

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	237	Press ~~Mis.~~
<i>480-481.</i> Dated	28-1-	1868.

Not to be folded or roughly handled*File
in 487*

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*Proceedings of the Madras Government, Revenue Department,
28th January 1868.*

No. 480. Read the following letter from the Collector of South Arcot, to the Secretary to Government, Revenue Department, Fort St. George, dated Cuddalore, 10th January 1868, No. 5 :—

I have the honor to forward copy of a letter from my Sub-Collector, dated 6th instant, No. 5, requesting the sanction of Government for granting a copy of the Government Order, dated 11th November 1841, No. 1,402, bearing on the subject of Grama Nattam, or village building site, to applicants, in view to filing it in the Courts when occasion offers for so doing, and as I presume there can be no objection to this, I request that sanction may be granted accordingly.

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From the Sub-Collector of South Arcot, to the Collector of South Arcot, dated Chidambaram, 6th January 1868, No. 5.

1. An application has been received for copy of Extract Minutes of Consultation, No. 1,402, of 11th November 1841, but as I cannot find that it has ever been published in any printed compilation of orders, I have the honor to request that the sanction of Government may be obtained for the issue of the copy.

2. It is required in the present case for production in a Civil Court, with reference to the tenure of certain Grama Nattam, or village building site : and as it has an important bearing on the tenure of such land, it would be convenient if leave were granted to give copies in the case of future applications, which probably will be numerous. Land of this kind, which is set apart free of rent for the general use of the village community, very much like *Common* in copy-hold estates, has in many villages been irregularly appropriated by the chief villages to the detriment of the public right. It continually happens now that a villager who wishes to build a house points out a piece of a waste Nattam land, and permission to take it up is given him ; but directly he begins to build, another applicant comes forward and says that his ancestors took it up a great many years ago, and therefore, though there is no grant producible, and it has never been occupied, yet that he has obtained a right by prescription, and files a civil suit against the new applicant and myself for disturbing him in his alleged possession. Just as in English cases prescriptive rights to *Common* are always determined by the Manor Rolls, prescription being only allowed to come in where the records are silent, so, as the Government here hold the position of Lord of the Manor, their order above referred to is of great value, as shewing that a Collector has power to put an end to all such improper usurpations and grant the land for its proper use.

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No. 481. ORDER THEREON, 28th January 1868, No. 237.

Miscellaneous.

1. The Government do not think it expedient to grant copies of the Extract Minutes of Consultation in question in the manner proposed.

2. This Order disposed of a lengthy report by the Commissioner who had been appointed to inquire into the causes of popular discontent in South Arcot, and the remarks contained in it cannot be rightly appreciated without a reference to the report itself and to the Commissioner's Notifications embodied in it.

3. It seems highly desirable that this report and the Government Order on it, should be printed at the Collector's press for facility of reference, both in the Revenue Department and in the Courts when required to be produced in any suit. The Collector will at once take steps to have this done, in the form prescribed by the Board for selections from District records.

4. If the parties to any suit obtain an order of Court for the production of the paper, the Collector will adopt the usual course, and send with it a printed copy for immediate use by the Court.

5. The Government will not object to an extract from paragraphs 3 and 4 of the Extract Minutes of Consultation beginning with "It would seem from the local regulations," and down to the end of paragraph 4, being granted to any applicant who has a suit pending on the subject, and may produce an order of Court calling on him to obtain and file such extract in Court.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Collector of South Arcot.
,, the Board of Revenue.

237. 20
I do not think
it expedient to grant copies of
the Bill in question in the manner
proposed. This order is based upon
lengthy report by the Commission
who had been appointed to enquire
into the causes of popular discontent
in S. Arcot. The remarks contained
in it cannot be rightly appreciated
without reference to the report itself,
the Commission's explanations and
order in it. It seems highly
desirable that this report be
sent out on it, whole printed
at the Govt. press for sale at
a price. Both in the Govt. dept.
and in the pt. line enquired & be
produced in any suit. The Govt.
like a power take care & have

this done, in the form prescribed by the
H. J. W. Williams from District Records.

If the parties to any suit
obtain an order of the Court for the
production of the papers, the
Clerk will adopt the usual course
and send it a printed copy
for immediate use of the Court.

The H. J. W. will not object to
any part from pages 3 & 4
of the V.M. beginning with "It
should seem from the local regulations"
& down to the end of para 4. being
printed & any applicant who has
a suit pending on the subject
may produce an order of Court
calling on him to obtain a full and
exact in Court.

4 copies to the Clerk of
the Court
... 200 Jay 1868. ... 18th of Nov.

14/11/4