

733

(1) Number of Pages (20)
(2) Date of repair 24. 9. 66.
(3) Initials of the Referencer [Signature]

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Rawa DEPARTMENT

G.O. No.

732

Press

B.P. No.

130-134

Mis.

Dated

12. 6. 1966

196-

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
13th June 1874.*

Read the following papers:—

No. 132. Endorsement of the Officiating Under-Secretary to the Government of India, Home Department, (Judicial,) dated Fort William, 28th May 1874, No. 695.

Despatch from the Right Honourable the Secretary of State for India.

Judicial, INDIA OFFICE, LONDON,
No. 15. 23rd April 1874.

My Lord,—I send herewith, a number in the packet, Her Majesty's order in Council and printed judgment, together with a perfect set of the papers printed in this country, in the appeal case noted in the margin, which I desire you will place in the hands of the law-officers of your Government.

From Madras.
Oolagappa Chetty, Appellant,
and
The Hon. D. Arbuthnott, Collector and Agent to the Court of Wards, on behalf of the minor son of Gandam Ramakrishnama Naiker, Zemindar of Gundamanaikanoor in the Periyakulam Taluq, and others, Respondents.

2. Duplicates of the above-mentioned documents will be forwarded by the succeeding Southampton mail.

I have, etc.,

(Signed) SALISBURY.

His Excellency the Right Honourable
The Governor-General of India in Council.

Copy forwarded to the Government of Madras for disposal, together with a packet containing the documents herein mentioned.

(By Order,)

(Signed) TREVOR PLOWDEN,
Offg. Under-Secy. to the Govt. of India.

No. 133. Despatch from the Right Honourable the Secretary of State for India:—

Judicial, INDIA OFFICE, LONDON,
No. 10. 14th May 1874.

My Lord,—With reference to previous correspondence, I forward herewith copy of a letter from the Solicitor to this office and an enclosed copy of an opinion by

Mr. Forsyth, Q.C., relative to the appeal of Oolagappa Chetty *versus* the Hon. D. Arbuthnott and others.

2. I desire that your Excellency in Council will cause careful inquiry to be made as to the point alluded to by Mr. Forsyth, that is, whether the Government has ever nominated as Poligar "any one who was not the heir of the deceased Poligar."

I have, etc.,

(Signed) SALISBURY.

His Excellency the Right Honourable
The Governor in Council, Fort St. George.

*Proceedings of the Madras Government, Revenue Department,
13th June 1874.*

No. 134.

ORDER THEREON, 13th June 1874, No. 735.

Miscellaneous.

HIS EXCELLENCY the Governor in Council resolves to forward these papers (with the printed enclosures to the first in original) to the Court of Wards for consideration and report, after taking legal advice, as to whether, in the interests of the minor, it is desirable to take further action. They will also state their opinion whether the Government should take advantage of the opportunity to have the general question settled.

2. The Court will observe that, if it is determined to litigate further, the application for trial on the issue, "whether the late Zemindar had an estate of inheritance in the Zemindari which descended to his minor son as his heir," must be made within six months from 17th March 1874, the date of the order in Council.

(True Extract.)

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

To the Court of Wards.

Erd, F. R. Bantleman.

enclosures

Revenue Department.

No. 733

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 13 June 1874.

READ the following Papers.

Endorsement from the Govt of India forwarding copy of a Despatch with copies of Decree and judgment in appeal case of Colagappa Chetty versus Rumble D. Cheluthnol and others.

Despatch from the Secretary of State for India, forwarding copy of a letter from the India Office Solicitor and opinion of Mr Forsyth 2.C. relative to the appeal of Colagappa Chetty versus the Rumble D. Cheluthnol and others, and desires careful enquiry to be made as to whether the Govt has ever nominated as Poligar any one who was not the heir of the deceased Poligar.

His Excellency the Governor in Council resolves to forward these papers (with the printed enclosures

7.12.74

28.3.74

26-3-12

Gobt. of 1874 Madras.

REVENUE.

To

THE COURT OF WARDS.

Dated June 13th.

Recd.

Encl.

G. O. 13th June 1874, No. 733.

JUNE.

Nos. 132-134.

Appeal Case of Colagappa Chetty versus the Hon. D. Cheluthnol and others - forwards certain papers regarding - to Court of Wards; directs them to report after advice whether further action is desirable, and whether this opportunity might be used for getting the general question settled; and observes that the time for action in a certain issue is limited.



Vide Board's Pro. 24 June/74
Vide Pro. 8 Sept 74, No 2530

as to whether the
 pt. should take
 advantage of the
 opportunity to
 the present settlement.
 I do not say that
 in the direct of
 the part of the
 decision for the High
 Court decided that
 an undivided village
 was left as in his
 time & the Union
 Council have de-
 cided that in the
 case of the
 6.6.74
 C.O. 100/4 R.D. 11

733

I refer to the case as pro-
 posed by Mr. Srinivasulu
 Krishna of Madras.
 I consider the
 question settled & finally
 settled. The term unsettled
 applies simply to the revenue & the
 affairs of the matter & it is a non-
 fiction that there is a reversion
 every death. These estates were
 hereditary (as a rule) when the
 British rule commenced in the
 Pungan families and the her-
 ditary succession has been
 maintained. The compromise
 (if there has been a mere form as a
 rule. The State has really no
 interest in maintaining the
 fiction. 2/6 M
 The question should be referred
 as proposed.
 I have never as yet perbably
 the legal advice is to take no
 further step, we may
 consider the question as
 ultimately settled: and I see
 no reason to regret the matter
 settled. 11/6



13/73

Judicial
 No. 10.

India Office
 London, 14 May 1874.

My Lord,
 With reference to
 previous correspondence
 I forward herewith, copy
 of a letter from the
 Solicitor to this Office
 and an enclosed
 copy of an opinion
 by Mr. Forsyth, 2 C.
 relative to the appeal
 of Bolagappa Chetty
 versus the Hon. D. Arbuthnot
 and

29 April 1874

M/S

His Excellency
 The Right Honorable
 The Governor in Council
 Fort St. George.

enclosures to the first in
original) to the Court
of Wards for consideration
and report, after taking
legal advice, as to whether
in the interests of the
minor it is desirable
to take further action.

They will also state
their opinion whether
the Government should
take advantage of the
opportunity to have
the general question
settled.

2. The Court will ob-
serve that if it is de-
termined to litigate
further the applica-
tion for trial on the
issue whether the
late Zaminदार had
an Estate of inheritance
in

1/33
in the Zaminclary which
descended to his minor
son as his heir" must
be made within
6 months from 17
March 1874 the date
of the order in council.

CJLL

See page orders?

To Court of Wards with
P. B. K. B. B.
Pratt & P. B. B.
of 16 June 74

The Privy Council
have reversed the
High Court decree
because in their
opinion no suffi-
cient evidence

22nd given to prove
that the police
reverted absolutely
to go on the death
of the late Obyer
But they have
not opened the re-
spondents or any
of them to move
for a new trial
on the following
issue viz—

Whether the late Lemuel had an estate which he inherited from the Lemuel which descended to his minor son as his heir.

The enclosed
Application
for a Certificate
is one made by
a clerk with
one month from
the date of the
order as Council
by 17th March 1874.
The papers now
put up do not
contain the whole
of the correspondence
on this
matter but they
are all the

are available at
Ostracum.

11/23/54
J. C. C.

The car should
go to the curb

Wards for
the sick
kindness to
the sick

1st part - after

to King's legal advice

to be the other end

It is true to say

It is either it is.

He is able to tell

for the action - a

allred May 26

also fire their drums

and others.

2. I desire that your
Excellency in Council
will cause careful
enquiry to be made as
to the point alluded
to by Mr. Fortlyk, that is,
whether the Government
has ever nominated as
"Polygar" any one
who was not the heir
of the deceased Polygar.

I have the honor to be,

My Lord,

Your Lordships most
obedient, humble servant

Sabir Singh

15
/ 223

133.

No. 19.
Judicial
14th May 1874
The Letter to Fort St. George
No. 10.

Recd. 7 June 1874.

Forward copy of letter of
the India Office Solicitor + opinion
of Mr. Forsyth Q.C., relative to the
Appeal of Colagappa Chetty
versus the Hon. D. Arbutnot
others, + desire careful review
to be made as to whether the Govt
has ever nominated as Poligar
any one who was not the heir
of the deceased Poligar.

Judicial
No. 15.

India Office,
London, 23rd April 1874.

His Excellency the Right Honble
The Governor General of India in Council.

My Lord,

I send herewith a No in the
Packet, Her Majesty's order in Council and
From Madras.

Colagappa Chetty, Appellant
and
The Honble D. Arbutnot, Collector
and Agent to the Court of Wards
on behalf of the minor son of
Gandam Rama Krishna Ramaswami
Saiker, Zamindar of Gundam
manai = Kanoot in the Perijakulam
Taluk and others - Respondents.

printed judgment together
with a perfect set of the papers
printed in this country in
the appeal case noted in the
margin which I desire you
will place in the hands of
the Law Officers of your

Government.

2. Duplicates of the above mentioned docu-
ments will be forwarded by the succeeding
Southampton Mail.

Have the honor to be,
My Lord,
Your Lordship's most obedt humble servant
(sd) Salisbury.

17/733

No

133.

No. 19.
Judicial
14th May 1874
The Letter to Fort St. George
No. 10.

Recd. 7 June 1874.

Forward copy of letter from
the India Office Solicitor & opinion
of Mr. Forsyth Q.C., relative to the
Appeal of Colagappa Chetty
versus the Hon. D. Arbutnot
others, & desire careful review
to be made as to whether the Govt
has ever nominated as Poligar
any one who was not the heir
of the deceased Poligar.

Judicial
No. 15.

India Office,
London, 23rd April 1874.

His Excellency the Right Hon^{ble}
The Governor General of India in Council.

My Lord,

I send herewith a No in the
Packet, Her Majesty's order in Council and
from Madras.

Colagappa Chetty, Appellant
and
The Hon^{ble} D. Arbutnot, Collector
and Agent to the Court of Wards
on behalf of the minor son of
Gandam Rama Krishna Ramaswami
Saiker, Zamindar of Gundam
manai = Kanoor in the Perijakulam
Taluk and others - Respondents.

printed judgment together
with a perfect set of the papers
printed in this country in
the appeal case noted in the
margin which I desire you
will place in the hands of
the Law Officers of your

Government.

2. Duplicates of the above mentioned docu-
ments will be forwarded by the succeeding
Southampton Mail.

Have the honor to be,
My Lord,
Your Lordship's most obed^t humble servant
(Ld) Salisbury.

17/733

No

No 696

Copy forwarded to the Government of
Madras for disposal, together with a packet
containing the documents herein mentioned.

Department
(Judicial.)
William, the 28 May 1874

By Order,

Wm. Miller

Off. Under Secy. to the Govt of India.

132

(20) N^o 1792
Rev. 1874 Sept.

From
The Govt of India
Judicial Dept.

dated 28 May
recd. 5 June } 74

Enc. 6 N^o 695.

Forwarding copies of
Decree and Judgment of in
case appeal case of Colagappa
Shetty versus Honble D. Arbutnot
others.