No. 16. Read the following Proceedings of the Board of Revenue, dated 26th May 1873, Miscellaneous No. 3,193 :—

Read the following letter from H. SEWELL, Esq., Acting Collector of North Arcot, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Wandewash, 17th April 1873, No. 232.

With reference to the endorsement (herewith returned, with enclosures) of the Board of Revenue, dated 22nd March last, on petition of Kambi Nayani Javaji Venkatapathi Nayanivaru, Zemindar of Kangundi, I have the honour to state that the Government, in their order, dated 20th January 1864, No. 30, have sanctioned Rs. 942-5-8 as compensation for the lands taken up for the Bangalore Branch Railway in the Mokhassa village of Petha Banjaroo Natham, in that Zemindari. As, however, various parties, on different titles, set up claims to the amount it was held in deposit, the claimants were directed to produce a judgment of a competent Civil Court, establishing their title to receive the same. The amount so deposited was subsequently invested in the Government Savings' Bank for the benefit of the parties concerned, and a Notice was published in pages 58 and 59 of the District Gazette, dated 23rd March 1872, warning all the parties concerned that the sum in question, together with the interest that might accrue thereon, would be carried to the credit of Government, unless the Collector was restricted not to do so by an injunction or order of the Civil Court within six months.

2. Neither this petitioner nor any others produced any such judgment within the time; but on the 30th September last, *i.e.*, seven days after, Mr. Whiteside received an injunction from the District Munsif's Court of Palmanair, at the instance of the Zemindar, to the effect that the compensation amount should be retained in deposit, pending the disposal of the suit.

3. As the said injunction was not received within the time allowed in the District Gazette, the sum was ordered by Mr. Whiteside to be credited to Government. This order, however, is dated subsequent to the receipt of the injunction.

4. The Zemindar has now submitted, with his petition, a judgment of the Munsif's Court in Original Suit No. 65 of 1872, which declares his (Zemindar's) right to the compensation in question.

5. Under these circumstances, I see no objection to paying now the amount in question, should the Board be pleased to sanction the payment; the amount having been, as stated above, brought to the credit of Government.

6. I also apprehend that, if the payment of the compensation, to which a competent Court has declared that the petitioner is entitled, is refused, a Civil Suit may be filed against Government, of whose successful defence I have great doubts.

The order of Government, dated 20th January 1864, No. 30, sanctioned the disbursement of a sum of Rupees 942-5-8, as compensation for lands taken up for Bangalore Branch Railway, in the Mokhassa village of Petha Banjaroo Natham, in the district of North Arcot.

2. Several claimants appeared, and the sum in question was held in deposit in the Government Savings' Bank. A Notice was published in the *North Arcot*

District Gazette, 23rd March 1872, warning parties concerned that the sum in question would be carried to the credit of Government, unless a claimant appeared within six months, and produced an order or injunction of a Civil Court.

3. On the 30th September, seven days after the expiry of the limit named, the Collector of North Arcot received an injunction from the Court of the District Munsif of Palmanair, ordering that the sum in question should be retained in deposit.

4. The money was, however, credited to Government.

5. The suitor, who caused the issue of the injunction, now submits a judgment* of the Munsif's Court, which declares his right to the sum in question; he is the Zemindar of Punganoor where the village named above is situate.

Original Suit No. 65 of 1872.

6. The Board request the sanction of Government to the payment to him of Rs. 942-5-8.

No. 17. ORDER THEREON, 2nd July 1873, No. 679.

Miscellaneous.

THE Government are unable to trace in their order of the 20th January 1864, No. 30, or among the statements which accompanied the Board's Proceedings therein embodied, the item of Rs. 942-5-8, as now brought before them, and desire, therefore, that they may be furnished with full particulars regarding it.

2. They notice that the original sum awarded in compensation is stated by the Acting Collector to have been invested in the Government Savings' Bank, and wish to be informed whether the interest on it, if any such has accrued, is included in the 942-5-8 ; or, if not, how it is proposed to dispose of it.

3. In the judgment filed by the claimant, the names of the parties are not given. The Government presume that the Acting Collector has satisfied himself that the successful party is the claimant, whom he calls Zemindar of Kangundi, but whom the Board designate Zemindar of Punganoor.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

Further from Bd of Revenue
10th April/74 No 814

Govt. of {1873} Madras.

REVENUE.

To

THE BOARD OF REVENUE.

Dated July 2nd.

Recd. Read.

G. O., 2nd July 1873, No. 679.

JULY.

Nos. 16-17.

Lands taken up for Bangalore Branch Railway.—Requesting information on certain points regarding the compensation claimed by the Zemindar of Punganoor for—

R 2 July

Revenue Department.

No. 679

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 2 July 187 3.

Read the following Proceedings of the Board of Revenue.

Requesting sanction for the payment of the sum of Rs 942-5-8, to the Zemindar of Pungunoor, as compensation for certain lands taken up for the Bangalore Branch Railway in the Salem District.

} M.R. 26 May 1873 No. 3193.

The Government are unable to trace, in their order of the 20th January 1864, No. 30, or among the statements which accompanied the Board's Proceedings therein embodied, the item of Rs 942-5-8, as now brought before them; and desire, therefore, that they may be furnished with full particulars regarding it.

2. They notice that the original sum awarded in compensation, is stated by the Acting

Rec'd 1873 dept
No. 1531

Pay Rs 942.5.8 to the Zemindar of Pungunoor in question.

S.O. No 679 - 2 July 1873

Dated 2 July 1873.

Despatched 27 " "

Rec'd " "

Empld. Rs: 942.5.8.

SUBJECT.

Requesting sanction to the Govt. for payment to Zemindar of Pungunoor of compensation awarded for certain lands taken up for the Bangalore Branch Railway in the Salem District.

x. been held in deposit by Govt. pending the adjustment of claims.

=D Dept.

The payment of Rs 942.5.8 to the Zemindar of Pungunoor is sanctioned, under the circumstances reported

WDS

C 24 June/73 R 2 July

Acting Collector to have been invested in the Government Savings Bank, and wish to be informed whether the interest on it, if any such has accrued, is included in the 942-5-8; or, if not, what it is proposed to do with it.

3. In the Judgment filed by the claimant, the names of the parties are not given. The Government presume that the Acting Collector has satisfied himself that the successful party is the claimant, whom he calls Zemindar of Kangundi, but whom the Board designate Zemindar of Pungunoor.

Lee

14 To the Board of Rev dtd 15 July 73-

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