568

M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 76.

(2) Date of repair 20. 8. 1966.

(3) Initials of the Referencer

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 568. Press
~~B.P. No.~~ B.R. (103-04) ~~Mis.~~

Dated 8. 5. 1894 196- .

Not to be folded or roughly handled

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.

* *Vide* Board's Proceedings, dated 12th April 1873, No. 573, and 27th June 1873, No. 1,126.

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. 568.

Miscellaneous.

RECORDED.

(True Extract.)

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

To the Board of Revenue.

Exd. F. R. Bantleman.

Extt. of 1874 Madras

REVENUE.

2 Ex

Bd. Revd. 25 June 1874

Rd. Revd. 29 July 74

Exd. 2 Aug. 74

Dated May 8th.

Encd.

THE BOARD OF REVENUE.

Encl.

G. O., 8th May 1874, No. 568.

MAY.

Nos. 103-104.

Appeal Suit No. 143 of 1872 on file of Rajahmundry District Court—Records Board's Proceedings reporting decision in favour of Govt. against of —.

LANEOUS No.

REVENUE DEPARTMENT.

31

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 28th April 1874. No 996-

No 86 Read the following

From W. L. Foster Esquire
Ag Collector

To J. Grose 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 Rajahmundry have given a finding in regard to the amount of damages payable to the Zemindar of Cottaur 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 Peddapoor. The Court found that the Fort is not in a fit state to live in, that it is covered by prickly-pear besides being

being out of order, that the Plaint=
=iffs 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 Vakil has not ob=
=tained as yet Copy of the Find=
=ing, and when that is re=
ceived, I shall send it
on to the Board. The finding
is dated the 28th ultimo.

I have &c
Sd/ W. L. Foster
Ag Collector

Godavery District
Collector's office
Cocanada
14th April 1874

Submitted for the in=
formation of Government
with reference to their orders
dated 19th April and 18th July
1873 numbered respectively
416 and 743.

In the suit brought by
the Zemindar of Cottapur in
regard

5 r

regard to the removal by Offi=
=cers of Government of stones
from the Bobbapur 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.

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

True Copy & Extract

J Gale
Secretary

To The Secretary to
Government Revenue
Department.

C H Master
Col Ch Ex Rd Stats

No. 1428.

Revenue 1874 Department

PROCEEDINGS OF THE BOARD
OF REVENUE.

Dated 28th
Dsepd. 28th } April 1874.
Recd. 29th

SUBJECT.

Submitting to Govt
letter from Collector of
Godavery reporting Finding
of Rajahmundry District
Court in regard to damages
claimed by Cottam Za-
=mindar Plaintiff in
Appeal Suit No. 430 of 1872
in that Court regarding
Zemindar's right to the
Peddapur Tank No. 508

Recorded
Leo

Rec'd 29th

C. to Collr. Godavery Rec.