No. 72. Read the following Proceedings of the Board of Revenue, dated 7th November 1873, No. 2,265 :—

Read the following letter from Captain J. G. CLOETE, Deputy Superintendent, in charge of the Office of Superintendent of Revenue Survey, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Chepauk, 31st October 1873, No. 2,630-132.

WHEN Mr. J. J. Tomlinson was in charge of Ganjam Demarcation and Survey he entered into a contract with V. Giriraju and Co. for the supply of stones for the Gumsur Taluq. The terms were that V. Giriraju and Co. should be paid for the stones when ready, the cost being collected (after demarcation) from the ryots.

2. As this measure involved large advances on the part of Government, his successor, Mr. Cardozo, got the form of the contract altered, the contractors agreeing to sell the stones direct to the ryots. At the same time he advanced them a sum of Rupees 5,000 and had a bond executed and registered, on the security as per margin, to the effect that he would repay the advance partly in boundary and khandam station stones in such numbers as might be ordered by Mr. Cardozo, and the balance in cash within six months.

1. One upstair house, tiled, No. 1, situated in the Brahmin-street, Berhampore.
2. Twenty acres of Jerayoti land situated in the village of Borigain, Berhampore Taluq.

	RS.	A.	P.
Value of station stones supplied	1,004	7	6
Cash paid	1,500	0	0
Value of ryots' stones	538	2	4
Total...	3,042	9	10

3. Out of this advance a sum of Rupees 3,042-9-10 has been repaid, leaving a balance of Rupees 1,957-6-2, for the recovery of which a suit has had to be filed in the Zillah Court of Ganjam.

4. I have the honour to submit copy of the plaint, and regret to state that by an oversight the previous approval of the Board was not sought.

ENCLOSURE No. 1.—Copy of Plaint.

SUBMITTED for the approval of Government.

2. The 1st Assistant Superintendent, Revenue Survey, in charge of the Ganjam Party, has instituted a suit against Sattivada Jaganadha Row Puntulu and Varahagiri Giriraju for breach of contract in regard to the supply of stones for which they received an advance of Rupees 5,000.

3. By a written contract, dated 16th January 1871, they engaged to supply stones at certain rates in such number as might be ordered by the Officer in charge, and to pay the balance in cash within six months, viz., on or before the 16th July 1871. Giving defendants credit for the value of stones supplied and payments made there is a balance of Rupees 1,957-6-2 still due, which defendants have neglected to pay though repeatedly required to do so.

4. The suit is for the recovery of this amount on certain property which has been hypothecated as security for the due fulfilment of the contract.

Proceedings of the Madras Government, Revenue Department,
18th November 1873.

No. 73. ORDER THEREON, 18th November 1873, No. 1,265.

Miscellaneous.

THE institution of the suit is approved under the circumstances reported.

(True Extract.)

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

To the Board of Revenue.
,, the Accountant-General.

Stones, an advance of Rupees 5,000 for

Govt. of {1873} M

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c

Dated November 18th.

Recd.

G. O., 18th November 1873, N

NOVEMBER.

Nos. 72-73.

Advances made to V. Giriraj
supply of Demarcation Stones in
trict.—Approving the institution
the recovery of the balance of the

Ver 4,026/73

Trich R.P. 10-5-75 No 1210.

To

The Honorable Civil Court of the
Billah of Berhampur.

Captain C. D. Baynes
The 1st Assistant Supt. Rev
enue Surveyor in charge of Ganjam
Survey and Demarcation
residing at Banpore pro
fession the said Office — } Plaintiff

Plaint presented under Section 26 of
Civil Code against

1. Sattivada Jagannadharow Pantulu
residing at Berhampur
2 Varahagiri Giriraju presently
residing at Banpur two persons
Musaddies } Defendants

1 Suit for the recovery of Rs 1957-6-2 due
on a bond with subsequent interest and
Costs after deducting payments.

2 The defendants who are Stone Con-
tractors having taken from the then Officer
in charge Mr H. O. C. Cardozo on the 19th
December 1870 for the supply of Demarcation
Stones, an advance of Rupees 3,000 gol written

and Registered and gave to the Officer in Charge on the 16th January 1871 a bond with Conditions to Repay the above advance of Rs 5,000 partly in boundary and Khandan Station Stones in such Numbers as may be ordered by the Officer in Charge at the Rates mentioned in the Contract bond dated 23rd April 1870, executed by the defendants and the balance in Cash with in 6 Months to wit by the 16th July 1871.

3. It is further stipulated in the bond that the 1st Defendant agreed to make his upstair house titled Kot situated in the Bramhin Street No 15 of Bertan pirivu and the 20 Acres of Jerayoti land which the 1st defendant owns in the Village of Borigam Berhampur Taluq stand as Security for the due fulfilment of all the Conditions mentioned in it.

4. The price of Station Stones supplied by the Defendants up to the termination of the term in the Bond Rs 266-1-6, Cash paid by the defendants in the Bank.

for the Bond Rs 1500-0

The remainder after deducting Rs 133-0-8 the Amount of Salaries of Depôt Gumastas paid in advance by the Officer in charge for the defendants from Rs 671-3-0 the Amount realized and remitted to the Office of the plaintiff by the Tasildar of Gumsur Taluq on account of Stones supplied to Ryots in Gumsur Taluq by the Defendants ——— > 538-2-4

The price of Boundary and Khandan Station Stones supplied by the Defendants subsequent to the Expiration of the term of the bond and up to date ——— > 738-0-0

The total of the payments to the Plaintiff on account of the said amount of Rupees 5,000 ——— 3042-9-10

5 The defendants did not C.D.B pay the remainder of the Money although the Officer in charge issued hukums to the address of the defendants on 2nd May, 5th June, 13th August, 4th September and 2nd November of 1872 and was Rud Enough

not to Sue them up to date.

The Cause of Action of this Suit arose on the 17th July 1871

6. The Plaintiff therefore prays to cause to be given by the defendants and from the mortgaged property Rs 1957-6-2 the remainder after deducting Rs 3042-9-10 (the amount of payments) from Rs 5,000 — due on the bond dated 16th January 1871 together with interest at 1 per Cent per Mensem on the remaining debt from the date of this plaint till the day of liquidation and the Costs in the Court. The Plaint in Telugu bears the proper Stamps and Verification.

/signed/ C D. Baynes Captain
1st Asst Supt Rev. Survey.
In ch. Gunjam Survey &
Demarcation.

/ True copy /
/sd/ C D Baynes Captain
1st Asst Supt Rev. Survey
In ch: Ganjam Survey & De
marcation.

/ True Copy /
J Grote
Secretary.

Cpd by P Raghavulu Naidu

2. Ma

Revenue Department.

Proceedings of the Board of Revenue.
Dated 7th November 1873. No 2265:-
Read the following:-

No. 2630.
132

From

The Superintendent
Revenue Survey

To

The Secretary to the
Board of Revenue.

Sir

When Mr J. J. Soulisson was in charge of Gunjam Demarcation and Survey, he entered into a contract with V. Giriraju & Co for the supply of Stones for the Gumsoor Talug; the terms were that V. Giriraju and Co should be paid for the Stones when ready, the cost being collected (after demarcation) from the ryots.

2. As

G.O 18th Novr 73 No 1265

Enclosure in Proceedings of the Board of Revenue Dated 7th Novr 1873 to the Actg. Secretary to Govt: Revenue Department

Rw 3636/73

Copy of Plaint in Suit filed against V. Giriraju & Co Stone Contractors of Gunjam, for recovery of certain amount due by them.

Sold to P. Ragavalu Naidu

2. As this measure involved large advances on the part of Government, his Successor Mr. Cordozo got the form of the Contract altered, the Contractors agreeing to sell the Stones direct to the Ryots. At the same time, he advanced them a sum of Rupees 5000 and had a bond executed and registered on the security as per margin, to the effect that he would repay the advance partly in boundary and Khandam Station Stones in such numbers as might be ordered by Mr. Cordozo and the balance in Cash within 6 months.

1. one upstair house tiled, No. 1 situated in the Brahmin Street Berhampore ———
2. Twenty Acres of Jerayati land situated in the Village of Bonjam Berhampore Taluq ———

Value of Station Stones Supplied —	1004-7-6
Cash paid ———	1500-—-—
Value of Ryots' Stones ———	538-2-4
	3042-9-10

3. Out of this advance, a sum of Rupees 3042-9-10 has been paid leaving a balance of Rupees 1957-6-2, for

for the recovery of which a suit has had to be filed in the Zillah Court of Ganjam

4. I have the honor to submit copy of the plaint, and regret to state that by an oversight the previous approval of the Board was not sought.

I have &c.

(signed) J. G. Cloete, Captain
Deputy Superintendent in charge of the office of Superintendent Revenue Survey

Revenue Survey Office
Chepauk 31st October 1873

Submitted for the approval of Government

The 1st Assistant Superintendent, Revenue Survey in charge of the Ganjam party has instituted a Suit against Sattivada Jagannadharow Pantulu and Varahagiri Giriraju for breach of Contract

contract in regard to the supply of stones for which they received an advance of Rupees 5,000.

By a written Contract dated 16th January 1871 they engaged to supply stones at certain rates in such number as might be ordered by the officer in charge, and to pay the balance in cash within six months, say, on or before the 16th July 1871. Giving defendants credit for the value of the Stones supplied and payments made, there is a balance of Rupees 1957-6-2 still due, which defendants have neglected to pay, though repeatedly required to do so.

The Suit is for the recovery of this amount on certain property which has been hypothecated as Security for the due fulfilment of the Contract.

I True Copy & Extract

J Grote
Secretary.

To
The Secretary to Government
Revenue Department
with Copy of Plaint.

Rev: 1873: Depts
No. 3636

Proceedings of the
Board of Revenue

Dated 2nd
Decd 1
Recd 11th } November
1873.

No 1265—

Subject

Suit—in Guyana Zillah Court,—Letter from Superintendent Revenue Survey on institution of —for recovery of Rs 1957-6-2 on certain property hypothecated by V. Girirayi & Co's for due supply of Demarcation Stones,—Submitted for approval of Government.

Letter order

No 1265—

Re institution of the suit in Guyana Zillah Court and the circumstances connected therewith.

Register Rec. 18: Nov: 1873

Dept. in Rev. 15th Nov.

Rev. Dept. 15th Nov.

C15 Rev/73-1218