

*Proceedings of the Madras Government, Revenue Department,
3rd July 1871.*

No. 21. Read the following Proceedings of the Board of Revenue, dated 15th June 1871, No. 2,416:—

Read the following letter from the Collector of Malabar, to the Acting Secretary to the Board of Revenue, dated Calicut, 30th May 1871, No. 130.

ONE Vellatiriyam Pokkan, by caste a Cherman, died some months back in the Koyyam Amshom, Chirakal Talook in this district, leaving behind him only a paramba, measuring about half an acre, and yielding a rent of Rs. 3 a-year. The assessment is Rupee 0-4-3, and the garden is said to be worth about 100 Rupees.

2. The deceased followed the Marumakatayam rule of inheritance, and died without any legal heirs; but it appears that he has a widow and three children aged nine, six, and two years respectively, who lived with him in the paramba in question, and still live there.

3. It was, I understand, the intention of the deceased to have made over the paramba to the wife and children, but that he was unable to do so, having died suddenly in Coorg where he had gone to work as a cooly.

4. Two neighbours of his, who belong to the same caste, have deposed to this effect before the Tahsildar. Whether their statement be true or not, I am strongly of opinion that the property should not be escheated to Government, but should be made over to the woman and her children who of course have no means; and I have the honour to solicit the early instructions of the Board and Government on the subject.

SUBMITTED for the sanction of Government.

No. 22. ORDER THEREON, 3rd July 1871, No. 1,149.

Miscellaneous.

THE Collector no doubt was properly informed; but in Strange's Hindu Law, it is expressly stated that the

Chermans, or slave-caste people, follow the ordinary Hindu law of inheritance. Strange also states that a woman in alliance with a male lives always in her own family, whereas here the "widow," as the Collector calls the survivor, *lived* with her consort.

2. Presuming, however, that the facts are correctly stated, and that the deceased really did follow the "Marumakatayam" rule of inheritance, the Governor in Council is pleased to sanction a waiver of the escheat in favour of the woman and her children, as recommended by the Board.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Acting Secretary to Government.

To the Board of Revenue.

Ed. F. R. Bantleman.

No. 1149

Pro. Bd of Rev. - d/15th June/71

3rd July/71 No 2,416.

~~Where~~ ^{no doubt} the Colon was properly informed; but in Strange's Hindu Law, it is expressly stated that the Chermars, or Slave caste people follow the ordinary Hindu Law of inheritance - Strange also states, that a woman in alliance with a male, lives always in her own family, whereas here the 'widow', as the

Colon calls the survivor, lives with her consort.

The S. in C. is pleased to sanction a waiver of the Right in favor of the woman & her children, as recommended by the S. in C.

These references are very few - and a rule

seems unnecessary.

The pet. above can sanction a waiver of the Crown's right by charter.

2. Colt, Presuming the facts are correctly stated & that he deceased really did follow the "Marumakkattayam" rule of inheritance, I submit no

references of this kind may be abated by laying down a general rule that if a man dies without any heir in the Marumakkattayam point of view, the Govt. never wish to step in to the detriment of those who are really the deceased's wife & children - whenever Marumakkattayam

7-1-12

Memorandum

Resolving State
of certain individuals
in the State
has been the subject
of a family in the
State

1872

1872

1872

1872

