

(1) Number of Pages..... 24

(2) Date of repair..... 17-2-68

(3) Initials of the Referencer..... 27.4.68

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.
B.P. No.

1600

Press
Mis.

Dated

6-11-1875 196 .

Not to be folded or roughly handled

1600

*Proceedings of the Madras Government, Revenue Department,
6th November 1875.*

No. 103. Read the following Proceedings of the Board of Revenue, dated 3rd November 1875, No. 3,029 :—

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Palmanair, 18th October 1875, No. 552.

I HAVE the honor to forward herewith the translation of plaint in a suit *in forma pauperis* brought by Subbaroyer of Anmarudai in the Wandewash Taluq against the Tahsildar and 1st-class Revenue Inspector of that taluq (1st and 2nd defendants) and thirty others in Miscellaneous Petition No. 283 of 1875, on the file of the Arnee District Munsif's Court.

2. The facts of the case which gave rise to the cause of action is stated in detail in the accompanying copy of the Proceedings in Revenue Appeal Case No. 114 of 1874, on the file of my office, passed prior to the issue of Board's Circular Order No. III. of Standing No. 275-5.

3. It appears from the records of inquiry submitted with the Acting General Deputy Collector's letter, dated 4th instant, No. 570, that the plaintiff is a most litigious and troublesome ryot in that taluq, and that he has sufficient property, so that the pauperism which he pleads may be disproved.

4. I beg to request, therefore, that you will be so good as to obtain the early sanction of the Board of Revenue to disprove the pauperism of the plaintiff in the first instance at the Government cost. If the suit is admitted by the said Court, and to be regularly proceeded with, I shall do myself the honor of addressing the Board on the subject again, with the necessary and usual draft answer.

5. The case is adjourned to the 8th proximo.

6. The value of the suit is Rupees 2,085-7-6.

—
ENCLOSURE No. 1.—Translation of Plaint.
—

—
ENCLOSURE No. 2.—Copy of Proceedings in Revenue Appeal Case No. 114 of 1874.
—

SUBMITTED for the orders of Government as the value of the suit exceeds Rupees 1,000.

2. The lands of one Subbaroyer having been sold for arrears of revenue under Act II. of 1864, he appealed to the Collector who, on inquiry, finding that petitioner was in arrears, and that the sale was regular, rejected the appeal (Collector's Proceedings, 9th January 1875).

3. Subbaroyer has now applied to the Court to be allowed to sue *in forma pauperis* for the cancellation of the sale.

4. The Collector proposes to oppose the application on the ground that he is not a pauper.

5. The Board observe that, though in his Proceedings, dated 9th January 1875, the Collector has stated that plaintiff is unquestionably a pauper, he now states that the alleged pauperism can be disproved.

*Proceedings of the Madras Government, Revenue Department,
6th November 1875.*

6. The Board recommend that the Collector be authorized to oppose the application and, in the event of its being admitted, to defend the suit on the ground that the land was sold for arrears of revenue under Act II. of 1864, and that the sale was regular.

7. As the case is to be heard on the 8th instant, the Board suggest that the necessary orders be communicated to the Collector direct by telegraph, if necessary.

8. The Collector's letter, though dated 18th October, was despatched on the 28th, and was received in this office only on the 30th idem, which was a holiday.

(A true Copy and Extract.)

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

No. 104. ORDER THEREON, 6th November 1875, No. 1,600.

Miscellaneous.

THE Government resolve to authorize
the Collector to oppose the application
to be allowed to sue *in forma pauperis*.

2. If it is admitted, orders as to the defence of the Suit will be passed on receipt of the further report promised by the Collector.

3. The following telegram will be sent to the Collector:—

"Your letter No. 552. Oppose the application to sue as pauper."

(True Extract.)

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

To the Board of Revenue.
,, the Collector of North Arcot.

Exd. H. French.

3/600

North West Coll^d Office
Camp Palmanair
18th October 1895

N^o 552.

From
W. S. Whiteside Esq
Collector of N. West
To
H. P. Stokes Esq
Asy Secretary to the
Board of Revenue Madras.

Sir,

I have the honor to
forward herewith the trans-
lation of plaint in a Suit
in forma pauperis brought
by Subharayer of Annarudai
in the Wandurash Taluk against
the Tahildar, and 1st Class
Revenue Inspector of that Taluk,
1st and 2nd Defendants, and
30 others in miscellaneous petition
N^o 283 of 1895 on the file of the

Est. of 1875 Madras.

REVENUE.

THE BOARD OF REVENUE,

Madras.

Dated November, 6th.

Recd.

Encl.

G. O., 6th November 1895, No. 1,900.

NOVEMBER.

Nos. 103-104.

Suit for cancelling the sale of one Subharayer's
lands for Arrears of Revenue in North Arcot.—
Authorizing the Collector to oppose the application
of Subharayer to sue in forma pauperis.



Arise District Munsiff Court.

2. The facts of the case which gave rise to the cause of action is stated in de-

-tail in the accompanying copy of the Proceedings in Re-

-venue Appeal Case No. 114 of 1894 on the file of my office

passed prior to the issue of Board's Circular Order No. III of Standing No. 275.

3. It appears from the records of enquiry sub-
-mitted with the Acting Ge-
-neral Deputy Collectors letter dated 4th Instant No. 570,

that the plaintiff is a most
litigious and troublesome rascal
in that Taluk, and that he has

has sufficient property, so
that the pauperism which he
pleads may be disproved

4. I beg to request
therefore that you will be
so good as to obtain the early
sanction of the Board of Re-
-venue to disprove the pauper-
-ism of the plaintiff in

the first instance at the
Government cost. If the
Suit is admitted by the said
Court, and to be regularly pro-
-ceeded with, I shall do

myself the honor of ad-
-dressing the Board on the
subject again with the neces-
-sary and usual draft-answer.
The

5. The case is adjourned
to the 8th Proximo.

6. The value of the Suit
is 2085-7-6.

I have &c
J. S. Whitehead
Collector.

To
The Acting Secretary to the
Board of Revenue.
Madras.
/ True Copy /

W. H. Thomas
Ag Secretary.

E. M. M. M.
CP.

Revenue Department.

Proceedings of the Board of Revenue
Dated 3rd November 1875, No 3009

Read letter from the collector of North Arcot dated 18th ultimo, 18552, forwarding translation of plaint in a suit and requesting sanction to disprove at Government cost the pauperism pleaded by Plaintiff.

Submitted for the orders of Government as the value of the suit exceeds Rs. 1000.

The lands of one Subbaroyan having been sold for arrears of revenue under Act II of 1864 he appealed to the collector who on inquiry finding that petitioner was in arrears and that the sale was regular rejected the Appeal. Collector's Proceedings 9th January 1875.

Subbaroyan has now applied to the Court

Enclosure in Proceedings of the Board of Revenue to the Collector to Government No. 2. dated 3rd November 1875.

Rs 4305/35

Copy of letter from the collector of North Arcot dated 18th October 1875. No 3009.

Court to be allowed to sue in forma pauperis for the cancellation of the sale.

The collector proposes to oppose the application on the ground that he is not a pauper. The Board observe that though in his Proceedings dated 9th January 1875 the collector has stated that plaintiff is unquestionably a pauper he now states that the alleged pauperism can be disproved.

The Board recommends that the collector be authorized to oppose the application and in the event of its being admitted, to defend the suit on the ground that the land was sold for arrears of revenue under Act II of 1864 and that the sale was regular.

As

1600

As the case is to be heard on the 8th instant the Board suggest that the necessary orders be communicated to the collector direct by telegraph if necessary.

The collector's letter though dated 18th October was despatched on the 28th and was received in this office only on the 30th idem which was a holiday.

(True Extract)

H. H. H.

Acting Secretary

To The Secretary to Government
Revenue Department with
2 enclosures to be returned &
copy of collector's letter.

E. D. Hughes

400

Memo. for Orders.

Pro. Board of Revenue

Subj. Letter from Collr. of
N. Arcot forw. translation
of plaint in a suit and
requesting sanction to disprove
at Gov. Cost the pauperism
pleaded by Plaintiff.

N. 3 November 1875

In this case the Collector
asks for sanction to oppose
an application to sue in
forma pauperis; the relief
sought by the applicant
being the cancellation
of a sale of land for
arrears of revenue.

2. The Collector says
that Plaintiff has sufficient
property and that his
alleged pauperism cannot



Received 1875 Oct 25
No 4305
Proceedings of the

Board of Revenue

Subd 300
No 33
3 November 1875
No 3. 4
No 1600. 6 November 1875

Submitting for order of
Govt. Letter from Collr. of
N. Arcot forw. translation
of plaint in a suit and
requesting sanction to disprove
at Gov. Cost the pauperism
pleaded by Plaintiff

8-103

24 mps M's m's

be disapproved. As pointed
out by the Board, however,
the Collector, in his ^xPro
on the Appeal preferred
to him against the
sale of the land, has
stated that Plaintiff is
unquestionably a pauper
but this probably is a
mere hyperbole intended
only to show that Plaintiff
was then in embarrassed
circumstances and not
in a position to purchase
land at the sale which
took place in May 1874.
(Collector's Rep para 9).

3. The Collector now
proposes only to oppose
^{Plaintiff's} this application to be
admitted as a pauper
suitor, and promises to
report

report again with the usual
draft of written statement
in case the application
is admitted by the Court.
The Board however, re-
commends, that the
Collector be authorized
both to oppose the appli-
cation and to defend
the suit in the event
of its being admitted.
4. The Collector's Pro
above alluded to show,
that the sale was per-
fectly regular, but it
is suggested, that agreeably
to the usual course, sanction
for the defence of the suit
be deferred until the
further report promised
by the Collector is received
with the written statement
which

which he may propose.
The suit will not be
brought to hearing without
ample notice after the
application to sue in
forma pauperis is admit-
ted, and if it is not
admitted, there will be
no need for any defence.

5 As the application
is to be heard on the
8 Instant, it is suggest-
ed in accordance with
the Board's recommenda-
tion, that a telegram
be sent to the Collector
thus:-

"Your letter No 552
opposes the application
to sue as pauper."

Wm. B. H.

Memo:

for
Order

Suit in North
Arcot Dist.

Telegram to be sent
to C. S. S.

4305-

P.D. 1/10

No 1500

Pres: of the Madras Govt.
Under Secy the 16th Nov. 1875

Read the following
Pres: of the B. of
Rev.

Submitting letter from
the foll^g of N. Arcot for
warding transference of
plaint in a suit, and
requesting sanction to
disprove, at first cost,
the pauperism pleaded
by plaintiff.

P.D. 3 March 75

The Govt. resolve
to authorize the foll^g
to oppose the appli-
cation to be allowed
to sue in forma
pauperis - it

2: If the applica-
tion is admitted, orders
as to the disproof of the suit
will be passed, on
receipt of the further
Report

report promised by
the Coll^r. ~~as to the~~
~~sent being defended~~

3. The following to
be given will be sent
to the collector -

"Your letter No.
552 - Oppose the ap-
plication to sue as
pauper"

Wm. L.

14. To the O. & A. of Dec. 13, 1860
The Coll^r of North Am. & S

Ind. Cap. & Co. & Co.

Wm. L.

90

Print in North
Arist.

~~Abraham~~
Wm. S.