

642

*Proceedings of the Madras Government, Revenue Department,
20th April 1872.*

No. 210. Read the following letter from A. MACGREGOR, Esq., Collector of Malabar, to the Acting Chief Secretary to Government, Revenue Department, Fort St. George, dated Calicut, 7th March 1872, No. 18:—

I HAVE the honour to report on Petitions* Nos. 1,755, 1,756, and 1,757 of 1871 (herewith returned), forwarded to me with endorsement dated 16th September 1871.

2. The papers noted in the margin relate to the property referred to in the petition. It will be seen from them that Mr. Grant reported in 1859 that the property left by the Oorallars or Managers of the Iringanoor temple should escheat to Government, and that the Government then decided to waive their claim to the property in consideration of the length of time which had elapsed

Board's
Extract Minutes Consultation, 27th July 1859, No. 3,737.
Board's Proceedings dated 27th September 1859, No. 3,886.
Proceedings of Government, 13th October 1859, No. 1,400.
Proceedings of Government, 15th February 1860, No. 241.
Proceedings of Government, 27th April 1860, No. 662.

without asserting it, the Nambidis, who were the Oorallars, having died in 1822 and 1828, and in consideration also of the numerous private interests which had grown up since that period, and which it was deemed inadvisable to disturb.

3. The property reported on by Mr. Grant was partly the private property of the Nambidis, and partly that belonging to the Iringanoor Devasom or pagoda; and Mr. Grant's proposals were to sell the former, and to appoint a Trustee for the latter. The Government, however, in their Order of the 27th April 1860, No. 662, made no reference to the pagoda-property specially, and it seems to have been understood by Mr. Grant, the then Collector, that the Government gave up their claims to the pagoda-property also. Mr. Grant then referred to know if the decision of Government was final, adding that, if this were known to be the case, the position of the holders of the lands would be greatly improved.

4. Government, in their Proceedings dated 27th April 1860, No. 662, authorized him to announce distinctly that the decision was final, and that the Government had renounced their claim to the property.

5. In his reference, Mr. Grant alluded to the case as the Chuttrum case, which necessarily included the pagoda-lands.

6. A proclamation was accordingly issued, dated 8th May 1860, informing the tenants in occupation of the lands of the decision of Government in their favour.

7. I enclose translation of the order for the information of Government.

8. The result has been the alienation of the annual produce of a large property from the purposes to which it had been originally devoted, namely, the maintenance of the pagoda and the conduct of worship within its walls.

9. The Rajah appears to have been for a long time contending in our Courts that he possessed the right of Malkoyma, or the right of paramount control over the pagoda affairs, which tradition invests in the sovereign for the time being.

10. This right is now adjudged by the Courts to vest in the British Government, and the Rajah seeks now to be appointed trustee.

11. The Rajah in his petition states that Government first endeavoured to take possession of the pagoda-property as an escheat, and subsequently finding

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this a mistake, withdrew their interference. Government will see from the correspondence above referred to that this is a gross misrepresentation. The withdrawal of Government was solely due to their liberality and reluctance to disturb petty tenants who had been in enjoyment of the property for upwards of twenty years.

12. At present there are no Oorallars, or legally constituted Managers of the Iringanoor temple, and the right to appoint them vests in him who is the Malkoyma avakasee or possessor of the above-mentioned Malkoyma right.

13. Many of the tenants do not now pay anything towards the maintenance of the pagoda, and the Rajah appears to have the pooja or worship kept up from his own private funds, aided by voluntary payments by conscientious tenants. The pagoda is held in great veneration in these parts, and the Rajah seems bound by his social position to keep it up.

14. There is no personal objection to the Rajah being appointed Trustee to the pagoda, but any trusteeship might create claims to a right to collect the rents from the tenants in whose favour Government have relinquished their right years ago.

15. The Rajah is right in saying that Act XX. of 1863 has no application to this district, most of the pagodas being owned by private individuals.

16. The pagodas which formerly belonged to the Betatnad Rajah, whose property escheated to Government, have been taken over by Government, and by them handed over to the Zamorin.

17. In the present case the actual building might be made over to the Rajah, but the endowment must, I think, be regarded as gone.

No. 211.

ORDER THEREON, 20th April 1872, No. 642.

Miscellaneous.

THE Government observe that their waiver in 1860 of the right of escheat in regard to the property of the deceased Oorallars of the Iringanoor Devasom could not have had any reference to the property constituting the temple endowment, of which the Oorallars were simply Managers or at most Trustees. No right in the temple endowment devolved on Government by the decease of these Oorallars, save the Malkoyma right of appointing a Manager, and there was therefore, no property right which the Government could waive.

2. The information then placed before Government went to show that the income from the temple lands was partly in the hands of the Patalli and partly in those of the tenants; the former being the person entrusted with collecting the rents and defraying the expenses of the pagoda. It is, therefore, quite evident that the Government had no intention by their act of in any way alienating from the temple what belonged to it. It seems to have been inferred that the Patalli would realize the temple dues, and apply them to the proper purpose.

3. Mr. Macgregor states that the temple service has been maintained by the petitioner, the Cartinad Rajah, mainly at his own expense, and that there is no personal objection to his being appointed Trustee to the pagoda by Government

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in the exercise of their "Malkoyma" prerogative, but that the endowment must be regarded as gone.

4. The Government consider that the matter is a question for the Courts to decide.

5. They resolve to appoint the Cartinad Rajah as Trustee to the Iringanoor Devasom, leaving it to him to take such steps as he may think fit to recover the property or rents belonging to it.

(True Extract.)

(Signed)

W. HUDLESTON,

Officiating Chief Secretary.

To the Collector of Malabar.
,, the Board of Revenue.

Exd. F. R. Bantleman.

Proclamation issued by Mr Grant.

Proclamation is hereby made for the information of all the tenants in possession of the property left by Chalthedath & Kimmulli Nambidies who died leaving no heirs in Kasatanad Taluk. and of that belonging to their Iringannur Temple that on submitting to the higher authorities the proceedings held with regard to the above property with a view to make it escheat to Government, the Right Honorable the Governor in Council is pleased to declare that owing to the fact of the property having been in possession of others for a considerable length of time after the demise of the Uralas (Trustees) and for other reasons, Govt have relinquished their claims thereto and that the decision should be communicated to all the ryots enjoying the said property. dated Calcutta 21 May 1866.

(True Translation)

Sgt J. P. Grant.

Collector

(True Copy)

Shreeve
Collector

1786
24.8.57
A. J. S.



COVERED



To

HIS EXCELLENCY THE RIGHT HONORABLE
THE GOVERNOR IN COUNCIL.

MADRAS.

*The Petition of KODUTTANAD PORLATHIRI UDAYA
VARMA VALIA RAJAH of Kurumbranad Taluq,
Malabar.*

RESPECTFULLY SHEWETH,

That Petitioner is compelled to betake himself to your Lordship in Council with this humble Petition on a very important subject affecting alike the interests of a religious institution and his right of management therein, and he strongly hopes that your Lordship in Council will be graciously pleased to condescend to peruse the following lines and make the necessary enquiries with a view to render justice to Petitioner, and for the due preservation of the religious endowment, the management of which forms the subject-matter of this Petition.

That the Iringannūr Dévaswam or Temple in the said taluq which had a number of Trustees, has been in the direct management of Petitioner's Kovilagom (royal family) for many years; that Petitioner's family has been leasing out the Temple property, collecting rents, paying Government Revenue, nominating Office-holders, repairing the buildings, celebrating festivals and ceremonies, and doing other acts necessary in, and on behalf of, the Temple; that he had also to appear both as Plaintiff and Defendant before the Courts in matters relating to the Temple property; that as sovereign of the country in which the Temple and its property are situated he had also a right of supervision, called Melkoima.

That the Trustees of the Temple had gradually decreased in number, and in the year 1827 there was a total exhaustion of Trustees; that from that date to the year 1847 Petitioner and an agent under him continued to manage *all* the affairs of the Temple,—that is to say, for a space of 20 years; that in the latter year (1847) the Government, on a misrepresentation of certain recusant tenants, wanted to take possession of all the Temple properties under a misapprehension that on the extinction of the families of the Trustees, the estates belonging to the Temple escheated to the Crown; and so, the Government conducted their enquiries up to the year 1860, in which year they discovered their mistake, stayed their proceedings and ordered the withdrawal of their interference to be made known to Petitioner's Kovilagom; whereupon Petitioner's connexion with the Temple was re-established and he has hitherto been managing its affairs; that it is quite clear that a religious endowment cannot become the private property of any individual and that it cannot escheat on the failure of some originally acknowledged trustees.

That, as usual in such cases, Petitioner instituted a Civil Suit, No. 57 of 1868, before the Chavesheri District Munsif against a lessee named K. Ramunni Kurup who failed to pay rent, for the recovery of some parcels of land belonging to the Temple; the Defendant challenged

Petitioner's right to sue, and the necessary issues were recorded and tried; the Munsif decreed the surrender of the land as sued for, but the Acting Civil Judge of Tellicherry reversed the Munsif's finding on the ground "that the existence of a Melkoima right in the Plaintiff (Petitioner) was incompatible with a right of ownership;" that the High Court in disposing of the Special Appeal from the Civil Court's decision observe in their Judgment as follows:—"We have considered this case and see no satisfactory ground for the contention that the Plaintiff (Petitioner) when he set up a Melkoima right on the former occasion, did so under any misapprehension as to the nature of the right or with the belief that he possessed the larger right that he now claims;" and they further give as their opinion that certain documents filed by Petitioner needed no consideration as to their effect because "the acts of ownership which they are put forward to evidence are consistent with the exercise of a Melkoima right only."

That it will be perceived that Petitioner possessed the Melkoima right, and also that he has had the management for many years; that the Civil Courts decide that the Melkoima or the right of superintendence is now vested in the executive—or that it has passed with the sovereignty to those who hold it in trust for the English Crown; that admitting this to be the case, it is unnecessary for the Petitioner to state that the English Government do not, as the former Native Rulers used to do, interfere in the religious endowments of the Hindus; nor is the interference in any way profitable to the State, because it is a rule that the profits accruing from such endowments should be appropriated to the purposes of the religious institution and to no other purpose; that Act No. XX of 1863 was passed to enable the Government to divest itself of the management of religious endowments; that the management of many such institutions both in Malabar and other Districts was once assumed by Government, but subsequently restored to their original trustees or managers, or made over to some fresh competent hands; for instance, the Trikandiyur Temple (in South Malabar) over which the extinct Vettatha Raja's family had a Melkoima right, and of which certain Nampuderies were trustees, was, with about half a dozen other Temples, granted on the 5th February 1842 to the Zamorin Raja of Calicut, who had no title whatever to them, in preference to several claimants who were deemed incapable of such a trust; that on the recommendation of the Collector of Malabar the Government has recently been pleased to order the management of a charitable endowment at Tellicherry (on the extinction of the grantor's family) to be entrusted to Petitioner—whose position in Malabar is a sufficient guarantee for the proper maintenance of the institution; that the Petitioner's right of Melkoima combined with the admitted circumstance of his recognized management for so long a period as 80 years, will certainly (he humbly trusts) entitle him to a proper and favorable consideration on the part of Government in disposing of the trust or management of the Iringannur Temple, which in the Civil Court's opinion, has no trustee or manager entitled to sue or be sued in regard to its property or affairs, and which, Petitioner hesitates not to assert, will, to the discredit of all concerned, come to ruin if the Government decline at once to interfere; that the Temple owns extensive landed property, held in parcels by numerous tenants, lessees and mortgagees, who are all liable to pay some rent to the Temple, and who in the absence of a recognized agent, will refuse to pay anything to Petitioner or his nominees.

That in 1865 Petitioner, by means of a Civil Suit, effected the removal of the agent, who, though his nominee, failed to render accounts to him; that in the Government Pymash accounts of the Malabar year 993, which are now 53 years old, Petitioner's Kovilagam is entered as the appointer of all the Temple officials; that the Temple Treasury, and all the jewels and ornaments belonging to the Temple are in Petitioner's charge; that he pays the Government Revenue of a fair portion of the Temple lands; that there are many public records to show that Petitioner's Kovilagam has had the management for 80 years—that is even before the acquisition of the country by the British Government; that the Temple does not fall under Sections III and IV of Act XX of 1863; that therefore any proceedings under that enactment will be inappropriate

and undesirable in the present case; that as the Government, in whom, as the Civil Court has observed, the Melkoima which Petitioner's Kovilagam indisputably possessed—is vested, has in their executive capacity, the power of delegating the right, as the delegation of their rights is indispensable in this case for the protection of the interests of the Temple as well as the parties concerned, and as a failure on the part of Government to interfere, will assuredly result in the complete ruin of the Temple, and that will be looked upon as a great calamity to the Hindu community of the District, Petitioner begs leave to call the attention of your Lordship in Council, indulging in a strong hope that the Government will lose no time in taking the desirable measures to avert this threatened misfortune to the Hindu residents of the District; that the Government, when they contemplated the assumption of the Devaswom in 1847, did so for the safety of the institution, and the interference was merely an act of the State and not of a reversioner, in which latter capacity they could not have acted, since the property involved belonged to a religious institution and could not escheat.

That it is needless to add that Government is the protector of the religious and charitable institutions, whose original trustees have become extinct; that Petitioner having been the admitted manager even during the life-time of several of the surviving original trustees of the Temple, the delegation of the trust by Government ought to be made in favor of his Kovilagam; that the lessee who lately contested the Petitioner's title before the Civil Courts did not deny that the property, comprised in the suit brought, belonged to the Temple; and that in every suit that was tried the fact that his ancestors and himself have been managing the temple affairs for a very long period has been established beyond doubt.

Petitioner, in conclusion, respectfully requests that your Lordship in Council will be pleased to take this Petition into favorable consideration, transmit it to the Collector of Malabar with instructions to hold proper enquiries into the matter, receiving all the documentary and oral evidence of an unexceptionable character which Petitioner is ever ready to bring forward, to ascertain the wishes and views of the majority of the inhabitants, including the tenants of the Temple, as to the probable consequences of a delegation to Petitioner of the rights and privileges of the Government in connexion with the temple affairs, and also of a non-interference by Government in this very important matter; and to communicate the result to Government with his own views and opinion. If your Lordship in Council be kind enough to do Petitioner the favor he hereby asks, Government will be conferring a great boon to the Hindu community here, and to the institution, whose destruction will otherwise be an established fact.

Petitioner further prays that, in case the local authorities and Government, after the investigation requested, be convinced of the desirability and necessity of the grant, an order may issue authorising Petitioner to act as trustee in all matters relating to the Temple and its property, and announcing that the trust of the Devaswom has, in fact, been made over to Petitioner's Kovilagam.

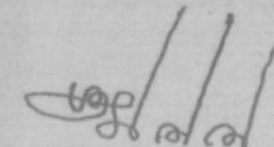
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WILL EVER PRAY.

KADUTTANAD,

August 1871.

UDAYA VARNA VALIA RAJA.



To

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THE GOVERNOR IN COUNCIL.

MADRAS.

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VARMA VALIA RAJAH of Kurumbranad Taluq,
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*Refered to Mr. J. P. S.
Munsif Chavesheri
M.*

Petitioner's right to sue, and the necessary issues were recorded and tried; the Munsif decreed the surrender of the land as sued for, but the Acting Civil Judge of Tellicherry reversed the Munsif's finding on the ground "that the existence of a Melkoima right in the Plaintiff (Petitioner) was incompatible with a right of ownership;" that the High Court in disposing of the Special Appeal from the Civil Court's decision observe in their Judgment as follows:—"We have considered this case and see no satisfactory ground for the contention that the Plaintiff (Petitioner) when he set up a Melkoima right on the former occasion, did so under any misapprehension as to the nature of the right or with the belief that he possessed the larger right that he now claims;" and they further give as their opinion that certain documents filed by Petitioner needed no consideration as to their effect because "the acts of ownership which they are put forward to evidence are consistent with the exercise of a Melkoima right only."

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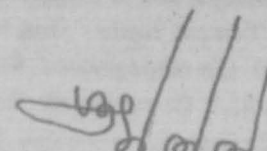
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To

HIS EXCELLENCY THE RIGHT HONORABLE
THE MEMBER IN COUNCIL.
MADRAS.

The Petition of KODUTTANAD PORLATHIRI UDAYA
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1871
Petitioner
Koduttanad
Porlathiri Udaya
Varma Valia
Rajah of Kurumbranad
Taluk

Dec 29 1871
No 213 August 1871

No

Things to notice

entire fact connected with the
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may be pleased authorizing
petitioner to act as trustee in
all matters relating to the Temple
and its property, and announce
that the Govt of the Devasthanam
has, in fact, been made over
to Petitioner's Kovilagam.

Government of Madras.

DEPARTMENT.

Petition No. 1757 of 1871.

From

Koduttanad
Porlathiri Udaya
Varma Valia
Rajah of
Kurumbranad
Taluk

Occupation.

Village. Koduttanad
Taluk. Kurumbranad
District. Malabar

Dated

9th August 1871

Enclosures

Abstract.

Dec 29 1871 of 1871

Petitioner's right to sue, and the necessary issues were recorded and tried; the Munsif decreed the surrender of the land as sued for, but the Acting Civil Judge of Tellicherry reversed the Munsif's finding on the ground "that the existence of a Melkoima right in the Plaintiff (Petitioner) was incompatible with a right of ownership;" that the High Court in disposing of the Special Appeal from the Civil Court's decision observe in their Judgment as follows:—"We have considered this case and see no satisfactory ground for the contention that the Plaintiff (Petitioner) when he set up a Melkoima right on the former occasion, did so under any misapprehension as to the nature of the right or with the belief that he possessed the larger right that he now claims;" and they further give as their opinion that certain documents filed by Petitioner needed no consideration as to their effect because "the acts of ownership which they are put forward to evidence are consistent with the exercise of a Melkoima right only."

That it will be perceived that Petitioner possessed the Melkoima right, and also that he has had the management for many years; that the Civil Courts decide that the Melkoima or the right of superintendence is now vested in the executive—or that it has passed with the sovereignty to those who hold it in trust for the English Crown; that admitting this to be the case, it is unnecessary for the Petitioner to state that the English Government do not, as the former Native Rulers used to do, interfere in the religious endowments of the Hindus; nor is the interference in any way profitable to the State, because it is a rule that the profits accruing from such endowments should be appropriated to the purposes of the religious institution and to no other purpose; that Act No. XX of 1863 was passed to enable the Government to divest itself of the management of religious endowments; that the management of many such institutions both in Malabar and other Districts was once assumed by Government, but subsequently restored to their original trustees or managers, or made over to some fresh competent hands; for instance, the Trikandiyur Temple (in South Malabar) over which the extinct Vettatha Raja's family had a Melkoima right, and of which certain Numpuderies were trustees, was, with about half a dozen other Temples, granted on the 5th February 1842 to the Zamorin Raja of Calicut, who had no title whatever to them, in preference to several claimants who were deemed incapable of such a trust; that on the recommendation of a charitable endowment at Tellicherry has recently been pleased to order the management of a charitable endowment at Tellicherry (on the extinction of the grantor's family) to be entrusted to Petitioner—whose position in Malabar is a sufficient guarantee for the proper maintenance of the institution; that the Petitioner's right of Melkoima combined with the admitted circumstance of his recognized management for so long a period as 80 years, will certainly (he humbly trusts) entitle him to a proper and favorable consideration on the part of Government in disposing of the trust or management of the Iringannur Temple, which in the Civil Court's opinion, has no trustee or manager entitled to sue or be sued in regard to its property or affairs, and which, Petitioner hesitates not to assert, will, to the discredit of all concerned, come to ruin if the Government decline at once to interfere; that the Temple owns extensive landed property, held in parcels by numerous tenants, lessees and mortgagees, who are all liable to pay some rent to the Temple, and who in the absence of a recognized agent, will refuse to pay anything to Petitioner or his nominees.

That in 1865 Petitioner, by means of a Civil Suit, effected the removal of the agent, who, though his nominee, failed to render accounts to him; that in the Government Pymash accounts of the Malabar year 993, which are now 53 years old, Petitioner's Kovilagom is entered as the appointer of all the Temple officials; that the Temple Treasury, and all the jewels and ornaments belonging to the Temple are in Petitioner's charge; that he pays the Government Revenue of a fair portion of the Temple lands; that there are many public records to show that Petitioner's Kovilagom has had the management for 80 years—that is even before the acquisition of the country by the British Government; that the Temple does not fall under Sections III and IV of Act XX of 1863; that therefore any proceedings under that enactment will be inappropriate

and undesirable in the present case; that as the Government, in whom, as the Civil Court has observed, the Melkoima which Petitioner's Kovilagom indisputably possessed—is vested, has in their executive capacity, the power of delegating the right, as the delegation of their rights is indispensable in this case for the protection of the interests of the Temple as well as the parties concerned, and as a failure on the part of Government to interfere, will assuredly result in the complete ruin of the Temple, and that will be looked upon as a great calamity to the Hindu community of the District, Petitioner begs leave to call the attention of your Lordship in Council, indulging in a strong hope that the Government will lose no time in taking the desirable measures to avert this threatened misfortune to the Hindu residents of the District; that the Government, when they contemplated the assumption of the Devaswom in 1847, did so for the safety of the institution, and the interference was merely an act of the State and not of a reversioner, in which latter capacity they could not have acted, since the property involved belonged to a religious institution and could not escheat.

That it is needless to add that Government is the protector of the religious and charitable institutions, whose original trustees have become extinct; that Petitioner having been the admitted manager even during the life-time of several of the surviving original trustees of the Temple, the delegation of the trust by Government ought to be made in favor of his Kovilagom; that the lessee who lately contested the Petitioner's title before the Civil Courts did not deny that the property, comprised in the suit brought, belonged to the Temple; and that in every suit that was tried the fact that his ancestors and himself have been managing the temple affairs for a very long period has been established beyond doubt.

Petitioner, in conclusion, respectfully requests that your Lordship in Council will be pleased to take this Petition into favorable consideration, transmit it to the Collector of Malabar with instructions to hold proper enquiries into the matter, receiving all the documentary and oral evidence of an unexceptionable character which Petitioner is ever ready to bring forward, to ascertain the wishes and views of the majority of the inhabitants, including the tenants of the Temple, as to the probable consequences of a delegation to Petitioner of the rights and privileges of the Government in connexion with the temple affairs, and also of a non-interference by Government in this very important matter; and to communicate the result to Government with his own views and opinion. If your Lordship in Council be kind enough to do Petitioner the favor he hereby asks, Government will be conferring a great boon to the Hindu community here, and to the institution, whose destruction will otherwise be an established fact.

Petitioner further prays that, in case the local authorities and Government, after the investigation requested, be convinced of the desirability and necessity of the grant, an order may issue authorising Petitioner to act as trustee in all matters relating to the Temple and its property, and announcing that the trust of the Devaswom has, in fact, been made over to Petitioner's Kovilagom.

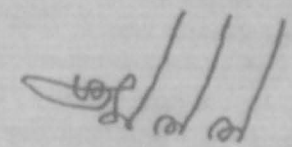
For which act of justice and kindness Petitioner as in duty bound

KADUTTANAD,

8 August 1871.

WILL EVER PRAY.

UDAYA VARNA VALIA RAJA.



Rev-1128/72
L. S. S. W. M. C. S.

No 1755, 1756 & 1757 of 1871

AM

Transferred to the Collector of Malabar
for report or reference to papers embodying
the requisite information.

Ootacamund
18th September 1871

By order
Admitt Capt. A. D. D.

Under Secy to Govt P. W. D.
For Under Secy to Govt Rev. Dept.

Government of Madras.

Revenue DEPARTMENT.

Rev-1128/72
Petition No. 1755 of 1871.

From: Kudaya Panna
Patta Nayak of
Occupation.

Village. Perolattam
Talook. Perumthalam
District. Malabar

Dated 9th August 1871
Received 24th August 1871
Enclosures

Abstract.

File 1755 of 1871

Revenue Department

No 642.

Proceedings of the Madras Government

Under date the 20th April 1872

Read the following letter
from the Collector of Malabar

Reporting on petitions
Nos 1755 to 1757 of 1871
regarding the Iringamoor
Devasam / temple / property

The Government observe
that their waiver in 1866 of
the right of exchequer in regard
to the property of the deceased
Corallars of the Iringamoor
Devasam could not have
had any reference to the
property constituting the
Temple endowment of which
the Corallars were simply
Managers or at most Trustees

No

Government of Madras.

Revenue DEPARTMENT.

Petition No. 1755 of 1871.

From Roduttanad Parla-

theris Udaya Varma

Occupation. Vahia Rajah of

Village. Roduttanad

Talook. Kureumbor

District. Malabar

Dated 9th August 1871

Received 23rd August 1871

Enclosures

Abstract.

Brings to notice
certain facts connected with
the Iringamoor Devas-
am or temple for the

consideration of Govt. & pray
that an order may be issued
authorizing petitioners to act
as Trustees in all matters
relating to the temple and
its property - announcing
to the trust of the Devas-
am having fact been
made over to petitioners Ro-
duttanad.

No right in the Temple
endowment devolved on
Government by the decease
of these Orallars save
the Malkorima right of
appointing a Manager.
And there was therefore
no property-right which
the Government could waive.

2 The information then
placed before Government
went to show that the income
from the Temple lands was
partly in the hands of the
Patalli and partly in those
of the tenants; the former
being the person entrusted
with collecting the rents &
defraying the expenses of
the Pagoda. It is therefore
quite evident that the
Government had no intention
by their act of in any way
alienating from the Temple
what

what belonged to it. It seems
to have been inferred that
the Patalli would realise
the Temple dues and
apply them to the proper
purpose.

3 Mr Macgregor
states that the Temple
service has been maintained
by the Petitioners the Cartinas
Rajah, mainly at his own
expense and that there is
no personal objection to
his being appointed Trustee
to the Pagoda by Government
in the exercise of their Malika
prerogative, but that the endowment
must be regarded as gone.

4 The Government
consider that this last
matter is a question for
the Comrs to decide.

5 They resolve to
appoint the Cartinas Rajah

(Grant his successors) as
Trustees to the Livingston
Devason, leaving it
to him to take such
steps as he may think
fit to recover the property
or rents belonging to it.

J. A.

No 210-211

1-7-56
2/3/56

Revenue 1872 Depart.
Mingamon Savad
N: 642.
an pro perty Ma
lahay B. Chit
Proceedings of
the Madras Govt.
Dated 20 April 1872. —

Full 270/56

Copy
Disputed

N: 210 + 211. —

16 April 1872. R. 16 April