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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue

DEPARTMENT

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

1081

Press
Mis.

Dated

11. 8. 1876

196

Not to be folded or roughly handled

No. 98. Read the following Proceedings of the Board of Revenue, dated 5th August 1876, No. 1,990:—

Read the following letter from H. W. BLISS, Esq., Acting Collector of Madura, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Batlagoondoo, 21st July 1876, No. 268:—

I HAVE the honor to submit herewith translation of a plaint in Original Suit No. 46 of 1876 on the file of the Subordinate Court of Madura together with a draft of the written statement I propose to put in, and to request the sanction of the Board for the defence of the suit at the public expense.

2. The object of the suit is to obtain a decree cancelling the registry of the Sirupalai Estate made by me in the name of the 1st defendant. The circumstances under which the registry in question was effected have been reported to the Board in my letter, dated 4th February 1876, No. 48, recorded in their Proceedings of the 24th idem. As, however, no interest of Government is involved in this suit, I see no objection whatever to the registry of the estate in the name of any person who may be declared by the Court to be entitled to it.

3. The value of the suit is Rupees 9,036-0-4, and it was originally posted for hearing on the 7th instant, but was adjourned to the 8th September next on my application.

ENCLOSURE No. 1.—Translation of Plaint.

ENCLOSURE No. 2.—Draft Answer.

SUBMITTED to Government with the recommendation that the defence of the suit be sanctioned and the draft answer approved.

2. On the death of the Poligar of Sirupalai, an unsettled Polliem for which no permanent Sanad has been issued, Government nominated as successor his eldest son Vasavachudarama Kayunder, then a Minor. The interference of the Court of Wards was considered unnecessary and the estate was left to the care of the Minor's natural guardians. G.O., 8th January 1867, No. 44.

3. Previous to the late Poligar's death suits were instituted for the recovery of debts, and decrees were passed against him. After his death and during his son's minority the estate was sold in execution of these decrees by two Courts on different dates. This led to a suit involving the question which sale should hold good, and the Collector was made a defendant *pro forma* in view to the registration of the estate in plaintiff's name. G.O., 6th March 1874, No. 321.

4. An amicable arrangement was made by the contending parties, and a Razinamah was filed in which plaintiff's title was recognized, and it was agreed that the estate should be registered in his name. A decree was passed in the terms of the Razinamah and the estate was accordingly registered in the name of Thavamunnia Pillay, the plaintiff in that case.

*Proceedings of the Madras Government, Revenue Department,
11th August 1876.*

5. The late Poligar's son, who attained his majority in 1873, now sues for the cancellation of the registry of transfer in Thavamunna Pillay's name.

6. The suit is to be heard on the 8th September 1876.

(True Copy and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

No. 99.

ORDER THEREON, 11th August 1876, No. 1,081.

Miscellaneous.

The defence of the suit is sanctioned as proposed. It being now settled law that Government has not the prerogative

it once assumed of intervening in the succession to Polliems, no public interest is concerned in the suit.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

1301/2

No. 3,279.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 3rd December 1875.

Read the following letter from H. W. BLISS, Esq., Acting Collector of Madura, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Madura, 6th November 1875, No. 459:—

ADVERTING to the Board's Proceedings, dates and numbers as per margin,

1. 7th March 1874, Mis. No. 1,573.
2. 23rd Sept. 1875, " " 8,694.

I have the honor to state that Thavamunia Pillai, plaintiff in Original Suit No. 117 of 1873, on the file of the Sub-

Court therein referred to, has applied to me for registry of the Estate of Sirupalai in his name according to the decree passed in the above suit. The Zemindar of the Estate has, however, presented a petition objecting to its registry in the name of Thavamunia Pillai on the ground that the decree of the Sub-Court above referred to is not binding upon him (Zemindar) as he was not a party to it, and requesting that his name may be allowed to stand as usual in the Register, and that the application of Thavamunia Pillai may be rejected.

2. One of the reliefs sought by the plaintiff was to obtain a decree declaring him entitled to have the Estate registered in his name, but the Court has not distinctly ordered the Collector to register it in his name, but has simply passed a decree according to the terms of the Razinamah. The sale of the Estate having however been made in satisfaction of decrees against the present Zemindar's father, and the last suit having been merely one to determine the respective rights of different purchasers at different Court sales, I do not think that the Zemindar's objection is of any weight.

3. The only course for the Zemindar, if he wishes to set aside the Court's sale, is, I think, to file a regular suit in the Civil Court. If he fails to have the sale cancelled, the Estate should in my opinion be registered in the name of Thavamunia Pillai.

4. I propose, therefore, to publish, with reference to the Board's Proceedings, No. 4,739, dated 16th November 1871, a Notice (copy enclosed) in the District Gazette to the effect that I shall register the Estate in the name of the plaintiff, who seems to have the best *prima facie* claim thereto, unless prohibited by a Civil Court at the suit of some other claimant.

5. I have further the honor to request instructions as to the issue of a permanent sanad.

6. The Estate is an unsettled one and pays an annual peishcush of Rupees 903-10-11. Its revenue for Fasli 1283 was Rupees 1,910. It is one of the Estates for which the Board, for reasons stated in paragraph 26 of their Proceedings, No. 210, dated 14th January 1863, recommended that permanent sanads be granted to the Poligars without enhancement of the existing amount of peishcush.

7. As, however, will be observed from paragraph 5 of the Board's Proceedings, No. 4,284A, dated 8th July 1867, the grant of a sanad to the proprietor was postponed, because he was then a minor and the estate was under the charge of his relatives.

8. Had the estate not been sold, no doubt a sanad would have been issued to the Zemindar at the same time as to the Zemindars of Ammenaikenur, &c.,

Colt. of 1876

REVENUE.

THE BOARD OF REVENUE.

Dated August, 11th.

Recd.

Encl.

G.O. 11th August 1876, No. 1,081.

AUGUST.

Nos. 98-99.

Original Suit No. 46 of 1876, on the file of the Sub-Court of Madura in connection with the unsettled Estate of Sirupalai.—Sanctioning with remark the defence of — as proposed.

and at the existing rate of peishcush. But I don't know whether it is the wish of Government that the peishcush should remain unaltered, now that the Estate has passed out of the hands of the ancient family which owned it into those of a Kallan from the Tanjore District, for that is the present owner's caste, though he calls himself a Pillai.

ENCLOSURE No. 1.—Copy of Notice.

The Board approve the Notice proposed by the Collector.

2. When the issue as to registry is known, he should again address the Board on the question of the grant of a permanent sanad.

(A true Copy and Extract.)

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

To the Acting Collector of Madura.

Exd. T. D. Ryan.

24/12/75

Strupalai Estate—in Madura District.—
Approving publication of the Notice proposed by Collector for the registry of — in the name of Thavamunia Pillai, unless prohibited by a Civil Court, and directing that Officer to address the Board on the question of the grant of a permanent sanad, when the issue as to registry is known.

DECEMBER.
No. 3,279.

Revised

Encl.

PROCEEDINGS, 3RD DECEMBER 1875, No. 3,279.

1875.
Board of Revenue,
MADRAS.

No. 549.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 24th February 1876.

Read the following letter from H. W. BLISS, Esq., Acting Collector of Madura, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Dindigul, 4th February 1876, No. 48:—

ADVERTING to the Board's Proceedings, No. 3,279, dated 3rd December 1875, I have the honor to report that on the 25th ultimo the present Zemindar of the Sirupalai Estate, therein referred to, presented to me a petition through his Vakil, stating that he has filed a suit in the Sub-Court in Original Suit No. 22 of 1876, to prevent its registration in the name of Thavamunia Pillai, and requesting that, pending the result of the suit, the registration may be postponed. I have, however, rejected this petition on the ground that unless he produced an injunction from the Court within the time mentioned in my notice, the registration could not be delayed, and as no injunction has been received within that time, I have registered the estate in the name of Thavamunia Pillai.

2. It is advisable, I think, that the question of the grant of a permanent sanad should stand over, pending the result of the above suit.

THE Collector's action is approved.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

To the Acting Collector of Madura.

Exd. W. H. French.

18/8/76

Ch. R. ...
Revenue Department

Proceedings of the Board of Revenue.

Dated 5th August 1876.
Read the following.

No. 268.

From Mr. W. Bliss Esqr.
Ag. Collector. Madras.
To C. A. Galton Esqr.
Ag. Secretary to the
Board of Revenue
Madras.

Sir. I have the honor to submit
herewith translation of a plaint
in O.S. No. 46 of 1876, on the
file of the Subordinate Court of
Madras, together with a draft
of the written statement I propose
to put in and request the
sanction of the Board for the
defence of the said applicant.

1876.

Board of Revenue.

MADRAS.

PROCEEDINGS, 24TH FEBRUARY 1876, No. 549.

Encl.

No. 220/76

20th August 1876

Received

FEBRUARY.
No. 549.

Singulai Estate—in Madras District.—
Registration of — in name of Thavumuni
Pillai, approved.

Expense.

2. The object of the suit is to obtain a decree cancelling the registry of the Simpallic Estate made by me in the name of the 1st Defendant. The circumstances under which the registry in question was effected have been reported to the Board in my letter, dated 4th February 1876, No. 48, recorded in their Proceedings of the 24th Idem. As however no interest of Government is involved in this suit, I see no objection

101/6
whatever to the registry of the Estate in the name of any person who may be declared by the Court to be entitled to it.

3. The value of the suit is Rupees 9036-0-4, and it was originally posted for hearing on the 7th Instant but was adjourned to the 8th September next on my application.

Madras Office } Have &c
(Camp) Battagorndoo. } H. W. Bliss
21 July 1876 } Ag Collector

Submitted to Government with the recommendation that the

defence of the suit be sanctioned
and the draft answer approved.

On the death of the Pilegar
of Simpalai, an unsettled police
for which no permanent Locad
has been issued, Government
nominated as successor his
eldest son, Vasanthkudam
Kavinder, then a minor. The
interference of the Court of Wards
was considered unnecessary,
and the Estate was left to the
care of the minor's natural
guardians. G. O. 8th January 1867

No. 44.

Previous to the late Pilegar's death
suits were instituted for the recovery
of debts and decrees were passed
against him. After his death,
and during his son's minority,
the Estate was sold in execution
of these decrees, by two Courts
on different dates. This led to
a suit involving the question
which sale should hold good
and the Collector was made a
defendant pro forma in view
to the registration of the Estate
in plaintiff's name. G. O. 6th March
1874, No. 321.

An amicable arrangement
was made by the interested
parties and a Razineenah was
filed in which Plaintiffs' title was
recognized and it was agreed
that the estate should be registered
in his name. A decree was passed
in the terms of the Razineenah
and the estate was accordingly
registered in the name of
Thavammiah Pillay the plaintiff
in that case.

The late Plegian's son who
attained his majority in 1873

108/9
now sees in the cancellation of the
registry of transfer in Thavammiah
Pillay's name.

The suit is to be heard on the
8 September 1896.

(True copy herewith)

W. L. G. L. G.
Secretary.

To.

The Secretary to the Government
with copies of Nos. 3rd December
1895, No. 3279, & 26 February 1896,
No. 549.

By Order of
The Registrar

^{Chs 1921}
 The defence of the suit is sanctioned as
 proposed. It being now settled law that S. R.
 has not the prerogative it once assumed of
 intervening in the succession to Holland, as public
 interest is concerned in the suit.

10 Aug 1876

11 August 1876

Ind copy To the Board of Rev. Dr. Hodge
 in Council of the Board of Christian Missions

Received 1876 24th

Received of the
 Board of Christian Missions

Received 5th August 1876
 of the Board of Christian Missions

Chs 1921 - 1876

Subscribed

To the Board of Christian Missions
 of the sum of \$500.00
 and the same for the
 the same amount for the
 long the collection of
 pleasure
 With order