

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1476	Press ~~Mis.~~
Dated	27-5-1868.	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
27th May 1868.*

No. 615. Read the following Proceedings of the Board of Revenue, dated 2nd May 1868, No. 3,223.

Read the following letter from the Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 12th March 1868, No. 84:—

1. With reference to paragraphs 7 and 8 of the Proceedings of the Madras Government, and their Order thereon, dated 23rd January 1868, No. 186, I have the honor to submit the following information.

2. On the 27th of September 1866, the Tirupad of Nelumboor sent a petition to the Special Assistant Collector of Ootacamund, objecting to the sale, under the Waste Land Rules of 6th March 1863, No. 478A, of the four pieces of land numbered 16, 17, 18, and 19 in the Notification published in the "Fort St. George Gazette" of the 17th July 1866, and deputed a Vakeel to plead on his behalf. The Vakeel appeared before Mr. Gordon, on the 1st October 1867, and gave a deposition to the effect, that the Nelumboor Rajah had no land east of the Pykarra river, and as lots Nos. 18 and 19 are evidently situated east of that river, his objection, as regards those two lots, was considered to have been waived, and one of them, No. 18, was accordingly sold by public auction by the Special Assistant Collector. Meantime Mr. Gordon postponed the sale of the other two lots Nos. 16 and 17, and brought the subject to my notice in his letter of the 7th October 1866.

3. These two pieces of land being situated within the tract of country to the west of the Pykarra river, extending to the crest of the Neilgherry plateau, which was transferred from Malabar to the Coimbatore district under the Government Order of 16th March 1860, No. 396, and to which the Rajah's claim was declared by Government to be invalid, a reference to the voluminous correspondence relating to the said tract became necessary for the disposal of the objection brought forward by him, and before any steps could be taken to inquire into his claims, as prescribed by Act No. XXIII of 1863, the Tirupad filed a suit in the Principal Sudder Ameen's Court at Calicut on the same date on which he sent his petition to the Special Assistant Collector, that is, 27th September 1866—*vide* translation of plaint forwarded with my letter of 22nd November 1867, No. 322. The course prescribed by the abovementioned Enactment having thus been departed from by the Tirupad, no further proceedings were taken by me until I was served with a summons from the Principal Sudder Ameen's Court at Calicut in July 1867. Having subsequently procured the papers connected with the suit, I submitted the matter to the Board of Revenue in my letter of 22nd November 1867, No. 322, which contains a full history of the case.

4. The Written Statement sanctioned, in the Government Order of the 29th November 1867, No. 2,853, was duly presented to the Principal Sudder Ameen's Court, but no proceeding appears to have as yet been taken by the Court in the matter as lately reported by the Government Vakeel at Calicut.

Translation of an Arzi from the Tachercavil Teeromalapadoo of Nelumboor in Ernad talook, in Malabar district, to the Special Assistant Collector's office at Ootacamund.

1. I understand from a "Fort St. George Gazette" of July 1866, that certain waste lands, situated west of Pykarra river, which is the limit of Numbalacodoo Amsham, and forming part of my Jem property, are intended to be sold by public auction, on the 1st October 1866, under the Waste Land Rules of 6th March 1863, No. 478A. Four of the lots therein

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referred to, namely, Nos. 16 to 19, belong to me. All the Jenm lands belonging to the Numbalacodoo Varanavar, within the Numbalacodoo and Mooppranad Amshams, were purchased by auction by my late maternal uncle, as per Sunnud, dated 18th April 1836. Certain other lands, which were not included in the above Sunnud, were obtained by mortgage in the month of Edavam of the year 1012, and subsequently by purchase from Soobadra, sister of the above Varanavar. All these lands have hitherto been enjoyed by me as my Jenm property. There are several documents on the Government records to shew that all the lands west of the Pykarra river belonged to the Varanavar.

2. Under these circumstances, if the lands which I hold on Jenm right, are to be sold by Government, I will be a great loser. I, therefore, request that the documents which I hold in support of my claim, may be perused, and my witnesses examined, and that the intended sale of the lands alluded to may be stopped. 27th September 1866.
(True translation.)

(Signed) P. GRANT,
Collector.

Submitted to Government with reference to their Order quoted by the Collector.

No. 616.

ORDER THEREON, 27th May 1863, No. 1,476.

Miscellaneous.

1. The Government have already expressed their opinion that it is very undesirable to constitute a Court at

Ootacamund under Act III of 1863, unless it can be shown to be unavoidable. In the present case it is evident that the Nelumboor Tirupad, by his precipitancy, has for the present precluded the Government from bringing the provisions of the Act into operation, for the result would be that the same issues would at the same time be under trial before two different Courts of varying jurisdiction.

2. Under these circumstances, the Government are of opinion that the trial of the Tirupad's claim had better be left to the ordinary Courts, in which he has elected to sue.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.

Ed. S. T. Augustin.

2. Under these circumstances, if the lands which I hold on Jenm right, are to be sold by Government, I will be a great loser. I, therefore, request that the documents which I hold in support of my claim, may be perused and my witnesses examined, and that the intended sale of the lands alluded to may be stopped. 27th September 1866.

(True translation.)

(Signed) P. GRANT,
Collector.

Submitted to Government with reference to their Order quoted by the Collector.

(True Copies and Extract.)

To the Secretary to Government, Revenue Department.

Copy to the Collector of Coimbatore.

Exd. J. Wright.

Ref. to him already expressed his opinion that it is very undesirable to constitute a Court at Ootacamund under Act 3. of 63. unless it can be shown to be unavoidable. In the present case it is evident that the Nelumboor Tirupad by his precipitancy has for the present precluded the Govt. from bringing the provisions of the Act into operation. for the result will be that the same issues will at the same time be under trial before two different Courts of varying jurisdiction. Under these circumstances the Govt. are of opinion that the trial of the Tirupad's claim had better be left to the ordinary Courts, in which he has elected to sue.

44 Copies for the Govt. Revenue Department

Submitting to Government a letter from Collector of Coimbatore furnishing information as to objection raised by Tirupad of Nelumboor, to the sale of certain pieces of land under waste land rules.

No. 3,223.

Dated 2nd May 1863.
J. H. S. T. Augustin.

PROCEEDINGS OF THE BOARD OF REVENUE

Dec. 1863.
No. 1529.
Department

No. 1666/1863-28
29th Nov. 1863. 382-3
23 Dec. 1863. 373-4