

*Proceedings of the Madras Government, Revenue Department,  
24th November 1862.*

2. The Board concur with the Collector in considering the Petitioner undeserving of further notice.

(A true Copy and Extract.)

(Signed.) R. A. DALYELL,  
Sub-Secretary.

Read also Petitions Nos. 2,101 and 2,612 of 1861, and 619, 630, and 1,033 of 1862 from certain under-tenants of the Madras District protesting against the Mirasi system, and praying that a Commission may be appointed to enquire into their grievances.

No. 293.

ORDER THEREON, 24th November 1862, No. 2,478.

1. The Mirasidars of Madras hold a proprietary right in the land which they occupy and for which they pay assessment, and the Government cannot interfere with that right. Should any Mirasidar arrogate to himself unauthorized privileges the Petitioners have their remedy in the Courts of Law and the Offices of the Magistracy. Their prayer for a Commission cannot be complied with. Rules for the disposal of immemorial waste land are now under preparation, and will soon be published for the information of all intending applicants.

2. The Memorial which accompanied Petition 2,101 of 1861, will be forwarded to the Right Honorable the Secretary of State for India together with a copy of these Proceedings.

(Signed.) C. G. MASTER,  
Deputy Secretary to Government.

No. 1,511.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 7th March 1862.

Read the following letter from B. CUNLIFFE, Esq., Collector of Madras, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated Tiruvellore, 19th February 1862, No. 47:—

\* Received 25th November 1861.  
Returned 22nd February 1862.

1. I have the honor to report, as directed, on Government Petition\* No. 2,561 of 1861.

As I am asked in paragraph 46 for my opinion I give it in a few words. Petitioners commence with the wrong assumption that they are the proprietors of the land in Chingleput. This right belongs to the Mirasidars alone, as far as regards Sheycal and Laick. If Petitioners wish to take land, they can do so by renting it from the Mirasidars, paying to the latter their privileges as landlords. Petitioners are certainly in a lower social position than Mirasidars, but this occurs every where, and is only the natural inequality between the land-owners and sub-tenants.

MEMO.—One man, the noted Muttu Gurukall had compromised 27 charges before the Saidapet Sub-Magistrate in one year, and there were eight pending before him.

2. A similar Petition was presented to me, and I have remarked upon it as given in the margin. I have but few other observations to make. It is signed in English and in Tamil by the same person, who however is the mere tool of a cleverer man named Chellapa Mudali, the grievance-monger of the District, who lives by getting up representations of this kind, and by pretending to the ignorant Ryots that he has influence with the authorities. When I received charge of the District there were five or six men of this character, who were the curse and terror of the country.

They fomented quarrels, fabricated complaints, and received powers of attorney from individuals, merely to bring a charge, summon respectable parties from their homes, and then usually compromised with them for some money consideration, which the latter were glad enough to give, rather than be dragged before the Criminal Courts, and be put to the inconvenience of leaving their villages. This trade I put down by refusing to receive their Vakaluts.

3. In paragraph 47, the Petitioners have made the wilful mistake of resembling this District to that of South Arcot. There the land belongs to the Government, and any resident of a village, making the first application for waste land, receives it. Here the soil is owned by a village community styled "the Mirasidars," and no person, resident, or stranger, not of that body, can obtain land unless the Mirasidars have been given the option of taking it and have declined.

4. The Government have directed the observance of this very just preference, though the Payakarries can procure as much waste land as they like, by sub-renting it from the Mirasidars, or they may purchase a Mirasi share, in which case they would become as exclusive as they declare that community to be.

5. The request of the Petitioners is like that of a tenant farmer in England, who laments that his farm is not given to him on proprietary tenure. Such an alleged grievance would find little sympathy at Home, and the Petition now returned deserves similar consideration. It is a rambling and exaggerated production. There are rich and poor all the world over, and in India, if not elsewhere, the more substantial will take advantage of those less fortunately situated, but there is no reason to believe that this practice exists in a greater degree here than in other parts of the country, or that redress for real grievances is not as readily afforded. I made a few marginal remarks in the Petition presented to me, which have been copied into the Government Petition.

ENCLOSURE No. 1.—Petition.

1. Ordered to be submitted to Government, with reference to their Endorsement, dated 26th November 1861.

2. The Board concur with the Collector in considering the Petitioner undeserving of further notice.

(A true Copy and Extract.)

*[Signature]*

Sub-Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D., with Petition.  
Copy to B. Cunliffe, Esq., Collector of Madras.

Exd. J. Wright.

Read Proceedings of the Board of Revenue  
(Here enter 7<sup>th</sup> March 62 No 1571)

Read also Petitions Nos 2101, 2612 of 1861  
& Nos 619, 660 & 1565 of 1862.

from certain under-tenants  
of the masoras district  
protesting against the  
Survey system & saying  
that a Commission may  
be appointed to enquire  
into their grievances -

+ We recognize the  
fact in all reports  
might be made  
the Commission  
of the Board of Revenue  
of the Board of Revenue

Sanction in the view taken by  
Mr. Halliday - steps should be  
taken by the Govt as speedily as  
possible to meet the claims which  
may be made upon by the  
Mirasidars

1. The Government have  
long ~~ago~~ recognized the  
Mirasidars of Madras as  
holders of a proprietary  
right in the land which they occupy for which they pay  
rent to the Government.  
The Government cannot interfere with  
that right. Should any  
Mirasidar abuse his  
position and be guilty  
of embezzlement, violence  
or fraud, the petitioners  
may have their remedy in the  
Court of Law & the Offices  
of the Magistrate.

It is not  
an embroilment, it must be  
attended upon by the  
Commission

may be  
of the Board of Revenue  
(See my report to the Board)

+ Rules for the disposal of memorial petitions are  
now under preparation by the Govt of India & will be published for the  
information of all intending applicants.

are being sent to the  
under preparation by  
the Govt - and to be  
sent to the Govt of India  
the above proceedings  
will be forwarded to the Secretary  
of State for India with  
the above proceedings.

Copy in a letter to Ensign  
of 22 February 1862 of 1863-

Revenue 1862. Department.  
No. of Mr. Halliday  
for a Commission

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 7th March 1862.  
Despatched, 14.8.  
Received, 22.1.72

No. 1,511.

of R No 2478. 24 Nov

Submitting a letter from the Collector of  
Madras reporting on Petition No 2561 of 1861,  
and concurring with him in considering the  
Petitioner undeserving of further Notice.

10298.

10217. 1000

3. An intimation to that  
effect will be sent to  
the petitioners who will  
also be informed of  
the orders of Government  
as contained in Para 1.

J. P. M.  
25 May 1952.

6  
The draft Proceedings, as amended by me, will  
I think sufficiently deal with the Petition of the  
Anti Meeoos Party in being put for the present.

- I had thought of entering <sup>at length</sup> into the vexed question  
of Meeoos which must soon be definitively settled,  
but the draft Bill for the disposal of Waste Lands  
 lately received from Calcutta shows that its de-  
cision will be left to a special tribunal. In-  
stead therefore of entering into a detailed argu-  
ment of the question, I will briefly express  
my opinion that Govt ought to lose no time  
in placing all the papers connected with  
the subject in the hands of an experienced  
lawyer as to be prepared to support its Sovereign  
right to the immemorial waste lands of the  
country (except where they have been alienated  
by special deed or grants) when called upon to  
deal suddenly with Meeoos claims as will  
very soon be the case.

The question does not only effect the future, for if  
but is of great retrospective importance, should  
the claim of the Meeoos to the Waste is  
admitted, Govt will have to account for the  
land which it has given away or used for

public purposes & will doubtless be called upon to refund the quarry & jungle rents which it has collected. Some case should therefore be taken to guard against this latter opening contingency.

The course of legislation proposed for the disposal of Waste lands will, it seems to me, undoubtedly bring on the question both soon & suddenly. An application will be made to the Comr for some waste land in Chingleput. - The usual notice will be given but any party claiming a right to the land is to come forward in 30 days - on this the Meerapchairs will appear & urge their claim. Mr. Curleffe has shown by his letter to the Board, dated 19 Feb'y last, that he will report in favor of it. - The only means then left to the Govt of asserting the rights of the State will be to appoint a Special Court & call on the Meerapchairs to establish their title before it. On the hearing of the case Govt <sup>consequently</sup> should be represented by an experienced advocate to show the unsubstantiatedness of the asserted Meerapchairs right and as the question is both intricate & highly important it seems to me

that Govt should select a legal adviser  
at once

The Advocate General, Mr. Sydney Smith, went into the question of Meerapoor when the case of the Colondaruna Moodelly was likely to be brought before the Supreme Court (see East India of Con. 4 June 1856 Rev Dept) - but the state of his health & his numerous avocations would probably make him wish that Govt. should select another Barrister, especially since the case will not be argued before a Special Court in the Provinces & not before the High Court at Madras - ~~should this be so~~ I would suggest that the services of Mr. D. Magesh should be ~~securely~~ secured, but whoever is selected should be placed in communication with the Rev. Secretary to Govt & the Rev. Board Secretary, and be fully supplied with documents & information. -

I will only add, in reference to Mr. Conliff's  
letter above alluded to, that neither the Board  
nor the Govt. have admitted the pretensions  
of the Missions to the ownership of the  
immense waste & unoccupied lands. The  
missions have secured much about Missions,  
and decrees may be quoted both for & against

it - I know however of no later one than that in Appeal Suit No 100 of 1849 before the Chingleput Court which is of much importance. In the original suit (No. 223 of 1848) the Meerapudari claimed fees for some immemorial waste land, which the cultivators had obtained on leasehold (on application) from Govt for the purpose of clearing it & bringing it under culture, paying the due assessment to Govt. The Meerapudari's claim was rejected by the Mofaty Sadar Kuncen as altogether inadmissible & inconsistent with the rights of Govt. On Appeal this decision was upheld by the Civil Judge who remarked in his decree "this point has been frequently decided in the negative" against the Meerapudari.

17 Nov/62

Wm

Even if an alteration in the Draft Bill for the disposal of Waste lands should postpone the legal adjudication of the question, it will be of important value to Govt to have the Meesapudari papers reviewed & summarized by an able & experienced lawyer.

Wm

I agree with Mr Maltby that it is not now to be prepared as to any point to be decided in the Meerapudari question - and would have them put at once place all the papers in Mr Maltby's hands & would put him in communication with Mr H Revenue Secy. and Secy to B of Govt.

I have given an order on a letter sent after on a proposal on 24.

No. 24/82  
Read the following Proceedings of the Board of Revenue (Kercenty March/62) No. 1511

Read also Petitions Nos. 2101 & 2612 of 1861 - and 619, 660, & 1068 of 1862 from certain under tenants of the Chandra District protesting against the Chirasi system and praying that a Commission may be appointed to enquire into their grievances -

The Chiravidars of Chandra hold a proprietary right in the land which they occupy & for which they pay an assessment, and the Government cannot interfere with that right. Should any Chiravidar arrogate to himself unauthorized privileges the Petitioners have their remedy in the Courts of Law and the offices of the Magistrate. Their prayer for a Commission cannot be complied with. Rules for the disposal of immemorial waste land are now under preparation, and will soon be

Wm

JP

published for the in-  
formation of all intend-  
ing applicants.

2. The Memorial  
is accompanied by

2101 of 1801 will be for-  
warded to the N. D.

The Sec. of State for

India together with

a copy of these Pro-  
ceedings.

cc

Mr. Bd. of Revenue 20/1/05

1. Copy of Paras in v. & P. 20/1/05  
G.I.

Copy in a Letter to England  
2<sup>d</sup> February 12/10 of 1863

25/3/55  
18/4/55  
17/7/55

Revenue 1862 Depts  
Pro: of Govt for Nov.

N. 2478.

Pro: of the elladras Govt  
D<sup>y</sup> 24<sup>th</sup> November 1862.

Petitions from certain  
under tenants of the elladras  
District protesting against  
the survey system in that  
District, with orders thereon.

N. 298 + 299.