M.R. O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1882 Press ~~Mis.~~

~~420-421-422-~~ Dated 29- 11 - 1870 ~~19~~ .

Not to be folded or roughly handled

Read the following :—

No. 420. Proceedings of the Board of Revenue, dated 17th September 1870, No. 5,772.

Read the following letter from the Collector of Malabar, to the Acting Secretary to the Board of Revenue, dated Calicut, 6th August 1870, No. 283.

I HAVE the honour to request that the amounts noted in the margin, now debited to "Advances Recoverable" in this Office Account, may, under the circumstances stated below, be ordered to be struck off the accounts as irrecoverable.

	Rs.	A.	P.
1.	20	10	0
2.	295	8	9
3.	247	8	0
	2	4	0

2. Item No. 1 refers to charges incurred on account of batta to witnesses in Suit No. 1 in the Special Court, constituted under Act XXIII. of 1863. The Court not having passed any orders as to the costs of the Suit, the amount cannot be recovered.

3. Item No. 2 relates to Suit No. 217 of 1867, reported on in the correspondence noted in the margin. The Civil Judge having refused to adjudge payment of costs of appeal, the amount remains unrecovered.

Board's Procs., dated 8th Feb. 1867, No. 777.
Do. ,, 16th May ,, ,, 3,021.
Collector to Board, ,, 23rd Nov. ,, ,, 265.
Board's Procs., ,, 4th Jan. 1868 ,, 40.
Do. ,, 31st August, ,, 6,212.

4. Item No. 3 also refers to the above-named Suit, being costs of the original Suit, which Government were empowered to recover from the opposite party; but this latter it would appear has no property whatever to proceed upon. The amount is, therefore, irrecoverable. Rupees 2-4-0 were spent in the issue of processes to recover the above amount. This has also to be written off.

THE Collector will be good enough to give some more particulars regarding Item No. 1. The year and the nature of the Suit should be given as well dates of correspondence, if any.

No. 421. Proceedings of the Board of Revenue, dated 15th November 1870, No. 6,674.

Read again letter from the Collector of Malabar, dated 6th August 1870, No. 283, recorded in Board's Proceedings, dated 17th September 1870, No. 5,772.

Read also the following letter from the Collector of Malabar, to the Acting Secretary to the Board of Revenue, dated Calicut, 30th September 1870, No. 336.

ADVERTING to the Board's Proceedings, dated 17th September 1870, No. 5,772, I have the honour to report that the sum of Rupees 20-10-0 was disbursed as batta to witnesses in Suit No. 1 of 1865 in the Special Court of Calicut, constituted under Act XXIII. of 1863.

2. This Suit was preferred by the Karambranad Rajah, and related to certain lands situated in the Ganapativatom Amshom of the Wynaad Taluq, which were then advertised for sale by the late Collector Mr. Ballard on behalf of Government.

3. These lands originally belonged to the Kotayeth Rajah, and escheated to Government when the Rajah was killed in open rebellion against the English in the year 1806.

Collector to Board, dated 20th July 1864, No. 173A.
Board's Procs., ,, 20th Oct. ,, ,, 6,913.
Collector to Board, ,, 13th July 1865, ,, 136.
Board's Procs., ,, 21st July ,, ,, 4,261A.
Government Order, ,, 26th ,, ,, ,, 1,742, communicated with Board's Proceedings, dated 27th idem, No. 4,434.
Collector to Board, dated 23rd Oct. 1867, No. 239.
Board's Procs., ,, 24th March 1868, ,, 2,101.

4. The Suit was dismissed in June 1867, but no order was passed as to the costs.

5. In the margin the correspondence with the Board on the subject of the Suit is noted.

In the first letter the Collector requests sanction for the sums noted in the margin, which now stand debited to "Advances Recoverable," being written off the accounts as irrecoverable.

	Rs.	A.	P.		Rs	A.	P.
1	20	10	0	3.	247	8	0
2.	295	8	9	4.	2	4	0

2. The item of Rupees 20-10-0 was the amount disbursed as batta to witnesses in Suit No. 1 of 1865 in the Special Court of Calicut constituted under Act XXIII. of 1863. This was a Suit instituted by the Rajah of Karambranad to establish his claim to certain lands, which were advertised for sale on account of Government, but dismissed by the Court. The details of this case are embodied in the Board's Proceedings recorded in Government Order, dated 17th April 1868, No. 1,010. It appears that the Court not having passed any orders as to the costs of the Suit, the amount cannot be recovered.

3. The Items Nos. 2 and 3 are stated to relate to the Suit No. 217 of 1867, filed by a merchant to substantiate his claim to a peramba called Kappiri Kurisingal, as his Jenm property. The Collector defended the Suit on behalf of Government, and it was dismissed on appeal, but the Appellate Courts refused to award costs. It appears that the Civil Judge refused to adjudge the payment of cost of appeal in this case, and that, therefore, the Item No. 2 of Rupees 295-8-9 remains unrecoverable. So also is the case in regard to the third item, viz., Rupees 247-8-0, which is stated to have been the costs of the original suit in this case, which Government were empowered to recover from the opposite party; but it appears that this party has no property to proceed upon.

4. The fourth or the last small item of Rupees 2-4-0 is the charge incurred in the issue of Process to recover the above sum of Rupees 247-8-0.

5. In placing these facts before Government the Board recommend that the Collector may be authorized to write off the above sums, amounting to Rupees 565-14-9, to Profit and Loss.

Proceedings of the Madras Government, Revenue Department,
29th November 1870.

No. 422. ORDER THEREON, 29th November 1870, No. 1,882.

Miscellaneous. SANCTIONED.

(True Extract.)
(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
,, the Accountant-General.

Erd. F. R. Bantleman.

Rec'd 1870. Dec. 3

Board of Revenue,

MADRAS. No. 3633.

PROCEEDINGS, 15TH NOVEMBER 1870, No 6,674.

Dept. 22 Nov. 70 Encl.

Received 23 Nov.

NOVEMBER.

No. 6,674.

Subs.—Recommendation to Government to authorize Collector of Malabar to write off to Profit and Loss, Rupees 555-14-9, costs incurred in certain, and stated to be irrecoverable.

Read 1882.

Govt. of [1870] Madras.

REVENUE.

To

THE BOARD OF REVENUE.

&c., &c., &c.

Dated November, 29th.

Read. Encl.

G. O., 29th November 1870, No. 1,892

NOVEMBER.

Nos. 420—422.

Costs incurred in certain Suits in Malabar District.—Collector wishes [illegible] to write off to Profit and Loss the amount [illegible] to be irrecoverable.