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*Proceedings of the Madras Government, Revenue Department,
15th May 1871.*

No. 194. Read the following Proceedings of the Board of Revenue, dated 2nd May 1871, No. 1,829:—

Read the following letter from the Acting Collector of Vizagapatam, to the Acting Secretary to the Board of Revenue, dated 31st March 1871, No. 307.

I HAVE the honour to report the death, on the 12th instant, of the Zemindar of Belgam Parvatipuram.

2. He leaves two widows and a daughter (by the younger of the wives) aged five years. He also leaves a younger brother Sri Raja Viravaratodaramal Janardhana Tatraju Bahadur, who has a son, Sri Sevanarraina Tatraju, alleged by him to have been adopted by the deceased Zemindar. This adoption has been consistently denied by the late Zemindar and his family since 1859.

3. Before his death the late Zemindar addressed me stating that his two wives and the daughter of one of them were his heirs, and requesting me to move Government to allow the management of the estate to remain in the hands of his widows till his daughter came of age.

4. The younger brother of the late Zemindar has also addressed me claiming to inherit the Zemindari as undivided brother to the deceased. In the letters written by the late Zemindar and by his widows since his death, it is asserted that a division had taken place between the brothers, and that consequently the younger

5. A third claimant is the son of the surviving brother, who claims as the adopted son of the deceased. This claimant has filed a Suit in the Civil Court to obtain a decree declaring the adoption by deceased to have been genuine. In the event of the Zemindari being continued to the alleged adopted son, his father is willing to waive his claim as undivided brother to the deceased. His case being that if the adoption be declared invalid, he, as undivided brother, must succeed.

6. In the case of the Chemudu estate, disposed of in Board's Proceedings, No. 8,910, dated December 19th, 1868, it was held that the brother was the rightful heir following the ruling of the Privy Council in the Naragunti Polliem case. In both of these cases, however, the brother was admitted to have been undivided. In the present case that is denied by the late Zemindar and his family.

7. In 1850, on the occasion of the death of the Zemindar who preceded the father of that now deceased, exactly the same claims and counter-claims were made by the widows and the brother of the Zemindar. On that occasion, in spite of an allegation that the brothers were divided, Government admitted the claim of the brother as heir to the Zemindari (*vide* Proceedings of Commissioner, Northern Circars, dated March 21st, 1850).

8. In the present case the matter is further complicated by the alleged adoption by deceased of the younger brother's son. As this is now before the Court, I do not see that we can register the estate in any one's name till the question be decided.

9. Immediately on receipt of the news of the Zemindar's death, the Acting Senior Assistant and the Deputy-Tahsildar went to the Palace and directed the Dewan to take charge of everything, informing him at the same time that he would be held responsible.

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10. I delayed this report, as before sending I wished to see the brother of the deceased Zemindar and the Vakils of the other claimants in person; but as they have not yet made their appearance I now forward it.

P.S.—Since writing the above, I have seen the brother and the Vakils for the widows of the deceased as well as the Dewan. They adhere to the statement recorded above. I have left the Dewan in temporary charge of everything, and told the brother that if he objected to this arrangement, he could move the Court to appoint a Curator.

SUBMITTED for the orders of Government.

2. The Board agree with the Collector in thinking that registry of the estate should be postponed pending the disposal of the claim now before the Civil Court.

No. 195.

ORDER THEREON, 15th May 1871, No. 855.

Miscellaneous.

APPROVED.

(True Extract.)

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

To the Board of Revenue.
the Accountant-General.

Ed. F. R. Bantleman

PROCEEDINGS, 2ND MAY 1871, No. 1,829.

Def^d 9 May/78

Encl

Received

MAY.

No. 1,829.

Zamindar of Belgam Parvatipuram—in Vizagapatam District,—Letter from Collector reporting death of, submitted to Government, with remark that registry of estate in name of any one of the several claimants should be postponed pending disposal of claim now before Civil Court.

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No. 194-175

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