

*Proceedings of the Madras Government, Revenue Department,
25th May 1871.*

No. 324. Read the following letter from the Government Pleader, Madras, to the Acting Secretary to Government, Revenue Department, Fort Saint George, dated 19th May 1871, No. 82:—

With reference to the Proceedings of Government noted in the margin, I have the honour to report that the appeal therein referred to (R. A. No. 18 of 1870), relating to Sillatur Polliem in Tanjore, came on for hearing this day before Mr. Justice Holloway and Mr. Justice Kindersley, when I appeared, as instructed, on behalf of Government.

2. After the recent decision of the High Court in the Marangapoory Polliem case, it would have been useless for me to have attempted to argue in favour of the plea of no jurisdiction set up in this case by the Collector, and I accordingly withdrew the opposition to the appeal on that ground. The question of the fact of the plaintiff's adoption was therefore the only one to be decided, and upon that the Court held that the judgment of the Lower Court could not be upheld. There was satisfactory evidence of the intention to adopt the plaintiff, and the distinct statement of the late Zemindar made to the Tahsildar that such intention had been carried out. Taking this into consideration, the discrepancies in the evidence as to the actual adoption upon which the Civil Judge appears to have rested his decision were not of much weight, and the adoption of the plaintiff must be held to be established. The decree of the Lower Court must be reversed and judgment given for plaintiff with costs to be paid by the defendants other than the Collector. The amount of mesne profits to be settled by the Lower Court in execution.

3. I shall obtain copies of the decree and judgment, and forward the same for the information of Government as soon as possible.

No. 325. ORDER THEREON, 25th May 1871, No. 917.

Miscellaneous.

THE Government await the further information promised.

(True Extract.)

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

To the Government Pleader,

Exd. F. R. Bantleman.

15 Quoy by No - 273-275
12 April 70 - 169-170
16 July - - - 161-162

Rev- 1871 Overt

From #7-1620.

Mesmt Pleader

Madras

To Mr. J. S. D. G. S.

Rev. S. S. S.

Dated 19th May

Received 20th May

Ns 82

Appeal to High Court

(Ct No. 18 of 1870)

relating to Sillatun

Pollex in Tanyne dist

#7-977

Report result of

Order 70-917-

information furnished

25 May 71.

3 To Mr. G. S. D. G. S.

No 324-325