

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	937	Press
		~~Mis.~~
302-303.		
Dated	24.6.1870	19

Not to be folded or roughly handled

File
14.5.27

*Proceedings of the Madras Government, Revenue Department,
24th June 1870.*

No. 302. Read the following Proceedings of the Board of Revenue, dated 14th May 1870, No. 3,293—

Read the following letter from the Collector of the Godavery District, to the Acting Secretary to the Board of Revenue, dated Cocanada, 27th April 1870, No. 115.

I HAVE the honour to submit herewith translation of a plaint in Suit No. 1 of 1870, filed in the Civil Court of Rajahmundry by the proprietor of the Vceravillipolém Estate for the recovery of certain lunka lands in the bed of the river Godavery, assessed at Rupees 920, together with the past proceeds of the lands from Fusly 1276 to 1278. A copy of the plan presented in the Court by the plaintiff as well as a copy of the plan prepared by the Huzoor Surveyor are herein enclosed. They are marked A. and B. respectively.

2. The pieces of lunka lands claimed by the plaintiff are marked C., E., and F. in the Plan A. The piece of land marked C. is a portion of the new lunka of the Government village of Kulla: it is included in the Survey Nos. 595, 596, and 598 in the accompanying Survey Plan of Kulla. They claim it solely on the ground that it is within the boundary line of their lunka marked B. It was an accretion to the old lunkas of Kulla and Korumilly, the Government villages marked H. and I. His claim for it is therefore I believe not sustainable. The land marked E. and F. in the Plan A. is the land marked B. and C. in the Plan B., which was correctly prepared. In the year 1865 the land marked B. in the Plan B. was formed, adjoining the Geddalunka of Veravillipolem marked D: it was then made over to the Kulla village on the claim of its ryots that it was formed within the boundary line of their main land, and on the ground that it was formed in the bed of a navigable river under tides. The land marked C. was an accretion to it, and touched the Dubbulunka of the plaintiff in Fusly 1279.

3. Under the present view of the law on this subject I have no doubt that the whole land marked B. and C. in the Plan B. will be adjudged to the plaintiff, and that he has a right to claim it. I have personally inspected it, and therefore beg to propose for sanction of the Board of Revenue to make over this land to the plaintiff, with the past proceeds realized therefrom. These proceeds amount to

Fusly 1276	...	...	...	...	RS. 655
" 1277	...	...	...	...	675
" 1278	...	...	...	...	270
" 1279	...	...	...	...	1,305
Total ...					2,905

Rupees 2,905 as particularized in the margin. I have written to the proprietor to say that if he gives up his claim for the land marked C. in the Plan A., and withdraws his Suit, paying himself the costs of the Suit, the land marked E.

and F. will be made over to him from the beginning of the next Fusly, and Rupees 2,905, being its past proceeds, will be paid to him. I have no doubt that he will agree to this.

4. The day fixed for the hearing of the Suit is 12th July next.

*Proceedings of the Madras Government, Revenue Department,
24th June 1870.*

ENCLOSURE No. 1.

Original Suit No. 1 of 1870.

To the Civil Court of the Rajahmundry District.

Complaint preferred under Section 26, Act VIII. of 1859.

Plaintiff versus Defendant.

Sree Rajah Row Vencata Jaggarayaningar,
Proprietor of the village of Veeravillipole,
residing at Venkatippa near Uppada.
A plan is hereunto appended.

James Fraser, Esq., Collector of the Godavery
District on behalf of the Madras Govern-
ment, residing at Cocanada.

Two lunkas, marked C. and D. in the said plan, were formed in the year 1854 on the site which was adjunct to the lunka land, marked B. in the plan, belonging to the plaintiff and adjoining prior to 1852 to the lunka attached to the village of Veeravillipole belonging to the plaintiff, and which has been from that time covered with sand and tufts of a kind of hemp-plants called "Jamuna;" the lunka in question having been washed away in that year by the Godavery fresh. While these lunkas continued in the enjoyment of the plaintiff the ryots of the Government village of Kulla advanced a claim to the one marked D., but the Collector in 1857, and Mr. Master, during the survey of all the lands in this district, rejected the claim, incorporated the lunka land marked D. with the lands of Veeravillipole belonging to the plaintiff and passed decisions on the subject.

2. In the year 1861 the two lunkas marked E. and F. in the above plan were formed or another site adjoining to the plaintiff's lunka marked D., and covered up with sand and tufts of a kind of hemp-plant called "Jamuna," as mentioned in the above paragraph. While the plaintiff was in the enjoyment of these lunkas the ryots of the village of Kulla claimed them, together with the one marked C. referred to in the above paragraph. Whereupon the defendant, on the 10th August 1865, ordered the incorporation of these three lunkas with the lands of that village. The plaintiff having a lawful right to these three lunkas this claim is preferred.

3. The plaintiff requests that an award may be given, directing that the lunka land marked C. in the plan, bounded on the east by the lunka land called "Geddalunka" marked D., belonging to the plaintiff, on the south by the plaintiff's above-mentioned western lunka marked B., on the west by the sand hills, and on the north by the Godavery, measuring 80 acres in extent, yielding an assessment of 50 Rupees per annum, and known by the name of "Uttara badava," forming part of the western lunka; the lunka land marked E., bounded on the east by the plaintiff's lunka marked G. and called "Dubbulunka," on the south by the lunka marked F. which is included in this Suit, on the west by the plaintiff's above-mentioned lunka land marked D. and called Geddalunka, and on the north by the Godavery measuring 42 acres, yielding an assessment of 720 Rupees per annum, and known by the name of "Turpu badava," forming part of "Geddalunka;" and the lunka land marked F., bounded on the east by the plaintiff's lunka marked G., on the south and west by the plaintiff's lunka marked B., and on the north partly by lunka marked D., and partly by lunka marked E., measuring 48 acres, yielding an assessment of 150 Rupees per annum, and known by the name of "Turpu badava," forming a portion of the western lunka, amounting in the aggregate to 170 acres; be made over to the plaintiff by the defendant, together with 2,760 Rupees, being the cist of these lands for three Fuslies, from 1276 to 1278, as well as subsequent profits and the costs of Suit. I give up my claim to the cist for Fusly 1275, 17th December 1869.

4. The plan above referred to and the authenticated copy of the order issued on the above date by the defendant to the Tahsildar of Ramachendrapur are herewith presented.

(Signed) SREE ROW VENCATA JAGGARAYANINGAR.

(") S. GOPALAKRISTNAMA.

(") SARIPELLA SATTEMIA, Pleader for the plaintiff.

*Proceedings of the Madras Government, Revenue Department,
24th June 1870.*

I, Sree Row Vencata Jaggarayaningar, the plaintiff named in the above plaint, do declare that what is stated therein is true to the best of my information and belief.

(Signed) SREE ROW VENCATA JAGGARAYANINGAR.

Filed in Court, 27th January 1870.

(Signed) H. MORRIS,
Civil Judge.

(True Copy.)

(Signed) N. LAKSHMINARAYANA,
Sheristadar.

(True Translation.)

(Signed) J. FRASER,
Collector.

ENCLOSURES Nos. 2 and 3.—Plans.

SUBMITTED for the orders of Government.

2. The Suit is one for two pieces of recently formed lunka land in the Godavery.

3. The first, called C. by the Collector, is claimed by the plaintiff on the ground that it is an accretion to his land, and occupies the same situation as a lunka which once belonged to him, but was afterwards submerged. The claim is good in law, but the Collector seems to be sure that the facts are in favour of Government.

4. The other piece, called E. and F. by the Collector, is an accretion between two lunkas belonging to the plaintiff, and touching no Government lunka. The case as stated in the Collector's report is not complete, but the situation of the land makes it highly probable that it belongs to the plaintiff, and the Collector has satisfied himself that it does.

5. He has offered to compromise matters by giving the plaintiff the second piece of land with mesne profits, amounting to Rupees 2,905, if he will relinquish all claim to the first piece.

6. The Board recommend that this attempt at a compromise be approved, and that if it prove unsuccessful the defence of the Suit be sanctioned.

No. 303.

ORDER THEREON, 24th June 1870, No. 939.

Miscellaneous.

THE Government resolve to adopt the recommendation of the Board to the effect that the Collector should endeavour to compromise matters by abandoning all claim to the lands marked B. and C. in the Plan B., paying to the plaintiff the sum of Rupees 2,905, being the proceeds from the aforesaid lands for the past four Fuslies, and in addition, making over to him the lands marked E. and F. in the Plan A., provided that he gives up his

REVENUE.

dec. dec. Jan.

Recd.

Index

G. O., 24th June 1870, No. 939.

JULIE.

Files. 302-303.

Suite No. 1 of 870 for the recovery of certain lunka lands.—Recommendation of the Board of Revenue to compromise matters in connection with it, ordered to be adopted.

claim to the land marked C. in the Plan A., and withdraws the Suit which he has instituted paying its costs. This agreement should be executed on stamped paper.

(True Extract.)

(Signed)

R. S. ELLIS,

Chief Secretary.

To the Board of Revenue.
the Accountant-General.

Exd. F. R. Bantleman.

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w
No 1489.-

I concur.

J. D. S.

P. A.

For orders with the suggestion
that the Bd's recommendation
be adopted. The case
is succinctly stated in
the Bd's Proceedings.

~~DMS.~~

Memo
Sent in Rajah-
mundry Civil
Court, Godavari
District.

Copy of the order of
the Court in the case of

14-7

Circ

File accordingly

19 May 20 RD June

Revenue Department.
No. 939.

Proceedings of the Madras Government
under date the 24 June/70

Read the following
Proceedings of the Board
of Revenue.

Recommending to compromise
matters with reference to Suit No. 1
of 70 filed against Govt. in Rajah-
mundry Civil Court in Godavari
District, for the recovery of certain
lands, by proprietor of Varamilli.
- Pearl Estate. -

(P. O. 14 May/70 No. 329)

J. D. S.

The Government
resolve to adopt the
recommendation of the
Board to the effect
that the Collector should
endeavour to compromise
matters, by abandoning
all claim to the lands
mentioned

marked B & C in the
plan B, paying to the
plaintiff the sum of
P. 2905, being the proceeds
from the aforesaid lands
for the past four fushies,
and in addition, making
over to him the lands
marked E & F in the plan
A, provided that he gives
up his claim to the land
marked C in the plan A
and withdraws the suit
which he has instituted
paying its costs. —

This agreement should
be executed on stamped
paper. —

He *ML*

14. Followed by Paul and the
6. — Acit. Genl. ✓

Stoll

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