

(1) Number of Pages 7 6

(2) Date of repair 20. 8. 1966

(3) Initials of the Referencer DDH

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. <u>568.</u>	Press
B.P. No. <u>B.M. (103-04)</u>	Mis. <u> </u>
Dated <u>2. 5. 1974</u> 196- <u> </u>	

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Revenue Department,
8th May 1874.*

No. 103. Read the following Proceedings of the Board of Revenue, dated 28th April 1874, No. 994:—

Read the following letter from W. S. FOSTER, Esq., Acting Collector of the Godavery District, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Cocanada, 14th April 1874, No. 86:—

I HAVE the honour to state, for the Board's information, that the District Court at Rajahmundry have given a finding in regard to the amount of damages

payable to the Zemindar of Cottam and plaintiff in Appeal Suit* No. 143 of 1872 on the file of the Court, in which he

claimed the right to the fort at Peddapur. The Court found that the fort is not in a fit state to live in; that it is covered by prickly-pear, besides being out of order; that the plaintiff does not live in it, and that therefore no damages need be given to the plaintiff for the trespass supposed to have been made by the Revenue Department on the fort. The Government Vakeel has not obtained as yet copy of the finding, and when that is received I shall send it on to the Board. The finding is dated the 28th ultimo.

SUBMITTED for the information of Government with reference to their orders, dated 19th April and 18th July 1873, numbered respectively 416 and 743.

2. In the suit brought by the Zemindar of Cottam in regard to the removal, by officers of Government, of stones from the Peddapur fort walls the High Court held that though the fort belongs to Government the Zemindar being in legal possession can maintain an action for trespass. They accordingly directed the trial of an issue as to damages.

3. The finding of the lower Court on this issue is that plaintiff has sustained no damage in consequence of the alleged trespass.

No. 104. ORDER THEREON, 8th May 1874, No. 563.

Miscellaneous.

RECORDED.

(True Extract.)

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

To the Board of Revenue.

Exd. F. R. Bantleman.

31

REVENUE DEPARTMENT.

PROCEEDINGS OF THE BOARD OF REVENUE,
Dated 28th April 1874. No. 36.

Read the following

From Mr. S. Foster Esquire
Ag Collector
To J. Grace Esquire
Secretary to the
Board of Revenue
Madras
Sir,

I have the honor to state
for the Board's information
that the District Court at Rajah-
mundry have given a finding
in regard to the amount of
damages payable to the Zemindar
of Cottam and Plaintiff
in Appeal suit No. 43 of 1872
on the file of the Court in
which he claimed the right
to the Fort at Poddapoor. The
Court found that the Fort is not in
a fit state to live in, that it is
covered by prickly pears besides
being

Pro:
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573
no. 1873
1126.

Madras Revenue

29 June 1874

Will be No. 29 June 1874

No. 2000. No. 3 Aug 1874

Call of 1874

REVENUE.

29 JUNE 1874

From

To

G. O. No. 101, 20 1874

MAY,
1874.

Appeal No. 130 of 1872 on the
Finding of the District Court at Rajahmundry
in regard to the amount of damages payable to the
Zemindar of Cottam and Plaintiff in Appeal suit No. 43 of 1872.

being out of order, that the Plaintiff does not live in it, and that therefore no damages need be given to the Plaintiff for the trespass supposed to have been made by the Revenue Department on the Fort. The Government Takit has not obtained as yet copy of the finding, and when that is received, I shall send it on to the Board. The finding is dated the 28th ultimo.

Produce District }
 Collection Office }
 Cochin }
 14th April 1874 }
 Highd. N. S. Foster
 Ag Collector

Submitted for the information of Government with reference to their orders dated 19th April and 18th July 1873 numbered respectively 46 and 743.

In the suit brought by the Zamindar of Pattan in regard

52 regard to the removal by Officers of Government of stones from the Poddapur Fort walls the High Court held that though the Fort belongs to Government the Zamindar being in legal possession can maintain an action for trespass. They accordingly directed the trial of an issue as to damages.

The finding of the lower Court on this issue is that Plaintiff has sustained no damage in consequence of the alleged trespass.

(True Copy of the trial)

J. G. S.
 Secretary

To The Secretary to
 Government Revenue
 Department.

Off. Secy
 Col. H. S. Foster

