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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. / B.P. No.	849	Press / Mis.

Dated 31.5.1875 196 .

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
31*st May* 1875.

No. 358. Read the following Proceedings of the Board of Revenue, dated 11th May 1875, No. 1,232, Forest No. 81 :—

Read the following letter from W. H. COMYN, Esq., Acting Collector of Tinnevelly, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 22nd April 1875, No. 198.

I HAVE the honor to submit the following report on the inquiries made regarding the title of Government to the Kattalai Malai as directed in paragraph 2 of Government Order, No. 577, dated 8th May 1874.

Board's Proceedings, Mis. No. 142-3,442.

2. The papers in the Huzur records and those obtained from the taluq give the following account of the Kattalai Malai.

3. The ayacut account, dated 7th September 1803, describes the hill as under :—

The area is 951½ chains* ; the boundaries are—north, the Koreyar ; east, the Tambrapurni ; south, Tulukamottai ; and west, Kosu Odai ; and the inam is called Vilapujai Kattalai Maniem.

* 3,463 acres and 46 cents. equal to $5\frac{463}{640}$ square miles.

4. A memorandum (yadast) in the Mahratta language, dated 16th December 1818 and bearing the signature of one Mahal Syed Miran, the then Tahsildar of Bremmadesam (now Ambasamudram) is found on record.

There is no reason to doubt the genuineness of this document, which purports to give a short account of the past history of the hill in the following terms :—

"*Ambasamudram Taluq, Tinnevelly District*, 16*th December Fasli* 1228 (*A.D.* 1818).

"The Inam of Vilapujai Kattalai Malai of Papavinasaswami Pagoda in Vikrama Singapuram was not included in the Jamabandi from Andu 941 (A.D. 1766) to 975 (A.D. 1800), but was separately managed by Valangapuli Periasami Tevan, Zemindar of Chokampatti, who died on the 25th Arpasi 945 (A.D. 1770) ; subsequently his son Valangapuli Valaya Tevan enjoyed it. In Andu 976 (A.D. 1801), Tiruvengadam Pillai leased it out to Ilayaperumal Pillai for 105 Pons ; out of this, 35 Pons were deducted as being the proportionate share of the rent of the southern hills, and the remainder was credited to the Sirkar. On the assumption of the district by the Company in Andu 977 (A.D. 1802), 35 Pons were entered as inam, being the rental of the southern side hills according to previous years' accounts. Valangapuli Valaya Tevan died on the 14th Adi of Andu 984 (A.D. 1809.) According to the Jamabandi of the inam hills, 35 Pons stand entered as inam in the account against the name of Veindra Muttu Pillai, the agent of Valangapuli Periasami Tevan, the grandson of the original granter and the present holder.

"Kar, 17½ Pons ; Peshanam, 17½ Pons.

"No documents in support of this are forthcoming. The extent so deducted was shown as inam from the days of ancient rajahs and of the Company's zuft (*i.e.*, government) down to the present day."

5. The inam of Kattalai Malai is described in Case No. 1,244 of the register of inams prepared by Mr. Cotton in the year 1819, and the entries in the register regarding this inam appear to have been based on the Mahratta memorandum above referred to, which was probably drawn up for the purpose.

6. In column 2 of the register, Vilapujai Kattalai for Papavinasaswami Pagoda is said to have been instituted by Valangapuli Periasami Tevan (former Zemindar of Chokampatti), and the charity managed by Veindra Muttu Pillai, agent of the Zemindar.

7. The next set of papers which throw light on the subject are copies of Sub-Collector's takids, Nos. 574 and 50, dated 4th December 1833 and 29th January 1834, respectively, to the Bremmadesam (now Ambasamudram) Tahsildar. From these takids, it appears that some seven chains of punjah land, which had been brought under cultivation in 1833, were fully charged, and the assessment brought to Government account. The Zemindar claimed this area as forming part of the Kattalai Inam land. This claim was inquired into, and the Sub-Collector finally relinquished the land to the Zemindar as being situated within the limits of the Inam.

8. In 1834 the Zemindar applied to the Sub-Collector for permission to convert certain dry lands into wet with the aid of Koreyar stream water. The Tahsildar was directed to report whether the proposed conversion would in any way affect the supply of other irrigation works. This the Tahsildar reported in the negative in his arzi No. 1 of 1835, but it does not appear that permission to convert the dry land into wet was granted.

Sub-Collector's Orders Nos. 308 and 490 of 1834.

9. The next paper is a copy of takid No. 653, dated 9th December 1835, from the Sub-Collector to the Bremmadesam Tahsildar. In this it appears that the renter of Vikramasingapuram hill forests complained that the Chokampatti Zemindar's people were giving him trouble by carrying away the produce of the hills included in his lease under the pretext that the produce belonged to the Kattalai Malai Inam land, and offered an increase of rent for the produce of the Kattalai Malai also if the same were made over to him. The Sub-Collector ordered that as the Kattalai Malai was an inam to the Papavinasam Pagoda, and was under the management of Veindra Muttu Pillai, the Zemindar's agent, no application for its lease would be admitted.

10. In 1834 a circular order, dated 4th November 1834, was issued by the Sub-Collector to the Tahsildars in his division, directing them to see that the inams in charge of Kattalaidars for the maintenance of charities are not misappropriated by them, and that the services are kept up, and calling on them to report any case of misappropriation with a view to the inams being attached and arrangements being made for the due performance of the services.

11. The Vilapujai Kattalai services, for which the Kattalai Malai was endowed, appear to have been ill-performed, or the proceeds of the inam to have been misappropriated, for the inam was attached in 1836 and kept under Government management. By order No. 348 of 1836 the Tahsildar was directed by the Sub-Collector to put up the lease of the hill to auction and fix the upset price after ascertaining from the Zemindar's agent, who managed the hill up to the previous Fasli, the amount of proceeds derived from the inam. Again, in Takid 416 of 1836 the lease was confirmed in the name of the purchaser, a putta was given him, and the Tahsildar was directed to collect the amount of the lease, and see that the amount was devoted to the performance of the Kattalai.

12. From the above papers, it is abundantly clear that the Kattalai Malai was set apart in favor of Papavinasaswami Pagoda prior to the assumption of this district by Government; that it was so set apart by one of the former Zemindars of Chokampatti; that the Kattalai Malai was recorded as an inam in the first register prepared by Mr. Cotton in 1819; and that uninterrupted possession was held by the Zemindar or his agent till Fasli 1245 (A.D. 1835-36).

Proceedings of the Madras Government, Revenue Department,
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13. From Fasli 1246 (A.D. 1836-37) to 1255 (A.D. 1845-46) the Kattalai Malai was under Government management and leased out from year to year, and eventually in 1846 the inam was restored to Karunalaya Valangapuli Tevan, the son of the former Zemindar, on his application to the Collector and promise that the services would be duly performed as shown by the Collector's Takids, No. 83, 29th May 1845, and No. 106, 29th September 1845.

Sub-Collector's orders Nos. 371, 391, and 416 of 1836; 408, 429, and 475 of 1837; 266 and 292 of 1838; 257 and 316 of 1839; 387 of 1840; 587 of 1841; 842 and 882 of 1842; 475 of 1843; 395, 450, and 466 of 1844; and 323 and 371 of 1845.

14. From the copies of the orders above referred to, which are on record, it is clear that the hill was not, as assumed by the Board in paragraph 8 of their Proceedings, 18th April 1874, No. 918, attached in 1840 as forming part of the Chokampatti Zemindari, but on account of the non-performance of the services for which the endowment was made.

15. The inam in question having been subsequently restored was treated by the Inam Commissioner as a "Devadayam" endowment, and confirmed by title-deed in the name of the trustee for the time being. The present trustee is the dispossessed Zemindar of Chokampatti, who has never pretended to set up any other title to the hill than that conveyed in the trust.

16. With regard to the doubts entertained by the Board in paragraph 7 of the above Proceedings as to the exact position of the Kattalai Malai, I have the honor to refer you to paragraphs 14 and 15 of Mr. Happell's report on the subject, of which a copy is herewith submitted. His report, based on personal inspection and local inquiry, conclusively shows that the hill now called Kattalai Malai is no other than that described in the ayacut and entered in Mr. Cotton's register.

17. This being the case, and having regard to the history of the Kattalai Malai as reviewed above, it is quite clear that the Government have no title whatever to it, and the Zemindar, as trustee, having refused to accept, on any terms, the assignment of land revenue proposed by Mr. Puckle in lieu of the Kattalai Malai Forest, Government interference with the inam is, of course, out of the question except in the case of misappropriation of the endowments. The self-interest of the Zemindar will probably be sufficiently strong to prevent the denudation of the Kattalai Malai, and all we have to do is to see that the neighbouring Government forests are not damaged or encroached upon.

18. The submission of this report has been necessarily tardy owing to the time taken up in searching for records, extending over a period of many years, which might throw light on the subject.

ENCLOSURE No. 1.

From W. A. HAPPELL, Esq., Acting Sub-Collector, to W. H. COMYN, Esq., Acting Collector of Tinnevelly, dated Shermadevi, 19th December 1874, No. 106.

I HAVE the honor to reply to your letter, No. 566, dated 11th July 1874, requesting me to furnish the report called for in Government Proceedings, dated 13th November 1873, No. 1,262.

2. The taluq records have been carefully searched, but without anything throwing light on the origin of the title under which the Kattalai Malai is claimed by the Papanasam Pagoda being found.

3. From Tahsildar's arzi No. 700 of 1835, it appears that the renter of Vikramasingapuram hill forests complained that the Chokampatti Zemindar's people had carried away his produce, and asserted that the wax and other produce of the Kattalai Malai belonged to him, because it had not been specially excluded from the forests rented to him. His claim was disallowed on the ground that the hill in question was shown by the accounts to belong to the Pagoda Kattalai.

4. From this arzi, it is clear that the Zemindar of Chokampatti was in possession of the Kattalai Malai in 1835, and that he was also in possession in the two previous years is proved by orders Nos. 574 of 1833 and 50 of 1834, for he then claimed and obtained, as part of the Kattalai Malai, seven chains of punjah land, which had been assessed as Government property, and by orders Nos. 308 and 490 of 1834, which show that he applied for, but was refused, permission to appropriate some punjah land, converted into nunjah, to the feeding of Brahmins in the choultry, and that the Tahsildar was directed to take a document from the Zemindar, binding him to spend the proceeds on the Kattalai service.

5. In order No. 653 of 1835 the renter and the Kattalaidars are declared to be in possession of the produce of the Government hills and of the Kattalai Malai respectively. The correspondence already quoted shows that the term Kattalaidars must have been applied to the Zemindar of Chokampatti and his agents.

6. From orders Nos. 348 and 371 of 1836, it appears that the rent of the Kattalai Malai for Fasli 1246 was put up to public auction by the Tahsildar, and bought by one Sodalaimuttu Servaikaran for Rupees 165. In Order No. 416 of 1836 the Tahsildar is directed to put the renter in possession of the produce, as the *Kattalaidar used to be*, to conduct the service according to custom, and to place the surplus in deposit.

7. The correspondence quoted in the margin shows that the Kattalai Malai continued to be rented out year by year until 1846, when it was made over to the Zemindar of Chokampatti as Kattalaidar.

Order No. 416 (1836).
Do. „ 429 (1837).
Do. „ 266 and 292 (1838).
Do. „ 257 (1839).
Do. „ 469 (1841).
Do. „ 475 (1843).
(to the Tahsildar of Ambasamudram).

8. Order No. 298 of 1844 forwards a petition from the Chokampatti Zemindar, and directs the Tahsildar to inquire and report who performs the Kattalai service. In reply (Arzi No. 306 of 1844), the Tahsildar reports that the devastanam accounts of 1236 and previous Faslis show that the income was received by the Sirkar, and the service performed by one Veindra Muttu Pillai, and that, after the pagoda had been made over to a trustee, the income was still collected by the Sirkar, but the service was performed by Lakshmana Pillai, the Curnam of the Kattalai. I have no means of verifying this report, and there is nothing else in the records to show that Government interfered in the management of the Kattalai prior to 1835.

9. The following description of this inam is taken from the Hinduvi accounts prepared in Fasli 1254:—"Devadayam, Papavinasaswami Covil Vilapuja Kattalai Malai Inam, with an ayacut assessment of 43 Pons and 7½ Fanams equal to Rupees 102. This inam is in charge of the Zemindar of Chokampatti. The Zemindar for the time being, Karunalayavalangapuli Tevan, performs the service by his agent Ambalavana Pillai of Vikramasingapuram. Puja and other ceremonies connected with it are performed daily, and four Brahmins are fed with rice and pickles. There are no documents to this effect."

10. I do not find it expressly stated in the taluq records that the resumption by Government of the control over the Kattalai inam was a consequence of the forfeiture of the estate. The two acts were perhaps contemporaneous, but the fact is not satisfactorily proved by the papers before me. The Zemindari was resumed in Fasli 1244, but the Kattali Malai was not rented out by Government till Fasli 1246. The Zemindar was removed and kept under surveillance at Gooty for robbing the Tenkasi Taluq Treasury. It may, therefore, have been in consequence of the manager's improvement, and not in consequence of the forfeiture of his estate, that the management of the Kattalai was undertaken by Government. In your office there are

Proceedings of the Madras Government, Revenue Department,
31*st May* 1875.

probably records that would throw some light on the subject. The Kattalai Malai was restored to the Zemindar's representative in 1846, but the estate was not restored till 1859.

11. No one in Papanasam professes to know precisely when or by whom the original grant was made.

12. In A register prepared in 1802 the area and boundaries are given, and the inam is called Vilapujai Kattalai Maniem. The area is 951½ chains. The boundaries are—north, the Koreyar; east, the Tambrapurni, south Tulukamottai; and west, *Kosu Odai*.

13. In former correspondence on the subject the claim is sometimes alluded to as vague or undefined, and in a recent letter to Government the Inspector of Forests says, "the Kattalai Malai claim has extended its limits since I was in charge of the range."

Proceedings of Government, dated 30th Oct. 1874, No. 323.

14. I have recently inspected the hill, identified the boundaries, and made a local inquiry. So far as I have been able to learn, the claim has always been the same, and no boundaries could be more definite than those given in A register. Tambrapurni and Koreyar are considerable rivers. The Kosu Odai is a well-defined hill-torrent. Tulukamottai is said to have been originally the name of the whole hill. The Kattalai Malai is the portion of the northern slope enclosed between the Kosu Odai and Tambrapurni. The ridge is the southern limit. Until a well-marked boundary line is laid out along the ridge, there will, no doubt, be occasional encroachments on the Government hill in that direction, but these are of slight importance, as it is only on the slopes that valuable forest is to be found.

15. The records already quoted show that the Board were mistaken in saying that "the tract now claimed could not, by any stretch of imagination, be called hill *punjah*." Punjah crops seem to have been frequently cultivated on it, and a portion was actually converted into nunjah. If the occupants seized the present after the denudation of a former Kattalai Malai, the seizure must have taken place previous to the preparation of A register.

16. I made no attempt to measure the hill; but, judging merely by the eye, I do not think the ayacut measurement is very wide of the mark. The hill is about three miles in length from east to west, and one or two in breadth from north to south.

17. The denudation of a hill of this size could have no appreciable effect on the water-supply of the Tambrapurni valley. Some portions have been cleared, but, taken as a whole, the forest seems heavier than on the neighbouring Government hills. It is greatly for the interest of the present holder that it should be conserved, and so continue to be a permanent source of income to him. He treats it as his private property, and is believed to secure a considerable income from it over and above the requirements of the pagoda service. He lived for a year and-a-half at Papavinasam, collecting the dues himself. Some judgment must have been shown in its management; otherwise a large and increasing income could not be derived from it. It is common property that gets destroyed, and not *quasi*-private property like this.

18. The real danger is that the holder or renter, in collusion with subordinate forest officials, should plunder or damage the neighbouring Government forests. If ordinary care is taken, I do not see that this need be the case to any great extent. There is only one path by which the wood can be brought down to the plains. The felling can, therefore, be easily watched, and the renter of jungle produce will generally be able to protect himself.

19. Mr. Puckle estimated the annual income from the hill at Rupees 4,000, but in calculating it, he takes the maximum number of cart-loads allowed to be cut, and the maximum rate of seigniorage. The latter is collected only on the better kinds of wood, ordinary kinds being charged only four or five Rupees a cart-load, and the actual number of cart-loads removed, dependent, as it must be, on the state of the market, probably seldom reaches the maximum permitted. Accurate figures are unattainable; but, from inquires I have made, I doubt whether quite 2,000 Rupees a-year are realized. It was not the inadequacy of the offer, but his fear of losing the whole, that led the Zemindar to refuse Mr. Puckle's very liberal offer. As long as his actual receipts are unknown, he need not spend more than he pleases on the pagoda service. There is no reason to suppose that he has any private property in the Inam, and he might be compelled by the Temple Committee to lay out the whole sum received from Govern-

ment on the performance of the Kattalai service. He is not the trustee of the pagoda, but only of this particular *Kattalai* or service.

20. Major Beddome estimated the value of the hill as forest at 500 Rupees a-year. Under official management it probably would not realize more. The expected collateral advantages would, therefore, cost Government Rupees 3,500 a-year, or the interest of Rupees 87,500. The set-off against this very heavy expenditure is an expected, but uncertain, improvement in the way hich the rain runs off the face of a hill covering an area of less than six square miles, slightly-increased facilities for excluding trespassers from Government forests. Are thes objects worth the cost?

21. There can be no doubt that the hill belongs to the Pagoda Kattalai, and that any attempt to contest the claim in the Civil Courts would fail. Perhaps the old Mahratta accounts in your records will explain how the management fell into the hands of the Chokampatti Zemindar.

22. The Kattalai Malai is on the west of the Tambrapurni. The Singampatty hills are on the east. Communication between the two is exceedingly difficult. The holder of the Kattalai Malai cannot steal the Singampatty timber, and the physical obstacles are so considerable that his raids on the jungle produce can never be on an extensive scale.

(True Copy.)

(Signed) W. H. COMYN,
Acting Collector.

SUBMITTED to Government with reference to G. O., dated 8th May 1874, No. 577.

2. From the reports now submitted, there appears no prospect of success for a claim on behalf of Government to the tract known as the Kattalai Malai. The title of the Zemindar to it as trustee of the Kattalai service, for which it is an endowment, seems unassailable, and the tract is fully indentified and comprised within easily-recognized boundaries.

3. The Zemindar has refused to accept the assignment of revenue which was proposed by Mr. Puckle, and the tract cannot be obtained for Government on any terms. This is to be regretted not so much on account of the value of the forest on the tract itself, or of the importance of preserving it from denudation, as on account of the security against trespasses and depredations on the adjoining Government forests, which would be gained by its acquisition.

4. As it cannot be obtained at present, the Collector should have the tract enclosed within the recorded boundaries demarcated all round by engraving on the rocks, and should take measures to have a specially strong forest-guard at the spot to prevent smuggling of timber and produce from the Government forests.

(True Copies and Extract.)

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

No. 359. ORDER THEREON, 31st May 1875, No. 849.

Forest. No. 24.

RECORDED.

(True Extract.)

(Signed) A. MACGREGOR,
Acting Secretary to Government

To the Board of Revenue.

Exd. J. W. Fischer.

3-5-76

Govt. of 1875 Madras

REVENUE.

To

THE BOARD OF REVENUE.

Dated May, 31st.

Recd.

G. O., 31*st May* 1875, *No.* 849.

MAY.

Nos. 358-359.

Kattalai Malai in Tinnevelly District.—Reports in the Board's Proceedings reporting on the inquiries made regarding the title of Government to the

849/75

FOREST No. 81.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 11th May 1875, No. 1,232.

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13. From Fasli 1246 (A.D. 1836-37) to 1255 (A.D. 1845-46) the Kattalai Malai was under Government management and leased out from year to year, and eventually in 1846 the inam was restored to Karunalaya Valangapuli Tevan, the son of the former Zemindar, on his application to the Collector and promise that the services would be duly performed as shown by the Collector's Takids, No. 83, 29th May 1845, and No. 106, 29th September 1845.

Sub-Collector's orders Nos. 371, 391, and 416 of 1836; 408, 429, and 475 of 1837; 266 and 292 of 1838; 257 and 316 of 1839; 387 of 1840; 587 of 1841; 842 and 882 of 1842; 475 of 1843; 395, 450, and 466 of 1844; and 323 and 371 of 1845.

14. From the copies of the orders above referred to, which are on record, it is clear that the hill was not, as assumed by the Board in paragraph 8 of their Proceedings, 18th April 1874, No. 918, attached in 1840 as forming part of the Chokampatti Zemindari, but on account of the non-performance of the services for which the endowment was made.

15. The inam in question having been subsequently restored was treated by the Inam Commissioner as a "Devadayam" endowment, and confirmed by title-deed in the name of the trustee for the time being. The present trustee is the dispossessed Zemindar of Chokampatti, who has never pretended to set up any other title to the hill than that conveyed in the trust.

16. With regard to the doubts entertained by the Board in paragraph 7 of the above Proceedings as to the exact position of the Kattalai Malai, I have the honor to refer you to paragraphs 14 and 15 of Mr. Happell's report on the subject, of which a copy is herewith submitted. His report, based on personal inspection and local inquiry, conclusively shows that the hill now called Kattalai Malai is no other than that described in the ayacut and entered in Mr. Cotton's register.

17. This being the case, and having regard to the history of the Kattalai Malai as reviewed above, it is quite clear that the Government have no title whatever to it, and the Zemindar, as trustee, having refused to accept, on any terms, the assignment of land revenue proposed by Mr. Puckle in lieu of the Kattalai Malai Forest, Government interference with the inam is, of course, out of the question except in the case of misappropriation of the endowments. The self-interest of the Zemindar will probably be sufficiently strong to prevent the denudation of the Kattalai Malai, and all we have to do is to see that the neighbouring Government forests are not damaged or encroached upon.

18. The submission of this report has been necessarily tardy owing to the time taken up in searching for records, extending over a period of many years, which might throw light on the subject.

ENCLOSURE No. 1.

From W. A. HAPPELL, Esq., Acting Sub-Collector, to W. H. COMYN, Esq., Acting Collector of Tinnevelly, dated Shermadevi, 19th December 1874, No. 106.

I HAVE the honor to reply to your letter, No. 566, dated 11th July 1874, requesting me to furnish the report called for in Government Proceedings, dated 13th November 1873, No. 1,262.

2. The taluq records have been carefully searched, but without anything throwing light on the origin of the title under which the Kattalai Malai is claimed by the Papanasam Pagoda being found.

3. From Tahsildar's arzi No. 700 of 1835, it appears that the renter of Vikramasingapuram hill forests complained that the Chokampatti Zemindar's people had carried away his produce, and asserted that the wax and other produce of the Kattalai Malai belonged to him, because it had not been specially excluded from the forests rented to him. His claim was disallowed on the ground that the hill in question was shown by the accounts to belong to the Pagoda Kattalai.

4. From this arzi, it is clear that the Zemindar of Chokampatti was in possession of the Kattalai Malai in 1835, and that he was also in possession in the two previous years is proved by orders Nos. 574 of 1833 and 50 of 1834, for he then claimed and obtained, as part of the Kattalai Malai, seven chains of punjah land, which had been assessed as Government property, and by orders Nos. 308 and 490 of 1834, which show that he applied for, but was refused, permission to appropriate some punjah land, converted into nunjah, to the feeding of Brahmins in the choultry, and that the Tahsildar was directed to take a document from the Zemindar, binding him to spend the proceeds on the Kattalai service.

5. In order No. 653 of 1835 the renter and the Kattalaidars are declared to be in possession of the produce of the Government hills and of the Kattalai Malai respectively. The correspondence already quoted shows that the term Kattalaidars must have been applied to the Zemindar of Chokampatti and his agents.

6. From orders Nos. 348 and 371 of 1836, it appears that the rent of the Kattalai Malai for Fasli 1246 was put up to public auction by the Tahsildar, and bought by one Sodalaimuttu Servaikaran for Rupees 165. In Order No. 416 of 1836 the Tahsildar is directed to put the renter in possession of the produce, as the *Kattalaidar used to be*, to conduct the service according to custom, and to place the surplus in deposit.

7. The correspondence quoted in the margin shows that the Kattalai Malai continued to be rented out year by year until 1846, when it was made over to the Zemindar of Chokampatti as Kattalaidar.

Order No. 416 (1836).
Do. ,, 429 (1837).
Do. ,, 266 and 292 (1838).
Do. ,, 257 (1839).
Do. ,, 460 (1841).
Do. ,, 475 (1843).
(to the Tahsildar of Ambasamudram.)

8. Order No. 298 of 1844 forwards a petition from the Chokampatti Zemindar, and directs the Tahsildar to inquire and report who performs the Kattalai service. In reply (arzi No. 306 of 1844), the Tahsildar reports that the devastanam accounts of 1236 and previous Faslis show that the income was received by the Sirkar, and the service performed by one Veindra Muttu Pillai, and that, after the pagoda had been made over to a trustee, the income was still collected by the Sirkar, but the service was performed by Lakshmana Pillai, the Curnam of the Kattalai. I have no means of verifying this report, and there is nothing else in the records to show that Government interfered in the management of the Kattalai prior to 1835.

9. The following description of this inam is taken from the Hinduvi accounts prepared in Fasli 1254:—"Devadayam, Papavinasaswami Covil Vilapuja Kattalai Malai Inam, with an ayacut assessment of 48 Pons and 7⅛ Fanams equal to Rupees 102. This inam is in charge of the Zemindar of Chokampatti. The Zemindar for the time being, Karunalayavalangapuli Tevan, performs the service by his agent Ambalavana Pillai of Vikramasingapuram. Puja and other ceremonies connected with it are performed daily, and four Brahmins are fed with rice and pickles. There are no documents to this effect."

10. I do not find it expressly stated in the taluq records that the resumption by Government of the control over the Kattalai inam was a consequence of the forfeiture of the estate. The two acts were perhaps contemporaneous, but the fact is not satisfactorily proved by the papers before me. The Zemindari was resumed in Fasli 1244, but the Kattali Malai was not rented out by Government till Fasli 1246. The Zemindar was removed and kept under surveillance at Gooty for robbing the Tenkasi Taluq Treasury. It may, therefore, have been in consequence of the manager's improvement, and not in consequence of the forfeiture of his estate, that the management of the Kattalai was undertaken by Government. In your office there are probably records that would throw some light on the subject. The Kattalai Malai was restored to the Zemindar's representative in 1846, but the estate was not restored till 1859.

11. No one in Papanasam professes to know precisely when or by whom the original grant was made.

12. In A register prepared in 1802 the area and boundaries are given, and the inam is called Vilapujai Kattalai Maniem. The area is 951½ chains. The boundaries are—north, the Koreyar; east, the Tambrapurni, south Tulukamottai; and west, *Kosu Odai*.

13. In former correspondence on the subject the claim is sometimes alluded to as vague or undefined, and in a recent letter to Government the Inspector of Forests says, "the Kattalai Malai claim has extended its limits since I was in charge of the range."

Proceedings of Government, dated 30th Oct. 1874, No. 323.

14. I have recently inspected the hill, identified the boundaries, and made a local inquiry. So far as I have been able to learn, the claim has always been the same, and no boundaries could be more definite than those given in A register. Tambrapurni and Koreyar are considerable rivers. The Kosu Odai is a well-defined hill-torrent. Tulukamottai is said to have been originally the name of the whole hill. The Kattalai Malai is the portion of the northern slope enclosed between the Kosu Odai and Tambrapurni. The ridge is the southern limit. Until a well-marked boundary line is laid out along the ridge, there will, no doubt, be occasional encroachments on the Government hill in that direction but these are of slight importance, as it is only on the slopes that valuable forest is to be found.

15. The records already quoted show that the Board were mistaken in saying that "the tract now claimed could not, by any stretch of imagination, be called hill *punjah*." Punjah crops seem to have been frequently cultivated on it, and a portion was actually converted into nunjah. If the occupants seized the present after the denudation of a former Kattalai Malai, the seizure must have taken place previous to the preparation of A register.

16. I made no attempt to measure the hill; but, judging merely by the eye, I do not think the ayacut measurement is very wide of the mark. The hill is about three miles in length from east to west, and one or two in breadth from north to south.

17. The denudation of a hill of this size could have no appreciable effect on the water-supply of the Tambrapurni valley. Some portions have been cleared, but, taken as a whole, the forest seems heavier than on the neighbouring Government hills. It is greatly for the interest of the present holder that it should be conserved, and so continue to be a permanent source of income to him. He treats it as his private property, and is believed to secure a considerable income from it over and above the requirements of the pagoda service. He lived for a year and-

a-half at Papavinasam, collecting the dues himself. Some judgment must have been shown in its management ; otherwise a large and increasing income could not be derived from it. It is common property that gets destroyed, and not *quasi*-private property like this.

18. The real danger is that the holder or renter, in collusion with subordinate forest officials, should plunder or damage the neighbouring Government forests. If ordinary care is taken, I do not see that this need be the case to any great extent. There is only one path by which the wood can be brought down to the plains. The felling can, therefore, be easily watched, and the renter of jungle produce will generally be able to protect himself.

19. Mr. Puckle estimated the annual income from the hill at Rupees 4,000, but in calculating it, he takes the maximum number of cart-loads allowed to be cut, and the maximum rate of seigniorage. The latter is collected only on the better kinds of wood, ordinary kinds being charged only four or five Rupees a cart-load, and the actual number of cart-loads removed, dependent, as it must be, on the state of the market, probably seldom reaches the maximum permitted. Accurate figures are unattainable ; but, from inquires I have made, I doubt whether quite 2,000 Rupees a-year are realized. It was not the inadequacy of the offer, but his fear of losing the whole, that led the Zemindar to refuse Mr. Puckle's very liberal offer. As long as his actual receipts are unknown, he need not spend more than he pleases on the pagoda service. There is no reason to suppose that he has any private property in the Inam, and he might be compelled by the Temple Committee to lay out the whole sum received from Government on the performance of the Kattalai service. He is not the trustee of the pagoda, but only of this particular *Kattalai* or service.

20. Major Beddome estimated the value of the hill as forest at 500 Rupees a-year. Under official ma nagement it probably would not realize more. The expected collateral advantages would, therefore, cost Government Rupees 3,500 a-year, or the interest of Rupees 87,500. The set-off against this very heavy expenditure is an expected, but uncertain, improvement in the way in which the rain runs off the face of a hill covering an area of less than six square miles, and slightly-increased facilities for excluding trespassers from Government forests. Are these objects worth the cost ?

21. There can be no doubt that the hill belongs to the Pagoda Kattalai, and that any attempt to contest the claim in the Civil Courts would fail. Perhaps the old Mahratta accounts in your records will explain how the management fell into the hands of the Chokampatti Zemindar.

22. The Kattalai Malai is on the west of the Tambrapurni. The Singampatty hills are on the east. Communication between the two is exceedingly difficult. The holder of the Kattalai Malai cannot steal the Singampatty timber, and the physical obstacles are so considerable that his raids on the jungle produce can never be on an extensive scale.

(True Copy.)

(Signed) W. H. COMYN,
Acting Collector.

SUBMITTED to Government with reference to G. O., dated 8th May 1874, No. 477.

2. From the reports now submitted, there appears no prospect of success for a claim on behalf of Government to the tract known as the Kattalai Malai. The title of the Zemindar to it as trustee of the Kattalai service, for which it is an endowment, seems unassailable, and the tract is fully indentified and comprised within easily-recognized boundaries.

3. The Zemindar has refused to accept the assignment of revenue which was proposed by Mr. Puckle, and the tract cannot be obtained for Government on any terms. This is to be regretted not so much on account of the value of the forest on the tract itself, or of the importance of preserving it from denudation, as on account of the security against trespasses and depredations on the adjoining Government forests, which would be gained by its acquisition.

4. As it cannot be obtained at present, the Collector should have the tract enclosed within the recorded boundaries demarcated all round by engraving on the rocks, and should take measures to have a specially strong forest-guard at the spot to prevent smuggling of timber and produce from the Government forests.

(True Copies and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department.
„ the Acting Collector of Tinnevelly.

Copy to the Inspector of Forests.

Exd. J. W. Fischer.

1875.

Board of Revenue,

MADRAS.

PROCEEDINGS, 11TH MAY 1875, No. 1,232.

Encl.

Received 25 May

MAY.

Forest No. 81.

Kattalai Mala — in Tinnevelly District.— Letter from the Collector reporting on the inquiries made regarding the title of Government to —, submitted to Government. Opinion expressed that there appears no prospect of success for a claim on behalf of Government to the tract, and instructions issued as to measures to be taken to prevent smuggling of timber, &c., from Government forests adjoining it.