Govt. of [1871] Madras.

REVENUE.

To

THE COURT OF WARDS.

Dated [illegible]

Read [illegible]

G. O. [illegible] 1871, No. [illegible]

MADRAS.

Printed by [illegible]

Explanatory Statistical Tables [illegible] which has been called for from the Board of Revenue in order to test the [illegible] of the Court of Wards in [illegible]

No. 5. Read the following Proceedings of the Court of Wards, dated 4th February 1871, No. 539:—

Read the following letter from the Officiating Collector of Tanjore, to the Acting Secretary to the Court of Wards, dated Vallam, 17th January 1871, No. 15.

I HAVE the honour to submit, for the consideration and orders of the Court of Wards, the circumstances connected with a ryotwary estate which has devolved on incapacitated heirs.

2. In the village of Vittukatti, Tritrapundi Taluq, there was a landed proprietor by name Palania Pillay, possessed of 18 velies 12 mahs and 4 gulies of land, paying a revenue of Rs. 524-3-1 to Government, and yielding to its holder, on a rough estimate, an income of Rs. 368-12-11.

3. Palania Pillay died on the 1st August 1869, leaving behind him a wife, named Siwakami, and two daughters, Anniammal *alias* Valliammai, aged 9 years, and Sundaram, aged 6 years.

4. Anniammal, the elder daughter, is under the guardianship of Ponnachi, a sister of the deceased proprietor, and the younger Sundaram under that of her mother Siwakami.

5. Ponnachi claims for her ward, under a Will alleged to have been left by Palania Pillay, the whole of his property, excepting $1\frac{3}{4}$ velies, which are therein reserved to his widow, Siwakami, and the younger daughter Sundaram. This Will with power to give her in marriage to whomsoever she might choose, and further contains a statement that Ponnachi, who had borrowed from the deceased 8,000 Rs. upon the mortgage of 22 velies 1 mah and 13 gulies of her own lands, had liquidated the debt.

6. This document, which was filed by Ponnachi in the Small Cause Court at Negapatam, in a suit* which had for its object the recovery of a debt due to the deceased, was impounded and sent up to the Deputy-Magistrate's Court at Mannargudi where Siwakami had laid a criminal information that it was a forged instrument; and eventually, Ponnachi, with four others, was committed to the Sessions Court of Tranquebar, and there convicted of forgery, a sentence of 4 years' imprisonment having been awarded to her. The decision, however, was quashed on appeal by the High Court on the ground that the evidence adduced in support of the prosecution was insufficient to sustain conviction.

* No. 559 of 1869.

7. The question of the genuineness of the Will is thus still open to question, and is likely to form the subject of much future contention.

8. The alleged redemption by Ponnachi of the lands which she had mortgaged to Palania Pillay is another source of litigation. I must here add that the right of possession to these lands further forms the subject of a dispute between her and Siwakami, who, of course, denies the redemption.

9. The net income of the estate at the date of the late proprietor's death, exclusive of the lands which he held on usufructuary mortgage from his sister, Ponnachi, was, as stated above, only Rs. 368-12-11; but Siwakami alleges that she has since disposed of 11 velies 1 mah and 67 gulies of land, yielding a net profit of

Rs. 331-7-10 for liquidating the debts of her deceased husband ; thus reducing the whole annual income to the insignificant sum of Rs. 37-5-1.

10. Under these circumstances, and considering that in case the alleged redemption of mortgage by Ponnachi and the alleged sale by Siwakami above alluded to prove to have been real and *bona fide* transactions, there would be little or nothing for the Court of Wards to take charge of, their interference in this case appears to me to be inexpedient and undesirable.

SUBMITTED for the orders of Government.

2. The Court of Wards concur with the Acting Collector.

No. 6. ORDER THEREON, 1st March 1871, No. 364.

Miscellaneous.

THE Government concur with the Collector and Board.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Court of Wards.

Exd. F. R. Bantleman.

Rev-1871. Octobar
Board of Revenue,
MADRAS. 7.149

PROCEEDINGS, 5TH FEBRUARY 1871, No. 539.

Dept 13 Feb 1871
Encl.

Received 14.

FEBRUARY.
No. 539.

Ryotwary estate in Tanjore District,—which has devolved on incapacitated heirs,—Letter from Collector, reporting circumstances connected with, and stating that interference of Court of Wards in this case is undesirable, submitted for orders of Government, with expression of concurrence in Collector's views.