M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 10.

(2) Date of repair 23-2-68.

(3) Initials of the Referencer 26.2.68

# MADRAS RECORD OFFICE

## GOVERNMENT OF MADRAS

Revenue DEPARTMENT

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| G.O. No. | 1626. | Press |
| B.P. No. | | Mis. |

Dated 11-11-1875 196 . .

*Not to be folded or roughly handled*

1/1626

*Proceedings of the Madras Government, Revenue Department,*
*11th November* 1875.

No. 155. Read the following Proceedings of the Board of Revenue, dated 8th November 1875, No. 3,057:—

Read the following letter from H. Sr. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Anakapally, 27th October 1875, No. 1,815.

THE Board in their Proceedings, dated 31st May 1875, directed me to revoke the orders passed by me regarding the sub-division of the Tongeda and Gotivada villages of the Uratla Proprietary Estate.

2. As reported in my letter of 15th June 1875, No. 1,054, I cancelled my orders and reattached the villages. Seetaramraj appeared before me and argued that the sub-division of the villages should be made, as the proprietor had in the first instance agreed and given his written consent to the same. I told him that, without the present consent of the proprietor, I could not order the sub-division under orders of the Board. He has now filed a suit in the District Court at Vizagapatam against the proprietor and myself as representing Government for the recovery and sub-division of the villages.

3. I herein enclose translations of the plaint and documents filed by him in the suit, as also a draft answer I would propose to put in in the Court.

4. The first hearing of the suit was fixed for the 21st October, but, on my motion, it was adjourned to the 23rd November 1875.

5. I have, therefore, the honor to request that you will be so good as to obtain the Board's approval to the draft [illegible] for defending the suit at the public expense.

ENCLOSURE No. 1.—Translation of Plaint.

ENCLOSURE No. 2.—Translation of Document filed by Plaintiff.

ENCLOSURE No. 3.—Draft Answer.

ENCLOSURE No. 4.—Copy of Collector's Proceedings, dated 24th March 1875.

SUBMITTED to Government, together with copy of Board's Proceedings, 31st May 1875, as the value of the suit exceeds Rupees 1,000. The Board recommend that the defence of the suit be sanctioned and the draft answer approved. Early orders are requested, as the date of hearing is the 23rd November 1875.

(A true Copy and Extract.)

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

No. 166. ORDER THEREON, 11th November 1875, No. 1,626.

Miscellaneous.

THE defence of the suit is sanctioned and the draft answer is approved.

(True Extract.)

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

To the Board of Revenue.
Exd. J. W. Fischer.

Govt. of India.

REVENUE.

To

THE BOARD OF REVENUE.

Dated December, 1875.

Read.

G. O., 11th November 1875, No. 1,626

NOVEMBER.

Nos. 155-156.

No. 1,456.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 31st May 1875.

Read the following letter from H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 30th April 1875, No. 739 :—

UNDER date the 8th August last the estate of Uratla was taken under management as per Board's Proceedings, No. 2,545, of 9th September 1874.

2. In September following the proprietor applied to have the villages of Tangedu and Gotivada of the estate sub-divided and made over to Rajah Sri Sagi Setaramraz Garu in consideration of past services rendered by him to the estate, and in accordance with the will of Raja Sri Sagi Subbadrayya Garu, the late proprietrix, and executed to him the document marked A. herewith sent.

3. In January the proprietor wrote, deprecating the sub-division of the villages as other arrangements had been entered into by him with Rajah Sri Sagi Setaramraz Garu, as per document B. herewith submitted. The process of sub-division was accordingly stopped, but Setaramraz Garu denied the subsequent arrangements and challenged an inquiry.

4. Both parties were accordingly directed to attend my office at Yellamanchelly on the 24th March for a settlement of the question.

5. The matter was accordingly discussed, and the following order was passed by me:—

"The statements of both parties in the dispute relatively to the separate assessment of Tangedu and Gotivada, and the division of these villages from the Uratla estate, have been heard.

"The following state of things is established:—The title of Setaramraz Garu to a portion of the estate, producing about 1,200 Rupees a year, is confirmed by the will of the late proprietrix, a document which has been held valid in its disposal of the property by the highest legal authority.

"On the 1st September 1874 Setaramraz and Jaganadharaz agreed that the two villages, Tangedu and Gotivada, should be made over by the latter to the former in complete satisfaction of the latter's claim against the Uratla estate. No subsequent arrangement has been agreed upon by the parties which absolves either from fulfilling the conditions of the document of 1st September.

"Any claims which Jaganadharaz may have against Setaramraz he is at liberty to press in a Court.

"The separate assessment of the village will be determined at once and the Manager required 'to complete the accounts without any delay.'"

6. After a great deal of delay the accounts of sub-division have been obtained and are herewith submitted in the form prescribed by the Board in their Proceedings, dated 7th February 1874, No. 247.

7. From this statement it will be observed that the average demand of the whole estate for the three Faslis, *viz.*, 1281, 1282 and 1283 amounted to Rupees 37,862-12-1 and the Peishcush is Rupees 20,337-5-7. The average demand of the two villages for the same period is Rupees 1,831-1-0, the proportionate Peishcush is Rupees 1,010-6-1.

3d June 1875

8. The villages of Tangedu and Gotivada were ordered to be made over to Setaramraz on the 24th instant.

9. Sanction is therefore requested to register the transfer of the said villages and to fix the Peishcush at Rupees 1,010-6-1 a year as above, from Fasli 1284.

10. I may here add a statement showing the demand, collection, and balance of the Uratla estate since its attachment in August last.

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Enclosures Nos. 1 and 2.—Statements.

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Enclosure No. 3.—Translation of Documents.

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The Board fail to see any authority under which the Collector could pass the order reported, or make over the villages to Setaramraz. If that individual has any claims against the proprietor under the agreement of September, he should assert them in a Court of Law; but without the present consent of the proprietor, or in execution of a decree of Court, the Collector cannot proceed to sub-division. He should revoke the orders passed by him in the matter.

(A true Copy and Extract.)

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

To the Acting Collector of Vizagapatam.

Exd. J. Tulloch.

1875.
Board of Revenue,
MADRAS.

Proceedings, 31st May 1875, No. 1,456.

Encl.

Received

Ex 4391/75

MAY.
No. 1,456.

*Tangedu and Gotivada Villages*—attached to Uratla estate in Vizagapatam District.—Remarks passed with reference to Collector's order directing alienation of—in favor of Setaramraz in the absence of the present consent of the proprietor or a decree of Court. Collector directed to revoke the orders passed by him in the matter.

Revenue Department

Proceedings of the Board of Revenue
dated 8th November 1875 No 3057

Read the following

No. 1815

From. J. B. St. A. Goodrich Esqre
Acting Collector

To J. H. E. Stokes Esquire
Acting Secretary to the
Board of Revenue
Madras

Sir,

The Board in their Proceedings dated 31st May 1875 directed me to revoke the orders passed by me regarding the sub division of the Tangedu and Gotivada villages of the Uratla Proprietary Estate.

2. As reported in my letter of

of 15th June 1875, No. 1054, I cancelled my orders and reattached the villages. Seetaramraj appeared before me and argued that the subdivision of the villages should be made as the Proprietor had in the first instance, agreed and given his written consent to the same. I told him that without the present consent of the Proprietor, I could not order the subdivision under orders of the Board. He has now filed a suit in the District Court at Vizagapatam against the Proprietor and myself as representing Government for the recovery and subdivision of the villages. Herein

3. I herein enclose translations of the plaint and documents filed by him in the suit as also a draft answer I would propose to put in in the Court.

4. The first hearing of the suit was fixed for the 21st October but on my motion it was adjourned to the 23rd November 1875.

5. I have therefore the honor to request that you will be good as to obtain the Board's approval to the draft answer and early sanction for defending the suit at the public expense.

I have &c

Vizagapatam Collr's Office
Camp Anakapilly
27th October 1875.

(Sd) H. Goodrich
Acting Collector

Submitted

Submitted to Government,
together with copy of Board's
Proceedings, 31st May 1875, as
the value of the suit exceeds
Rupees 1,000. The Board recom-
-mend that the defence of
the suit be sanctioned and
the draft answer approved.
Early orders are requested
as the date of hearing is the
23rd November 1875.

[True copy & Extract]

H Elwes

Acting Secretary

To,
The Secretary to Government
Revenue Department
with 4 enclosures to be returned & copy
of Board's Pro: d/31st May 1875 No. 1456 (its
original enclosures to be returned)

Revenue 1875 Deptt

No. 4361

Proceedings of the Board of Revenue

Dated 8th Novr/75
Desp. 8 — " —
Recd. 9 — " —

No 1626. 11th November 1875

Suit brought against the Proprietor of Urlam and Vizagapatam Collector by Sectaramraj for subdivision of Tougeda & Golwada villages.

Requesting Government to sanction early the defence of, & to approve the draft answer, as the date of hearing is the 23d. November 1875.

No 1626

The defence of the suit is sanctioned & the draft answer is approved

11th November 1875 —

14 S. Wh. Order of Revenue 1626
to Bd. of Rev. on 11 do

C 10 Nov. /75. Rd. 11 Nov. /75.