Proceedings of the Madras Government, Revenue Department, 12th December 1873.

No. 167. Read the following Proceedings of the Board of Revenue, dated 8th December 1873, No. 2,507 :—

Read the following letter from W. McQUHAE, Esq., Collector of Madura, to J. GROSE, Esq., Secretary to the Board of Revenue, dated 20th November 1873, No. 364 :—

I HAVE the honour to submit translation of a plaint in Original Suit No. 10 of 1873, on the file of the Additional Munsif's Court, in which I have been made a defendant by order of the Court, together with a draft of the written statement which I propose to put in, and I request the sanction of the Board for the defence of the suit on the usual terms.

2. One Siddhama Naik, of Edayaputty, hamlet of Vellodoo, in the Dindigul Taluq, presented a durkhast on the 25th September 1870 for 25 gulies of waste lands belonging to Nos. 139 and 307 (of which only No. 307 is in question) to the Deputy Tahsildar of Vedasendoor, who referred it to the village officers for report. The village officers stated that the total ayacut of No. 307 was gulies 24-2-1, gulies 19-4-3 being Ayan Ayacut, and the remainder, gulies 4-13-2, being Kalar Peramboke; that gulies 9-14-2 were in the holding of Vengitti Naik and others, gulies 9-6-1 were on grass-tax, and the rest, gulies 4-13-2, were available for cultivation; that Genga Naik and Mutta Naik, each of whom hold gulies 0-6-1 in that number adjacent to the waste land, requested that it might be given them for cultivation in equal shares; that Vengitti Naik, who held land on another site adjacent to the waste land, also asked for the land. On this report of the village officers the Deputy Tahsildar decided on the 17th November 1870 that the land should be made over to Genga Naik and Mutta Naik in equal shares as they were said to hold a smaller extent of land than Vengitti Naik. This Vengitti Naik is the 1st plaintiff, and Genga Naik and Mutta Naik are defendants 1 and 2 in the suit in question.

3. Plaintiffs claim the land in question as their ancestral property, and state that on the land in question there was an old well and a tank on its eastern side, both constructed by their ancestors, and that they were not aware of the fact of the land having been disposed of on durkhast. From a statement since given by the Curnam it appears that there is nothing to show that the plaintiffs have an ancestral right to the land in question; that the old well referred to in the plaint was sunk for trial by the father of the 1st defendant twenty years ago and afterwards given up by him; that defendants 1 and 2 have since repaired the well; that the tank is not now in existence; that there is a decayed bund, about 240 yards long, belonging to Nos. 142 and 308, of which no mention has been made in the accounts; and that when he (the Curnam) reported on the durkhast, Vengitti Naik, the 1st plaintiff, who is Nattamagar of the village, was present and signed the report. He now denies his signature, but there can be no doubt that the signature is his.

4. The plaintiffs made no appeal against the decision of the Deputy Tahsildar nor raised any objection at the jummahbundy when putta was given to the 1st and 2nd defendants for the land in question.

5. The first hearing of the suit is posted for the 26th January 1874.

Enclosure No. 1—Translation of Plaint.

Enclosure No. 2—Draft Written Statement.

Submitted for the orders of Government.

2. Plaintiffs claim, as ancestral property, 6 grāms of land, a well, and a tank, valued in the plaint at Rupees 1,016. The land which was waste for about thirty years was in November 1871 assigned under the Darkhast rules on annual duties to defendants 1 and 2. The well is said to have been sunk by the defendant's father about twenty years ago. It is stated that the tank no longer exists. The Collector denies plaintiffs' right and proposes to plead that the land was waste and at the disposal of Government and that the manner in which the Revenue authorities dispose of such land is a matter not within the cognizance of the Courts of law.

3. The Board recommend that the defence of the suit be sanctioned and the draft answer approved.

No. 1188. Office memo., 12th December 1873, No. 1,411.

Miscellaneous. Revenue.

(True Extract.)

(Signed) H. T. CRAIGIE, Lieut.-Col.,
Secretary to Government.

Revenue Department

Proceedings of the Board of Revenue
Madras 8th December 1873

No. 2364 Read the following
from
W. McLean Esqre
Collector of Madura
No.
T. Pycroft Esqre Engineer
Secretary to the Board of
Revenue Madras
Sir,

I have the honor to submit
herewith a translation of a plaint
in O.S. No. 10 of 1873 on the file
of the Additional Moonsiff's
Court in which I have been
made a Defendant by order
of the Court together with a
draft of the written statement
which I propose to put in and
I request the sanction of the
Board

A Record for the Payment of the
Land on the several Farms
2. One Halfpenny Rent
of Collyer for Mr. Thomas Coffin Clerk
and Deputy Steward of the
Manor of Stoke upon the 25th October 1811
for 25 Guineas of the Land Tax
the Commissioners to pay 30 Pounds to the
Land Tax Commissioners for Stoke
Officers for the Village
Officers to be held at the Hall
appointed by Mr. Thomas
Hyam Hyam Esq. the Lord
Hyam Hyam Esq. the Lord
Guineas 4 12 2 Guineas Tax
Hyam Esq. the Lord Guineas 14 2
Guineas for the Lord Guineas of Court
Guineas Rent and other Guineas 6 1
Guineas

Guineas or Guineas Tax and the Land,
Guineas 4 12 2 Guineas Tax
for Guineas, that Guineas
of Guineas Mr. Mark Guineas
Mark and Mr. Mark Guineas
of Guineas Lord Guineas 6 1
Guineas to the
Lord Guineas, Guineas to the
Guineas the Lord, Guineas that
Guineas Lord Guineas for Guineas
Guineas Guineas Guineas, that
Guineas, for the Lord Lord
Guineas for the Village
Mr Guineas to the
Guineas Lord for the
Land On this Report of the
Village Officers the Guineas
Guineas Lord Guineas Tax 17s
Guineas 1s 3d that the Lands
should be made over to Guineas
Mark and Mr. Mark in equal
Shares as they were said to hold

a

a smaller extent of land than Vengitti Naik. This Vengitti is the 1st Plaintiff and Genga Naik and Muttu Naik are Defendants 1 and 2 in the suit in question.

3. Plaintiffs claim the land in question as their ancestral property and state that on the land in question, there was an old well and a tank on its eastern side, both constructed by their ancestors and that they were not aware of the fact of the land having been disposed of on Durkhast. From a statement since given by the Curnum it appears that there is nothing to show that the Plaintiffs have an ancestral right to the land in question, that the old well referred to in the plaint was sunk for trial by the father of the 1st Defendant 20 years ago and afterwards given up by him; that Defendants 1 and 2 have since repaired the well, that the tank is not now in existence, that there is a decayed bund about 240 yards long belonging to No. 142 and 308 of which no mention has been made in the accounts, that when he (Curnum) reported on the Durkast, Vengitti Naik the 1st Plaintiff who is Nattamagar of the Village was present and signed the report. He now denies his signature, but there can be no doubt that the signature is his.

4. The Plaintiffs made no appeal

Rev. 873: 24

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Proceedings of the
Board of Revenue

Dated 8 Dec 1873

Rec'd 28 [illegible]

Rec'd Sanction
and Dft. 12 Dec: 1873

Sheet — No 10 of 18[illegible]

[illegible] Rs 10[illegible]

Relative to additional
Premises Contained
in Gradient Sketch &
established plaintiffs
claim to certain land
as their ancestral
property, Duration of
suit, Reasons for
delay of — & for fee
Evidence produced &c

14 Ord. of Revenue
& Letter Govt. 3

Govt. of India

REVENUE.

To

The Board of Revenue

Dated Fort William the 28th

Dec. 1873

SUBJECT

Suit No. 10 of 1872, filed in the Court of the Principal Sudder Ameen of Burdwan entitled Hurrendro Nath Chowdhry against Bejoy Chand Mahtab and others, for the recovery of—