

*Proceedings of the Madras Government, Revenue Department,
27th February 1873.*

No. 192. Read the following Proceedings of the Court of Wards, dated 23rd January 1873, No. 92:—

Read the following letter from R. K. PUCKLE, Esq., Collector of Tinnevely, to the Secretary to the Court of Wards, dated Tinnevely, 4th November 1872, No. 514:—

THE Kadalgudi Zemindari of this district is divided into five shares, of which Hari Ram and Hera Lal, undivided brothers, held two shares conjointly. Hari Ram died in 1869, leaving two sons, Rama Prasad now aged 12 years and Karna Lal now aged 9 years. Hera Lal continued to manage the estate until December 1871, when he also died leaving two sons, Lachma Prasad now aged 17 years and Sambu Lal now aged 9 years. Shortly before his death, Hera Lal petitioned that his eldest son Lachma Prasad, who was of age according to Hindu law, might manage the estate conjointly with Hari Ram's widow who consented to the arrangement. This petition was referred to the Tahsildar and there has been much delay in the disposal of it. The Kadalgudi Zemindari is on the Madura frontier far out of reach, and the affairs of the family are so complicated that assuming charge of the estate on behalf of the Court of Wards would involve much labour and more than one partition of property. I suggest therefore that the request of the deceased Hera Lal be acceded to, and that Lachma Prasad and Hari Ram's widow be allowed to manage the property.

THE Court of Wards consider it desirable to submit this case for the orders of Government.

2. The property involved is two-fifths of the Kadalgudi estate, which was divided under the sanction of the Board of Revenue in July 1871. The assets cannot exceed Rupees 7,512, and the peshkush is Rupees 1,761-3-4. The shares belonged to two brothers, who have left five sons, minors, of whom the eldest is now 17 years old. The property has been managed by this youth, together with the widow of his uncle since December 1871. This arrangement is in accordance with the wish of the last deceased proprietor. The estate is a remote one; and should the Court assume charge must be divided as each minor attains his majority. The Court are disposed to concur with the Collector that their interference is unnecessary.

No. 193. ORDER THEREON, 27th February 1873, No. 231.

Miscellaneous.

THERE is some confusion in the Collector's letter. He would seem to say that this "Kadalgudi" is a Zemindari held in five shares, whereas it appears from the papers cited that in 1871 "Kadalgudi" was regularly portioned out in the manner required by law into five distinct Zemindari Estates. Two of these Estates were held, each, jointly by two brothers, Hari Ram and Hera Lal. The former died leaving two minor sons

N. 231.

Proceedings of the Madras Government
 27 Feb 1873
 Read the following Proceedings
 of the Court of Wards. -
 (H. S. 28 Jan. 1873, 1892)

Order No. 1, February 1873, No.

There is some confusion in the Collector's letter. He would seem to say that this "Nadalgudi" is a Zeminadari held in five shares, whereas it appears from the papers cited that in 1871 "Nadalgudi" was regularly partitioned out in the manner required by law into five distinct Zeminadari estates. Two of these estates were held, each, jointly by two brothers, Hari Ram and Hera Lal. The former died leaving two minor sons some time ago, and now that the latter has died also, the Collector and Board of Revenue discuss the question of bringing the property belonging to the heirs, who are all under age, into Wardship.

2. The Govt observe that the Collector should report the case to the Civil Court under section 18, Reg. V of 1804.

/ True Extract /
 Spt. D. F. L.
 Secretary to Govt.

14. To the Court of Wards on 28 Feb.

28 Feb

The word guardian here (S. 20) is used in our English sense, for he has a double set of duties: he looks out for the estate & to be sure that injuries may not arise to the property or persons of the said heirs.

It is merely that he is proper guardian, he must of him, may be absent, or unfit, or declines his office, & it is desirable for the C. & to take in stones, when advised of any such state of facts by the C. or on other respectable persons of the village.

Is this quite clear? The Court a Court the Guar. or Di. an. - It is not the same as of the Estate. For which the Court of Wards &

Real Prop. C. & Wards
No 92 of 20th July 1804

There is some confusion in the Collector's letter. He seems to say that the 'Radabgudi' is a Zamindari held in five shares, whereas it appears from the papers cited that in 1871 'Radabgudi' was regularly partitioned out in the manner required by law into five distinct Zamindari estates. Two of these estates were held, each, jointly by two brothers, Hari Prasad & Hesa Das. The former died leaving two minor sons some time ago, & was that the latter has died also, the father and both of his sons the question of bringing the property belonging to the heirs who are all under age, into Wardship.

2. The fact is that in his comes to the Court the provisions of Sec. 21, Chap. I of 1804 have been lost sight of in cases of his kind, where an estate (as is the case with both of the Estates under notice) is held in shares, the intervention of the C. of Wards is prohibited. It does not appear whether the Collector reported the case to the Civil Court on the date of the first of the two joint proprietors who died.

January 28. 1891. But he sh^d do do now
 perhaps of 30-40 that the second too is dead.
 put in the paper. [Having done this, he has no more to do
 in this case. Certainly] there is
 no room for the intervention of the
 Ct. of Wards, whose statement,
 further, that sh^d they assume
 charge, the Estate would have to
 be divided as each minor attains his
 majority, is not at all understood
 call in the Court.

to know it is
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 a fine history to
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but please ~~see~~ remark on
margin of preceding page. D

Law B

6th of the month
transferred to Sect XX - 11
I am in regard to the
Proceedings

Department of Justice

Chicago

Respectfully,
Yours

I am not so satis-
fied as the Court as
to venture on saying
over the law authori-
tatively. The law is
from 2 I shall merely
tell the Court but
the case to the C. Court
under Act 20

18.8

2000-76 R24:796

1st 76/73 R. 1646/1010 C. 928