M.R.O. 14–5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1876 Press ~~Mis.~~

252. 254

Dated 12—8—1867.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
12th August 1867.

Read the following papers:—

No. 252. From GURUMOORTAIYA, Inamdar of Thuttanapullay, in the Unkasagerri Poliaput in Salem, to the Secretary to Government, Revenue Department, Fort Saint George, dated 3rd July 1867.

1. In enclosing triplicate copies of my Memorial, for transmission to the Right Honorable the Secretary of State for India, permit me most respectfully to solicit that you will be good enough to have it forwarded with the favorable recommendation of His Excellency the Right Honorable the Governor in Council.

2. From a perusal of the Memorial your Honor will perceive that the amount of quit-rent has been imposed on the Inam village and minor Inam lands which were acquired by my paternal ancestors more than a hundred years ago, and that the imposition of such a heavy rate of quit-rent of half of the assessment is altogether in perversion of the Inam Rules of the 12th August 1859.

3. From the documents in my possession it can be clearly proved that the said Inam lands were acquired by my ancestors, from whom they have regularly descended to me. A portion, however, were temporarily made over to certain female relations for their maintenance, these have no right or title to the Inams. The village of Thuttanapullay was in my possession and enjoyment, and not obtained from a childless widow; only the other minor Inams were given, as aforestated, for the maintenance of the female relatives.

4. As therefore I have been most unjustly dealt with, I humbly request your Honor to bring the subject to the prominent notice of His Excellency in Council, in view that the amount of quit-rent may be reduced to one-eighth of the assessment, or that I may be allowed to enjoy my Inams on Jodi tenure.

No. 1,680 of 1867.

One copy of this Memorial will be referred to the Inam Commissioner for brief report on the petitioner's allegation that the Inam in question was not obtained from a childless widow, but had been given to her for life by his family.

By order,

(Signed) F. BRANDT,
Acting Under Secretary to Government.

Fort Saint George,
22nd July 1867.

No. 253. From the Officiating Inam Commissioner, to the Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 6th August 1867, No. 33.

1. I have the honor to acknowledge the receipt of the Order of Government, dated 22nd July 1867, No. 1,680.

2. There is nothing on the Register to shew that the Inam in question was only temporarily made over to Achammal. On the contrary, it appears that she held her share in her own right. From a copy of the grant preserved in the Collector's records, and from the entries in the accounts, it appears that the Inam was granted to two individuals, three-fourths to Lakshmi Narayanappa, the ancestor of the Memorialist, and one-fourth to Chayappa, the ancestor of Achammal. This last-named person alienated her one-fourth share to the Memorialist, who is related

to her, and this portion of the Inam has, therefore, been charged under the Rules with half assessment.

No. 254. ORDER THEREON, 12th August 1867, No. 1,876.

Miscellaneous. Gurumoortaiya's Memorial will now be submitted to the Secretary of State.

(True Extract.)

(Signed) J. GROSE,

Under Secretary to Government.

Exd. S. T. Augustin.

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To

His Excellency, The Right Honorable
The Secretary of State for India
East India House,
London.

The humble Memorial of
Gurumoortaiya, Inamdar of
Tattanajullay, in the Mukkavaghiri
Paliapat; Taluq of Cavoor, District
of Salem: Madras Presidency

Most humbly sheweth,

That it is with the utmost deference and submission that Memorialist presumes to prefer this appeal to your august Authority against the order of the Local Government, under date the 11th April 1867, declining to interfere in regard to his complaint of his being surcharged by the Inam Commissioner on certain Inam Lands belonging to him, and which order, from a consideration of the subjoined statement, cannot but convince your Excellency that Memorialist has been unfairly and unjustly dealt with.

2. Memorialist is the sole Inamdar of the Agraharam village of Tattanajullay as also of other Inam lands in the villages of Soneypoorum and Berikay for all of which he himself pays the Jodi.

3. Whilst such is the fact, the officiating

Inam Commissioner from a misunderstanding of the judicial nature of the case, assumed one Athammanal to be entitled to ¼ share of the Inam village of Thittamapullay, – and so represented it to Government.

4. That the officiating Inam Commissioner misled Government, Your Excellency will clearly perceive from the fact that the Inam Commissioner did not at all consider how and by whom the Inams were acquired, and who said Athammanal is.

5. The Inam village of Thittamapullay was acquired in Fasly 1161 or more than 115 years ago by Dadappa, Memorialists great-grand-father, from Rengiya Gowd, the then Poligar, in whose service he was.

6. After the assumption of the Country by the British Government the Pallium whilst was attached, was after due investigation registered in Fasly 1221 in the name of Narrain appa, the son of Dadappa. Subsequently it descended to Naramappa's son Lutchmi Naramappa, Memorialists father and then to Memorialist himself. It follows therefore that the ¼ share alleged to belong to Athammanal never could have been hers in the correct sense of the term. She is the grand daughter of Ischainmah the great-great grand Uncle of Memorialist. That the Inams having been the self acquired property of Memorialists great grand father, said Ischainmah's grand-daughter Athammanal has no claim on it.

7. The slightest inquiry on the part of the Deputy Inam Commissioner would have distinctly shown to him that Athammanal had not the smallest title of right to any portion of the Inam village in question. Yet it was on the acknowledgment of the supposed claim of that individual to ¼ of the Inam village that a Quit Rent of half of its assessment has been imposed on it.

8. That this rate is nothing but an exorbitant exaction Your Excellency will clearly perceive from the following considerations.

9. According to the Inam Rules of the 12th August 1859, para 14, it is to be understood that when Inams are proved to be of 50 years standing they will be confirmed to the holders according to their tenure. Consequently, the said Inam village of Thittamapullay, forming the second grand class of Inams should have been confirmed on the following conditions:– That according to para 16, it be optional with the holder to accept the compromise proposed by the Inam Commissioner, either to enfranchise his Inam or not, defendant however (para 18) on the position of the land as in respect of the original holder.

10. Here Memorialist would beg to state that he is a direct lineal heir in the male branch of the family, being the great-grandson of Dadappa the original grantee. To his right or title there is not the smallest question.

11. In para 20 this deduct principle is laid down that ⅛ is the minimum rate to be imposed of the assessment or estimated value of the Inam

belonging to Inamdars who have male or female heirs no evidence competent to establish their family succession, as also to those in regard to whom by reason of their youth, it may be presumed that they will acquire such heirs.

12. In reference to the para immediately above quoted, Memorialist would beg to submit that he has heirs competent to establish the family succession and no motives in seeking an enfranchisement to render his Inam a free hold, but simply to relieve his heirs from all vexation and anxiety hereafter.

13. From this it will be apparent to your Excellency that that the rate of ½ of the assessment on those who have no prospect of having any issue, and the rate of ½ on those who are entirely without heirs are not at all applicable to Memorialist's case. He has heirs, and his right to the entire village is unquestionable, and therefore the Quit Rent should not have been more than ⅛ of the assessment.

14. Further, the average income of the village is Rs. 180 — — —
Deducting Sodi paid to the Poligar — " 59-13-8
There will remain a balance of — Rs 120-2-4
Deduct the Quit Rent now enforced — " 80 — "
There will remain for the benefit of Rs. 40-2-4
Memorialist a balance of

15. This statement in itself will prove to Your Excellency that a great piece of injustice has been done to Memorialist: and that it is hard that he should be called upon to pay the exaction of Quit Rent at the rate of ½ of the assessment.

16. In addition to this injustice the Deputy Inam Commissioner has increased the same ½ rate of Quit Rent on the assessment of the Umalee portions of Inam lands lying in the villages of Soneyporunum and Boriky. The income of the Inams in those villages does not amount to more than 40 Rs, whereas the Quit Rent now being enforced is exactly ½ of Rs 120.

17. Here again Your Excellency will be pleased to observe that these Inams also have acquired by Memorialist's Great Grandfather; and under the Inam Rules as above shown, the Quit Rent should be only ⅛ of the assessment.

18. The family is an undivided one, and Memorialist's Ancestors having been residents of the Sole Inam village of Thallamyduh they thought proper to have the minor Inams in the villages Soneyporunum and Boriky registered in Fusly 1231 in the name of Subbunnah for her maintenance. This circumstance, however, should not invalidate Memorialist's claim, since from the said Inam lands being self-acquired by his ancestors, are rateable to him. Consequently, ⅛ of the assessment only should be imposed on them.

19. The ground on which the ½ rate of the assessment has been enforced appears to be that Memorialist obtained the Inams from a female, who was without issue. Nothing could be more contrary to fact. The records will show that his great grandfather, Dadappa, acquired the Inams, which regularly descended to Memorialist. Those records will further show that the ancestors of the childless widow did not acquire

the Inam, and that Memorialist do not obtain the Inams from her.

20. From the foregoing, your Excellency cannot but be convinced that great injustice has been done to Memorialist.

1st. Because he is the only heir of the original Grantee.

2nd Because his title to the Inam is unquestionable he having established his claim by the most indisputable documentary evidence.

3rd Because he has heirs to succeed him in the enjoyment of the Inams; and

4th Because it should be altogether optional with him to agree to the compromise or not.

Under these circumstances, Memorialist most humbly and respectfully solicits your Excellency to take his hard and pitiful case into just and merciful consideration, and be graciously pleased to pass an order, either directing the Quit-Rent to be reduced to 1/8 of the assessment or to allow him to enjoy his Siddi Inam village and the other minor Inam lands on the usual tenure.

For which act of justice and goodness, Memorialist as in duty bound

Shall Ever pray.

3rd July 1867

Summons to appear, memorial
with notice to produce to the Secretary
of State.

12th August

R

Inst. No. 1680/67

No. 1794 = Aug. 12/67
O 18/8
Proc. = 12th Aug. 67 Lib 252

Rec'd Sealed to England No 49 1867 mo d 12.8.67