M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	2362	Press ~~Mis.~~
146-47. Dated	11-9-	No 1868

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
11th September 1868.

Read the following :—

No. 145. Proceedings of the Board of Revenue, dated 2nd July 1868, No. 4,862.

Read the following letter from the Acting Collector of North Arcot, to the Acting Secretary to the Board of Revenue, dated Chittoor, 6th May 1868, No. 152.

1. I have the honor, with reference to the correspondence noted in the margin, to report, for the information of the Board, that Garudaiya Chetty, the Agent appointed to administer the charities of the late Colla Singana Chetty at the Choultry at Vadamalpett, in this district, has declined to receive the interest which has accrued on the Endowment Funds, on the ground that he has been instructed by Ragavulu Naidu, the Receiver of the property of the late C. V. Cunniah Chetty, who inherited the estate of Colla Singana Chetty, to discontinue the charities at Vadamalpett. No payment has accordingly been made on this account since November 1865.

From Board, 30th Sept. 1852.
To ,, 20th Nov. ,,
From ,, 9th May 1853.
To ,, 6th Dec. ,,
From ,, 27th Feb. 1854.

2. Ragavulu Naidu states that the charities in question have been stopped pending the passing of an order by the High Court in the matter, and requests that the interest which has accrued up to date on the endowment of the Vadamalpett Choultry may be paid to him for the purpose of being lodged in that Court, as he has to render an account of his Receivership to the Master thereof.

3. From the Cowle* granted by Government to Colla Rawnappa Chetty *alias* Singana Chetty, it appears that the monthly payment to be made on account of the Choultries which he has endowed, one of which is the Vadamalpett Choultry, shall be for the benefit of the said Choultries, and as the last provision in the Muchilka executed by Singana Chetty, with reference to that Cowle, is to the effect that none of his heirs or successors shall possess any power to alienate such payments to any other purpose whatever than the support and repair of the Choultries, I hesitate to remit to Ragavulu Naidu the accumulations of interest on the endowment of the Vadamalpett Choultry, lest they should be eventually disposed of contrary to the intentions of the endower, and I therefore beg to solicit the instructions of the Board in the matter.

* *Vide* letter from Board, dated 24th March 1825.

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1. The Acting Collector should not pay the accumulated interest to Ragavulu Naidu unless in pursuance of the orders of a Court of competent jurisdiction fully cognizant of the condition of the Trust, and with the previous concurrence of the Board.

2. The Board wish to have some information before them as to the present condition of the Chuttrum.

No. 146. Proceedings of the Board of Revenue, dated 1st September 1868, No. 6,247.

Read again letter from the Acting Collector of North Arcot, dated 6th May 1868, No. 152, recorded in Board's Proceedings, dated 2nd July 1868, No. 4,862.

Read also the following letter from the Deputy Collector, to the Acting Collector of North Arcot, dated Naggery, 24th July 1868, No. 96.

1. With reference to your docket, dated 18th instant, No. 719, I have the honor to make the following report on the present condition of the Chuttrum at

Vadamalpett, as gathered from a Kyfeat taken on the spot by the Sub-Magistrate of Narainavanam from the village Munsiff and certain inhabitants of that place.

2. The Chuttrum consists of four square buildings connected together with a court-yard in the centre of each. One of the squares is terraced, and the other three are tiled. The first square is intended for sleeping in; the second square is appropriated to the use of Bramins for cooking their meals, &c.; the third to Comaties; and the fourth to Sudras: about one-half of the second square is in a dilapidated condition, the rest of the building is also in need of repair, and it leaks through the roof during the rains. It is supposed the repairs will cost between 1,500 and 2,000 Rupees. It appears that no money has been spent on the Choultry by its founders or their agents since the last three years. At present the Comaties at Vadamalpett subscribe amongst themselves and pay four Rupees a month for sweeping the Chuttrum and maintaining a light in it. As this Chuttrum is situated on the road to Casee, Ramaswaram, and Tripatty, it is much frequented by pilgrims and others.

3. Not far from the Chuttrum is a building intended for the accommodation of European travellers, as well as another building for the lower orders of the people; but both are in a ruined state, and it would take upwards of 1,000 Rupees to put them in order. Since the opening of the Railway, Europeans do not pass this way. Poody Railway Station is a mile distant from the Chuttrum.

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No. 260.

Submitted to the Board, with reference to their Proceedings, dated 2nd July 1868, No. 4,862.

CHITTOOR, (Signed) G. VANSAGNEW,
29th July 1868. *Acting Collector.*

To the Acting Secretary to the Board of Revenue.

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1. In his letter of the 6th May last, the Acting Collector of North Arcot reported that the local Manager of the Choultry at Vadamalpett, endowed in 1816 by the late Colla Singana Chetty, had, under instructions from the Receiver of the property of the late C. V. Cunniah Chetty, the last heir of the founder, refused to receive the interest of the endowment since November 1865, and that the Receiver had requested the Acting Collector to remit the accumulated interest to him, as part of Cunniah Chetty's Estate.

2. The Board instructed the Acting Collector not to pay the accumulated interest to the Receiver, except under the orders of a Court of competent jurisdiction, fully cognizant of the conditions of the Trust, and with the previous concurrence of the Board. They also inquired about the present condition of the Choultry.

3. From the Cowle and Muchilka, which seem to have been executed by Government and Colla Singana Chetty in 1816, it appears that the latter absolutely made over a sum of 40,000 Sicca Rupees to Government as the endowment of four Choultries, the Government agreeing to pay the interest on the sum, at six per cent., in four equal sums of 50 Sicca Rupees each per mensem, to persons to be appointed by the endower, his heirs and successors, to receive and disburse the

Proceedings of the Madras Government, Revenue Department,
11th September 1868.

same for the benefit of the said .ltries. The Collectors of the districts in which the Choultries are situated were to use their best endeavours to prevent abuses, and were to be at liberty to remove temporarily or dismiss any of the local agents; but the appointment of these was to rest exclusively in the founder and his heirs. The founder further specially declared that none of his heirs or successors should possess any power to alienate the money to be paid monthly by the Collectors to any other purpose whatever than the support and repair of the Choultries, and engaged to furnish the Collectors with copies of his instructions to his local agents. This latter engagement he does not seem to have fulfilled, but his son Ragava Chetty appears to have supplied the omission, as regards the Vadamalpett Choultry in 1825.—(From Collector, dated 20th November 1852.)

4. It is perfectly clear, therefore, that the monthly payments which the Government covenanted to make are inalienable from the Choultries, and that they form no part of the late Cunniah Chetty's property.

5. The Board resolve to lay the case before Government in view to their taking the advice o. eir Law Officers as to the measures to be adopted to preserve the endowment, and to insure its proper application, with reference to the Deeds above adverted to, and to Regulation No. VII. of 1817. The Collector has power to remove the local agents, but not to appoint them. But if the legal successor of the late Cunniah Chetty fails to exercise this privilege, it is possible that the Collector might make some temporary arrangement under Regulation No. VII. of 1817.

6. The interest has not been drawn since November 1865, the charities since then have been stopped, and the buildings need repair. These circumstances ought to have been reported to the Board without delay.

7. The Board resolve further to call on the Acting Collector of Madras to report on the condition of the Conjeveram and Madras Choultries and their endowments.

No. 147. ORDER THEREON, 11th September 1868, No. 2,362.

Miscellaneous.

Resolved accordingly that the papers be referred for the consideration of the Government Pleader.

(True Extract.)

Acting Secretary to Government

To the Government Pleader,
" the Board of Revenue

Rev. 1868. Department.
Pro. of Govt for September

No. 2887.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 1st September 1868.

No. 6,247.

From Offg. Govt Pleader
D/22 Se/2 No/68 Enc 3032

Requesting Government to take advice of their Law officers as to measures to be adopted to preserve endowment of Vadamalpetta Choultry in North Arcot district and to insure its proper application with reference to Regulation No VII of 1817, and calling on Acting Collector of Madras to report on condition of Conjeveram and Madras Choultries and their endowments.

Writs Order
No 2362 11 Sept

To the Acting Secretary to Government, R. D.,
with copy of Board's Procs., dated 2nd July 1868, No. 4,862.

Copy to the Acting Collector of Madras.
" to the Acting Collector of North Arcot.

Exd. J. Wright.

3 Copies to Govt Pleaders
14 " Govt Solicitor

No. 2362.

Resolved accordingly that the papers be referred for the consideration of the Govt Standg Counsel

No. 145 @ 147