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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. <u>176</u>	Press Mis:
Dated <u>26</u> <u>1</u>	18 <u>71</u>

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
26th January 1871.*

No. 363. Read the following Proceedings of the Board of Revenue, dated 15th November 1870, No. 6,668.

Read the following letters :—

From the Collector of Tanjore, to the Acting Secretary to the Board of Revenue, dated Negapatam, 17th August 1870, No. 270.

I HAVE the honour to report that Chinnia Moodelly of Shealli, the proprietor of a large ryotwary estate, situated in the taluqs of Shealli and Mayaveram, paying a revenue of about Rs. 14,000 to Government, died on the 1st instant. He has left two young widows without any issues, and an adoption, alleged to have been made by him about three hours before his death, is denied by his younger widow (aged about 14) as well as her brother and natural guardian, as is also the alleged Will of the deceased, by which the natural father of the alleged adopted son, a minor fourteen years of age, is nominated his guardian.

2. The facts of the case are clearly and fully stated in the report of the Acting Head Assistant Collector Mr. Burrows, of which I enclose a copy. The proceedings of this officer, it will be seen, have been very judicious throughout.

3. It is, of course, impossible now to say anything as to the truth or otherwise of the alleged adoption; but even if it is true, in fact, I apprehend that it will not be held to be valid in law; for the boy, who is stated to have been adopted, stood in a prohibited degree of relationship to the deceased proprietor (the maternal grandmothers of the adopter and adoptee having been sisters of the whole blood), and is furthermore married.

4. Considering, however, the immense litigation which is sure to ensue, and to be protracted to the utmost length with regard to this alleged adoption, and the trouble which will be entailed on Government in connection therewith, if the estate is taken under the charge of the Court of Wards, it appears to me that the interference of the Revenue authorities in this case is inadvisable. As, however, the property is both possibly and probably not safe under the keeping of the party in possession, namely, the natural father of the alleged adopted son, I have deemed it right to report the case to the Civil Judge of Tranquebar under Section 20,

* *Vide* Proceedings of the Sadr Adalat, dated 30th April 1853, printed at page 159 of the volume of the Board's Circulars for 1851, 1852, and 1853, old Edition.

Regulation V. of 1804, as extended by Section 3, Regulation X. of 1831,* in order that if he considers fit to do so, he may appoint a proper person to be

guardian of whoever may be the lawful heirs. I enclose a copy of my letter to the Civil Judge on the subject.

5. On reference to the correspondence marginally noted, the Board will see that an exactly similar course was, with their sanction, adopted in the case of a similarly large estate, namely, that of Periyavaguppu in this district. In that case the Civil Court eventually did interfere in the manner asked for; but if it declines to do so in this case on any legal grounds which may be found to be indisputable I purpose, with the permission of the Board, to apply, under Section 2. Act XIX. of 1841, for a summary decision on the right of possession, as

To the Board, 8th March 1836.

From the Board, 14th March 1836, No. 459, printed at pages 133 and 144 of the Board's Circular book, old Edition.

*Proceedings of the Madras Government, Revenue Department,
26th January 1871.*

otherwise the ultimate ruin of the estate from dissensions in the family and intrigues on the part of relations and agents seems inevitable.

6. Should the Board, however, consider it necessary that I should take charge of this estate on behalf of the Court of Wards, I beg that the necessary authority of Government may be obtained as soon as possible, as without it, I cannot legally proceed to secure the property of the estate.

Vide Section 2, Regulation V. of 1804, and also letter from Board to the Collector of Madura, 27th May 1850, No. 1,017.

ENCLOSURE No. 1.

From L. R. BURROWS, Esq., Acting Head Assistant Collector, to the Collector of Tanjore, dated Mayavaram, 6th August 1870, No. 172.

In continuation of my letter of the 4th instant, No. 170, I have the honour to report that I went to Shealli yesterday, and made personal inquiry into the state of affairs in the matter of the late Chinnia Moodelly.

2. I now submit the following papers for your consideration :—

1st.—The deposition of Sabapathy Moodelly, the natural father of the boy Velu, *alias* Ramakistnan, who is said to have been adopted by Chinnia Moodelly, but whose adoption is disputed by the younger wife Santhanam. Sabapathy Moodelly is in possession of the house, and has the key of all the rooms containing movable property. He, moreover, alleges that the adoption was completed by Chinnia Moodelly before he died, and that he also signed a Will drawn up on plain paper, and an Arzi addressed to me as Head Assistant to the Collector.

2nd.—The deposition of Kristnasawmy Moodelly, the elder brother of Santhanam, the younger wife. He denies that the adoption took place, and says that the Will and Arzi are forgeries.

3rd.—The deposition of Suppah Moodelly, the elder brother of Shellattanni, the elder wife. This man was examined by me, because I was not allowed to see the women, although I took the trouble to go to the house where they were living. Suppah Moodelly knows nothing about the adoption, not having been present. He merely says that he is competent to manage any property that may accrue to his sister, Shellam.

3. The two women, Santhanam and Shellam, have been examined by the Taluq Sheristadar. Shellam supports the adoption, and Santhanam disputes it. I have not, however, sent their depositions with this letter for reasons which I shall presently explain.

4. Besides the above depositions I forward two Tamil statements showing the lands paying revenue directly to Government, which were held by the late Chinnia Moodelly in the taluqs of Shealli and Mayavaram respectively.

	V. M. G.	RS.	A.	P.
It will be seen that in Mayavaram he held 158 9 7 paying a revenue of		3,973	13	6
and in Shealli... .. 365 18 49		10,051	9	0
Total... .. 524 7 56		14,025	6	6

5. I was unable to elicit any reliable information respecting the value of the movable property. Sabapathy Moodelly, who appears to have been the factotum of the deceased, and is now in possession, could not or would not inform me of even the approximate amount of the ready money, and the other two did not and could not know anything about it.

6. I offered to seal all the rooms containing valuables, but, although all the parties at first agreed readily to the proposal, when I returned to the house for the purpose of sealing the rooms, Sabapathy Moodelly objected on the ground of pollution to my entering the house.

7. I conceive that I have no power, either as a Revenue or Magisterial Officer, to take any steps for securing the property contrary to the wishes of those who claim to be in possession, and

*Proceedings of the Madras Government, Revenue Department,
26th January 1871.*

after the insult to which my desire to be of good service to the family subjected me, I certainly did not feel moved to exceed my duty in their behalf.

8. From inquiries on the spot I hear that there was a most unseemly fight over poor Chinnia Moodelliar's corpse, and that both factions claim to have performed the funeral ceremonies.

9. As there are no other natural heirs nearer in degree than the two widows, and as the adoption is disputed by one of the widows, it appears to me that the only thing Revenue-officers can do is, to consider the widows as the joint heirs of the deceased, pending the decision of the disputed adoption by a competent Civil Court.

10. Whether the boy Ramakistnan be eventually decided to be the heir, or the widows, the deceased's estate must devolve, by inheritance, to incapacitated, persons; in the former event, the heir is incapacitated by minority; in the latter the heirs are incapacitated by sex. Moreover, in the latter case the natural incapacity of the joint heirs would be aggravated by their disunion.

11. Again, the alleged ages of the widows Shellam and Santhanam are respectively 22 and 14,* and their nearest relations and natural

* Her elder brother says 17 or 18.

protectors are two young men, their respective elder brothers. It is impossible to say that these young men, on behalf of their respective sisters, are incapable of managing the estate; but as far as appearances go, they certainly do not look capable, and, speaking for myself, I should be very sorry to trust either of them with the value of a brass farthing.

12. The boy Ramakistnan is said by his father to be in the 14th year of his age. Under the alleged Will and Arzi Sabapathy Moodelly was constituted the guardian of the boy; and as he has for some time been Chinnia Moodelly's headman of business, I have no doubt that he is perfectly capable of managing the estate, should it eventually devolve on the boy Ramakistnan.

13. The difficulty in this case is caused by the dispute about the adoption. My own opinion is that it would be well for the Court of Wards to take charge of the estate pending the decision of the adoption-dispute, if such a course is according to law. The question of possession, which will, I fear, be the occasion of heavy loss to the estate, would thus be settled and loss prevented.

14. I will now briefly explain why I have not sent the depositions of Shellam and Santhanam.

15. On Tuesday morning, the 2nd instant, I received the Arzi said to have been signed and sent to me by Chinnia Moodelly before his death. It was to the effect that he had adopted Ramakistnan as his son, and had appointed the boy's natural father as his guardian and the custodian of the property, and that his two wives, Shellam and Santhanam, were merely entitled to maintenance. I returned the Arzi at once to the bearer, and told him to carry it straight to the Tahsildar, whom I directed to verify the Arzi if possible. I enclose a copy of this Arzi and of my endorsement. The Tahsildar being unfortunately away from Shealli, the duty of carrying out my order devolved on the Sheristadar. Upon receipt of my order, he appears to have commenced a regular inquiry into the fact of the adoption.

16. On Wednesday morning I received an Arzi from Santhanam's party, stating that there had been no adoption, and on Thursday night another, objecting to the inquiry of the Sheristadar, and accusing him of partiality. On Friday morning I went to Shealli. I met the Tahsildar there. He had only that morning come into the Cusbah station after about a week's absence. I called the Sheristadar, and got all the depositions which he had taken. I then went to the house of the deceased with the Tahsildar. We sat down on the front pial, and in the presence of all the interested parties and a large crowd of spectators assembled in the street, the Tahsildar read out each deposition to the avowed deponent, and the latter publicly acknowledged having made the deposition. In the same way the women were brought by the contending parties to a barred window, and heard their depositions read out, and no objections were taken. In all twelve depositions were thus read out and verified; after that I took the depositions and placed them in a cover which I sealed with my private seal. After having a record of my proceedings drawn up and signed by several of the most respectable inhabitants who were present on the occasion, and after taking a statement from the Sheristadar that there were no other records relating to the inquiry besides those which were sealed up, I announced that the question of adoption was one

*Proceedings of the Madras Government, Revenue Department,
26th January 1871.*

which Revenue-officers were not competent to decide; that a sufficient inquiry for revenue purposes had been made, and that it would now be stopped; and the depositions which had been publicly acknowledged relating exclusively to the adoption would be carefully preserved and produced when required before a competent Court. I then took the cover and deposited it in the treasury.

17. A strong effort to upset the adoption will be made doubtless, and if anything saves it, it will be that bundle of papers in the Shealli treasury. Perhaps a more extended inquiry than was necessary for revenue purposes has been made, but it will not be productive of evil results if it assists in the final establishment of the truth.

18. The mouths of the liars and intriguers, whose interest it is to foment this family quarrel, will now, at all events, be closed so far as concerns me and my subordinates. I hope that you will view my proceedings in the matter with satisfaction.

ENCLOSURE, No. 2.

From the Collector of Tanjore, to the Acting Civil Judge of Tranquebar, dated Negapatam, 16th August 1870, No. 1,025.

UNDER Section 20, Regulation V. of 1804, as extended by Section 3, Regulation X. of 1831,

* Dated 6th instant, No. 172.

I have the honour to forward, herewith, a letter*
from the Acting Head Assistant Collector,

with its six enclosures, reporting on the circumstances of the estate of the late Chinnia Moodelly of Shealli.

2. From this you will observe that Chinnia Moodelly, who was the proprietor of a large landed estate, paying a revenue of about Rs. 14,000 to Government, died on the 1st instant, leaving two young widows without any issue, and that an adoption, alleged to have been made by him at his death-bed, is denied by the younger widow (aged 14), as well as her brother and natural guardian, as is also the alleged Will of the deceased by which the natural father of the alleged adopted son (a minor), and who is at present in possession of all the movable property of the estate, is nominated his guardian.

3. Whether the adoption is established or not, the inheritance in either case must devolve on incapacitated heirs; for while on the one hand the alleged adopted son is incapacitated by minority, on the other, the widows are so by sex (one of them, the younger, being incapacitated also by minority); but under all the circumstances of this case, which must lead to almost endless litigation, I am not prepared to recommend that this estate should be taken under the management of the Court of Wards.

4. As, however, it is highly desirable that the property should be secured from waste or misappropriation, I have deemed it right to report the case to you under the enactment quoted at the head of this letter, in order that, if you consider that sufficient grounds exist for such proceedings, you may take immediate steps to appoint a proper person to be the guardian of whoever may be the lawful heirs of the deceased proprietor.

5. I make this application to you by letter instead of through the Government Vakil in accordance with the ordinary course of procedure, because the legislative provision under which I address you requires the Collectors to "report" such cases to the Zillah Court, and thus, as it seems to me, expressly allows the form of official correspondence to be observed.

6. I request that the enclosures of this letter may be returned when no longer required.

From the Collector of Tanjore, to the Acting Secretary to the Board of Revenue,
dated Vallam, 5th September 1870, No. 286.

In continuation of my letter of the 17th August 1870, No. 270, I have the honour to forward herewith, for the Board's perusal, a copy of the Proceedings of the Civil Court of Tranquebar on my report† regarding the estate of

† Dated 22nd August 1870.

*Proceedings of the Madras Government, Revenue Department,
26th January 1871.*

2. From this the Board will observe that the Civil Judge has fully recognized the necessity of appointing a Manager for this estate under the provisions of the enactment quoted by me. I cannot, however, myself take charge of the estate on behalf of the Court as proposed by Mr. Pelly, since the management of the large estate of His Highness the late Rajah and of the Kapistalam estate, which has recently been taken under the charge of the Court of Wards, occupies all the time I can spare from the other duties of my office; and in compliance, therefore, with Mr. Pelly's alternative proposal, I have recommended Mr. Burrows, the Acting Head Assistant Collector, for the proposed office of the Manager. My reasons for considering Mr. Burrows to be best fitted to undertake this office are—

1st.—Because the estate is a large one, consisting of extensive landed property, and requires for its faithful and efficient management an officer of standing and considerable revenue experience, which latter qualification is considered by the Civil Judge to be essential.

2nd.—Because the estate is situated wholly in the two taluqs of Shealli and Mayaveram, which comprise the Head Assistant's division.

3rd.—Because Mr. Burrows, from his intimate acquaintance with the state of the said taluqs and their inhabitants, added to his industry and sound judgment, is peculiarly qualified to manage this estate to the best advantage, and can also spare sufficient time for this special duty.

I trust that the recommendation I have thus made will meet with the Board's approval.

3. It will be seen from the Proceedings of the Civil Judge that the officer appointed to manage this estate is to receive a remuneration out of its revenues, and in reply to a reference which I made to him on this point Mr. Pelly has intimated to me that, in the absence of information as to the net yield of the estate, he purposes to fix the Manager's remuneration for the present at Rs. 150 per mensem. I beg to request, therefore, that the Board will be pleased to obtain the sanction of Government for Mr. Burrows receiving this remuneration for the extra and responsible labour which the management of the estate must entail on him. This arrangement, I consider, is not only fair to Mr. Burrows, but well calculated to secure the well-being of this large and valuable estate, which under a less suitable arrangement would be sure to suffer seriously from peculation as well as frivolous litigation.

ENCLOSURE No. 1.

Proceedings of the Civil Court of Tranquebar, dated 22nd August 1870.

Read letter from the Collector of Tanjore, dated 16th instant, No. 1,025, together with its enclosures.

In the above communication the Collector of the district, with reference to Section 20, Regulation V. of 1804, and Section 3, Regulation X. of 1831, reports the death of one Chinnia Moodelly of Shealli Taluq, the possessor of an estate subject to an undivided assessment of public revenue to the extent of about Rs. 14,000 per annum, and states, with reference to an alleged and disputed adoption, that the case being one which must lead to almost endless litigation that he is not prepared to recommend the estate being taken under the management of the Court of

*Proceedings of the Madras Government, Revenue Department,
26th January 1871.*

Wards, and that he accordingly reports in view to the appointment by the Court of a proper person to be guardian of whoever may be the lawful heir of the deceased proprietor.

2. From the letter and its enclosures it appears that the deceased died issueless, but that one Velu *alias* Ramakistnan is said to have been adopted by him shortly before his demise.

3. The deceased has, however, left two widows respectively named Shellam and Santhanam. Of these the elder is said to be about 22 and the younger about 14 years of age. The former admits, but the latter denies, the adoption, and until this disputed question has been settled, they must be regarded as the heirs-at-law; and the point to be looked to is whether they are incapacitated by minority or sex for the management of the estate, for in such event it becomes imperative on the Court to nominate proper persons to be guardians; and as Section 9 declares the guardian ineligible for the managership, it becomes also necessary to make a distinct and separate nomination to this office to the end, as set forth in Section 20, "that injury may not arise to the property."

4. That the widows are both incapacitated by sex for the management of the estate appears from the Acting Head Assistant Collector's report to which that of the Collector gives cover. It shows that, apart from the minority of the junior widow, both are so strictly Gosha that though the former proceeded in person to the house in which they reside, he was not even allowed to see them.

5. The brother of the minor widow may constitute a suitable guardian for her. That point has still to be inquired into; but from paragraph 12 of the Acting Head Assistant Collector's report, he in like manner with the brother of the elder widow would appear to be a wholly unfit person to appoint Manager.

6. In the case of extensive landed property, the Court is placed in a position of much difficulty in the selection of a proper person for its management. A Court establishment will rarely furnish an individual suitable and competent, while of out-siders the Court has little knowledge and less opportunity of forming a correct opinion. If the question was one of mere attachment, it could be easily disposed of. The case, however, becomes very different where the right management of an extensive estate, it may be for years to come, is involved, and for which previous revenue training and experience, apart from integrity and ability, are indispensable. The Court establishment, as at present constituted, will furnish no fit person, and, as observed above, the Court itself has no opportunities of forming an opinion relative to the qualifications of others, while the disunion between the widows, one upholding and the other opposing the alleged adoption, precludes nomination of a member of the family; and under these exceptional circumstances, I deem it my proper course to make application to the Collector of the district to ascertain whether he has any objection to taking charge on behalf of the Court, and if so, to recommend an efficient Revenue-officer, (for which his official position affords him peculiar facilities,) who will thereupon be nominated Manager and remunerated out of the estate.

(True Extract.)

(Signed) C. R. PELLY,
Acting Civil Judge.

THESE letters will be submitted to Government, with reference to Section 3, Regulation V. of 1804.

2. The Board are clearly of opinion that the Head Assistant should not be allowed to undertake the management as suggested by the Collector; but they entertain some doubt as to the proper course to be pursued with regard to ordinary ryotwar estates devolving on persons incapacitated from taking charge of them. It is evident that if the Court of Wards is to take charge of *every* estate where their interference might seem likely to be advantageous to the interests of the minor proprietor, they would soon be overwhelmed with the number of their charges;

*Proceedings of the Madras Government, Revenue Department,
26th January 1871.*

and practically it has been usual not to interfere, as a general rule, except in the case of permanently settled estates. In the present instance, the majority of the Board would recommend Government not to put the estate under the management of the Court, and would leave the Civil Court to select a Manager in the ordinary way. The 2nd Member, however, dissents from this recommendation, and has recorded a separate Minute on the subject.

No. 364. ORDER THEREON, 26th January 1871, No. 176.

Miscellaneous.

THE Government are of opinion that the estate of the late Chinnia Moodelly of Shealli should be taken in charge by the

Court of Wards, and desire that the Court will instruct the Collector accordingly.

2. The proposal that the Acting Head Assistant should be paid Manager of the estate is clearly inadmissible.

3. As pointed out by the Zillah Judge, the widows of the deceased must be recognized as heirs-at-law, pending the establishment of the asserted adoption by regular Suit.

(True Extract.)

(Signed)

W. HUDLESTON,
Secretary to Government.

To the Court of Wards.
,, the Accountant-General.

Exd. F. R. Bantleman.

Memo for orders on
#3624

Three points appear
to be raised in these
Proceedings

(1) Chennia Moddy
of Shealli, the owner of
an undivided Ryotwari
estate in the Tanjore Dist.
paying an Annual Revenue
to Govt of about Rs. 14,000
died on the 1st Aug. 1907,
without issue. The person
who stepped into possession
was natural father to a
youth aged 14, alleged to
have been adopted by the
deceased 3 hours prior to
his death. Of two widows
left

By Mr. Sec.
I am strongly in favor
of the Board taking
charge of this estate.
The owners will probably
be plundered in every
possible way, if this
is not done.
I don't at all see
why the anti-adoption
litigation regarding
the adoption should
implicate the Govt
management. They
bought land & thing &
own it.
It is so seen by it
it is very complicated.
The issue is very
simple viz. Whether

Govt. of 118713 3410713
REVENUE.
To
THE COURT OF WARDS.
Secy, Secy, Secy.
Dated January 20th.
Recd.
G. O., 20th January 1911, No. 176.
JANUARY.
NO. 363-364.
Shealli estate in Tanjore District.—Passing
orders on Proceedings Board of Revenue on the
subject of placing it under the charge of the Court
of Wards.

left by deceased the older
aged 22 supports this adoption,
and the younger aged 14
contests it. It appears
that not only is the junior
widow a minor, but
that both women are
strictly "jorha". Thus all
the claimants are in-
capacitated for manage-
ment. Mr. Morris
the collector, reports the
circumstances to the
Board, but gives his
opinion that it is un-
advisable for the Court of
Wards to interfere; his reason
appears to be that, as pro-
tracted litigation is sure to
ensue on the subject of the
adoption, the trouble entailed
on the foot will be out of
proportion to the benefits
conferred on the estate by foot
management. A majority
of the Board is

or no. the adoption
took place. & is valid.
On the face of it, it
appears to be invalid.

The alleged circumstances
are also such as to excite
suspicion as to the having
really taken place. But
the Deceased was completely
lact. if adult.

The natural father of
the said L. has been adopted
in. was "factum" of
the Deceased.

The adoption is said to
have taken place only
3 hours before his death.

The subsequent conduct of
the "factum" indicates
anything but a desire for
full investigation.

The W.D. objection to
taking charges falls & states
(minor) death & appear
to be of much delight.
Some persons that

112
they shall do so. I think
Mr. Robinson has the
best of the argument.

There is another difficulty
that occurs here in the
way of any other course.

The Civil can appoint
a guardian - but the guardian
cannot manage the estate.
This is expressly prohibited.

& the law makes no
provision that I can
see for the appoint^{ment} of
managers by the Civil
Court. under Ref. 5 of 1804.

Sec. 16. Ref. 3. of 1802.
and Ref. 19. of 1841. contain
certain provisions
but they are somewhat
complicated.

Should Gov. question the
propriety of the Civil taking
charge. I think it wd be
well to take the Adv. Gen's
advice on the case before
issuing any order.

Revenue are averse to
putting the estate under
the management of the
Court of Wards; they would
leave the Civil Court to
select a guardian in the
ordinary way under
Section 20 Ref. V of 1804.
as extended by Section 3,
Ref. X of 1831. The reasons
of the Board are not
stated in their Proceedings.
The Minute of Mr.
Robinson, who dissents,
is among the papers.
Submitted that as the
difficulties of the estate

are admitted to be real,
and as the value of the
estate is much larger than
that of many for which
precedents of Government
interference can be found,
the Court of Wards should
be instructed to assume
management.

I think so. L.P.

J.D.

(ii) The Collector reported
to the Board in the case
under section 3 of Regn. I
of 1804, and he should
have apparently waited
their reply as to whether
the estate was to be

I think Sec 20. It is proper
I have for the object of
guaranteeing risk from delay
justified him in seeking
a provision: arranged. It
is difficult to decide what

122

taken up by the Court of
Wards or not before he
did anything further.
It seems, however,
that on the assumption
that his opinion
as to non-interference
would be supported
by the Court of
Wards, he coincided
by reported the
matter to the Civil
Judge, for proceed-
ings under section
of the Regulation
The

The Civil Judge
recorded proceedings
admitting the necessity
of appointing a guar-
dian, but stating that
as he was unable to
select a fit person
himself he considered
it expedient to apply to
the Collector to nomi-
-nate an efficient
Revenue Officer to fill
the place. It does not
appear from the proceedings

His difficulty appears to be
only regarding a manipal
L.D.

15c

of the Civil Judge, in
what respect the choice
of an ordinary native
guardian was more
difficult in this case
than in any other. The
Collector accepted the duty
of nomination, & recom-
mended that Mr. Burrows
the M. P. Asst. Collector
should manage the state
the remuneration fixed
by the Civil Judge was
Rs. 150 per mensem, and
the Col^r, in reporting
the matter to the Board,
stated that he con-
sidered this a satisfactory
arrangement. The
Board are unanimous

of opinion that the ~~Rev.~~
Mpt. should not be
permitted to be guardian
of the Shealli estate.

If it is decided to
undertake the manage-
ment of the estate, the
Govt. might be instructed
through the Board to
withdraw his application
to the Civil Judge. In either
case, orders might be
issued prohibiting
the Revenue officials
from accepting the office
of guardian under
Civil Courts in connection
with Reg. V of 1804.

(iii) The Board, it is
to be gathered from the
Proceedings, wish for an
expression

Certainly not. I think.
L.R.
No J. D. S.

I don't think any further
orders necessary or
desirable. No officers
could do it without Govt.
Sanction. L.R.
Nor J. D. S.

I don't think it is
desirable for Govt. to give
any ruling in the matter.
As to the Government
interference in Ryotwari
Estates. Whether such
interference should take
place must be decided
on the merits of the individual
cases - L.R. No J. D. S.

The case seems true,
eminently one in
which the Court do
wishes should in-
terfere. J. D. S.

I agree with Mr. P. M.
The Court should not
sanction the estate for
its proprietor who may
be eventually be-
N.

expression of opinion on
the general question of
interference or non-
interference, especially
in the case of Ryotwari
Estates. The preliminary
issue raised by them
would appear to be
whether Ryotwari Estates,
as such, are less worthy
of protection than
Estates permanently
settled.

Cm
L.R.

Annex
Memorandum
Shealli Estate
in Tanjore Dist

Special C.

192

Revenue Department

N. 176.

Proceedings of the Madras Government
Under date the 26th January 1871.

Read the following
Proceedings of the Board
of Revenue.

Subj. certain correspondence
relating to estate of late Chinnia
Mudali of Shealli in Tanjore Dist.
with recommendation of majority
of Board that Civil Court
be requested to appoint a
manager for property.

(H.L. 15th Nov^r 1870 No. 6668)

The Government
are of opinion that the es-
tate of the late Chinnia
Mudali of Shealli should
be taken in charge by
the Court of Wards
and desire that the Court
will

A.
M.H.C.
J.H.

will instruct the Col-
lector accordingly.

2 The proposal that
the Asst. Secy Assistant
should be paid manager
of the estate is clearly
inadmissible.

3. As pointed out by
the Gilliat Judge the
widows of the deceased
must be recognised as
heirs at law pending
the establishment of
the asserted adoption
by regular suit.

L.B.

14 Estate Court Ward Dec 27
6 - Act. Genl S

No 363

*Management of
the late Estate
of George Dill*

C. Dill

(Des. Dill)