M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 8.

(2) Date of repair 27-1-67.

(3) Initials of the Referencer

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	1252.	Press
B.P. No.		Mis.

Dated 2-10-1874 ~~196~~ .

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 2nd October 1874.

No. 11. Read the following Proceedings of the Board of Revenue, dated 14th September 1874, No. 2,595 :—

Read the following letter from W. M. SCHARLIEB, Esq., Acting Government Pleader, Madras, to J. GROSE, Esq., Secretary to the Board of Revenue, dated 17th August 1874, No. 142.

WITH reference to the Proceedings of the Board of Revenue, dated 10th August 1874, No. 5,381, I have the honor to report that to delay bringing a suit for the property of the late Strinevassa Charry of Damal until the death of his surviving widow cannot actually prejudice the rights of Government, or be detrimental to the success of their claims, because their right to succeed will not arise until the death of the co-widow now surviving. The only advantage of suing for a declaration now is to secure the evidence forthcoming to prove the facts of the case ; but I do not apprehend that this evidence will be wanting when the occasion may arise. Of this, however, the Collector will be the best judge. If there is no fear in respect to the evidence required being available hereafter, I would advise postponement of action until the death of the surviving widow.

SUBMITTED to Government, with reference to G. O., dated 25th July 1874, No. 935.

2. The question is this. Certain land is in the possession of A which will escheat to Government when B dies. A and B belong to different families. Should Government sue now for a declaratory decree as to their reversionary right on B's death to A's land ?

3. The Government Pleader advises that delay till B dies will not be detrimental to the claims of Government if evidence of their right to A's land is forthcoming then.

4. The Board think it may be detrimental, for if the land is alienated by A and passes, as it may do, through several hands before B dies, it will seem harsher to assert the claim of Government than it would seem now, and it might be more difficult to establish that claim.

No. 12. ORDER THEREON, 2nd October 1874, No. 1,252.

Miscellaneous.

UNDER the circumstances the Governor in Council authorises the immediate institution of a suit for a declaratory decree.

(True Extract.)

(Signed) C. G. MASTER,
Acting Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

Govt. of 1874 Madras.

REVENUE.

To

The BOARD of REVENUE.

Dated October 2nd.

Recd.

G. O., 2nd October 1874, No. 1,252.

OCTOBER.

Nos. 11-12.

Encl.

Property left by deceased Shannessee Cherry of Demal, Chingleput District.—Authorising the immediate institution, on behalf of Government, of a suit for a declaratory decree in regard to

Revenue Department.

C No. 3270

2/1252

From Pro. Bd. of Rev. Dated 14th Septr 1874.

FOR ORDERS.

Under the circumstances he had better sue at once

J D S

29/9

1/10

FOR ORDERS.

1252

C 23rd Sept/74 R 1st Oct

No. 2,595.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 14th September 1874.

Read the following letter from W. M. SCHARLIEB, Esq., Acting Government Pleader, Madras, to J. GROSE, Esq., Secretary to the Board of Revenue, dated 17th August 1874, No. 142 :—

WITH reference to the Proceedings of the Board of Revenue, dated 10th August 1874, No. 5,381, I have the honor to report that to delay bringing a suit for the property of the late Strinevassa Charry of Damal until the death of his surviving widow, cannot actually prejudice the rights of Government or be detrimental to the success of their claims, because their right to succeed will not arise until the death of the co-widow now surviving. The only advantage of suing for a declaration now is to secure the evidence forthcoming to prove the facts of the case; but I do not apprehend that this evidence will be wanting when the occasion may arise. Of this, however, the Collector will be the best judge. If there is no fear in respect to the evidence required being available hereafter, I would advise postponement of action until the death of the surviving widow.

SUBMITTED to Government with reference to G. O., dated 25th July 1874, No. 935.

2. The question is this. Certain land is in the possession of A which will escheat to Government when B dies. A and B belong to different families. Should Government sue now for a declaratory decree as to their reversionary right on B's death to A's land?

3. The Government Pleader advises that delay till B dies will not be detrimental to the claims of Government if evidence of their right to A's land is forthcoming then.

4. The Board think it may be detrimental, for if the land is alienated by A and passes, as it may do, through several hands before B dies, it will seem harsher to assert the claim of Government than it would seem now, and it might be more difficult to establish that claim.

(A true Copy and Extract.)

J Grose

Secretary.

To the Acting Secretary to Government, Revenue Department.

Copy to the Collector of the Chingleput District.

,, ,, the Government Pleader.

Exd. T. O'Connor.

G.O. 15 Aug 74 No 88 Mais
25 July " " 226-8.

No 3270.
No 1342

Revenue 1874. Department.

Board of Revenue,

MADRAS.

PROCEEDINGS, 14TH SEPTEMBER 1874, No. 2,595.

Dep. 17 Sept. 74

Encl.

Received 18th September 1874.

SEPTEMBER.

No. 2,595.

Property—left by deceased Strinevassa Charry of Damal, in Chingleput District.—Letter from Acting Government Pleader reporting that delay in suing for — until death of the surviving widow will not be detrimental to the claims of Government, submitted to Government with remark that Board think it may be detrimental for certain reasons.

With Order

For orders

C.M.

No 1252

Under the circumstances the Govt. authorizes the immediate institution of a suit for a declaratory decree

C.M.

List from orders to Rt. Pleader 12/10/74

C 23rd Sept. 74 Rt. Pleader