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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	97A.	Press
B.P. No.		Mis.
Dated	21. Jan.	1961/874.

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Revenue Department,
21st January 1874.*

N. 185-A. Read the following Proceedings of the Board of Revenue, dated 17th January 1874, No. 78:—

Read the following letter from the Hon. D. ARBUTHNOTT, Collector of Tanjore, to J. GROSE, Esq., Secretary to the Board of Revenue, dated 19th December 1873, No. 452:—

In continuation of my letter* of the 23rd October 1873, No. 366, I have the honour to forward herewith translation of plaint in another suit†, which has been brought for the recovery of a debt alleged to be due by the individual, Vaithianada Pillai, whose property has been confiscated and declared to be at the disposal of Government under the Criminal Procedure Code.

* In Board's Proceedings, 30th October 1873, No. 2,217.
Vide also Proceedings, 12th November, Miscellaneous No. 7,669.

† No. 375 of 1873 in the Tranquebar District Munsif's Court.

2. In this case, the plaintiff is one Chidembara Pillai, and the amount sued for is Rupees 1,453-5-4 (Rupees 1,000 as principal and Rupees 453-5-4 as interest); the suit is brought in the same Court, i.e., the District Munsif's at Tranquebar. It was posted for hearing on the 9th instant, but the Sub-Collector has ordered an application to be made for an adjournment of the hearing for three months.

3. In this case likewise, the money is stated to have been lent upon the security of land forming part of that confiscated, and the date of the alleged hypothecation bears date 1867, and, in 1870, under the Code of Criminal Procedure, which took place in July 1870.

4. For reasons stated in my letter above quoted, I propose to leave this suit likewise to be decided on its own merits, reserving a right to test any evidence that may be produced in Court in support of the claim; and I have the honour to request sanction to put in a written statement in exactly the same terms as the one approved of in the previous case. In this case also, the Sub-Collector has been erroneously included as defendant in place of the Collector.

5. I must here add that the previous suit, No. 207 of 1873, has been decided in favour of the plaintiff, who, however, has been adjudged to pay the costs of the 2nd defendant, the Collector. I have written to the Government Vakil for copies of the judgment and decree, which, when received, will be submitted for the information of the Board.

ENCLOSURE No. 1.—Translation of Plaint.

SUBMITTED for the orders of Government.

2. Plaintiff sues to recover Rupees 1,453-5-4, principal and interest, on a bond alleged to have been executed on the 21st October 1867, by which 1st defendant, Vaithianada Pillai, hypothecated a portion of his land as security for the debt.

3. Vaithianada Pillai having absconded to evade the service of a magisterial warrant, the whole of his land was attached in July 1870, and was eventually declared to be at the disposal of Government under the provisions of the Criminal Procedure Code.

*Proceedings of the Madras Government, Revenue Department,
21st January 1874.*

4. This suit is similar to the one, the defence of which was sanctioned in G. O., dated 8th November 1873, No. 1,241. The Collector proposes to pursue the same course in this case, and to file a written statement in the same terms as the one approved in the order above quoted.

5. The Board recommend that the defence of the suit be sanctioned, and that the Collector be authorized to do as he proposes.

No. 185-B. ORDER THEREON, 21st January 1874, No. 97A.

Miscellaneous.

SANCTIONED.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

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

Transferred to the 1874

GOVT. OF 1874
REVENUE.

2nd of 1874



2nd of 1874

Revenue Department

Proceedings of the Board of Revenue
dated 17th January 1874, No. 48.
Read the following

(No. 452)

From,
The Honorable D. Arbuthnot
Collector of Tanjore

To, J. Gross Esq.,
Secretary to the Board of Revenue
Madras.

* In Board's Proceedings

30th October 1873 No. 22017.

(Vide also Proceedings
12th November Misc.
No. 7669-

No. 2575 of 1873
in the Tanjore
District Munsiff's
Court.

Sir, In continuation of my letter of the 23rd
October 1873 No. 2366, I have the honor
to forward herewith translation of plaint in
another suit, which has been brought
for the recovery of a debt alleged to be
due by the individual Vaithianathan Pillai,
whose property has been confiscated and
declared to be at the disposal of Govern-
ment under the Criminal Procedure
Code.

2. In this case, the Plaintiff is one
Chidambaram

Shidambaram Pillai and the amount sued for is Rupees 1453-5-4 (Rs 1000 as principal and Rs 453-5-4 as interest); the suit is brought in the same Court, i.e. the District Munsiff's at Tranquebar. It was posted for hearing on the 9th Instant; but the Sub Collector has ordered an application to be made for an adjournment of the hearing for three months.

3. In this case likewise, the money is stated to have been lent upon the security of land forming part of that confiscated, and the date of the alleged hypothecation bond is 21st October 1867, and therefore anterior to the attachment of the land under the Code of Criminal Procedure, which took place in July 1870.

4. For reasons stated in my letter above quoted

974/4
quoted, I propose to leave this suit likewise to be decided on its own merits, reserving a right to test any evidence that may be produced in Court in support of the claim, and I have the honor to request sanction to put in a written statement in exactly the same terms as the one approved of in the previous case. In this case also, the Sub Collector has been erroneously included as Defendant in place of the Collector.

* N^o 207 of 1873
5. I must here add, that the previous * suit has been decided in favor of the Plaintiff, who, however, has been adjudged to pay the costs of the 2^d Defendant, the Collector. I have written to the Government Vakil for copies of the judgment and decree, which, when received, will be submitted

submitted for the information of the Board.

Tanjore Collector's Office, I have the
19th December 1873— (Signed) D. Arbuthnot
Collector.

Submitted for the orders of Government.

Plaintiff sues to recover Rs 1453-5-4
principal and interest on a bond alleged
to have been executed on the 21st October
1867 of which 1st defendant Vaitheanada
Dillai hypothecated a portion of his land
as security for the debt.

Vaitheanada Dillai having absconded
to evade the service of a Magisterial
warrant the whole of his land was
attached in July 1870 and was eventually
declared to be at the disposal of Government
under the provisions of the Criminal
Procedure Code.

This

974/5
This suit is similar to the one the
defence of which was sanctioned in Govern-
ment Order dated 8th November 1873
N^o 1241. The Collector proposes to pursue
the same course in this case and to file
a written statement in the same terms as
the one approved in the order above quoted.

The Board recommend that the
defence of the suit be sanctioned and
that the Collector be authorised to do
as he proposes.

(True Copy & Extract)

H. G. G. G.
Secretary

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

D. Arbuthnot
C. C.

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Proceedings of the
Board of Revenue.
18th Nov. 1734 in the
Date 17th January 1874.

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Recommending that
sanction be granted for
defence of suit 12375
of 1873 in Sanyashtan
Munshi's Court in
Tanjore District as
proposed by Collector.
11th 9th 18th
Sanctioned

21/Jan 1734

1855-1857/3.
21st Jan 1734 to 21st

14th of November 3 des. 26/Jan 1734
8 des. 26/Jan 1734