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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	1381	Press
B.P. No.		Mis.
Dated	29.9.	1876 196

Not to be folded or roughly handled

No. 359. Read the following Proceedings of the Court of Wards, dated 19th August 1876, No. 2,125:—

Read again Proceedings of the Court of Wards, dated 2nd June 1876, No. 1,457.

Read also the following letter from J. D. B. GRIBBLE, Esq., Acting Collector of Cuddapah, to C. A. GALTON, Esq., Acting Secretary to the Court of Wards, dated Madanapally, 17th June 1876, No. 142.

With reference to Board's Proceeding No. 1,457, dated 2nd instant (received only in Cuddapah on the 14th), I have the honor to make the following reply.

2. A statement is submitted showing the lands held by the Minor Poligar paying a revenue to Government amounting to a total of Acres 67-9-10 paying * These figures have been taken from the Kula- rupees 324-8-0.* If the Board will be wary accounts of Fasli 1284. please to refer to my letter, No. 398,

dated 3rd August 1875, it will be seen that in the commencement of the letter, I stated the amount of kist or revenue which the Polgar paid to Government. The statement now given is of the lands held by him on putta in his own name. He also enjoys lands for which the putta stands in the name of the late Poligar's widows, but these are not entered in the account, which only shows lands for which the putta is in his own name.

3. As regards paragraph 4 of the Board's Proceedings under reply, I beg respectfully to point out that the Board have fallen into a slight error, due, no doubt, to the repetition of the same name twice over. If the Board will be pleased to refer again to † G.O., No. 16, dated 5th January 1871.

te genealogical table† it will be seen that there are two Venkatadri Naidus, one the guardian's uncle, and the other the guardian's younger brother. The Board state that my argument is unsound, because if the guardian belongs to the Patagada family, so must also his younger brother, and therefore there could have been no reason to draw up a deed of division. It is not, however Venkatadri Naidu the brother of the guardian, of whom it is here the question, but Venkatadri the uncle of the guardian. It was this man, whom for distinction I call Venkatadri I., with whom the division was made. Venkatadri II. puts forward no claim whatsoever at present, and is not alluded to by me, as far as I can remember.

4. The case is simply this. The original grantee had two wives, and left five sons. By the first wife, Yerramah, he had three sons, and by the second, Mungammah, two sons. The eldest of these five sons was the grand-father of the present Minor, and it is he, who is alleged to have made the division with his brothers. This division was made in the year *Parabhava* (1847) not *Prabhava* (1807), as stated, apparently from a clerical error, in the Proceedings under reply. The deed produced is between this elder brother, and the 2nd brother, Venkatadri Naidu I., and has nothing whatsoever to do with Venkatadri Naidu II. With the 3rd brother, Timmah Naidu, there was no deed of separation, because, says Venkatadri Naidu I. (*vide* my letter C, No. 649, dated 7th December 1875), he had been already adopted into the Patagada family. It is alleged by Venkatadri I. that there was also a separation deed drawn up with the other two half brothers Ramappa Naidu, and Narasimha Naidu (living but childless). This, however, they deny; but it seems that the first of them, as stated by me, enjoys property distinct from the joint estate, which he admits was given to him by his elder

Proceedings of the Madras Government, Revenue Department,
29th September 1876.

brother, but without a deed of separation—an act I believe to be impossible in an undivided family.

5. The Board will therefore see that my argument about the present guardian being divided from the family, because his father (the 3rd son) had been adopted into another family, is not unsound; because the Venkatadri Naidu, who produces the deed of separation, is not, as stated by the Board, his younger brother, Venkatadri Naidu II., but his uncle, Venkatadri Naidu I. Indeed, if the Board will be pleased to reconsider paragraph 4 of the Proceedings alluded to, they will perceive that the wording of it makes out the Venkatadri Naidu alluded to to be *his own* uncle, which of course is an impossibility.

ENCLOSURE No. 1.

Statement showing the lands held in his name on putta by Venkatappa Naidu, the Minor Poligar Pensioner of Mallela in the Voilpau Taluq of the Cuddapah District.

No.	Names of the Villages.	JOINT PUTTA.			PUTTA IN HIS SOLE NAME.			TOTAL.	
		No.	Extent.	Assessment.	No.	Extent.	Assessment.	Extent.	Assessment.
1.	Chitto Cherla	122	6 25 12	37 13 11	29	49 38 15	204 9 6	56 24 11	262 7 5
		123	1 23 8	13 5 8	45	2 28 4	20 5 8	4 16 12	23 11 4
		125	3 4 11	18 6 0	144	2 10 0	6 8 7	5 14 11	24 9 7
	Total...	...	11 18 15	49 0 7	...	54 37 3	231 2 9	66 16 2	320 12 4
2.	Devarakondah.....	...	...	...	51	0 6 0	1 7 4	0 6 0	1 7 4
		...	...	...	...	0 6 0	1 7 4	0 6 0	1 7 4
3.	Bhakarapett	95	0 27 8	2 4 4	...	...	...	0 27 8	2 4 4
		...	0 27 8	2 4 4	...	...	...	0 27 8	2 4 4
	Grand Total...	...	12 6 7	11 13 11	...	55 3 3	232 10 1	67 9 10	324 8 0

MADANAPALLY,
17th June 1876.

(Signed) J. D. B. GRIBBLE,
Acting Collector.

As it is now made clear that the Minor Poligar, Venkatappa Naidu, is the owner by inheritance of land paying revenue to Government, the Court resolve to request the permission of Government to take charge of the estate and to make the Minor a ward of the Court.

2. The question regarding the division of the family will require to be definitely decided in the event of the property being taken under management. Under the further explanation now afforded, the Court are disposed to agree with Mr. Gribble in thinking that division has taken place. The error regarding the identity of Venkatadri Naidu referred to in the Court's former Proceedings, appears to have arisen from the manner in which he was spoken of in paragraph 3 of the Collector's former letter to the Court, where Venkatadri Naidu and the guardian are both referred to as *uncles* of the Minor, and as it happens that the guardian has a brother named Venkatadri, it was inferred that this was the man referred to. It appears, however, that the Venkatadri who produced the deed of partition is the brother of the Minor's grandfather, and the other "uncle" is the son of one Timmah Naidu, another brother of the said grandfather.

Proceedings of the Madras Government, Revenue Department,
29th September 1876.

3. It occurs to the Court that the question of adoption may have been decided by the Civil Courts, for Venkatadri's deed of partition is stated by him to have been filed in the Munsif's Court at Voilpau.

4. It is further observed that although, as stated in paragraph 5 of the Court's Proceedings, the family has always been regarded as undivided by the several Collectors who have reported about the pension, it is not the case, as asserted by the guardian's attorney, that the claim of Timmah Naidu (the guardian's father) to the Pattagada pension was rejected on the ground that the adoption had not taken place; but when in 1837, on the death of the Pattagada Poligar, Timmah Naidu claimed to succeed to the Pattagada pension as the adopted son of the deceased, the Collector* reported against his claim solely on the ground that his natural father was at the time in the enjoyment of a pension from Government.

* Collector's letter, dated 5th July 1839, No. 44.

(True Copies and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

No. 360. ORDER THEREON, 29th September 1876, No. 1,381.

Miscellaneous.

Poligar Venkatappa Naidu, of Chettecherla, which Mr. Gribble evinces in the affairs of the family, is an ancient Poligar family. The question as to whether the family is divided or not has been under discussion for the last year, and it is observed that the partition deed said to have been produced by Venkatadri Naidu, brother of the second grantee who was the grandfather of the Minor, and the adoption of another brother of the said grantee, Timmah Naidu, father of the guardian, are *prima facie* evidence of division. The deed and the Collector's letter, 5th July 1839, No. 44, were referred to before Government. It is presumed that the Court have examined these documents and satisfied themselves that no valid title could be set up by the claimant referred to in the correspondence, and that there is no danger of the estate being dismembered and the Minor's share reduced to a small fraction of what it has so long continued to be.

(True Extract.)

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

To the Court of Wards.

Exd. F. R. Bantleman.

Revenue Dept
136/77

Proceedings of the Madras Government.

Made date the 29 Sep. 1876

Read Per: Chatterjee of Madras

df 2nd June 1876 No 145/1876
19: Aug. 1876 N. 2125.

The Government
sanction the proposal of
the Court of Wards to take
under their management
the Chitto Chellu Estate of the
minor Poligar Venkatasappa
Naidu. They advise, with
pleasure, the interest
which Mr. Gubbie comes
in the affairs of this
ancient Poligar family.
The question as to whether
the family is divided,
or not, has been
under

W. B. 2/24

of Chitto Chellu

III

136/77

29/9/76

Col. of 11876

REVENUE

THE COURT OF WARDS

Under Secretary

Madras

ST. JAMES

No. 350-360

Extract of Minor Poligar Venkatasappa Naidu
of Chitto Chellu District. Sanctioning the proposal
of the Court of Wards to take the same
under management.

under discussion for the
last one year, and it is
observed that the Partition
Dud said to have been
procured by Venkatarao
Naidu, brother of the senior
pantee who was the father
father of the minor, and
the adoption of another brother
of the said pantee - Mr.
Naidu father of the guardian
are prima facie evidence
of division - The
Dud, and the Collector's letter
5th July 1839 N. 44, are with
before Gov^t. - It is presumed
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that

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of the State being dis-
-membered and the minors
share reduced to a small
fraction of what it has
so long continued to be -

114 To the Court of Directors 24.12.39

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LR 11-9-76

*State of Minor Poligar Vinkatappa
Naidu Cuddapah Dt*

1387
5
No. 1,457.

PROCEEDINGS OF THE COURT OF WARDS, dated 2nd June 1876.

Read the following letter from J. D. B. GRIBBLE, Esq., Acting Collector of Cuddapah, to C. A. GALTON, Esq., Acting Secretary to the Court of Wards, dated Adinimmayapalli, 20th May 1876, No. 117:—

I HAVE the honor to forward the following case for the orders of the Court of Wards.

2. The Chittecherla Poligar, who owns landed property in the taluq of Voilpad yielding an annual income of about Rupees 6,000 and who is also in receipt of a pension of Rupees 2,635 per annum, is a minor of about seven or eight years of age. From complaints received I had reason, as Sub-Collector, to apprehend that his interests were not properly looked after. After making due inquiry, I addressed

* No. 398, dated 3rd August 1875.

to the Collector, Mr. Horsley, the letter noted in the margin and marked A.*

This letter contains full particulars regarding the Minor's estate and property, and I will not, therefore, repeat here what is stated in it. In reply, Mr. Horsley addressed to me letter B,† calling upon me to furnish certain other information

† No. 513, dated 15th October 1875.

regarding the family being a divided or an undivided one. An inquiry was held, and the different members of the family were examined and depositions taken by me, which were submitted to Mr. Horsley with my letter C.‡ In this letter I stated

‡ No. 649, dated 7th December 1875.

my reasons for holding the family to be a divided one and showed how systematically the Minor was being plundered, and requested that he might be taken under the guardianship of the Court of Wards and his education provided for. Mr. Horsley held an inquiry, in which the guardian was represented by Mr. Steavenson, an attorney, and, as a result of this inquiry, he addressed to me letter D,§

§ No. 92, dated 24th February 1876.

stating that he felt himself unable to determine whether the family was a divided or an undivided one, that the guardian's statements were quite untrustworthy, and that he was unfit to be the lad's guardian, and suggesting that a division of the property should now be made, a course to which the guardian's attorney had consented. I then took charge of the district and, as there was no Sub-Collector, kept the papers. A date was fixed for the appearance of the attorney and parties, but some delay ensued and Mr. Steavenson withdrew from the case. Eventually Mr. Elliot, another vakil, received a vakalatnama and appeared before me at Madanapally. I proposed to him terms of division somewhat more favorable than those proposed in my letters, but in answer I received letter E|| stating

|| Dated 8th instant.

that the members declined making the amicable division proposed.

3. The only course now left to me is to refer the whole correspondence to the Court of Wards for their orders. It is, I think, clear that the family is a divided one. Each of the uncles holds property separately; the father of one was adopted into another family from which he inherited property which he enjoys himself, and another uncle admits his separation and produces a copy of the deed affirming that a similar separation was made with the other members

of the family. It is also clear that the Minor's enterests are intirely neglected, the estate is not cared for, and the family subsist on the lad's pension, leaving him a very small portion for himself. Under these circumstances I strongly recommend that the present guardian may be removed, that the lad may be placed under the Court of Wards, and his estate properly taken care of. Should it be deemed that the Minor is not of sufficient importance to be thus treated, I beg to suggest that a course similar to that laid down in Board's Proceedings, dated 25th February 1874, No. 428, and 27th April 1874, No. 979, may be adopted. The Proceedings refer to a Minor Poligar in North Arcot whom the Collector found to be neglected and uncared for, and who was directed to be placed under the Collector's guardianship. Should this course be adopted, I beg to suggest that the Sub-Collector may be appointed the lad's guardian.

4. Whilst this correspondence has been going on, the allowance to the Poligar has remained unpaid, and I therefore solicit early instructions.

5. Copies of the letters alluded to are enclosed and also the original depositions taken by me and the Tahsildar, which I beg may be returned.

6. Mr. Elliot requested me to give him a copy of my letter to the Board, but this I declined to do, and informed him that he should apply to the Board for it himself.

ENCLOSURES Nos. 1 to 5.—Copies of Correspondence.

ENCLOSURES Nos. 6 and 7.—Depositions.

With the foregoing letter the Collector forwards certain correspondence regarding the estate of one Venkatappa Naidu, and proposes that the property be taken under management of the Court of Wards during the minority of the proprietor, who appears to be at present about seven years of age.

2. The said Venkatappa Naidu, who is a descendant of the Chittacherla Poligars, draws from Government an annual pension of Rupees 2,625 (G.O., dated 5th January 1871, No. 16). He is the fifth grantee and great-grandson of the original grantee, Venkatakadriappa Naidu. In addition to the allowance made by Government, there is land belonging to the family, of which the assessment is considerable.

3. From the correspondence forwarded it appears that in August 1875, in consequence of a complaint made by the Minor's mother that the property was being squandered by the boy's cousin, one Kadriappa Naidu, who, with the consent of the Collector, appears to be the guardian, Mr. Gribble wrote to Mr. Horsley suggesting that the Court of Wards should be requested to act in the case. Further inquiry was made, the result of which is now reported. One object of this inquiry appears to have been to ascertain the exact amount of the property belonging to the estate, and to this end much trouble has been taken by Mr. Gribble to learn whether the family was divided or not.

4. There would seem to be two parties in the family, represented on one side by the guardian and on the other by the Minor's mother, the latter being apparently supported by Venkatadri Naidu, the brother of the guardian. Mr. Gribble believes the family to be divided, but the Court are doubtful whether such is the

case. At all events Mr. Gribble's argument in paragraph 3 of his letter, dated 7th December last, addressed to the Collector, is not sound; for, on comparing the genealogical tree with the so-called deed of partition produced by Venkatadri Naidu, it appears that the deed was executed by "Venkatappa Naidu, son of Venkatakadriappa Naidu, to my younger brother Venkatadri Naidu" in the year Prabhava (1807). This Venkatappa Naidu was not a direct lineal ancestor of Venkatadri Naidu (who produced the deed to prove division so far as he, Venkatadri, was concerned, stating moreover that the present guardian's father had been adopted prior to the execution of the deed by the Patagadu Poligar), but his uncle. Now, according to the genealogical table, the father of the guardian was also the father of this witness, and Venkatappa Naidu, who executed the deed, was the uncle of them both, as was also the man (Venkatadri Naidu) in whose favor it was executed. Consequently, if the guardian belongs to the Patagadu family in virtue of his father's adoption, so presumably does this witness who is the guardian's younger brother.

5. But, however this may be, it is clear from the reports which have from time to time been sent in by different Collectors in the matter of the pensionary allowance that the family has always been regarded as an undivided family, and it is evidently very difficult to prove division. Upon the information at present before them, the Court are convinced that the case is one in which their intervention is urgently called for, but it is not clear, though it seems most probable, that the Minor himself holds any land paying rent or revenue to Government, a qualification necessary to enable the Court to act. There should be no difficulty in ascertaining this either from the members of the family or from the Government accounts.

6. The Court much regret that there should have been so much delay in submitting this report. The Collector should submit the further information indicated as promptly as possible.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

To the Collector of Cuddapah.

Encd. J. W. Fischer.

No. 2,125.

PROCEEDINGS OF THE COURT OF WARDS, dated 19th August 1876.

Read again Proceedings of the Court of Wards, dated 2nd June 1876, No. 1,457.
Read also the following letter from J. D. B. GRIBBLE, Esq., Acting Collector, of Cuddapah, to C. A. GALTON, Esq., Acting Secretary to the Court, of Wards, dated Madanapally, 17th June 1876, No. 142:—

With reference to Board's Proceedings, No. 1,457, dated 2nd instant (received only in Cuddapah on the 14th), I have the honor to make the following reply.

2. A statement is submitted showing the lands held by the Minor Poligar paying a revenue to Government amounting to a total of Acres 67-9-10 paying Rupees 324-8-0.* If the Board will be pleased to refer to my letter, No. 398, dated 3rd August 1875, it will be seen that in the commencement of the letter, I stated the amount of kist or revenue which the Poligar paid to Government. The statement now given is of the lands held by him on putta in his own name. He also enjoys lands for which the putta stands in the name of the late Poligar's widows, but these are not entered in the account, which only shows lands for which the putta is in his own name.

* These figures have been taken from the Kula-wary accounts of Fasli 1284.

3. As regards paragraph 4 of the Board's Proceedings under reply, I beg respectfully to point out that the Board have fallen into a slight error, due, no doubt, to the repetition of the same name twice over. If the Board will be pleased to refer again to the genealogical table† it will be seen that there are two Venkatadri Naidus, one the guardian's uncle, and the other the guardian's younger brother. The Board state that my argument is unsound, because if the guardian belongs to the Patagada family, so must also his younger brother, and therefore there could have been no reason to draw up a deed of division. It is not, however, Venkatadri Naidu the brother of the guardian, of whom it is here the question, but Venkatadri the uncle of the guardian. It was this man, whom for distinction I will call Venkatadri I., with whom the division was made. Venkatadri II. puts forward no claim whatsoever at present, and is not alluded to by me, as far as I can remember.

† G.O., No. 16, dated 5th January 1871.

4. The case is simply this. The original grantee had two wives, and left five sons. By the first wife, Yerramah, he had three sons, and by the second, Mungammah, two sons. The eldest of these five sons was the grand-father of the present Minor, and it is he, who is alleged to have made the division with his brothers. This division was made in the year *Parabhava* (1847) not *Prabhava* (1807), as stated, apparently from a clerical error, in the Proceedings under reply. The deed produced is between this elder brother, and the 2nd brother, Venkatadri Naidu I., and has nothing whatsoever to do with Venkatadri Naidu II. With the 3rd brother, Timmah Naidu, there was no deed of separation, because, says Venkatadri Naidu I. (*vide* my letter C, No. 649, dated 7th December 1875), he had been already adopted into the Patagada family. It is alleged by Venkatadri I. that there was also a separation deed drawn up with the other two half brothers Ramappa Naidu, and Narasimha Naidu (living but childless). This, however, they deny; but it seems that the first of them, as stated by me, enjoys property distinct from the joint estate, which he admits was given to him by his elder brother, but without a deed of separation—an act I believe to be impossible in an undivided family.

1876.
Court of Wards,
MADRAS.

PROCEEDINGS, 2ND JUNE 1876, No. 1,457.

Encl.

Rev 568/96

Received

Rev 568/96
19th Sept 1876
14/1387

JUNE.
No. 1,457.

Estate—of one Venkatappa Naidu, of Cuddapah District.—Requesting Collector to furnish further information with reference to his suggestion that the — be taken under management of Court of Wards.

5. The Board will therefore see that my argument about the present guardian being divided from the family, because his father (the 3rd son) had been adopted into another family, is not unsound; because the Venkatadri Naidu, who produces the deed of separation, is not, as stated by the Board, his younger brother, Venkatadri Naidu II., but his uncle, Venkatadri Naidu I. Indeed, if the Board will be pleased to re-consider paragraph 4 of the Proceedings alluded to, they will perceive that the wording of it makes out the Venkatadri Naidu alluded to to be *his own* uncle, which of course is an impossibility.

ENCLOSURE No. 1.

Statement showing the lands held in his name on putta by Venkatappa Naidu, the Minor Poligar Pensioner of Mallela in the Voilpaud Taluq of the Cuddapah District.

No.	Names of the villages.	JOINT PUTTA.			PUTTA IN HIS SOLE NAME.			TOTAL.	
		No.	Extent.	Assessment.	No.	Extent.	Assessment.	Extent.	Assessment.
1.	Chitte Cherla	122	6 25 12	57 13 11	29	49 38 15	204 9 6	56 24 11	262 7 5
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		125	3 4 11	18 6 0	144	2 10 0	6 3 7	5 14 11	24 9 7
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		...	0 27 8	2 4 4	...	...	...	0 27 8	2 4 4
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MADANAPALLY,
17th June 1876.

(Signed) J. D. B. GRIBBLE,
Acting Collector.

As it is now made clear that the Minor Poligar, Venkatappa Naidu, is the owner by inheritance of land paying revenue to Government, the Court resolve to request the permission of Government to take charge of the estate and to make the Minor a ward of the Court.

2. The question regarding the division of the family will require to be definitely decided in the event of the property being taken under management. Under the further explanation now afforded, the Court are disposed to agree with Mr. Gribble in thinking that division has taken place. The error regarding the identity of Venkatadri Naidu referred to in the Court's former Proceedings, appears to have arisen from the manner in which he was spoken of in paragraph 3 of the Collector's former letter to the Court, where Venkatadri Naidu and the guardian are both referred to as *uncles* of the Minor, and as it happens that the guardian has a brother named Venkatadri, it was inferred that this was the man referred to. It appears, however, that the Venkatadri who produced the deed of partition is the brother of the Minor's grandfather, and the other "uncle" is the son of one Timmah Naidu, another brother of the said grandfather.

3. It occurs to the Court that the question of adoption may have been decided by the Civil Courts, for Venkatadri's deed of partition is stated by him to have been filed in the Munsif's Court at Voilpaud.

4. It is further observed that although, as stated in paragraph 5 of the Court's Proceedings, the family has always been regarded as undivided by the several Collectors who have reported about the pension, it is not the case, as asserted by the guardian's attorney, that the claim of Timmah Naidu (the guardian's father) to the Pattagada pension was rejected on the ground that the adoption had not taken place; but when in 1837, on the death of the Pattagada Poligar, Timmah Naidu claimed to succeed to the Pattagada pension as the adopted son of the deceased, the Collector* reported against his claim solely on the ground that his natural father was at the time in the enjoyment of a pension from Government.

(True Copies and Extract.)

J. D. B. Gribble
Acting Sub-Secretary.

To the Acting Secretary to Government, Revenue Department,
with seven original enclosures, to be returned, and copy of
Board's Proceedings, dated 2nd June 1876, No. 1,457.
,, the Collector of Cuddapah.

Exd. A. Raitt.

*Case N. 3686
1876: 244
242875*

**Court of Wards,
MADRAS.**

PROCEEDINGS, 19TH AUGUST 1876, No. 2,126

Daya Ram 1/16

*Encl.
14/8
7000*

Ord. 1281 29/8/1876

Received 8. 11/16

AUGUST.
No. 2,125.

*Estate—of Minor Poligar Venkatappa Naidu,
in Qudalapah District.—Requesting permission
of Government to take the — under management
of Court of Wards.*

*11-859-
11-24/176 1876*

11-24/176 1876