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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.

B.P. No.

Press

Mis.

Dated

1. 10. 1968

Not to be folded or roughly handled

1499

*Proceedings of the Madras Government, Revenue Department,
1st October 1875.*

No. 1. Read the following Proceedings of the Board of Revenue, dated 10th September 1875, No. 2,546:—

Read the following letters:—

From R. J. MELVILLE, Esq., Acting Collector of the Chingleput District, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Sydapet, 31st August 1875, No. 517.

REFERRING to my letter, No. 418, dated 19th ultimo, printed in Board's Proceedings of the 24th idem, No. 2,069, I have the honor to forward copies of judgment and decree passed by the District Judge of Chingleput in Original Suit No. 4 of 1875—Collector of Chingleput on behalf of Her Majesty's Secretary of State for India *versus* Canacamal and Tottay Narasimma Charry of Damal.

2. The Board will observe that the District Judge has dismissed the suit as a premature action on the part of Government, but without prejudice to any question of title to the property in dispute which the plaintiff may hereafter be entitled to assert, and has adjudged that the costs of the 1st and 2nd defendants be borne by plaintiff.

3. A detailed statement of costs incurred will be shortly submitted to Board.

ENCLOSURE No. 1.—Copy of Judgment.

ENCLOSURE No. 2.—Copy of Decree.

From the same Officer, dated Sydapet, 4th September 1875, No. 524.

ADVERTING to the Board's Proceedings, dated 26th August 1875, I have the honor to state that it appears from a report lately received from the Government Pleader that the suit therein referred to has been thrown out on the same grounds on which that (Original Suit No. 4 of 1875) filed by Government for a declaratory decree was dismissed, as reported to Board in my No. 517 of the 31st ultimo. It is, therefore, too late now to make any motion to include the Collector as supplemental defendant.

SUBMITTED for the information of Government with reference to G. Os., dated 25th July 1874, No. 935, and 2nd October 1874, No. 1,252; and communicated to the Government Pleader.

2. The suit was instituted to obtain a declaratory decree as to the reversionary right of Government to certain property now vesting in the 1st defendant, a childless widow. It has been dismissed on the ground that it is premature and the costs of the 1st and 2nd defendants are to be paid by Government. The decision is in accordance with the recent ruling of the Privy Council in *Kathama Natchiar versus Dorasinga Tever*.

3. In the second letter read above the Collector reports that Suit No. 16 of 1874, which related to the same matter, and in which Government ordered application to be made a party to be preferred, has been dismissed on the same grounds.

*Proceedings of the Madras Government, Revenue Department,
1st October 1875.*

4. The Board think that the matter need not at present be further pressed.

(True Copies and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

No. 2.

ORDER THEREON, 1st October 1875, No. 1,444.

Miscellaneous.

THE Government desire to receive the Government Pleader's opinion whether it is advisable to appeal against the decision of the District Court, or to take any other steps to secure the interests of Government.

(True Extract.)

(Signed) L. A. CAMPBELL,
Under-Secretary to Government.

To the Government Pleader.
„ the Board of Revenue.

Exd. J. Tulloch.

3/11/44

No. 2,422.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 26th August 1875.

Read the following letter from H. H. SHEPHARD, Esq., Officiating Government Pleader, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Madras, 24th August 1875, No. 86:—

With reference to the Proceedings of Government, Revenue Department, noted in the margin, I have the honor to report, for the information of the Board, that the Government in their Order, dated 20th instant, No. 1,252, have directed me to take the necessary measures for the Collector being included as a defendant in the Suit No. 16 of 1874, filed in the Chingleput District Court by one Streenevasa Charry.

2. Two enclosures received from Government are herewith returned.

COMMUNICATED to the Collector of Chingleput, who will move the Court to include him as a defendant.

2. The order of Government has not yet reached Board.
(A true Copy and Extract.)
(Signed)

H. E. STOKES,
Acting Secretary.

To the Collector of Chingleput.
Copy to the Officiating Government Pleader.

Exd. J. Tulloch.

1-3-00

Vol. of 1875

REVENUE.

To THE GOVERNMENT PLEADER,

Ac, Es, No.

Dated October, 1st.

Recd.

Encl.

G. O., 1st October 1875, No. 1,444.

OCTOBER.
Nos. 1-2.

Original Suit No. 4 of 1875 in Chingleput District Court regarding property left by Streenevasa Ragasa Charry of Dammul.—Requesting Government Pleader's opinion whether it is desirable to appeal against the decision in— or to take all steps to secure the interests of Government.



Revenue Department

Proceedings of the Board of Revenue

Dated 10 September 1875. No. 252

Read the following

From

No. 514

R. J. Melville Esquire
Ag Collector of the
Chingleput Dist.

To

H. E. Stokes Esquire
Ag Secretary to the Board of Revenue
Madras

Sir,

Referring to my letter No. 4 of 1875
19 ultimo, printed in Board's Proceedings of the
24 idem, No. 2069, I have the honor to forward
copies of judgment and decree passed by
the District Judge of Chingleput in O.S.
No. 4 of 1875. Collector of Chingleput on
behalf of Her Majesty's Secretary of State
for India versus Canacamma and
Lottay Narasimma Chetty of
Damul.

The

1875.
Board of Revenue,
MADRAS.

PROCEEDINGS, 26TH AUGUST 1875, No. 2,422.

Encl.

Received

No. 3696/1

AUGUST.
No. 2,422.

Suit—No. 16 of 1874, filed in Chingleput District Court by one Sirenevasa Chetty regarding property left by the late Sirenevasa Raghava Chetty.—Report of Government Pleader that he has been directed by Government to take necessary measures for the Collector being included as a defendant in — communicated to that officer with instructions.

2. The Board will observe that the District Judge has dismissed the suit as a premature action on the part of Government, but without prejudice to any question of title to the property in dispute which the Plaintiff may hereafter be entitled to assert, and has adjudged that the costs of the 1st and 2nd Defendants be borne by Plaintiff.

A detailed statement of costs incurred will be shortly submitted to Board.

Chingleput District } I have &c.
Collectors Office Saidapett } Sd/- R. J. Melville
31st August 1875. 3 Agt. Collector.

From R. J. Melville Esquire
Sd/- Agt. Collector of the Chingleput Dist.
H. E. Stokes Esquire
Sd/- Agt. Secretary to the Board of Revenue
Madras.

5/14/44
Sir, Adverting to the Board's Proceedings dated 26th Instant, I have the honor to state that it appears from a report lately received from the Government Pleader, that the suit therein referred to has been thrown out on the same grounds on which S.P. No. 4 of 1875 that filed by Government for a declaratory decree was dismissed, as reported to Board in my No. 1 of the 3rd Ultimo. It is therefore too late now to make any motion, to include the Collector as supplemental Defendant.

I have &c.
Chingleput District }
Collectors office } Sd/- R. J. Melville
Saidapett, 4th Sept. 1875 } Agt. Collector.

Submitted for the information of
Government with reference to Government Orders

Orders, 25th July 1874, No 935, and 2nd October 1874, No 1252; and communicated to the Government Pleader.

2. The suit was instituted to obtain a declaratory decree as to the permissive right of Government to certain property now vesting in the first defendant a childless widow. It has been dismissed on the ground that it is premature and the costs of the first and second defendants are to be paid by Government. The decision is in accordance with the recent ruling of the Privy Council in Kathama Natchiar versus Dorasinga Iyer.

3. In the second letter read above the Collector

Collector reports that suit No 16 of 1874 which related to the same matter, and in which Government ordered application to be made a party to be preferred, has been dismissed on the same grounds.

4. The Board think that the matter need not at present be further pressed.

(True Copy & Extract)

W. L. Thomas
Acting Secretary.

To The Secretary to Government
Revenue Department with
2 Original Enclosures to the petition
and copy of Board's Proceedings
dated 26 August 1875, No 2422.

C. M. S. P.
Copy.

1025 July 14/1875. 25
 12 Oct 17/74 - 11-12
 30 Dec 17/75 - 331-32

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Recd 11/15/75 2444
 No record of 2444

Board of Revenue

Recd 10/3 Sep 1875

Recd 10/23

Recd 10/23

Submitting for the in-

formation of Govt. with

separate letters from the

of Bangalore reporting

disposal of certain land

reg property left by

Benicavada Nagara

Chavay Samuel

with order

No 1444-1 Oct 1875