M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 12

(2) Date of repair 28/12/67

(3) Initials of the Referencer 24.4.88

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Rev. DEPARTMENT

G.O. No. 1385	Press
B.P. No.	Mis.

Dated 20-9-1875 196 .

Not to be folded or roughly handled

Glenn

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Proceedings of the Madras Government, Revenue Department,
20th September 1875.

No. 169. Read the following Proceedings of the Board of Revenue, dated 25th August 1875, No. 2,401 :—

Read the following letter from G. VANSAGNEW, Esq., Collector of Nellore, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Nellore, 6th August 1875, No. 2,164.

I HAVE the honor to acknowledge the receipt of the Board's Proceedings, No. 719 (Miscellaneous), dated 29th January 1875.

2. From the Atmakur Tahsildar's report, dated 30th ultimo, No. 118, it appears that the Inam in question consists of wet field No. 98, measuring 1·59 acres, and confirmed under Title-deed No. 333 as a religious endowment.

3. The Tahsildar says that the religious service for which the grant was intended is kept up.

4. The witnesses cited by the Board, petitioner Mahomed Ibrahim, deposed before the Tahsildar to the Inam being in his enjoyment, while the witnesses cited by Muttiyalu Setti deposed that the Inam had always been enjoyed by him, and that the proceeds were never appropriated for the religious service referred to. The Tahsildar says that the evidence adduced by Muttiyalu Setti is trustworthy.

5. I beg to return the docket of the Board petition, as well as the petition itself, which the Tahsildar has at last found.

THE petitioner claims an Inam granted for the endowment of a mosque which he states to have been mortgaged by his father to one Muttiyalu Setti who refuses to restore it. The Board are of opinion that petitioner should be furnished with a certificate to enable him to sue under Act XXIII. of 1871, and they request the authority of Government to enable the Collector to grant it.

2. A copy of the Collector's previous report, and of the Board's Proceedings thereon, is submitted herewith.

(A true Copy and Extract.)
(Signed) C. A. GALTON,
Acting Sub-Secretary.

No. 170. ORDER THEREON, 20th September 1875, No. 1,385.

Miscellaneous.

THE Collector is authorised to grant a certificate under Act XXIII. of 1871 to Mahomed Ibrahim Sahib.

(True Extract.)
(Signed) A. MACGREGOR,
Acting Secretary to Government.

To the Board of Revenue.

Exd. A. Grubert.

Govt. of Madras.
REVENUE.
To
The BOARD OF REVENUE.
Dated September, 2014.
Rcd.
Encl.
G. O., 20th September 1875, No. 1,385.
SEPTEMBER.
Nos. 169-170.
Certificate under Act XXIII. of 1871.—Authorising the Collector to grant [illegible] to Mahomed Ibrahim Sahib to recover certain Inam endowment of a Mosque.

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Revenue Department.

Miscellaneous No. 719.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 29th January 1875.

Read the following:

No. 2890.

From G. Vans Agnew Esqr.
Collector of Salem

To J. Gross Esqr.
Secretary to the
Board of Revenue
Madras

Sir

I have the honor to acknowledge the receipt of the Board's Endorsement, dated 30th July 1874, on petition No. 636 of 1874, presented by Mahomed Ibrahim Sahib of Kaliyaya in the Attaakur Taluq.

2. Petitioner states that his Inam was mortgaged to one B. Muttyalasetti, that the latter declined to make over the

the land although the money was paid; and that the Tahsildar and Collector took no notice of the petition presented by him.

3. The petitioner presented to me two petitions Nos 719 and 269 of 1874. The former was rejected as it was unstamped; and I endorsed the latter, referring the petitioner to the Tahsildar.

4. On receipt of the Board's petition I forwarded the same to the Tahsildar and called upon him to report thereon.

5. The Tahsildar's reply is dated 21st September 1874, No $\frac{222}{2415}$.

6. In March last, a magisterial complaint was lodged by a relation of

1385/3

of B. Muttyalu Setti against the Petitioner for obstructing the reaping of the crop raised in the Inam land in question.

7. The witnesses cited by both parties deposed generally in favor of those by whom they were cited; but some of the witnesses, named by the petitioner, deposed to the land having been cultivated on behalf of B. Muttyalu Setti.

8. The Tahsildar states that he ordered the parties to seek redress in the Civil Courts, and directed the village officers to secure the outturn of the crop carefully without allowing either party to take it.

9. The

9. The petition sent to the Tahsildar has not been returned by him, When he was called upon to return it, he sent in the copy of the docket only of the Boards' petition. His attention was again called to the omission to return the original petition; and in his reply, dated 2nd Oct. No $\frac{25}{2827}$, he states that he learns from his office that the petition was not received, and that search had been made for it in vain.

10. I beg to return the docket of the Boards' Petition, as the petition itself has been evidently mislaid in the Taluq Cutcherry. Hereunto the copy

copy of the docket, the original petition was sent to the Taluq is borne out by the records of this office. The despatch of an enclosure was noted in the copy sent to Tahsildar, as well as in the original of the docket.

Collectors Office
4th December 1894

I have &c
(sd) G Vaus Agnew
Collector

The Collectors report does not state distinctly who is in possession of the land, but from the abstract of the petition, it would seem that Muttyalu Setti is. If so, and if the Service in the mosque for the endowment of which the inam was

grante

granted is not kept up. all that the revenue authorities could do would be to fully assess it, as alienated from the Service; and the action taken in attaching the Crops pending the Settlement by the Tahsildar of a dispute which he had no authority to settle, was irregular and uncalled for. The Inam, as a Service one cannot have been enfranchised, and accordingly it would seem that the Board's petitioner cannot sue for it without a certificate under Act XXIII of 1871. The Collector will report further on the case.

(True Copy) H. E. Stokes
(sd) Ag. Sub. Secretary

To
The Collector of Nellore, with a docket of Petition
(True Copy)

Ag. Sub. Secretary

1385/b

No. 2,401.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 25th August 1875.

Read the following letter from G. VANSAGNEW, Esq., Collector of Nellore, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Nellore, 6th August 1875, No. 2,164:—

I HAVE the honor to acknowledge the receipt of the Board's Proceedings, No. 719 (Miscellaneous), dated 29th January 1875.

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3. The Tahsildar says that the religious service for which the grant was intended is kept up.

4. The witnesses cited by the Board, petitioner Mahomed Ibrahim, deposed before the Tahsildar to the Inam being in his enjoyment, while the witnesses cited by Muttiyalu Setti deposed that the Inam had always been enjoyed by him, and that the proceeds were never appropriated for the religious service referred to. The Tahsildar says that the evidence adduced by Muttiyalu Setti is trustworthy.

5. I beg to return the docket of the Board petition, as well as the petition itself, which the Tahsildar has at last found.

THE petitioner claims an Inam granted for the endowment of a mosque which he states to have been mortgaged by his father to one Muttiyalu Setti who refuses to restore it. The Board are of opinion that petitioner should be furnished with a certificate to enable him to sue under Act XXIII. of 1871, and they request the authority of Government to enable the Collector to grant it.

2. A copy of the Collector's previous report, and of the Board's Proceedings thereon, is submitted herewith.

(A true Copy and Extract.)

Acting Sub-Secretary.

To the Acting Secretary to Government, Revenue Department,
with petition, to be returned, and copy of Board's Proceedings,
dated 29th January 1875, Mis. No. 719.

,, the Collector of Nellore.

Exd. A. Grubert.

S. 3498

1875.

Board of Revenue,

MADRAS.

PROCEEDINGS, 25TH AUGUST 1875, No. 2,401.

Despd 2 Sept 1875

Encl. 2
1 Rec

Received 8th Sept 75

AUGUST.

No. 2,401.

Petition—from Mahomed Ibrahim Saib of Atmakur Taluq, Nellore District, regarding an Inam which he states to have been mortgaged to one Muttiyalu Setti who refuses to restore it. —Government requested to authorize Collector to grant a certificate to petitioner to enable him to sue under Act XXIII. of 1871.

No 1585 - 25 September 1875
Authorities

No 1385

The Collector is authorized to grant a certificate under Act XXIII of 1871 to Mahomed Ibrahim Saheb.

Board's Proc. 25 August 75

21 Sept 75

14 Sept 75. Pet. 25 Sept 75