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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. / B.P. No.	130	~~Press~~ / Mis.
Dated	23.8.1872	196 .

Not to be folded or roughly handled

120
1

No. 43.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 6th January 1872.

Read the following letter from W. D. HORSLEY, Esq., Acting Collector of Cuddapah, to the Acting Secretary to the Board of Revenue, dated 17th November 1871, No. 217:—

ABSTRACT.—Referring to Board's Proceedings, dated 8th September 1870, No. 5,659, forwards translation of an order passed by the District Munsiff of Nendalore, disallowing the request of the Government Vakeel to cancel his former order regarding the sale of certain Inam land, and requests that a certificate may be granted to enable the party to bring a suit under Regulation IV. of 1831.

THE Petitioner was Defendant in a Suit and a decree for money was passed against him, in satisfaction of which certain land possessed by him was sold by the Court, as far back as March 1869.

2. This land being *unenfranchised Inam*, Petitioner sued to get it back again as irregularly sold, but has been desired by the Court to obtain the permission of Government to file his suit. In the Title-deed of the Inam Commissioner, the tenure is described as 'hereditary but not otherwise transferable.'

3. It is observed that a suit to set aside a Court sale must be brought within a year. This delay, for which Petitioner has no one to blame but himself, renders his application for an order permitting him to sue the purchaser altogether inadmissible. Meanwhile the petitioner incumbent has no right to hold on at a favourable rent, and the Collector should take steps to bring the land to the full assessment.

(A true Extract.)

(Signed) J. B. PENNINGTON,
Sub-Secretary.

To the Acting Collector of Cuddapah.

Copy to the Secretary to Government, Revenue Department,
with reference to their endorsement on Petition No. 841 of 1870.

Exd. G. A. Turton.

Rec. 273/1872.

Board of Revenue,
MADRAS.

PROCEEDINGS, 6TH JANUARY 1872, No. 43.

Received.

Encl.

JANUARY.

No. 43.

Petition No. 841 of 1870.—Application of Petitioner in, for permission to sue for an unenfranchised Inam land in Cuddapah District sold in satisfaction of a Decree of Court against him.—Inadmissible, owing to Petitioner's delay—Collector directed to bring land to full assessment.

130/1

No. 5,659.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 8th September 1870.

Read the following letter from G. VANSAGNEW, Esq., Collector of Cuddapah, to the Acting Secretary to the Board of Revenue, dated Caunlamadugoo, 20th July 1870, No. 130:—

ADVERTING to Proceedings of the Board, dated 1st (but not received at Cuddapah until the 14th) instant, No. 4,640, I have the honour to state that petitioner is one of the Inamdars, and his name is given in the accompanying Title-deed, No. 2,603, as Chinna Subbia. The fact of the Inam having been entered in the title-deed in the name of the petitioner and of his elder brother Subbia is sufficient to establish his claim to half of it. Petitioner states that his share of the Inam, viz., 4 Acres and 83 Cents, was sold by the Moonsiff's Court of Nundaloor by public auction for his private liabilities, and that it was purchased by one Jootoor Gooravapah.

2. Petitioner justly disputes the right of the Moonsiff's Court to interfere with such unenfranchised Inams. The interests of Government will not be in any way affected if a certificate is granted to the petitioner. The Inam is not saleable as Government have a reversionary right therein. The Inam will have to be fully assessed if the sale is not annulled. The purchaser cannot hold it on the same terms on which the petitioner, who is one of the members of the family of the original grantee, has been permitted to hold it.

3. The petition is herewith returned.

ENCLOSURE No. 1.—Petition.

THE sale of unenfranchised Inam land is null and void.

2. The Collector should move the Court for a review of judgment on the ground that Government is an interested party and should have been represented.

(A true Copy and Extract.)

(Signed) J. B. PENNINGTON,
Acting Sub-Secretary.

To the Collector of Cuddapah, with Petition.

Copy to the Acting Secretary to Government, Revenue Department, with reference to their endorsement, dated 29th April 1870, No. 841.

Exd. J. Tulloch.

Rec'd 27/7/2
1870.

Board of Revenue,
MADRAS.

PROCEEDINGS, 8TH SEPTEMBER 1870, No. 5,659.

Encl.

Received

SEPTEMBER.

No. 5,659.

Unenfranchised Inam land—in Cuddapah District.—Collector requested to move Nundaloor District Moonsiff's Court for a review of its judgment directing sale of share of Petitioner in No. 841 of 1870, in certain, on ground that Government is an interested party and should have been represented.

139/2

8

No. 4,640.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st July 1870.

Read the following letter from G. VANSAGNEW, Esq., Collector of Cuddapah, to the Acting Secretary to the Board of Revenue, dated Gurramcondah, 8th June 1870, No. 105:—

IN returning Board's Petition No. 841 of 1870, I have the honour to report that a Personal Inam, in the village of Siriyavaram, in Pullampett Talook, consisting of A. 9, C. 66, assessed at Rupees 19-9-10, with a Jodi of Rupees 2-5-11, is entered in the Inam Register in this office in the names of Varanasi Peda Subbaya and Chinna Subbaya, and that the Inam Department imposed a quit-rent of Rupees 4-8-0, which was not agreed to by the Inamdars.

2. During the Inam investigation, the title of the Inamdars was acknowledged and Title-deed, No. 2,603, which accompanied the above petition, was issued by the Inam Commissioner, but the Inam was not enfranchised either by the Inamdars agreeing to pay the above fixed quit-rent, or by its being commuted into free-hold under the Inam Rules.

3. Under these circumstances, this Inam cannot be adjudicated upon by the ordinary Civil Courts without the production of a certificate, under Regulation IV. of 1831, and I see no objection to the grant of one.

ENCLOSURE No. 1.—Petition.

THE Collector is requested to state distinctly, whether petitioner is one of the Inamdars or not, and whether he has a claim to a share in the Inam. He should also report (for forms sake) if the interests of Government are in any way affected.

2. His opinion, as expressed in this letter, is not founded upon any reasons whatever, and the letter in fact conveys little or no information.

(A true Copy and Extract.)

(Signed) J. B. PENNINGTON,
Acting Sub-Secretary.

To the Collector of Cuddapah, with Petition.

Exd. G. A. Turton.

Rec. 27/7/72

1870.

Board of Revenue.

MADRAS.

PROCEEDINGS, 1ST JULY 1870, No. 4,640.

Received

Encl.

JULY.

No. 4,640.

Inam—in Sirivaram village in Pullampett Taluk, Cuddapah District,—Collector requested to report whether Petitioner in No 841 of 1870 has any claim to a share in, for which he requests permission to sue, and whether interests of Government are in any way affected.

130/4

MISCELLANEOUS No. 5,588.-

REVENUE DEPARTMENT.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 14 11/6 August 1872.

Read ~~letter from~~ Petition No. 1,590 of 1872 from Varanasi Subbayah of Penagaloor in Pullampet Taluq, Cuddapah District, requesting to be furnished with a certificate to file a suit to get the auction-sale of his Inam land cancelled.-

From this petition it appears that the land is still in petitioner's possession; and if this be so, the Board's instructions in Proceedings 5th January 1872, No. 43, for bringing it to full assessment must be held in abeyance, pending the result of a further appeal to the Court, to set aside the sale.

2. The Board resolve to submit to Government copies of the Proceedings noted in the margin with a request that the Collector may be authorized to grant petitioner a certificate under Act ~~XXIII~~ of 1871, which is held by the Court to be necessary to

[1] July 1870, No. 4640.
[2] September 1870, No. 5659.
[3] January 1872, No. 43.-

to enable petitioner to sue to set aside the sale. It is for the Court to decide whether the suit can be admitted after the time which has elapsed since the sale.—

/True Extract/

H R Stokes

Asst Secretary

For the Chief Secretary to Government

Revenue Department

with copies of Board's Proceedings Nos 4640 + 5659 of 1870 + No 430 of 1872 + Petition.—

Revenue 1872 Sept
No 2737

Proceedings of the Board of Revenue.

Dated 14th August 1872.
Despatched 15th " — "
Received 19th " "
Mis: No.

"Requesting Govt. to authorize Coll^r of Cuddapah to grant Petitioner in No. 1590 of 1872 a Certificate to enable him to file a suit for cancelling sale of his Inam land."

White Aber
No 130 — 23 August 1872.

No 2737

Submitted to the Board of Revenue for orders.

Secretary

To the Board of Revenue &c &c Augst 72.

23 Augst 72

C. 22d Augt 72 R 23d Augt