M.R.O. F—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No.	3089	Press ~~Mis.~~	
161-62 Dated	11 – 12 –	In	1868

Not to be folded or roughly handled

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

No. 161. Read the following letter from the Collector of the Madras District, to the Acting Secretary to Government, Revenue Department, Fort St. George, dated Sydapet, 9th December 1868, No. 237 :—

1. With reference to Government Order, dated 27th November 1868, No. 2,984, I have the honor to forward copy of Mr. Thornhill's communication to the Zemindar of Calastry, regarding the settlement of the boundary disputes between the Madras District and the villages of his Zemindary, and translation of the Zemindar's reply thereto.

2. As the reply of the Zemindar does not appear to express that unqualified assent to the settlement of the disputes by arbitration, which was required by the Government Order, I do not consider that I should be justified in proceeding as directed in paragraph 6 of the Government Order, and I have, therefore, the honor to request the instructions of Government in the matter.

From the Acting Collector of Madras, to the Zemindar of Calastry, dated Sydapet, 1st December 1868.

1. With reference to my letter to the address of the Zemindar, dated 5th November 1868, No. 150, I have now the honor to state that I have been instructed by the Madras Government to intimate to the Zemindar that all matters in dispute, regarding the boundary of the Trivellore Talook of the Madras District on one side, and of the Calastry Samasthanam lands on the other, will now be finally settled under the provisions of Act XXVIII of 1860. I, therefore, hereby call upon and request the Zemindar, in the event of his desiring that the matters in dispute should be settled by arbitration, to signify his consent to the same in writing, *without any condition*, on or before the 8th of December 1868, and to nominate an arbitrator to act on his behalf.

2. The conditions and rules of arbitration are laid down in Sections 10 to 24 of Act XXVIII of 1860, and will be strictly adhered to.

3. In the event of the Zemindar signifying his consent to have the disputes settled by arbitration in writing, on or before the 8th proximo, the Acting Collector has been directed to signify his consent in writing, and to nominate an arbitrator on behalf of Government, he will also act himself as Settlement Officer under the provisions of the Act.

4. In the event of the Zemindar not signifying his consent to refer the matter of disputed boundary between the Government and himself to arbitration, on or before the 8th proximo, as above stated, I am directed to inform the Zemindar that the procedure prescribed in Section 25 of Act XXVIII of 1860 will be adopted.

5. In the event of the Zemindar's accepting arbitration, I have to express a hope that he will nominate an arbitrator a Native gentleman of high standing and respectability, as the matters to be decided are of much importance.

(True Copy.)

(Signed) E. G. R. FANE,
Collector.

Extract from the translation of the Khat, dated 6th December 1868, *received from the Zemindar of Calastry in reply to the Acting Collector's letter, dated 1st December* 1868.

* * * * *

2. In reply to the above I state as follows :—

It seems decided that proceedings should take place under the provisions of Act XXVIII of 1860, but as Sections from 22 downwards contain provisions regarding the Zemindaries, I am inclined to doubt whether the proposal to abide by the provisions contained in Sections from 10 downwards may not be contrary to the provisions of the Act.

3. As, in Sections from 22 downwards relating to the boundary dispute of Zemindaries, it is not stated who should be the umpire, I, in the beginning, proposed that arbitrators on both sides

should unanimously nominate an umpire, and this proposal was acceded to by Government; while so, the question whether the present proposal, that I should abide by sections from 10 downwards, is consistent with justice or not, is, I think, one deserving of your Honor's consideration.

4. As signified in your Honor's letter, I am prepared to appoint Maidavoloo Mannaroo Krishna Deetchatooloo as arbitrator on my behalf. But should the arbitrators on both sides be not unanimous in the nomination of the umpire, it is for you to judge what justice can be done to the Samastanam Circar.

5. If under section 25 a Settlement Officer be appointed, and settlement made and if justice is not thereby done to the Samastanam, then I much regret that additional trouble will befal me in seeking redress in the Civil Court. I, therefore, hope you will do me great favor by forwarding your recommendation to Government, as contained in paragraph 2 of this letter.

(Signed) RAJAI DAMARUKUMARA VENCATAPPA NAIDO BAHADUR VAROO.

(True Extract and Translation.)

(Signed) E. G. R FANE,
Collector.

No. 162. ORDER THEREON, 11th December 1868, No. 3,089.

Land Revenue.

1. The Zemindar of Calastry should immediately be informed, in reply to his letter, that his requests are inadmissible, and that if he fails to make the formal application required by Section 10 of Act XXVIII of 1860, before the 20th instant, the Government will proceed to appoint an Officer for the settlement of the matter under the provisions of Section 25 of the Act.

2. The Government desire to know what replies have been received from the Zemindars of Carvetnuggur and Vencatagherry. If not yet received, the date within which they were to be forwarded should be reported.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Collector of Madras.
,, the Board of Revenue.

Ed. S. T. Augustin.

Govt. of {1868} Madras

REVENUE.

To

THE COLLECTOR OF MADRAS,

&c., &c., &c.

Dated December, 11*th*.

Recd. Encl.

G. O., 11*th December* 1868, *No.* 3,089.

DECEMBER.

Nos. 161-162.

Boundary of Calastry Zemindary.—Passing orders regarding the appointment of an Officer under Section 25 of Act XXVIII of 1860 for the settlement of the dispute.

Revenue 1868 Departt

No. 3089

Proceedings of the
Madras Government

Dated 11th Decr 1868.-

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