

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 3268	Press Mis.
725-726	
Dated 30-11-1866.	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
30th November 1866.*

No. 725. Read the following Proceedings of the Board of Revenue, dated 6th November 1866, No. 8,031.

Read the following letter from the Collector of Malabar, to the Secretary to the Board of Revenue, dated on Circuit at Vythry, 16th October 1866, No. 289:—

Collector to Board of Revenue, dated 3rd August 1861, No. 172.

Proceedings Board of Revenue, dated 10th Aug. 1861, No. 4,337.

Collector to Board of Revenue, dated 24th Aug. 1861, No. 156.

Proceedings Board of Revenue, dated 2nd September 1861, No. 4,758.

G. O., dated 10th September 1861, No. 1,794, received with Board's endorsement, 11th idem, No. 4,952.

With reference to the correspondence noted, I have the honor to forward, for the information of the Board, copy of the Decree passed by the Acting Principal Sudder Ameen of Calicut in Original Suit No. 71 of 1861.

ENCLOSURE No. 1.

Original Suit No. 71 of 1861.

(*On the Register of the late Court or Mahomedan Sudder Ameen.*)

In the Court of the Principal Sudder Ameen of Calicut.

Present—K. R. Krishna Menon.

Dated 16th August 1866.

Mana Vikrama, Zamorin Rajah of Calicut	...	...	...	Plaintiff.
Etamana Nelakantan Namputirepad	...	...	...	1st Defendant.
Kongatt Vassu Devan Namputeri	...	...	...	2nd do.
Panniry Purushotamen Namputeri	...	...	...	3rd do.
Mangalasheri Nelakantan Namputeri	...	...	...	4th do. (died.)
P. Grant, Esq., Collector of Malabar	...	...	...	5th do.
4th Defendant's name Mangalasheri Narayana Namputeri	...	...	...	6th do.
G. A. Ballard, Esq., Collector of Malabar	...	...	...	7th do.

Suit was brought by plaintiff, the manager of Trikandiyour Devasom, to recover Rs. 2,167-3-8, being the principal and interest, alleged to have been received on 1st June 1858, by the first four defendants, in the assumed character of owners of the said Devasom, from the treasury of fifth defendant, as value of certain Devasom lands taken for public purposes.

This cause coming on to be heard and debated before K. R. Krishna Menon, Acting Principal Sudder Ameen of Calicut, in the presence of Rama Menon, Counsel for the plaintiff, Krishna Menon, Counsel for first, second, third, and sixth defendants, and Shekara Kurup, Counsel for the seventh defendant, and the documentary evidence produced by the plaintiff having been read, and due consideration having been given to what was alleged by the Counsels on both sides, the Court decrees that the first, second, third, and sixth defendants pay to the plaintiff the principal sum of Rs. 1,572-6-8, with Rs. 1,006-5-6, being interest from the date of the suit to this date at the rate of twelve per cent. per annum, and Rupees 137-7-7 out of his costs, the rest, Rupees 79-12-0, being borne by himself, and that the plaintiff will pay the seventh defendant his costs, Rupees 109-13-7, and the first, second, third, and sixth defendants Rupees 29-12-0 out of their costs, the rest, Rupees 80-9-7 being borne by themselves.

*Proceedings of the Madras Government, Revenue Department,
30th November 1866.*

Costa.

Sum, 1,572-6-8, and under XXXVI of 1866
Fees of the Court, for the first time, Regulation XIV of 1816
The other costs of the defendants are
The costs of the plaintiff are
Value of the property, as per the survey
The costs of the plaintiff are
The costs of the plaintiff are
The costs of the plaintiff are

Term of Appeal, from the 1st of September 1866.

No. 18 of 1866, instituted by these defendants against the plaintiff, to recover possession of the pagoda and its property. The decree decided that the management of the late Zamorin did not commence as a simple agent, and their decision on a question of fact is final. According to the defendant's own shewing, the plaintiff now represents the Devasom, and as such representative, he is entitled to recover the amount due to that Devasom. I do not, however, think it proper to allow interest prior to the date of the suit, as no interest was payable on the amount, and as no written notice of the plaintiff's intention to calculate interest appears to have been given to defendants.

I. S.

1866.

Given under my hand and the seal of the Court this 10th day of August 1866.

On two pages

(Signed) K. R. KRISHNA MENON,
Acting Principal Sudder Ameen.

Copy applied for 21st September 1866.

Copy ready 21st do.

(Signed) G. A. BALLARD,
Collector.

Submitted for the information of Government, with reference to Government Order dated 10th September 1861, No. 1,794.

No. 726. ORDER THEREON, 30th November 1866, No. 3,268.

Miscellaneous. Ordered to be recorded.

(True Extract.)
(Signed) J. GROSE,
Under Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

*Proceedings of the Madras Government, Revenue Department,
30th November 1866.*

Appeal Suit No. 18 of 1866, instituted by these defendants against the plaintiff, to recover possession of the pagoda and its property. The decree decided that the management of the late Zamorin did not commence as a simple agent, and their decision on a question of fact is final. According to the defendant's own shewing, the plaintiff now represents the Devasom, and as such representative, he is entitled to recover the amount due to that Devasom. I do not, however, think it proper to allow interest prior to the date of the suit, as no interest was payable on the amount, and as no written notice of the plaintiff's intention to calculate interest appears to have been given to defendants.

6. It is ordered that the first, second, third, and sixth defendants will pay to plaintiff the principal sum of Rupees 1,572-6-8, with interest from the date of the suit, at the rate of twelve per cent. per annum with proportionate costs; that the plaintiff will pay the seventh defendant's costs, as his inclusion in the suit was unnecessary; and that the remaining defendants will pay their own costs.

On two pages.

16th August 1866.

(Signed) K. R. KRISHNA MENON,
Acting Principal Sudder Ameen.

Copy applied for 21st September 1866.

Copy ready 21st do. do.

(True Copy.)

(Signed) G. A. BALLARD,
Collector.

2nd September 1866

Rev. 1863. Department.
Pro of Govt for Nav.

No. 12060.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 6th November 1866.

Dr. 12-0-0
Ac. 13-

No. 8031.

Submitting for information letter from Col-
lector of Malabar forwarding copy of Decree
passed by Acting Principal Sudder Amin of
Calicut in O. S. No. 71 of 1861 for recovery of
proceeds of certain Devasom lands.

25-3268
RECORDED.

W.D.
30-11-66

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W.D. 30-11-66

10. 11. 1866. 11. 11. 1866.