

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2352	Press His.
<u>247-248</u>	
Dated 17 th August 1869	

Not to be folded or roughly handled

*Proceedings of the Madras Government. Revenue Department,
17th August 1869.*

No. 247. Read the following Proceedings of the Board of Revenue, dated 27th July 1869, No. 5,454.

Read the following letters:—

From the Government Pleader, to the Sub-Secretary to the Board of Revenue, dated Madras, 7th June 1869, No. 290.

With reference to the Board's Proceedings marginally noted, I have the honour to report that the Ankusagherry Polliem Appeals (Special Appeals Nos. 464, 465, 466, and 494 of 1868), came on for hearing on the 2nd instant. The order made by the Court on the former occasion in the three Appeals, (Nos. 465, 466, and 494,) wherein the late Poligar was appellant, was peremptory, that, in default of any application being made by any representative of the appellant to be made a party to the appeals, before the first day in June, when the same Judges should sit together, the appeals should stand dismissed; consequently any further adjournment was impossible, and the appeals were necessarily dismissed, no costs being allowed.

Dated 31st May 1869.

2. The other Appeal (No. 464 of 1868) in which the late Poligar was respondent was allowed, on the application of the appellant's Vakeel, to stand over for six weeks more, that he might decide whether to abandon it or proceed in it without a respondent.

3. In my letter of the 13th April to the Acting Secretary to Government, Revenue Department, embodied in the Proceedings of Government of the 20th April 1869, No. 431, I have pointed out that the issue of these appeals is of no importance to Government, or to the person who may be appointed successor to the Polliem, inasmuch as the cause of action in the suits out of which the appeals arise does not survive the late Poligar, and that fresh suits will be necessary to enforce the claim asserted in these suits to the lands the subject thereof, as forming part of the Polliem estate. Should the result of the inquiries now being made be to satisfy Government that this claim is a valid one, and ought to be maintained, it will then be for Government to consider whether they shall prosecute the suits themselves, or leave the person whom they may appoint as successor to the Polliem to do so, having regard to the reason suggested in paragraph 4 of my same letter for adopting the former course.

4. The suit in which the Appeal No. 464 was brought, was decided by the lower Court in favour of the late Poligar, and I understand that he obtained possession of the lands in execution of the decree. If this is so, Government are now in possession of the lands involved in that suit, and cannot be dispossessed whatever may be the result of the appeal in a suit to which they were no parties.

From the Collector of Salem, to the Acting Secretary to the Board of Revenue, dated 10th June 1869, No. 120.

With reference to the Proceedings of the Madras Government, under date the 20th April last, No. 1,077, communicated to the Board's order of the 23rd idem, I have the honour to send you, enclosed a copy of a letter received from the Acting Sub-Collector, giving, as far as he was able, an account of the manner in which the villages, forming the subject of the Special Appeal Suits in the High Court, passed into the possession of those now occupying them.

*Proceedings of the Madras Government, Revenue Department,
17th August 1869.*

2. Unless it is the wish of the Government to resume the Poliput, I see no necessity for the Government taking any action for the recovery of the villages in question.

ENCLOSURE No. 1.

From the Acting Sub-Collector of Salem, to the Collector of Salem, dated Oosoor, 1st June 1869, No. 307.

I HAVE the honour to return the enclosure which accompanied your letter, No. 335, dated 12th ultimo, and, as far as possible, furnish the information called for therein. The confusion which exists as regards the affairs of the late Poligar of Ankusagherry, renders this not so complete as I could wish.

2. I now append such information as I have been able to obtain.

3. Appeal Suit No. 466 of 1868 refers to the village of Agraharam. This appears to have been in the year Prabava, corresponding to A. D. 1807, alienated in gift by the then Poligar, Chocka Gounden, to one Nanjappayen of Madagoondapulle, who was formerly the Head Sheristadar of this district. The village, when the Poliput was suited in 1819 by the Government, was also attached. It appears, however, not to have passed out of the hands of the donee, and after descending to some of the members of his family it was finally sold in execution of a decree of the Court of the District Moonsiff of Oosoor (date not known) to Shulagherry Chetty Surcappah Chetty, in whose possession it now is. It is shown by an old sunnud* that prior to this sale the then Collector, Mr. Cockburn, granted a "Jari Sunnud" to the family of the original grantee. There is nothing on record here to show what the date of this transaction was. On this authority, it seems, the Inam Commissioner granted a title-deed to Chetambarayen and Soobanan, relations of Nanjappayen, who has long been dead.

4. Appeal Suit No. 465 of 1868 has reference to the village of Chockapuram, called also Jogepulli. This village was, in the year Vibava, corresponding to A. D. 1808, granted by the then Poligar, Kempu Gounden, to one Kariappa Gounden as an Oomligai (Personal Service) Inam. This man was a near relation of the Poligar, and the Inam has ever since remained in his family, but has not been recognised by Government.

5. Appeal Suit No. 494 of 1868 is connected with the village of Karrianapulli. This was in the year Saumiah, corresponding to A. D. 1849, alienated as a free gift by the then female Poligar, Veeramaniyar, to her elder brother Batatapulli Gopalappah, in whose family it still remains. This grant has not been recognised by Government.

Appeal Suit No. 464 of 1868 refers to the villages of Narianapuram and Idupulli. The former of the villages was, in the year Vishvasu, corresponding to A. D. 1845, given by the then female Poligar, Sanjevamaniyar, to Akachamani, the wife of her husband's elder brother, for her maintenance. After a time it was, owing to debts contracted by the latter, sold by order of the Court of the District Moonsiff of Oosoor, and purchased by one Chetty Sampungi Rami Chetty. The latter village was alienated at the same time by the same Poligar to the same party; and it still is in Akachamani's possession.

6. The whole of the villages mentioned above are included in those on which the peishcush of the Ankusagherry Polliem is payable.

7. In each case the late Poligar sought to recover possession on the ground that the alienations were illegal.

RESOLVED that the foregoing letters be submitted for the information and orders of Government, with reference to Government Order, dated 20th April 1869, No. 1,077.

2. The Collector of Salem forwards a report from the Sub-Collector regarding the circumstances under which the alienations of property forming part of the Ankusagherry Polliem occurred.

*Proceedings of the Madras Government, Revenue Department,
17th August 1869.*

3. These are in all cases of long standing, and in two cases, sales by the Moonsiff's Court have intervened.

4. It appears that the Agraharam village was alienated in 1807. The alienation was recognised by the grant of a Jari Inam Sunnud by Mr. Cockburn, and an Inam title has been issued by the Inam Commissioner.

5. The estate passed from the hands of the original grantee many years ago by sale of the Civil Court.

6. Jogepulli was granted in 1808 as a Service Inam, and has been in possession of the heirs of the original grantee ever since.

7. Karrianapulli was alienated in 1849, in free gift by the then Poligar (a female) to her brother, and is still in possession of his heir.

8. Narianapuram and Idupulli were alienated in 1845 for the maintenance of a sister-in-law of the Poligar. Narianapuram has changed hands by decree of Court, but Idupulli remains in the grantee's hands.

9. None of these alienations appear to have been legal as against Government or future Poligars, but the Board would not recommend that Government should sue for ouster in any case.

10. They would suggest, however, that all these alienations be re-assessed under Regulation I. of 1819, so as to relieve the estate and adjust the peishcush.

11. A copy of these Proceedings will be forwarded to the Inam Commissioner, who will be requested to furnish such information as may be obtained from his office regarding the Inam title issued by him, and the Jari Inam Sunnud granted by Mr. Cockburn, in the case of the village of Agraharam.

No. 248. ORDER THEREON, 17th August 1869, No. 2,352.

Miscellaneous.

THE Right Honorable the Governor in Council is not of opinion that any further action is necessary in regard

to the villages referred to in the foregoing Proceedings of the Board of Revenue.

2. It will rest with the Poligar himself, when nominated by Government, to take such steps in the matter as he may think proper.

(True Extract.)

(Signed) R. S. ELLIS,
Chief Secretary.

To the Board of Revenue.

Exd. T. O'Connor.

2-2-94
1-5-94

Dept. of Revenue

REVENUE.

SECRET.

No. 22782.

To Board of Revenue
at
Madras
22/7/69

7 April/69 No. 128-129
in file. — 431/33

2-2-94
1-5-94

Rev. 1869. Sep. 11.
Board of Revenue,
MADRAS.
No. 2581

PROCEEDINGS, 27TH JULY 1869, No. 5,454

Received 31-7-69. Encl.

JULY.

No. 5,454.

Ankushahy Polliam—in Salem District,—
Suggestion to Government that all the alienations
of property forming part of, be re-assessed under
Regulation I of 1822.—Inam Commissioner re-
quested to furnish information regarding Inam
Title-deed issued by him, and Jari Inam Sannad
granted by Mr Cockburn in case of village of
Agotharam.

Recd. 2352. 17 Aug/69

267.

... R. ...

Proceedings of the Madras Port
Under date the 17th Aug 1899
Read the following Res.
of the H^o of Revenue
D^o 27th July 1869 A 344.

The Lt. Amb^l the
Gov. in Council is
not of opinion that
any further action
is necessary in regard
to the villages referred
to in the foregoing
Proceedings of the Board
of Revenue

It will rest with the
Police in himself, when
nominated by Govt, to
take such steps in the
matter as he may
think proper

W. H.

See Mr. Phillips remarks on
Memo put up with G. O of
the 18th May 1899.

M. S.

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