Proceedings of the Madras Government, Revenue Department, 14th July 1873.

No. 119. Read the following Proceedings of the Board of Revenue, dated 14th June 1873, No. 1,005:—

Read the following letter from A. WEDDERBURN, Esq., Collector of Coimbatore, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Coimbatore, 2nd May 1873, No. 67:—

CORRESPONDENCE has ensued with the Civil Judge in consequence of proceedings in that Court with reference to the guardianship of one Sivalingien, a minor, residing in Suttiamungalum Taluq.

1. Letter from the High Court to the District Judge, No. 655 of 26th March 1873.
2. Letter from the District Judge to the Collector, No. 45 of 24th April 1873.
3. Copy of letter to the District Judge, No. 65 of 26th February 1873.

Vide also Revenue Board's Proceedings, No. 3,803 of 4th June 1870.

2. The Court having been moved, first tried to get a guardian on security, but, as no one would come forward with security, and no one would undertake the guardianship, the High Court, "after much discussion, arrived at the conclusion that the jurisdiction of the Zillah Courts, under Section 20 of the Regulation, extended by Section 3 of Regulation X. of 1831, could only be exercised in cases in which the Court of Wards had no jurisdiction; so the High Court declined to sanction the appointment of the guardian nominated by the Civil Judge." The High Court further add that, "from the Collector's letter, which forms an enclosure to yours, the present case appears to be subject to the jurisdiction of the Court of Wards." The Civil Judge, 24th April 1873, thereupon sends copy in the matter of the Minor Sivalingien "for the course therein stated being taken."

3. I may premise by stating that the amount of this estate (not alienable during minority), acres 65, assessment Rupees 99, is not such as to bring it within the scope of the jurisdiction of the Court of Wards, unless that body intends to administer very numerous minor ryots' property.

4. The subject of guardianship was mooted by the enmity of a distant relative of the minor who is an intelligent lad residing with his brother-in-law, natural guardian, and, as I personally ascertained, quite satisfied with his management. I believe there is no case for interference, but submit the papers in question for the decision of the Board.

ENCLOSURE No. 1.

From A. WEDDERBURN, Esq., Collector of Coimbatore, to G. ELLIS, Esq., Civil Judge of Coimbatore, dated Madeswarampetta, 26th February 1873, No. 65.

IN reply to your letter of 17th February 1873, No. 21, inquiring what is the income of the Minor Sivalingien, and whether any one will undertake the guardianship, I have the honour to state that the minor has about 65 acres of land, paying about Rupees 100 assessment, which is supposed, in assessing Income-tax, to represent net income.

2. No one will undertake the duty of guardian; the boy, an intelligent lad, personally informed me that he is satisfied with his brother-in-law Annien's protection and management of his small property, and I heard locally that the affair of the guardianship was mooted by a cousin from motives of enmity.

(True Copy.)

(Signed) A. WEDDERBURN,
Collector.

Revenue 1873 Sept.
No. 1898

1873.

Board of Revenue,

MADRAS.

PROCEEDINGS, 14TH JUNE 1873, No. 1,005.

Dept 27 June 73

Encl.

Received 30 June/73

JUNE.

No. 1,005.

Minor Sivalingien—of Suttiamungalum Taluq in Coimbatore District.—Collector informed that there seems to be no sufficient reason for appointing a guardian to —, and that points raised by Collector in connection with the subject have been laid before Government with view to amended legislation on the question.

No. 928
Recorded
14 July 73

the P. W. Department, with
reference to the latter part of
para 5.

Lieut

14. To the Boards of Ord. &c. July 7
21. the E W Depts

G.O.

Despatch from Mons. de L.
respecting Fisheries

Nr. 201-202