M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1718 Press ~~Mis.~~

378-379

Dated 16th June 1869

Not to be folded or roughly handled

No. 378. Read the following Proceedings of the Board of Revenue, dated 18th May 1869, No. 3,412.

Read the following letters:—

From the Acting Sub-Collector in charge of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Masulipatam, 28th December 1868, No. 393.

I HAVE the honor to inform you, that the District Moonsiff's Court at Karempudy and the Principal Sudder Ameen's Court at Masulipatam, have passed Decrees in favor of the Collector, in Original Suits Nos. 468 of 1867 and 17 of 1868, respectively, the defence of which was sanctioned by the Board in the correspondence noted in the margin. Copies of Decrees and Judgments will be forwarded when received from the Government Vakeel, who has been directed to apply for them.

Board's Procs., 28th August 1868, No. 6,211.
Do. 7th November 1868, No. 7,935.

From the Officiating Collector of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Circuit Cutcherry at Avenegadda in Bunder Talook, 24th March 1869, No. 72.

I HAVE the honor to submit copy of the Judgment and the Decree in Original Suit No. 17 of 1868, on the file of the Principal Sudder Ameen's Court at Masulipatam, called for in the Board's Proceedings, No. 7,935, dated 7th November 1868.

2. The Judgment and the Decree, in Original Suit No. 468, on the file of the District Moonsiff of Karempudy have been called for from the Court, but not received yet.

ENCLOSURE No. 1.

Original Suit No. 17 *of* 1868.

In the Principal Sudder Ameen's Court of Masulipatam.

PRESENT:—S. R. Dawes, Esq.,

Plaintiff.	*Defendant.*
Penumurty Lakshmipati Sastry.	W. McQuhae, Esq., Collector of the Kistna District.
Pleader.	*Pleader.*
V. Venkatachallum.	L. Subbarayudu.

THIS suit is laid to recover the arrears of twenty-one years' assessment of 2 Katties of Inam land.

2. The plaintiff alleges that in the year 1713, Rajah Apparow granted his ancestors, 2 Kutties of wet land situated in Perur of the Vennakota Purgana; that the land was entered in the accounts of the permanent settlement in his ancestors' names, and was in their enjoyment for the period of a century; that since 1810, the villagers usurped enjoyment, and as the Zemindary in which the Inam is situated, fell under Government management, he presented petitions to the Collector to make over the Inam to him with its past revenue; that the Collector admitted his title but did not give him possession; and that eventually, in 1865, the Government recognized his right, and authorised the Inam Commissioner to grant him a puttah, but directed him (plaintiff) to recover possession [illegible] of a Civil suit; that a puttah bearing date the 16th September 1865, was accordingly granted by the Inam Commissioner, and that he obtained Decrees in Original Suits

Nos. 68 and 371 of 1866, instituted by him before the District Moonsiff of Masulipatam, establishing his right to the Inam, but that his subsequent demand for the past produce was not complied with.

3. The plaintiff adds that he was unable to sue earlier than 1866 as aforesaid, in consequence of the Government not furnishing him with the certificate required by Regulation IV. of 1831, and that under the title-deed now held by him, he is entitled to the shist of Fuslies 1253 to Fusly 1273, amounting to Rupees 2,127-2-0, but remitting Rupees 627-2-0 (the stamp on which amount he is unable to pay) this suit is laid for the balance of Rupees 1,500.

4. The defendant pleads that the claim is not cognizable by the Court, as the plaintiff has no title to the Land Revenue paid to Government prior to the enfranchisement of the Inam; and that the claim is also barred by the Statute of Limitation; also that the plaintiff has no legal right to the Inam, which was conferred on him by Government newly, as an act of favor.

5. The plaintiff filed twenty-three exhibits and the defendant one.

6. The issue for determination is, whether the suit is cognizable by the Court, with reference to Regulation IV. of 1831, and to the Statute of Limitation.

7. The Pleaders on both sides have been heard and the record fully considered.

8. The history of the Inam in question, so far as the plaintiff's connexion with it is concerned, is succinctly given in the Inam Commissioner's letter to the Government, under date the 10th December 1864, No. 79, and filed by the plaintiff as Exhibit A. The Commissioner writes as follows:—

"An Inam of 2 Katties (or 34 Acres) was granted in the village of Perur by the then "Zemindar Apparow to one Penumurti Lakshimipati Sastry under a Sunnud, dated 1713. The "Inam is hereditary under the terms of the grant, and it was duly entered in the accounts of the "permanent settlement and the register prepared under Regulation XXXI. of 1802. The enjoy- "ment of the Inam, however, having been for three years previous to 1811, interfered with by the "villagers withholding the proceeds of the Inam, the Inamdar filed a suit against them in that "year for damages. The Civil Judge, who originally decided the case, dismissed the suit on the "ground that the Inamdar's right to the Inam was not proved, but on an appeal being preferred, "the Provincial Court reversed the Decree of the Lower Court, observing that the Inamdar's right "to the Maniem was placed beyond all doubt, and adjudged the damages sued for. This Decree "was also confirmed in 1821 by the Sudder Court, who remarked, that whether the title was valid "or not, there was full proof that the Inamdar held the Inam; and that if his title was invalid, he "could only be ejected at the suit of Government, under Sections 7 and 8, Regulation XXXI. of "1802."

"The damages thus awarded have been paid, but possession of the Inam was not restored, and "the proceeds were again withheld. The Inamdar complained to the Collector, who in 1833, "directed the Zemindar to allow the Inamdar free enjoyment of his Inam, but the order was not "carried out, owing, as it is alleged, to the ill-feeling existing between him and the villagers. The "grandson of the grantee now claims the Inam.—He has been petitioning the Collector and the "Board of Revenue almost every year since 1833, but no final orders have been yet given in the "matter. The talook of Gudivada, in which the Inam is situated, reverted to Government about "1848, and the Inam is in possession of certain ryots, who pay full assessment to Government. The "extent of the Inam, according to the survey, within the boundaries given in the Chekunamah is "7¾ Katties, or 132 Acres, bearing an assessment of Rupees 363, though the grant is only for 2 "Katties."

9. Upon the above letter of the Inam Commissioner, the Government passed an Order, dated the 4th January 1865, No. 8, authorising the issue to plaintiff of a title-deed for the 2 Katties of land forming the Inam, but at the same time, they declined interfering with the possession of the ryots and declared the Inamdar (plaintiff) entitled under the above order to receive the assessment payable to Government by the ryots, and allowed him the option of recovering possession by a Civil action.

Proceedings of the Madras Government, Revenue Department,
16th June 1869.

10. After obtaining this order from Government, the plaintiff appears to have instituted, before the District Moonsiff of Masulipatam, Suit No. 68 of 1866 for the recovery of 7-66 Acres of the Inam, and Suit No. 371 of 1866 for the recovery of 28-45 Acres from the ryots respectively in possession. The District Moonsiff decided in the plaintiff's favor, and now he (plaintiff) has brought his suit in this Court to recover the arrears of Land Revenue for the past twenty-one Fuslies.

11. In deciding, then, on the plaintiff's right to sue, it has to be considered, whether he was justified in coming into Court after this lapse of time.

12. The present suit is one for arrears of shist, and it does not appear why plaintiff did not sue for these arrears when he instituted the previous suits before the District Moonsiff. The fact of his having obtained decrees in 1866 awarding him possession of the Inam, cannot give him a right to sue at the present time for the arrears of Land Revenue. His claim thereto must arise out of a distinct cause of action and, as between him and the Government, it does not seem that any acknowledgment of his right to past revenue was made by them. In fact the reverse seems to have been the case. His own petitions to the Revenue authorities and the Government, would not moreover keep his claim alive and suspend the operation of the Limitation Statute. The Inamdar was out of possession from 1808 for a period of fifty-seven years, and the land revenue now claimed, is that recovered by the Government, from Fusly 1253 to Fusly 1273 inclusive, a period of twenty-one years. But during this time, no legal action which the Courts can recognize was taken by the plaintiff, and it is clear that prior to the enfranchisement of the Inam, he could not recover the Land Revenue paid to Government, unless by suit instituted under Regulation IV. of 1831 upon a certificate granted him by the Government, but the plaintiff does not appear to have taken any steps whatever to obtain such certificate, and no legal proceedings were instituted.

13. The decree in 1866, above alluded to, could not, as already observed, create a cause of action for him at the present time; while, with reference to the position of the Government in respect to the plaintiff, it may be noticed that they simply authorised the grant to him of a title-deed without any acknowledgment of his title, and in declining to grant him the assessment collected during the time he was out of possession, they remarked that the restoration of the Inam was an act of favor, (*vide* Exhibit I.)

14. Under such circumstances, it is manifest that the plaintiff is without any ground of action, serving to keep alive his claim to the Land Revenue for the twenty-one years running from Fusly 1253, to Fusly 1273, and accordingly the bar of the Limitation Statute must be applied to his case.

15. The plaintiff's case is no doubt a hard one, but the rules of law are inflexible and unfortunately shut him out of Court.

16. The plaintiff's suit is dismissed with all costs.

Given under my hand, this 17th day of December 1868.

(Signed) S. R. DAWES,
Principal Sudder Ameen.

True Copy upon one stamp and common papers.

(Signed) M. RAMAYYA,
Acting Head Clerk.

ENCLOSURE No. 2.—Decree.

From the Officiating Collector of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Masulipatam, 17th April 1869, No. 101.

IN continuation of Mr. Comyn's letter, No. 392, dated 28th December 1868, I have the honor to submit, for the information of the Board, translation of Decree and Judgment in Original Suit No. 468 of 1867, on the file of the District Moonsiff's Court at Karempudy.

ENCLOSURE No. 1.

JUDGMENT.

Of the District Moonsiff at Karempudy.

31*st October* 1868.

PRESENT.

Moulavi Mahommud Abdul Allam Sahib, District Moonsiff.

THE plaintiff states that the grounds marked A. and B. as per plan, have been in his possession since long time, that during his absence the 1st defendant took possession of the spot marked A. and raised a wall between the spots marked A. and B.; that the wall raised by the 1st defendant might be ordered to be pulled down and that he requested the Court to permit him to raise a wall between the spots marked A. and B. and to grant him the ground marked A. which is valued at Rupees 30.

2. The 1st defendant in his statement asserts that the grounds marked A. and B. were never possessed by the plaintiff, as they are part of the Gramakuntham or village site; that when he was about to enclose the spot marked A. by a compound wall, the plaintiff unreasonably prevented him from raising it; that the Deputy Collector, Tahsildar and Police Inspector inspected the ground in question and marked it; that he therefore laid the foundation of the wall, and that he prays the Court to dismiss the suit.

3. The 2nd, 4th and 5th defendants allowed the suit to run *exparte*.

4. The 3rd defendant states in his statement that the grounds marked A. and B. are the property of Government; that the plaintiff has neither any right to, nor possession of the grounds; that consequently V. Vencatachellum the then Deputy Collector, granted the spot of ground in question to the 1st defendant, agreeably to his authority, and that he therefore prays the Court to dismiss the suit.

5. It seems just to decide the suit this day against the plaintiff, under Section 148 of the Civil Procedure Code.

6. The issue was framed to prove the right to and possession by the plaintiff of the ground claimed. It is the duty of the plaintiff to prove the same, but he has failed to adduce any proof.

7. The plaintiff stated he would cause the attendance of witnesses on the 30th of this month, but has failed to do so until now, neither did he take any other steps.

8. The Revenue Officers assert that the ground claimed forms part of Gramakuntham. In virtue of their authority in regard to lands, they granted the ground in question to the 1st defendant. Unless proof against their acts is adduced, the proceedings of Revenue authorities should be upheld.

9. The suit is, therefore, dismissed. Plaintiffs to pay the costs of the 1st and 3rd defendants.

(Signed) MOULAVI MAHOMMUD ABDUL ALLAM,
(*In Persian characters.*)

(True Copy.)

By order of the Court.

(Signed) V. NARAYANA SASTRY,
Head Gumastah.

(True Translation.)

(Signed.) J. A. C. BOSWELL,
Officiating Collector.

ENCLOSURE No. 2.—Translation of Decree.

IN the first of the foregoing letters, the Collector reports the dismissal of Suits Nos. 463 of 1867 and 17 of 1868, in the District Moonsiff's Court at Karempudy, the result in each case being in favor of Government.

Proceedings of the Madras Government, Revenue Department,
16th June 1869.

2. In the letter dated 24th March 1869, copies of the Decree and Judgment in Suit No. 17 of 1868 are forwarded, and in the letter dated 17th April copies of the Decree and Judgment in Suit No. 468 of 1867.

3. The papers are submitted, together with copies of the Board's Proceedings, marginally noted, for the information of Government.

Dated 28th August 1868, No. 6,211.
,, 7th Nov. ,, ,, 7,935.

4. The circumstances of Suit No. 468 of 1867 are so simple (the plaintiff having laid claim to certain land to which he had clearly no right whatever) that no remark is called for.

5. The circumstances under which Suit No. 17 of 1868 was brought, are briefly these.

6. The plaintiff is the grandson of the original grantee of an Inam in the village of Perur, the enjoyment of which was interfered with in 1808-9 and 10 by the refusal of the villagers to pay the proceeds.

7. A suit was brought by the then Inamdar, which was first dismissed, but on appeal, was given in favor of the Inamdar with the damages claimed. These were paid, but the possession of the Inam was not restored and the proceeds were still witheld.

8. The present claimant of the Inam has frequently petitioned to be placed in possession, and the Inam Commissioner, in a letter to Government, dated 10th December 1864, No. 79, supported his claim.

9. Government, in their Order, dated 4th January 1865, No. 8, authorised the Collector to issue a Title-deed for the 2 Katties of land forming the Inam, but they declined to interfere with the possession of the ryots in whose hands the land had been for years. The Inamdar was to be entitled to receive the assessment hitherto paid by the ryots to Government, but was directed to proceed by a Civil suit if he desired to regain possession of the land.

10. The suit was brought to recover the proceeds of the Inam during the time it was in dispute since the reversion of the Zemindary estate (to which the Inam originally belonged) to Government.

11. The amount claimed was 1,500 Rupees, being less by Rupees 627 than the amount of the profits for the abovenamed period, the deduction being made on account of the plaintiff's inability to pay stamp duty on a larger sum.

12. The line of defence sanctioned* by the Board was "that the Court had no jurisdiction to give land revenue paid to Government previous to the enfranchisement of the Inam."

That the claim was barred by the Statute of Limitations, and

That the plaintiff had no legal right to the Inam which was given him by the Government as an act of favor.

13. The suit has been dismissed.

* Board's Procs., 7th November 1868, No. 7,935.

Proceedings of the Madras Government, Revenue Department,
16th June 1869.

No. 379. ORDER THEREON, 16th June 1869, No. 1,718.

Miscellaneous.

ORDERED to be recorded.

(True Extract.)

(Signed) H. WELLESLEY,
Acting Under-Secretary to Government.

To the Board of Revenue.

Exd. E. C. Shunker.

No. 6,211.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 28th August 1868.

Read the following letter from W. McQUHAE, Esq., Acting Collector of the Kistna district, to the Acting Secretary to the Board of Revenue, dated Masulipatam, 10th August 1868, No. 231:—

1. I have the honour to enclose a draft of the answer I propose to file in Suit No. 468 of 1867, on the file of the Karempudi Munsiff's Court, in which the Deputy Collector Vencatachellam Pantulu and the Tahsildar of Palnad talook have been included as defendants, and I request that the defence of the suit at the public cost may be sanctioned. The plaint and a copy of the plan which accompanied it are also enclosed. The date for filing answer is the 4th September next.

2. The circumstances are as follow:—

In the month of September 1867, while the Deputy Collector was in the village of Madagalu, in Palnad talook, the first defendant, Batapudi Papaya, applied to him for a piece of unoccupied land forming part of the village site, stating that the plaintiff Mandadapu Naraya objected to his taking it. The Deputy Collector and Tahsildar inspected the ground, and finding that it was not in the possession of any one, gave it to Papaya. On this plaintiff sued first defendant and another for the recovery of the land which he says is his property, and has been used by him as a cart stand, and as a place of storing fuel, building materials, etc.

3. First defendant answered that the land was unoccupied and was given to him by the Deputy Collector, and the Court ordered the Deputy Collector and the Tahsildar of Palnad talook to be added as supplemental defendants.

ENCLOSURE No. 1.

Original Suit No. 468 *of* 1867.

To the Talook Munsiff's Court, Karempudi.

Plaintiff.	*versus*	*Defendants.*
Mandadapu Naraya, resident of Madugala, belonging to Kamma Caste, and subsisting by cultivation.		1. Betapudy Pedapapaya, belonging to Kamma caste, and subsisting by cultivation. 2. Reddy Kristnamah, belonging to Banian caste, and subsisting by trade.

Complaint preferred by the Pleader on behalf of the plaintiff under Section 2, Act No. VIII. of 1859.

1. The plaintiff has had long possession of the pieces of land belonging to him marked A and B in the accompanying plan, and has occupied them for the passage of bandies laden with timber and manure, and for keeping bandies, dung cakes, firewood, and for throwing rubbish, etc.

2. The first defendant obtained a piece of land (marked C) four months ago from the second defendant out of his premises, and occupied at the same time another spot (marked E) situated to the east of it and belonging to Lambady Tamojee who died intestate and built a thatched house on

Govt. of (1869) India.

REVENUE.

To

THE BOARD OF REVENUE,

Date'd June 1st.

Read.

G. O., 30th June 1869, No. 1,713

JUDL.

Nos. 373-379.

Bails Nos. 403 of 1867 and 17 of 1868 against the Collector of Kistna.—Proceedings Board of Revenue reporting their Dismissal, recorded.

the above sites, and opened a gate by the intrigues of the second defendant towards the land of the plaintiff (marked A) contrary to custom, instead of going out or into the bazaar on the east side. As soon as he commenced to walk through that gate, the plaintiff prevented him, whereon the first defendant complained to the Tumurukotta Sub-Magistrate, but inquiry was held, and the case was dismissed.

3. One and a half months ago, when the plaintiff was absent in other villages, the first defendant caused a mud wall, one yard high and 24¾ yards long, to be erected in a crooked manner between the spots marked A and B, and pulled down the wall with gate in the vacant ground marked C, and included in his ground marked C, a portion of Naiguntа (pit where the rubbish is thrown) marked A belonging to the plaintiff. As many disputes have occurred regarding the same, this plaint is now filed.

4. The land claimed is bounded thus:—On the east by bazaar, (twelve yards,) on the south by the premises, (marked C E,) belonging to the first defendant, (22 yards,) on the west by the premises (marked D) belonging to the plaintiff, (three yards,) on the north by the site marked B belonging to the plaintiff, (24¾ yards.)

The plaintiff prays that the wall (valued at Rupees 4) erected by the first defendant, when he occupied the spot of 198 square yards situated within the said boundaries may be removed; that the wall near letter C (valued at Rupee 1) which has been pulled down may be replaced by another without any gate, as it is contrary to the custom; and that the land thus encroached upon (marked A) valued at Rupees 25 may be restored to the plaintiff.

Please to consider.

I hereby declare that (under Section 27, Act No. VIII. of 1859) to the best of my knowledge and belief, the statements herein made are true.

Added a duplicate stamp of Rupee 1 to make up the deficiency of duty.

7th December 1867.

(Signed) M. NARAYAH.

(Signed) M. NARAYAH,
Plaintiff.

Filed on the 7th December.

Signature (in Persian language) of the District Munsiff.

(Signed) P. KONDIAH,
Plaintiff's Pleader.

(True translation.)

(Signed) W. McQUHAE,
Acting Collector.

ENCLOSURE No. 2.

Draft Answer.

1. The spots of ground marked A and B, in the plan presented by the plaintiff, are unoccupied, and are the property of Government. Hence the plaintiff has no right to them, nor were they ever in his possession. They can only be disposed of according to the orders of the Revenue Officers.

2. The plaintiff while claiming the spot marked A, now in the possession of the first defendant, tries to establish his right also to the unoccupied spot marked B, which is not his, but must be reserved for public use.

3. At the request of the first defendant, the late Deputy Collector V. Vencatachellam Pantulu proceeded to the spot, and gave to the first defendant the unoccupied piece of ground marked A.

4. Under the above circumstances, the supplemental defendants pray the Court to dismiss the plaintiff's claim, and to order the costs incurred by them to be paid by the plaintiff.

(Signed) W. McQUHAE,
Acting Collector.

ENCLOSURE No. 3.—Plan.

The Draft Answer is approved, and the defence of the suit sanctioned on the usual terms.

(True Copies and Extract.)

(Signed) A. MACGREGOR,
Acting Secretary.

To the Acting Collector of the Kistna district.

Copy to the Accountant General.

Exd. J. Wright.

Received 3412.
Rev. 1757/69.

1868. Department.

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 28th August 1868.

Received

No. 6,211.

Sanctioning defence, on usual terms, of Suit No. 468 of 1867, filed in Kærempudi District Munsiff's Court in Kistna district, for recovery of certain land, and approving proposed Draft Answer.

Read 1st "Answering the Suit".

No. 7,935.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 7th November 1868.

Read the following letter from W. McQUHAE, Esq., Acting Collector of the Kistna district, to the Acting Secretary to the Board of Revenue, dated Dindi, in Repalli talook, 26th October 1868, No. 311:—

I HAVE the honour to forward translation of a Plaint in Original Suit No. 17 of 1868, filed against me in the Principal Sudder Ameen's Court, at Masulipatam, by Panumurty Lakshmeepaty Shastrulu, for the recovery of a sum of Rupees 1,500, being the mesne profits of an Inam in the village of Porur, in Gudivada talook, which was registered in his name under the Proceedings of Government, dated 4th January 1865, No. 8.

2. As the history of the Inam is given, at length, in the letter of the Inam Commissioner, dated 19th December 1864, No. 77, embodied in the said Proceedings, I consider it unnecessary to recapitulate it here.

3. The Inam Commissioner issued a title-deed to the plaintiff for 2 Kutties = 34 Acres of land. The title-deed is dated 16th September 1865.

4. From the correspondence noted in the margin, the Board will observe that the Government declined to give the plaintiff the assessment paid by the ryots to Government since the Chaharmakul Zemindary reverted to Government in 1844, on the ground that the Inam which had not been in possession of the plaintiff for a period of fifty-seven years, was restored to him as an act of favour.

To Board, 23rd February 1866, No. 66
Board's Proceedings, 15th March 1866, No. 1,823.
O. of G., 11th May 1866, on Petition No 2,764 of 1865.
Board's Proc., 16th May 1866, No. 3,418A.

5. I think it will be sufficient to answer—

(1.) That the Court has no jurisdiction to give plaintiff the land revenue paid to Government previous to the enfranchisement of the Inam.

(2.) That the claim is barred by the Statute of Limitations.

(3.) That the plaintiff had no legal right to the Inam, which was given to him by Government as an act of favour.

6. The time for filing the answer will expire on 6th November, and an extension of one month has been applied for.

ENCLOSURE No. 1.

Original Suit No. 17 *of* 1868.

TO THE PRINCIPAL SUDDER AMEEN'S COURT OF MASULIPATAM.

Complaint preferred by plaintiff Penumarti Lakshmipati Sastrulu, of Kojillepetah, against W. McQuhae, Esq., Acting Collector of the Kistna district, residing at Chilakalapudi.

Rajah Apparavu Garu granted to my ancestors, in the year* 1713, two Kutties of wet Inam land, in the village of Perur, appertaining to Vinakota Paragana. It thus became our property,

* On 11th Ekadasi month Ashadha Suddam year Jaya.

and was entered in the accounts of the Permanent Settlement, it was enjoyed by us for a period of 100 years.

2. From the year 1810 the villagers having irregularly interfered with our enjoyment of the Inam, and the Zemindary estate in which the Inam is situated having been under the management of Government, we presented to the Collector several Arzis requesting him to restore the Inam with mesne profits. On some occasions the Collector accepted my request, and issued orders that decision would be given in my favour; and at last he issued an Order in the year 1833 that the Inam should be given to me; but the land was not made over.

3. Though I presented several Arzis again to the Collector and the Board of Revenue on the subject, yet I was not placed in possession of the Inam when the Zemindary estate reverted to Government in the year 1844.

4. The Government inquired into this case through the Inam Commissioner, and the Collector recognised my claim to be valid, and issued an order, No 8 of 1865, to grant a title-deed to me for 34 Acres of land forming the Inam in dispute, and directed that I should gain possession of that land

by means of a Decree from the Civil Courts. A title-deed, dated 16th September 1865, having been granted to me accordingly, on 21st December 1865, through the Inam Commissioner, I preferred complaints, in the Masulipatam District Munsiff's Court, in Nos. 63 and 371 of 1866, and obtained possession of the Inam land agreeably to the Decrees of the Court.

5. The Government declared my right to the Inam, but did not pay the past proceeds there of which were collected by the Collector during the time the Inam was in dispute. After the title-deed was issued to me I presented a petition to pay the same but in vain.

6. No final Order of Government nor a certificate having been granted to me agreeably to the provisions of Regulation No. IV. of 1831, it was impracticable for me to seek redress in Courts, and while I was expecting for their final orders, an enfranchised title-deed was issued to me on 21st December 1865, which having enabled me to sue in Courts, I now prefer this complant for the recovery of mesne profits due to me. The Government have already paid to me Rupees 101-4-8 on account of the proceeds of the Inam for Fusly 1274. At this data the proceeds of the Inam from the year 1844, in which the Inam reverted to Government, to the end of the Fusly 1273, or twenty-one years, is... ... ... Rupees 2,127 2 0

Deduct proceeds not claimed from inability to pay Stamp duty... ... ,, 627 2 0

Remainder claimed ... ... ,, 1,500 0 0

I, therefore, pray the Court will be pleased to pass a Decree in my favour for the payment of the said sum by the defendant with interest and costs of the suit. I herewith present the title-deed issued to me by the Inam Commissioner, and the Order of Government No. 8 of 1865. I will produce the remaining documents hereafter.

(Signed) PENUMARTI LAKSHMIPATI SASTRULU.

12th September 1868.

(True translation.)

(Signed) W. McQUHAE,
Acting Collector.

THE Answer proposed by the Collector is approved.

(True Copies and Extract.)

(Signed) A. MACGREGOR,
Acting Secretary.

To the Acting Collector of the Kistna district.

Copy to the Accountant General.

Exd. J. Wright.

Original Suit No. 17 of 1868, instituted in the Masulipatam Principal Sudder Ameen's Court for recovery of mesne profits of an Inam.—Answer proposed to be filed in defence of —, approved.

Dated 7th November 1868.

Received

No. 7,935.

PROCEEDINGS OF THE BOARD OF REVENUE,

No.

1868. Department.

Rec. 15/11/68.

Rec'd 4 Jany 65 Ex 13-14.

Rev- 1869. Separate

Board of Revenue,

MADRAS.

A. 1750.

PROCEEDINGS, 18TH MAY 1869, No. 3,412.

Encl 4

Dept 27.

Received 28th

MAY.
No. 3,412.

Suits—Nos. 468 of 1867 and 17 of 1868, on file of Karempudy District Munsiff's Court and Masulipatam Principal Sudder Ameens Court, respectively, in Kistna District,—Letters from Collector reporting dismissal of, and forwarding copies of Decrees and Judgments, submitted to Government.

RECORDED

16th June/69.

c 3rd June/69. 18 June