself
examine the doc^s
carefully & if satis-
fied that they are
genuine & correct -
will with the draw the
claim on the part
of the Court.

The Clerk will
explain the cause
of the delay in re-
porting the case
on May 10th 1866.

1866
Department
No. 1284

PROCEEDINGS OF THE BOARD OF REVENUE

Dated 30th April 1866.

For the 2nd time
on 3rd May
at 2 o'clock

No. 3024

From the Collector of Kistna
Dist^y of 18th May 1866

Approving proposal of Collector of Kistna
District to relinquish to Zemindar of Devara-
kottah Parganah, land claimed by him in Gudi-
vada Taluk; and requesting sanction of Govern-
ment to refund to Zemindar amount of collec-
tions made on that land since Fasli 1270.

With order