

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 929	Press Mis.
<i>30. 355</i>	
Dated 25-4-1867	

Not to be folded or roughly handled

929

*Proceedings of the Madras Government, Revenue Department,
25th April 1867.*

No. 354. Read the following Proceedings of the Board of Revenue, dated 11th April 1867, No. 2,300.

Read the following letter from the Sub-Collector in charge of Nellore, to the Secretary to the Board of Revenue, dated 15th March 1867, No. 76:—

1. With reference to the Board's Proceedings, No. 5,988A, dated 22nd August 1866, I have the honour to forward, herewith, translation of the Decree passed in Original Suit No. 537 of 1865, on file of Ongole District Munsiff's Court, in favour of the defendant J. W. B. Dykes, Esq., Collector of Nellore.

2. The plaintiff has, however, presented an appeal in No. 30 of 1867 to the Civil Court of Nellore, the result of which will duly be reported to the Board.

3. The Government Pleader has been directed to appear before the Court on the 24th day of August 1868, being the day fixed for hearing the appeal.

DECREE.

Original Suit No. 537 of 1865, Munsiff's Court at Ongole, Nellore District.

Eragudipaty Gopalakistnah, the present Munsiff.

<i>Plaintiff,</i>	<i>versus</i>	<i>Defendants.</i>
Sagi Pedda Subbarazu, a cultivator, Kshtriya by caste, an inhabitant of Devarampadu, Ongole talook.		1. Ulichy Kotappah, a Brahmin and Curnum. 2. Do. Kondalarayadu. 3. Batrasy Narasimulu, a Weaver. 4. Do. Bhadrachellam. 5. Gundigunta Ramasawmy. 6. Boduluri Chondari, having died in the course of the dispute, left two sons named Chinna Lingiah and Pedda Lingiah, minors, and their mother named Venkatalutchemy. 7. Vattam Narasimulu. 8. J. W. B. Dykes, Esq., Collector of Nellore.
Pleader. Bhimarazu Ramakistnah.		

The first, second, third, fourth, and fifth defendants are the inhabitants of Ulichy. The sixth and seventh defendants are the inhabitants of Devarampady, a hamlet of Bodduluru, Ongole talook.

Kakany Lukshmy Narusu, the pleader of the second defendant. Nilamrazu Ramaminty, the pleader for the third and fifth defendants. Itemrazu Venkatrayudu, the pleader for the eighth defendant.

1. The plaintiff complains that one and a half gorru of his Puttah land No. 111, situated to the east of the river, and remaining in his enjoyment for nearly 100 years, became silted by the overflow of the river, and grass began to grow on it most luxuriantly. He used it as a pasture land for his cattle for five or six years. The first and second defendants, the Curnums, (his enemies,) got the third and fourth defendants to call the above said Puttah land, No. 112, to submit a Durkhast in Fusly 1272, and got the Durkhast approved of and Puttah issued in the name of the third and fourth defendants calling it an unoccupied Paramboku land No. 112, and thus obtained the third and fourth defendants, the 1½ gorru of land, which yields an annual income of Rupees 40 (the assessment thereon included). The plaintiff now requests that the Puttah, clandestinely obtained by the third and fourth defendants, may be cancelled and included in his Puttah, and that the sum of Rupees 94-8-0, the revenue derived therefrom for the Fuslies 1272,

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1273, and 1275, excluding the assessment and the expenses of cultivation, may be recovered from the defendants, and paid to him in cash.

2. The second, third, fifth, and eighth defendants defended the case.

3. The first, fourth, and seventh defendants, and the heir of the sixth defendant, did not defend it.

4. It is decided that the land in dispute belongs to No. 111 according to the Judgment. Therefore it is also decided that the plaintiff has claim to that land; the costs incurred by the plaintiff should be paid by the first, second, third, and fourth defendants, and the costs of the eighth defendant to be paid by the plaintiff.

Description of the costs of the Plaintiff.

	RS.	A.	P.
Stamp paper for Vakalutnamah	0	8	0
Stamp paper for Arzi	8	0	0
Two do. accompanying the former	1	0	0
Pleader's fees	6	11	4
Batta for notice	1	4	0
Notice issued to the heir of the sixth defendant	0	10	8
Costs of summoning the witnesses	0	10	8
Costs of issuing warrants to the witnesses	0	10	8
Three stamp papers for making motion in the Court	1	8	0
Three stamp papers for taking copies of public records	1	8	0
Batta for witnesses	6	11	0
Registering fees	2	8	0
Total	31	10	4

which sum is payable to the plaintiff by the first, second, third, fourth, and fifth defendants.

The first, second, third, fourth, and fifth defendants should make over to the plaintiff, the 1½ gorru of land in dispute, which is partly included in the plaintiff's Puttah land No. 111, situated on the eastern side of the village of Ulichy, partly in the land belonging to Nellore Venkataya, and partly in that of Nagireddy Ramachendra Razu, the plaintiff's elder uncle, and bounded on the south by Vunnum Akkaya's Chenu, on the west by the river, and on the north by the waste land belonging to the plaintiff.

Costs of the second Defendant.

	RS.	A.	P.
Stamp for the Vakalutnamah	0	8	0
Do. for making motion in the Court	0	8	0
Do. for taking Kyfiet	0	8	0
Pleader's fees	6	11	4
Total	8	3	4

The second defendant should himself bear the above costs.

Costs of the third and fifth Defendants.

	RS.	A.	P.
Stamp for the Vakalutnamah	0	8	0
Stamp for taking Kyfiet	0	8	0
Pleader's fees	6	11	4
Costs of summoning witnesses	0	9	4
Batta for witnesses	2	4	0
Costs of notice to the fifth and sixth defendants	0	4	0
Total	10	12	8

The third and fifth defendants should themselves bear the above costs.

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The cost of the eighth Defendant.

	RS.	A.	P.
Stamp for Vakalutnamah	0	8	0
Pleader's fees	6	11	4
Total	7	3	4

The plaintiff should pay the above cost to the eighth defendant.

Date of Decree, 22nd December 1866.

The time allowed for appeal, thirty days.

21st January 1867.

(Signed) N. T.,
Head Gumastah.

(Signed) E. GOPALAKISTNIAH,
Munsiff.

(True translation.)

(Signed) J. C. St. CLAIR,
Sub-Collector in charge.

1. Submitted for the information of Government, with reference to their Proceedings, dated 21st August 1866, No. 2,161.

2. The Court has set aside the Collector's decision, but has adjudged plaintiff to pay his costs. Against this, plaintiff has appealed to the Civil Court.

No. 355.

ORDER THEREON, 25th April 1867, No. 929.

Miscellaneous.

Ordered to be recorded.

(True Extract.)

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

To the Board of Revenue.

Exd. S. T. Augustin,

Pro. 21 August 1867 No. 530

Rev. 1867. Department.
Pro of Govt. for a full.

No. 129

PROCEEDINGS OF THE BOARD OF REVENUE

Dated 11th April 1867.
Decd 13-
a.e.

Secy of the Board of Revenue
25 Sept 1867

No. 2,300.

5929
25 April 1867

Submitting for information with remarks letter from Sub-Collector in charge of Nellore district forwarding Translation of Decree passed by District Munsiff of Ongole in O. S. No. 537 of 1865, respecting certain land.

RECORDED.

No. 354-355

J.H. &