

# MADRAS RECORD OFFICE.

Government of Madras.

*Revenue* DEPARTMENT.

G.O. No. 321

Press  
Mis.

122-123

Dated 6th February 1869

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,  
6th February 1869.*

No. 122. Read the following Proceedings of the Board of Revenue, dated 14th January 1869; No. 214.

Read the following letters:—

From the Collector of Madura, to the Acting Secretary to the Board of Revenue, dated Camp at Kodakanel, 20th November 1868, No. 295.

1. My Head Sheristadar, Vencatasawmy Naick, having applied to me for three months' privilege leave, I have granted it. It is, however, my duty to bring to the notice of the Board that Vencatasawmy Naick has either already taken, or is about to take the contract of the Shevagungah Zemindary from Mr. Robert Fischer for four lacs of Rupees.

2. It will be for the Board to consider whether, with such a contract, he can be allowed to remain in Government employ.

3. I have ordered my Head Vernacular Clerk, Ramanjulu Naick, to take charge of the Sheristadar's Department, until the Board's orders are received.

N.B.—The proper number of the letter will be communicated to the Board's Office afterwards.

From the Collector of Madura, to the Acting Secretary to the Board of Revenue, dated 22nd December 1868, No. 318.

1. I have the honor to report, for the information of the Board, that Mr. Robert Fischer, Lessee of the Shevagungah Zemindary, has, on the 8th instant, sub-leased the estate to Vencatasawmy Naick, the Hoozoor Sheristadar, for the unexpired portion of his lease, and to submit, herewith, a certified copy of the sub-lease furnished to me by Mr. Fischer.

2. I also enclose a copy of a letter received from the Raunee of Shevagungah, objecting to Mr. Fischer's sub-contracting the Zemindary, and request the instructions of the Board as to receiving Peishcush, Road Cess, Quit-rent, &c., due by the estate direct from the Sub-lessee, as Mr. Fischer requests, and as to corresponding with him on matters connected with the Zemindary.

ENCLOSURE No. 1.

From the Zemindarnee of Shevagungah, to the Collector of Madura, dated 11th December 1868.

1. J. Raunee Kattama Nachiar, Zemindarnee of Shevagungah, beg to inform you that it is a fact well known to all, that as grateful as I was to the late Mr. G. F. Fischer, on account of the services he rendered to me in getting established my right and title to the Zemindary of Shevagungah, I leased the estate to him for ten years, purely as an act of favor, and for his self-enjoyment, and that of his son after his death. The Zemindary was thus in his enjoyment, and after his death has been in that of his son, Mr. R. Fischer. It is with much regret, however, that I am informed that the said Mr. R. Fischer, has, contrary to the engagement he made with me, and to the purport of the correspondence between us both, given over the estate under sub-lease to Vencatasawmy Naick, the Sheristadar of your Office. As this act of Mr. Fischer cannot, under the above circumstances of the case, be justifiable, I have resolved to institute legal proceedings against him.

2. In the meantime, I have to request that you will not recognise the sub-lease, nor you will hold correspondence with the said Vencatasawmy Naick on matters connected with my Zemindary, nor you will permit him to pay the Peishcush due to Government.

(True Copy.)

(Signed) G. McWATTERS,  
For Collector.

*Proceedings of the Madras Government, Revenue Department,  
6th February 1869.*

ENCLOSURE No. 2.—Certified copy of the Bond of Sub-lease.

SUBMITTED for the information of Government.

2. In their Proceedings of March 17th, 1864, No. 461, Government authorised the receipt of the Peishcush of the Shevagungah Zemindary from Mr. Fischer on behalf of the Zemindarnee, but considered it inexpedient to recognise the *lease* of the estate to him, the validity of the transaction being open to question.
3. In their Order of 14th August 1865, No. 1,882, Government, in view of the actual possession and enjoyment of the lease by Mr. Fischer, authorised his recognition as lessee, so far as was necessary to enable him to enforce his demands in that position against the ryots.
4. The Board presume that it will be the duty of the Collector to recognise the new renter to the same extent, passing all receipts for Peishcush in the name of the Zemindarnee.
5. As regards the Head Sheristadar, Vencatasawmy Naick, it must of course be considered that he has resigned the service, the period of resignation dating from the commencement of his privilege leave.

No. 123. ORDER THEREON, 6th February 1869, No. 321.

Land Revenue.

1. The Right Honorable the Governor in Council concurs in the view expressed in the penultimate paragraph of the Board's Proceedings. The Acting Collector, however, when recognizing the sub-renter, as Mr. R. Fischer's tenant, should expressly state that the Government in doing so, neither relinquish any claim which they may have on Mr. R. Fischer, nor do they intend to give any sanction or expression of opinion upon the validity of the sub-lease.
2. The Sheristadar's resignation of the service must date from the commencement of his privilege leave.

(True Extract.)

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

To the Board of Revenue.

Exd. G. A. Turton.

with an Encl.

Revenue Department.

Proceedings of the Board of Revenue,  
dated 14<sup>th</sup> January 1869.

Read letter from the Collector of  
Madura, dated December 22<sup>nd</sup> 1868.

Read again also letter from the  
same Office dated November 20<sup>th</sup>.

Submitted for the information  
of Government.

In their Proceedings of March 17<sup>th</sup>  
1864, No. 461, Government authorized the receipt  
of the Peishench of the Shevavunge zemindary  
from Mr. Fischer on behalf of the zemindary  
but considered it inexpedient to recognize  
the lease of the estate to him, the validity  
of the transaction being open to question.

In their Order of 14<sup>th</sup> August 1865  
No 1882, Government in view of the actual  
possession and enjoyment of the lease  
by Mr. Fischer authorized his recognition  
as

with an enclosure

11/11/11

Govt. of Madras.

REVENUE.

To

THE BOARD OF REVENUE.

Noted Revenue, Cth.

Recd.

Encl.

G. O. 6th February 1869, No. 321.

FEBRUARY.

Nos. 122-123.

Shevavunge Zemindary in Madura Dis-  
trict.—Passing orders on the subject of sub-  
leasing the Estate to the Sheristadar of the District.

as Lessee so far as was necessary to enable him  
to enforce his demands in that position against  
the ryots.

The Board presume that it will be  
the duty of the collector to recognize the new  
Renter to the same extent passing all  
receipts for Peishush in the name of the  
Remindar.

As regards the Head Seristadar,  
Venkataswamy Naick it must of course  
be considered that he has resigned the  
service the period of resignation dating  
from the commencement of his Privilege  
leave.

Why do? Why  
not from the date  
on which the sub lease  
commences? - W.D.N.

(A true Extract)

Alurajay  
Acting Secretary.

To

The Acting Secretary to Government  
Revenue Department  
with Enclosures.

For

16/10/1869

11/10/1869

Revenue 1869

112

Proceedings of the Board of Revenue

Dated 14 January 1869

Submitted for information of Government

122

Proceedings of the Madras Government Under date 8<sup>th</sup> January 1869

Read the following Proceedings of the Board of Revenue

Submitting for information ... 1. The N. H. the Gov. in Council concurs in the view expressed in the penultimate

- 1. The N. H. the Gov. in Council concurs in the view expressed in the penultimate ... 2. The Sheristadar recognizes of the lease must date from the commencement of his private lease.

W. M. A.

The A. C. W. however, when recognizing the sub-renter, as Mr. R. Fischer's tenant, should expressly state that the Gov. neither relinquishes any claim which they may have on Mr. R. Fischer, nor do they intend to give any sanction or expression of opinion upon the validity of the sub-lease. I don't see how any objection can be taken to the lease. Para 17 of the Permanent Survey (Page 444 B. C. O. Book) seems to authorize a lease by a landlord and the question of the terms of the lease are between the lease and the landlord.

Shops ... 16/10/1869

16/10/1869

I would not draw the hastily which  
might imply the recognition of Mr.  
Fisher's right to disprove his lease.  
The question of right is wholly left  
under litigation and a decision in the  
hands of Govt. apparently sanctioning the  
transaction might be pleaded by the  
defendant in support of his claim.  
Besides the transaction itself is in  
my opinion much to be deprecated and  
I hope it might be disallowed, tho' I fear  
the contrary, under the terms of the  
Lease. I would in the meantime  
refer the paper to the Advocate  
General requesting him to favor the  
Govt. with his opinion as to the  
legality of the transfer  
confidentially. N.P.

G.O.

Meeting of the Board  
of Directors  
General Fund

17

General

Director

G.O.

Meeting of the Board  
of Directors  
General Fund

17

General

Director

G.O.

Meeting of the Board  
of Directors  
General Fund

17

General

Director