153

M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 74

(2) Date of repair 6.6.66

(3) Initials of the Referencer

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	153	Press
B.P. No.		~~Mis.~~
Dated	3 . 2	1994 .

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 3rd February 1874.

Read the following :—

No. 15. Proceedings of the Board of Revenue, dated 20th January 1874, No. 94.

Read the following letter from R. K. PUCKLE, Esq., Collector of Tinnevelly, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Trichendur, 23rd December 1873, No. 723 :—

I HAVE the honour to forward, herewith, the answer proposed to be filed in a suit (No. 24 of 1873), on the file of the District Court, in which I am made a defendant.

2. The circumstances of the case are as under.

3. The late Avudiapuram Zemindar died in 1859, and his manager, Velaudam Pillai, continued to manage the estate for fourteen years after the Zemindar's death. During this period some two lakhs of Rupees passed through Velaudam Pillai's hands, and, though the expense of maintenance and upkeep has since been proved to be but 2,000 Rupees per annum *plus* the peishcush, which is 4,300 Rupees more, the debts due by the late Zemindar were only decreased by 12,000 Rupees in fourteen years. This was brought to my notice by the minor, who accused the manager of mortgaging the pannei lands for his own advantage, granting other lands to his relatives, and generally impoverishing the estate. On this I sent for the manager and called on him to explain. He seemed to be much alarmed, and begged that I would not inquire into the case. I told him that I would see justice done but did not care to inquire so long as the estate was freed from debt as it clearly should have been years before. On this he agreed to take the debts on himself if allowed to continue as manager, and eventually he executed an agreement to pay off the debts in instalments. This agreement was submitted to the Board with my letter, No. 84, dated 4th March 1871, explaining the circumstances, and my procedure in the case was approved.

4. The manager cleared off some debts but failed to pay the remainder, and now brings a suit to recover 14,000 Rupees paid through me to one of the creditors.

5. The date of hearing was fixed for the 17th instant but has been extended to the 29th January 1874.

ENCLOSURE No. 1.—Draft Answer.

SUBMITTED for the orders of Government.

2. The late Zemindar of Avudiapuram died in 1859 leaving a son, a minor about five years old. As it was represented that the estate was about to be sold by order of the Civil Court on account of debts due it was not taken under the management of the Court of Wards but was left in charge of Velaudam Pillai, the manager appointed by the will of the late Zemindar. Velaudam Pillai's gross mismanagement of the affairs of the estate was brought to the notice of Government in the Proceedings of the Court of Wards, dated 29th January 1872, No. 194. During the fourteen years that he was in charge the income of the estate

Vide G. O., dated 28th June 1872, paragraph 2.

Revenue Department

No. 15

Proceedings of the Board of Revenue

Dated 3rd January 1874.

Read the following:-

No. 123.

From P. A. Conkle Esquire

Collector

To J. Grove Esquire.

Secretary to the

Board of Revenue

Madras.

Sir

I have the honor to

forward herewith the accompa

proceedings to the file of this office

suit No. 24 of 1873 on the file

of the District Court in which

plaintiff brought a defendant.

2. Re circumstances of

the case are as under.

3. &c

Govt. of 1874 Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated February 3rd.

Read.

Encl.

G. O., 3rd February 1874, No. 153.

FEBRUARY.
Nos. 15-16.

Suit No. 24 of 1873 on file of Tinnevelly District Court.—Sanctioning defence of —.

3. The late Arundayapuram
Zemindar died in 1859
and his Manager Vida-
-idain Pillai continued
to manage the Estate for
14 years after the Zemin-
-dar's death during this
period some 2 lacs of
Rupees passed through
Velaudam Pillai's hands
and though the expense of
maintenance and upkeep
has since been found
to be but 2000 Rupees per
annum plus the peshcush
which is 4300 more the
debts due by the late
Zemindar were only demand
by 12000 Rupees in Board.
This was brought to my
notice

by the Minor who de-
-cided the Manager if
Mortgaging Panniei lands
for his own advantage
granting other loans to
his relatives and generally
impoverishing the Estate.
On this I sent for the
Manager and called on
him to explain. He seemed
to be much alarmed and
begged that I would
not inquire into the case.
I told him that I would
see justice done but
did not care to inquire
so long as the Estate was
freed from debt as it
clearly should have been
years before. On this he
agreed

agreed to take the children himself if allowed to continue as manager and eventually be provided in the agreement to pay off the debts in instalments - this agreement was submitted to the Board with my letter No 84 dated 4th March 1871 explaining the circumstances and I may proceed in the case was as follows.

4. The manager cleared off the standing debts but failed to pay the remainder and now brings a suit to recover 4000 Rupees paid through him to one of the creditors.

5. The date of hearing was fixed for the 17th instant but has been extended to the 29th January 1874.

I have the honour to be Sir Your most obedient humble servant

(Sd) P. M. Pickle
Collector

Simenelly Collector's Circuit Cuttack
Trichendur
23rd December 1873

Submitted for the orders of Government.

The late Zemindar of Avudiapuram died in 1859 leaving a son a minor about 5 years old. As it was represented that the estate was about to be sold by order of the Civil Court on account of debts due it was not taken under the management of the Court of Wards but

5 The

land was left in charge of
Velaudam Pillai the
manager appointed by
the will of the late Comin-
dar Velaudam Pillai
gross mismanagement
of the affairs of the Estate
was brought to the notice
of Government in the Pro-
=ceedings of the Board of
Revenue dated 23rd January
1872 No 194. During the
14 years that he was in
charge the income of the
Estate was on an average
about Rupees 140000 a year
and though the Dividends
and the cost of maintenance
were augmented to
about Rupees 6300 per
annum the debt of the

Vide G.O. Board 23rd Jan 1872 para 2

Estate which was originally
Rupees 72000 was reduced by
Rupees 12000 only: The Minor
having complained of
the Managers Misconduct
the Collector called on
the latter for an explana-
=nation when he, becoming
alarmed, to prevent inquiry
agreed to take the debts
on himself if allowed
to continue in the post
of Manager until the
Minor comes of age
He executed an agree-
=ment to this effect. To
this arrangement the
Minor and his friends
consented. As stipulated
in the document Vela-
=udam Pillai paid

Rs

Rs. 14000 through the Collec=
=tor in part liquidation
of the debt to the 4th
Defendant. He has
now instituted a suit
to recover the Rupees 14000
on the ground that the
document was extorted
from him.

The Board recom=
=mend that the defences
of the suit be sanctioned
and submit for ap=
=proval the following

Draft answer.

The sum of Rs. 14000
which Plaintiff sues
to recover was paid by
him through this Defend=
=ant to the Pallukottai
Ramasamy

153

Ramasamy Chetti, 4th
Defendant in part liqui=
=dation of the debts of
the Avudiapuram Estate
which he agreed to take
upon himself by a do=
=cument freely and
voluntarily executed by
him on the 5th January 1871.

This Defendant therefore
prays that the suit be
dismissed with costs.

(True copy & Extract)

H Ettolus
for Secretary.

To The Secretary to
Government Revenue
Department
with one original Enclosure
to be returned.

E Wingfield
Col. Sec. & Head Rev. Board

Miscellaneous No. 458 — Revenue Department.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 23rd January 1874.

Read Official Memorandum from the Secretary to Government Revenue Department dated 21st January 1874 No. 15 requesting to be furnished with a copy of the document executed by Plaintiff in Suit No. 24 of 1873 on file of Tinnevelly District Court for recovery of certain sum of money &c.

The Board's Proceedings and the enclosure referred to in para 2 will be submitted to Government.

The enclosure is a copy of the document which petitioner says is not binding on him. True Extract

J. Grose
Secretary

To,
The Secretary to Government
Revenue Department

with Board's Pro: d/31st March 1874 No. 1427 an original Enclosure to be returned.

C. Boughey Esq
Coll. & Mc Narasima Chary

Revenue Sept. Dept. No. 1773

Commissioner of Inland Revenue
Superintendent

S.O. No. 153 – 3rd July '74

Dated 20th January 1874
Received 26 — — —
Issued 27 —

Suit — Note of Hypothecation — Plaintiff's Evidence — Defendant's Evidence — Decree — Appeal — Petition — Order — Enclosures to Petition — Memorandum — Enclosures to Memorandum — Extract from Proceedings

C. 24 Jany/74 to 27th

Revenue 1874 Deptt
No 217

PROCEEDINGS OF THE
BOARD OF REVENUE.

S.O. No 153 – 3 Feby 74

Dated 25th } January 1874.
Despatched 23 }

Rice 23rd
Ref 2

Submitting to Govern-
ment Board's Proceeding
dated 31st March 1871 No 142,
& Copy of certain documents
connected therewith in suit
No 24 of 1873 on file
of Tinnevelly Dist.
Court.

15 A.

Ltr 24/Jany/74 – R 27 Feby

13 Car. II.

£24/Jany/34 - 12 Feby

binding on him & his Heirs and
Executors, because he was
compelled to agree to such terms upon
the Evil Day to commit as much
Error to deem him the respondent
in the Sum of Money which he
hereby doth to recover for the debt
in certain claim against the Estate,
which he, the Plaintiff
discharging.

3. That the Cause proceeding had in
full against the Bail here, he insist
upon the Defendant and his Bail
Costs of the Term prosent & in the
Case. This the Respondent
Bail not consider
Plaintiff's Declaration & Complaint in
Answer & Defence & Exception unto & into
all & singular the said Matters,
speaking generally,
Defamation of an unusual character
matters & things in the said Bill
Answer & Defence & an Issue for
Court.

I would simply
sanction the
defence - &
leaving all comments until cross
examine the Accused

Mere [illegible] 1605.
10/55

The defence is sanctioned accordingly - Sgt 2/2/73.
3rd Feby/74

I would simply sanction the defence - & leaving all comments until cross examine the Accused

C24 Jany/74. R Z Foley