499

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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 499 Press

~~B.P. No.~~ ~~Mis.~~

Dated 24.4.1874 ~~196~~ .

Not to be folded or roughly handled

Read the following:—

No. 190. Proceedings of the Board of Revenue, dated 14th April 1874, No. 854.

Read again Board's Proceedings, dated 27th January 1874, No. 140.

Read also the following letters:—

From W. S. WHITESIDE, Esq., Collector of North Arcot, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Sathiavizianagram, 18th February 1874, No. 77.

ADVERTING to the Proceedings of the Board of Revenue, dated 27th ultimo, No. 140, I have the honour to state that from the Gudiattum Tahsildar's Arzi, dated 12th instant, No. 13, it appears that the land referred to was set apart for common purposes.

2. When the land in question was attached the Village Officers objected and noted the same in the Attachment list, but the land was nevertheless ordered to be sold, and at the time of sale the objection was again urged by the Village Officers to the Court Amin, who, however, took no notice of it.

3. No report was made to the Tahsildar until after the land was sold, and when the Tahsildar's report was received by me it was too late for me to take action under Section 246 of the Civil Procedure Code.

4. The draft plaint will shortly be submitted for the approval of the Board.

From the same Officer, dated Sathiavizianagram, 21st February 1874, No. 95.

I HAVE the honour, with reference to the Proceedings of the Board, dated 27th ultimo, No. 140, to forward a draft plaint for approval.

ENCLOSURE No. 1.—Draft Plaint.

From the same Officer, dated Ranipet, 20th March 1874, No 163.

ADVERTING to the Board's Official Memorandum, No. 295, dated 3rd instant, I have the honour to state that from the Gudiattum Tahsildar's Arzi, No. 27, dated 12th instant, it appears that field No. 32 was originally set apart as "Road Poramboke." A portion of this, Cs. 0-2-8 is held on putta, another portion, Cs. 0-2-0, is occupied for road purposes, and the remainder Cs. 0-1-8, including the disputed land, adjoins the road to Chittoor from the Vellore Railway station, and is close to the ground used as a bandy-stand.

2. It would be better to keep the land vacant, as it is so near to the road on which there is heavy traffic and also to the Railway gate; so that even if the land is not required actually for the road at present it is no doubt useful for other public purposes from its close proximity to the road and bandy-stand.

SUBMITTED for the orders of Government.

2. About four or five years ago a woman named Nacharammal encroached on a piece of Government land that had been assigned for a public road, and built on it a hut which she used as a shop.

3. On the 8th December 1873 the hut and its site (Cs. 0-0-1, assessed at Rupees 0-0-2) were sold in execution of a decree for a debt due by Nacharammal, and were purchased by one Perumah Mudaliar for Rupees 37.

4. As the land belongs to Government, adjoins a public road, and is in the vicinity of the Railway, the Collector proposes to sue for the cancellation of the Court's sale so far as it regards the land. The Board approve of the proposal, and request the sanction of Government for the institution of a suit.

No. 191. Proceedings of the Board of Revenue, dated 27th January 1874, No. 140.

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Vellore, 16th January 1874, No. 18.

I HAVE the honour to lay the following case for the consideration and orders of the Board of Revenue.

2. In the limits of Darapadavedu village, of the Gudiattum Taluq, a small hut, valued at Rupees 5, was constructed by one Nacharammal about four or five years ago on Government poramboke land No. 32, C. 0-0-1 assessed at Rupees 0-0-2, and was used by her as a shop.

3. In the month of March last, it was brought to my notice that the hut in question was built by her without obtaining permission, and that the ground might be required for public purposes, as it is situated close to the Vellore Railway Station.

4. It appears from the Gudiattum Tahsildar's Arzi noted in the margin that for the debt due by the said Nacharammal to one Perumah Mudali, the hut, including the ground on which it stands, was attached by the District Munsif's Court, in Suit No. 112 of 1871, and sold in public auction on the 8th ultimo to the said Perumah Mudali for Rupees 37, in spite of the objections raised by the village officers to the effect that the ground belongs to Government, and that the defendant has no right whatever to it.

No. 162, dated 20th December 1873.

5. I therefore request that you will be good enough to obtain the sanction of the Board to file a suit for the purpose of cancelling the sale so far as it affects the ground on which the hut is built, the assertion of the Government right in such cases being necessary for obvious reasons.

THE Board agree with the Collector in considering it advisable to assert the right of Government. He is requested to submit a draft plaint. It should be stated whether the land which is described as "poramboke" was reserved for

Proceedings of the Madras Government, Revenue Department,
24th April 1874.

common purposes. The Collector should also explain why, under Section 246, Civil Procedure Code, objection to the sale of the land was not made when it was under attachment.

No. 192. ORDER THEREON, 24th April 1874, No. 499.

Miscellaneous.

THE Government sanction the institution of the proposed suit.

(True Extract.)

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

To the Board of Revenue.
,, the Accountant-General.

Ed. F. R. Bantleman.

Govt. of [illegible] (illegible)

REVENUE.

To

The BOARD of REVENUE,

&c., &c., &c.

Dated April 24th.

Read.

G. O., 24th April 1874, No. 499

APRIL.

Nos. 190—192.

Suit for cancelling the Sale by District Munsif of certain Land in Gudiattum Taluq, North Arcot District.—Sanctions the institution of a—

No. 140.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 27th January 1874.

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Vellore, 16th January 1874, No. 18:—

I HAVE the honour to lay the following case for the consideration and orders of the Board of Revenue—

2. In the limits of Darapadavedu Village of the Gudiattum Taluq, a small hut, valued at Rupees 5, was constructed by one Nacharammal about four or five years ago on Government poramboke land, No. 32, C. 0-0-1 assessed at Rupees 0-0-2, and was used by her as a shop.

3. In the month of March last, it was brought to my notice that the hut in question was built by her without obtaining permission, and that the ground might be required for public purposes as it is situated close to the Vellore Railway Station.

4. It appears from the Gudiattum Tahsildar's arzi, noted in the margin, that for the debt due by the said Nacharammal to one Perumah Mudali, the hut, including the ground on which it stands, was attached by the District Munsif's Court, in Suit No. 112 of 1871, and sold in public auction on the 8th ultimo to the said Perumah Mudali for Rupees 37, in spite of the objections raised by the village officers to the effect that the ground belongs to Government, and that the defendant has no right whatever to it.

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THE Board agree with the Collector in considering it advisable to assert the right of Government. He is requested to submit a draft plaint. It should be stated whether the land which is described as "poramboke" was reserved for common purposes. The Collector should also explain why under Section 246, Civil Procedure Code, objection to the sale of the land was not made when it was under attachment.

(A true Copy and Extract.)

(Signed) J. GROSE,
Secretary.

To the Collector of North Arcot.

Exd. G. A. Turton.

1874.

Board of Revenue

MADRAS.

PROCEEDINGS, 27TH JANUARY 1874, No. 140.

Encl.

Received

JANUARY.

No. 140.

Suit—to be filed for cancelling sale by District Munsif's Court, of land belonging to one Nacharammal, in Gudiattum Taluq, North Arcot District.—*Collector* to submit draft plaint in — and to explain why sale was not objected to when land was under attachment.

No. 854.

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

Read again Board's Proceedings, dated 27th January 1874, No. 140.

Read also the following letters:—

From W. S. WHITESIDE, Esq., Collector of North Arcot, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Sathiavizianagram, 18th February 1874, No. 77.

ADVERTING to the Proceedings of the Board of Revenue, dated 27th ultimo, No. 140, I have the honour to state that from the Gudiattum Tahsildar's Arzi, dated 12th instant, No. 13, it appears that the land referred to was set apart for common purposes.

2. When the land in question was attached the Village Officers objected and noted the same in the Attachment list, but the land was nevertheless ordered to be sold, and at the time of sale the objection was again urged by the Village Officers to the Court Amin, who, however, took no notice of it.

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4. The draft plaint will shortly be submitted for the approval of the Board.

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2. It would be better to keep the land vacant, as it is so near to the road on which there is heavy traffic and also to the Railway gate; so that even if the land is not required actually for the road at present it is no doubt useful for other public purposes from its close proximity to the road and bandy-stand.

SUBMITTED for the orders of Government.

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3. On the 8th December 1873 the hut and its site (Cs. 0-0-1, assessed at Rupees 0-0-2) were sold in execution of a decree for a debt due by Nacharammal, and were purchased by one Perumah Mudaliar for Rupees 37.

4. As the land belongs to Government, adjoins a public road, and is in the vicinity of the Railway, the Collector proposes to sue for the cancellation of the Court's sale so far as it regards the land. The Board approve of the proposal, and request the sanction of Government for the institution of a suit.

(True Copies and Extract.)

J Grote
Secretary.

To the Acting Secretary to Government, Revenue Department,
with draft Plaint to be returned, and Board's Proceedings,
dated 27th January 1874, No. 140.

,, the Collector of North Arcot.

Exd. J. Tulloch.

Rev. 1874.
Board of Revenue,
MADRAS.

No. 1250

PROCEEDINGS, 14TH APRIL 1874, No. 854.

Despatched 18 April 1874

Received 18 April 1874

APRIL.

No. 854.

Suit — for cancelling sale by District Munsif's Court of certain Government Poramboke land in Gudiattum Taluq, North Arcot District, on which one Nachiaramma had built a hut.— Sanction of Government requested for institution of —.

C.O. No. 495-26 April 74.

190

Revenue Department.

No. 499

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 24th April 1874.

READ the following Pro: of the Board of Revnue.

Requesting sanction of Govt for institution of suit to cancel sale by District Munsif's Court of certain Poramboke land in Gudiattum Taluq, North Arcot &c., on which one Nachiaramma had built a hut. } H. E. 14 April 1874. No 854.

The Govt sanction the institution of the proposed suit.

14 To the Bd of Rev dis 29 April 74
6 each Encl

Q O

Injunction in relation to Road
North West B.C. to be cancelled
Ans by Dr Mount Pleasant
Geo E Brantford Canada

140-142