Proceedings of the Madras Government, Revenue Department,
6th June 1872.

No. 60. Read the following Proceedings of the Board of Revenue, dated 27th May 1872, No. 833 :—

Read the following letter from H. E. SULLIVAN, Esq., Acting Collector of the Godavery District, to the Secretary to the Board of Revenue, dated Cocanada, 23rd April 1872, No. 100:—

ONE Vadreva Somappa was the Zemindar of Vegayemmapetta in the Ramachendrapur taluq of this district. He had five sons, of whom Sundarappa was the eldest and Umapati the next; Sundarappa died before his father and Umapati survived the latter and succeeded him in the Zemindari. Sundarappa's son, Somappa, filed a suit in the Provincial Court of Appeal, Original Suit No. 47 of 1834, against Umapati's son Sundarappa, for the recovery of the Zemindari, founding his claim on the custom of the eldest son succeeding to the estate in preference to other sons. The suit was decreed for plaintiff in 1843, and the decree awards among other things a sum of Rupees 969 as payable to Government by defendant through plaintiff on account of stamp duty, the suit having been brought in *forma pauperis*, and Rupees 88½ on account of batta advanced to witnesses.

2. The Government Vakil reports that the parties to the suit compromised the matter among themselves, and requests that steps may be taken for the recovery of the Government dues. I have therefore the honour to request the instructions of the Board on the subject.

[illegible] of the present decree, etc., from which it will be seen that the last order of the Court on a petition for execution was made on the 18th September 1865. Section XX., Act XIV. of 1859 requires that some proceeding should have been taken to keep a decree alive for three years, but I do not think that the claim of Government in this instance would be barred by no action having been taken within the prescribed time, as Section XVII. expressly lays down that Act XIV. of 1859 shall not apply to "any public property or right."

SUBMITTED for the orders of Government.

No. 61. ORDER THEREON, 6th June 1872, No. 887.

Miscellaneous.

CONSIDERING the excessive lapse of time that has been allowed to occur, the Government do not desire the claim to be urged.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.

Encl. F. R. Bantleman.

Rev. 1872. Oct.

Board of Revenue,

MADRAS.

Jr. 1869.

PROCEEDINGS, 27TH MAY 1872, No. 833.

Sept 31 Oct 72.

Encl.

Received 1st Sept.

MAY.

No. 833.

Stamp duty and batta to witnesses—recoverable by Government in a suit filed in terms *purports* by one Subbarayya of Gadur in Vegavemmpeta Zemindari in Ramnad District against his uncle to establish right to Vegavemmpeta Zemindari in Ramnad—Letter from Collector requesting instructions in regard to—submitted for orders of Government.

85

A4