

*Proceedings of the Madras Government, Revenue Department,  
23rd April 1868.*

*Respondent's (second Defendant's) costs.*

Vakeel's fee as above ... .. 79 9 7

To be paid to the respondent (second defendant) by the appellant

(plaintiff) ... .. 79 9 7

(Signed) H. WIGRAM,  
*Acting Registrar, Appellate Side.*

*In the High Court of Judicature at Madras, Monday, the twenty-seventh day of May, one  
thousand eight hundred and sixty-seven.*

PRESENT.

The Honorable Sir C. H. SCOTLAND, Knight, Chief Justice.

The Honorable Mr. Justice COLLETT.

*Regular Appeal No. 92 of 1866.*

Madhava Naick ... .. *Appellant, (Plaintiff.)*

Nagammal and another .. .. *Respondents, (Defendants.)*

1. Regular appeal against the decree of the Civil Court of Cuddalore in Original Suit  
No. 42 of 1863.

2. This regular appeal coming on for hearing, the Court delivered the following

*Judgment.*

There is no question in this case as to the right of the Collector to let the land on durkhast,  
it having been for some time waste land. The only point is the validity of the cancellation of  
the plaintiff's puttah, and of the grant of the land by the Collector to the first defendant's  
husband.

3. It is clear from the evidence we think that the plaintiff's puttah was obtained irregularly,  
and without the proper authority or assent of the Collector. The plaintiff consequently had  
acquired no legal right of occupation when the Collector let the land to the first defendant's  
husband.

4. The decree of the Lower Court, therefore, is right, and must be affirmed with costs.

(A true Copy.)

(Signed) H. WIGRAM,  
*Acting Registrar, Appellate Side.*

1. Submitted to Government, with reference to Government Order, dated  
14th June 1867, No. 1,342.

2. The Government will observe that the High Court have held that a puttah,  
obtained irregularly and without the proper authority or assent of the Collector,  
gives no legal right of occupation, and that the Collector is competent to grant a  
fresh puttah in such cases.

No. 524.

ORDER THEREON, 23rd April 1868, No. 1,090.

Miscellaneous.

Ordered to be recorded.

(True Extract.)

(Signed) W. HUDLESTON,  
*Secretary to Government.*

To the Board of Revenue.

Ed. T. O'CONNOR.