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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

DEPARTMENT

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23

*Proceedings of the Madras Government, Revenue Department,
14th December 1876.*

No. 317. Read the following letter from J. MILLER, Esq. Barrister-at-law, to the Honorable D. F. CARMICHAEL, Secretary to Government, Revenue Department, dated Madras, 29th November 1876:—

On behalf of my client, Strimulhee Moothoo Vizia Regunada Rami Kattama Natchee, Zemindari of Shivagunga, in the Madara District, I have the honor to lay the following circumstances before His Grace the Governor in Council, and to solicit at His Grace's hands the very great boon that my client may be allowed time till the end of April next to pay up the balance of peishash due on the Zemindari for fasli 1285, and farther time up to the end of 1877 to pay up the peishash of fasli 1286: the former ought to have been paid at the end of June 1876, and the latter will be due at the end of June 1877.

The consideration which the Zemindari seeks does not arise from unwillingness on her part to pay the Government dues, but from temporary inability, which she trusts the following statement will satisfactorily demonstrate.

3. The Government is aware that the Zemindari was usurped, and that the Zemindari's step-mother and subsequently the Zemindari herself entered into a most protracted and expensive course of litigation to recover it. The litigation lasted from 1832 to 1864, or for thirty-two years, and even after the Zemindari had come into possession in 1864 she had to defend another suit, decided in 1866, for the Zemindari, which went up in appeal to the Privy Council. Again, in 1869, she had to defend another suit against her son and verse to establish the right of succession after his decease. This case also went before the Privy Council.

4. All the above proceedings may easily be conceived cost the Zemindari enormous sums of money, and as a matter of fact involved her in debt to a large amount; and the Zemindari begs His Grace's particular attention here to the point that all the litigation was forced upon her, and that her debt became due not on account of her extravagance, but simply because she naturally desired to obtain and to keep in possession that which absolutely and indisputably belonged to her.

5. The Zemindari further begs to draw His Grace's attention to the fact that the Zemindari was in the hands of the usurpers, they alienated Zemindari jagas worth about fifteen lakhs of rupees, and that the Zemindari's claim to the villages being about to be barred by the Statute of Limitation, she has been obliged to expend about Rs. 50,000 in stamps, and to maintain the necessary suits in the local Courts for their recovery.

6. The Zemindari having been in litigation, the usurpers previously to 1864 also most seriously neglected the irrigation, and the Zemindari has in consequence been obliged during the last two years to expend about Rs. 70,000 in repairing the injury inflicted, and she still has to lay out about two or three lakhs of rupees towards the same object.

7. After the Zemindari came into possession in 1864 she leased the Zemindari for ten years, but the lessee also seriously neglected the tanks and channels of the estate.

8. In 1875 there was a failure of harvest in the Vagay which resulted in diminished cultivation, and as the seasons from July to December collections were retarded. There has also been little or no rain since November, and the crops have withered in many places, the Zemindari will have to make large and necessary remissions.

9. Being desirous also of having her estate (about 1,600 square miles in extent) surveyed and demarcated, the Zemindarni is prepared to expend about three lakhs of rupees, the cost estimated by the Survey Department for the purpose; and she has already undertaken to advance Rs. 20,000 during the years 1876 and 1877.

10. Owing to the difficulties of her position, the Zemindarni on the 18th December last requested the Collector to grant her five months' time to pay up the arrears of peishush for fash 1284, and the first four instalments for fash 1285; but that officer having refused the request and misused the Zemindarni much and repeatedly, and information having been received that proceedings were to be taken against the Zemindarni's movable property, she was driven to the necessity of borrowing money at a high rate of interest and with discount, and of selling her mailvaran grain at a low price to wholesale-dealers, by which means and with great damage to herself she cleared off the whole of the arrears of fash 1284, and has paid up to her two lakhs of her dues for fash 1285. The balance against her at present being Rupees 1,10,000-1-6.

11. In begging that His Grace will view the foregoing unfortunate circumstances with a spirit of kindness, the Zemindarni deems it her duty to place before His Grace the fact that with a debt of Rs. 11,00,000 at the end of 1873 when the dues of the Zemindarni expired, and with the enormous amount she has had to pay away, she has still been able by the end of 1875 to reduce her debt to Rs. 6,00,000-2-8; and she apprehends no difficulty whatever in being able to clear off even this amount within two or three years, if His Grace's Grace would but give her some timely aid by allowing her to temporarily divert the revenue of the Zemindarni, for the pressing which the Zemindarni feels is not that of the debt itself, but of the heavy and accumulating interest of 11 per cent. and the necessity for paying large premia whenever she has to borrow money, especially from the usual dealers, the Nattukottai Chetties.

12. The amount due by the Zemindarni to Government for fash 1285 is Rs. 3,14,50-1-1 of this Rs. 2,50,000-14-0 is the first peishush. The Galt-rent amounts to Rs. 30,000-1-1 and the Head tax to Rs. 34,500-1-0. These two latter sums are not only additional to the peishush assessment, but they have to be collected in very small sums from numerous landlords and Ryots. The difficulty experienced in making these collections—in a country where the Ryots are generally poor and very vexatious; but in addition thereto it is impossible to make the whole of the collections before the expiration of the fash, and hence the Zemindarni is compelled, for her own safety, to pay the Government due in the first instance from her own resources.

13. The Zemindarni trusts she has said enough to show that her position is one of real difficulty and she cannot but believe that a just and righteous Government—a Government alive to the welfare of the limited aristocracy of the country—will extend its sympathy towards her. She trusts to the wisdom of her ability to be a worthy proprietor of the estate, but she nevertheless feels a need of temporary help. It is believed that the Government will not so much as obstruct her in the future with her own private property, and hence the present distress and sorrow. She does not ask for any compensation for dues which she would have to pay, such as she must towards her Ryots, but she does ask that the payment of such dues should be for the present not in money, but in kind, which would probably make an immediate increase to

her dues to Government, and fetters her action in the improvement both of her estate and the condition of her tenants.

14. Speaking specifically, the Zemindarni will have at the end of the current year no more than a balance of Rs. 75,000 to pay towards the peishush, &c., of 1285. She pleads that she may be allowed to pay this up, with interest at 6 per cent., within the end of April 1877. She further pleads that she may be allowed till the end of 1877 to pay up the peishush of 1286, with interest at 6 per cent., after June 1877, the latter being the month within which the payment should be made. In other words, the Zemindarni begs that the Government will allow her the use of the money which will be due, without the premia and the extra 6 per cent. interest demanded by private individuals.

15. Such an act of generosity the Zemindarni begs to submit will not be misplaced, and it will be of incalculable advantage to her, for she will be enabled to devote the money, with other resources of her own, towards liquidating the debt which is pressing upon her. That the Government will lose by the transaction cannot for a moment be imagined; for not only will there be an accumulation of the 6 per cent. interest, but the estate itself will act as the best possible security for the discharge of the Government claim. The estate is worth about a crore of rupees, and it is but reasonable to suppose that rather than risk the loss of such a property, the Zemindarni will spare no effort to meet the engagement she may be allowed to make.

16. Irrespective however of the ease of her indebtedness the Zemindarni seeks the lenient treatment of Government on the ground of the very adverse season which has been experienced. The kists of fash 1286 commence from the end of the current month, and from that time to the end of June 1877 the Zemindarni will become responsible to Government for a little over three lakhs of rupees. To collect so large an amount will be a matter of the greatest difficulty, for famine is threatening the land. There has been a failure of rain with much sickness, the prospects of the crop of next year are very gloomy; and as a natural result of these untoward circumstances, the ryots on the estate are certain to emigrate, in large numbers, to Ceylon. His Grace is aware that a state of things such as that depicted has invariably been followed by remissions in the case of the ryots of Government; but the Zemindarni by no means wishes it to be understood that she seeks an abatement of the Government demand. She is prepared to meet her obligations in full, to meet them as she has met them for the last fifteen years; but she still pleads for a little time which will, to herself at least, be profitable of no mean advantage.

17. Finding that the Collector had refused the moderate request she had made, the Zemindarni petitioned the Board of Revenue on the subject, and she regrets exceedingly to state that that body also passed a decision adverse to her. Even the slight request she made to the Board to be allowed to pay her peishush by Houndies on Madurai—a privilege allowed her for the two years previous—was denied her; and the Zemindarni has now either to run the risk of transmitting a full silver boxa through to Madurai, or to procure Houndies at 100 per cent.

18. In conclusion, the Zemindarni cannot but point out, in every submission, that the Revenue law of the country acts prejudicially on her as situated as she is. Speaking for herself, she is descended from an ancient and honorable house; and being also the proprietor of an important and valuable estate, it is absolutely necessary that her dignity should be maintained, which under the action of

The Revenue law, however, she receives no better treatment than the meanest ryot of Government; for if the latter is prosecuted and dispossessed of either movable or land on his first failure to meet the claim of Government, she is liable to receive the same treatment. The Zemindar, here, is not questioning the principle, that in the eye of the law all people are equal; but what she thinks is not taken into account is, the fact that prosecution and dispossession would mean, in her case, an unusual amount of disgrace, and that considering the value of the property belonging to her, the Government has no right to act as in the case of the ryot who lives but from hand to mouth. Even if circumstances arise to bring her into disagreement with the Revenue authorities, she is completely at their mercy; and her present pecuniary difficulties makes her feel that unless the Government steps forward to protect her, she will have to pass through something more than mortal distress.

19. The Zemindar begs once more to assure His Grace that she has required a little temporary help to tide her over her difficulties; and for such a boon of His Grace's hands she will for ever feel deeply grateful.

Respectful No. 1

From J. E. HOLLIS, Esq., Acting Collector of Madras, to the Revenue of Shrivangana Zemindar, dated Ponnambalam, 14th November 1876, No. 2,073.

I have the honor to acknowledge your petition to the effect of arrears outstanding against the Shrivangana Zemindar. I regret indeed that they have not been cleared as yet, notwithstanding the demand made to you on several occasions. I now find it impossible

to allow such large arrears to remain uncleared, and therefore for the last time give you notice that they should be paid off within a week, failing which it will be necessary for me to take legal steps for their recovery.

No. 318. Order in Council, 14th December 1876, No. 2,032.

Land Revenue. This petition will be communicated to the Board of Revenue, with the remark that the Government are desirous of complying with the Zemindar's prayer for an extension of time in paying her pottahs for the years 1885 and 1886. The circumstances of her case are peculiar.

The Board will state what concession may properly be made, as an act of exceptional indulgence.

(True Extract.)

(Signed) D. F. CARMICHAEL.

Secretary to Government.

To the Board of Revenue,
the Accountant-General.

[Signature]

End. C. E. Deane.

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No 2679

Madras
Collector's Office
(Camp) Secunderabad
16th November 1876

From
The Dy Collector of
Madras
To
The Receiver of
Shivaganga Zemindary

Sir, I have the honor to draw
your particular attention to the heavy
amount of arrears outstanding against
the Shivaganga Zemindary and regret

22. 11. 76
The amount outstanding is
Rs. 140,000. It is
a month will
be forwarded for
30,000 Rs. which
will leave
the balance to
Rs. 110,000. It is
asked that we shall be
able to pay within
35,000 Rs. before
the end of the
year.

that they have not been cleared
as yet notwithstanding the demand
made to you on several occasions. It
was found it impossible for me
to allow such large arrears to remain
uncollected and therefore for the last
time giving you notice that they should
be paid off within a week, failing
which

Yours most Obedt Servt
Wm Lloyd Garrison
J. G. Hoagball
Collector

120. 5347/70

Madras 29th November 1931

From John Miller Esq
Attorney at Law

The Secretary to Government
Revenue Department

On behalf of my dear Sister
Mother, Visca Taminda Rani Kuttannu
Machias, Goundanna of Thiruvanga in the
Madras District, I have the honor to lay
the following circumstances before His Grace
the Governor in Council and to submit at
His Grace's hands the very great loan that
my child may be allowed from till the
end of April next to pay off the balance
of her husband's debt on the Government for
July 1867, and further time up to the end
of Aug^r to pay off the Principal of July 1867.
The former ought to have been paid at the
Government to Government for July 1867
and the latter ought to have been paid at the
Government to Government for July 1867.
The latter ought to have been paid at the
Government to Government for July 1867.

unquestionably demonstrable.

3. The Government is aware that the Yagundary was married, and that the Yagundary's claimant is a most fastidious and expensive case of litigation to recover the debt. She had from 1882 to 1884, a debt of 1000, and when after the Yagundary had made the proper arrangements she had to defend another suit decided in 1884 for the Yagundary which went up on appeal to the High Court. Again in 1884 she had to defend another suit against her son and herself to establish the right of usufruct after her death. This case also went before the High Court.

4. All the above proceedings are very costly to her, and the Yagundary has no means of money, and as a matter of fact she is in debt to a large amount to the Yagundary's house. The Government has to be particularly attentive to the point that all the litigation was forced upon her, and that her debt became due, not on account of her extravagance, but of the fact that she was a widow and had no other means of support. She was a widow and had no other means of support. She was a widow and had no other means of support. She was a widow and had no other means of support.

27/10/

that while the Yagundary was in the hands of the mortgage, they alienated Yagundary villages worth about 15 laos of Opium and that the Yagundary's claim to the villages being about to be barred by the Statute of Limitation, she has been obliged to expend about 5000 Opium in stamps and to institute the necessary suits in the local courts for their recovery.

5. The Yagundary having been in litigation, the mortgage previously to the also most seriously neglected the Yagundary, and the Yagundary has in consequence been obliged, during the last two years, to expend about 5000 Opium in repairing the injury inflicted, and she still has to lay out about 2000 laos of Opium towards the same object.

6. After the Yagundary came into possession in 1884 she leased the Yagundary for 15 years, but the lease was seriously neglected, the banks and channels on the estate.

7. In 1884 there was a famine of 10000 and the Yagundary which resulted in a great loss of life and property. The Yagundary was a great loss of life and property. The Yagundary was a great loss of life and property. The Yagundary was a great loss of life and property.

unhappy circumstances

Being desirous also of having
her estate partitioned square miles in
extent surveyed and demarcated, the
Government is prepared to expend about
£1000 of which the cost estimated by the
Survey Department for the purpose, and
she has already undertaken to advance
£1000 during the years 1876 and 1877.

On account of the difficulties of her
position, the Government on the 1st December
last requested the Collector to grant her
£1000 to enable her to pay up the arrears
of her estate for 1876 and the
first four instalments for 1877, but
that Officer having refused the request,
and fearing the Government much and
repeatedly and information having been
received that proceedings were to be taken
against the Government's amicable property,
she was driven to the necessity of borrowing
money at a high rate of interest
and with the result, and of selling her
diamonds and other jewels at a low price to
obtain the money by which means and
by arrangement with the Government
the Government for a little over £1000
of which she collected in large amounts
will be a matter of the greatest im-
portance for the Government in the
future. She has been a friend of mine

11
The begging that Mrs Grace and
the foregoing unfortunate circumstances
in a spirit of kindness, she of course
does not feel duty to place before the
Government the fact that with a debt of £1000
at the end of 1873, when the
line of the Government's property, and even
the enormous amounts she has had to
pay during, she has still been able, by
the end of 1875, to reduce her debt to
£1000, and she is now able to clear
off even the interest within two or three
years, if the Government would
but give her some money and by allow-
ing her to temporarily draw the current
balance of the Government's property, for the present
which the Government feels is not that
of the debt itself, but of the heavy and
unprofitable interest of 12 per cent and
the necessity for paying large sums
thereof she has to borrow money
regularly from the market dealer, the
Collector of the District.

12
The amount due by the
Government for 1876, and the latter will
be paid at the end of June 1877.

13
The conditions which the
Government will not allow from a
settling up on her part to pay the Govern-
ment but that for temporary assistance
she makes the following statement with

she will be obliged to devote the money
to the other creditors of her own, towards
liquidating the debt which is pressing up-
on her. That the Government will lose
by the transaction cannot for a mo-
ment be imagined, for not only
will there be no accumulation of inter-
est for the Government, but the estate in-
stead will act as the best possible
security for the discharge of the Govern-
ment's claims. Her estate is worth a
great deal more than the debt, and it is not
reasonable to suppose that rather than
leave the Government with a large
property, the Government will spare no
effort to make the estate pay the debt.
It will be allowed to make

It is impossible to say as to the
fact of her indebtedness to the Government
whether the Government is to be paid
in the present or the way it was done
which has been suggested. The debt
of nearly £2000 commenced from the end
of the current month, and from that
date to the end of June 1891, she
with great damage to herself, she cleared
off the whole of the amount of nearly £2000
and has paid up to date two thirds
of her debt for June 1891. The balance
against her is present being
The first month was

20/1/91

into the future, the prospects of the
end of next year are very gloomy, and
as a natural result of these unfortunate
circumstances, the Pyots on the Estate are
certain to emigrate, in large numbers
to Canada. Her Grace is aware that a
state of things such as that depicted has
invariably been followed by remission
in the case of the Pyots of Government
but this is surrounded by so many cir-
cumstances it is to be understood that she
doubts an abatement of the Government
demand. She is prepared to meet her
obligations in full, to meet them as
she has met them for the last
thirteen years, but she only pleads for
a little time which will, to herself
at least, be free of any financial
inconveniences.

It is true that the Collector had
refused the mortgage request she had made
the Government petitioned the Board of
Revenue on the subject, but the people
sincerely to state that that body also
passed a decision adverse to her. It is
right request she made to the Board to be
allowed to pay her liabilities by instalments
on the same a privilege which her father
had enjoyed previously, was refused. But
with the Government has now either
and the risk of her continuing action.

18
I send from Shinganga to Madras, or
to procure Blonnie on Madras
In conclusion the Yemindam
cannot but point out with every
submissiveness, that the Government law of
the country acts prejudicially on persons
situated in the same position for
herself, she claims descent from an
innocent and venerable husband, and
being also the Proprietor of an important
and valuable estate, it is absolutely
necessary that her dignity should be
maintained intact. Under the action
of the Government law however she
receives no better treatment than the means
that of Government, for if she is liable to
prosecution and deprivation of immovables
or lands, she has first failed
to meet the demand of Government, she
is liable to precisely the same treatment
The Yemindam law is not question-
ing the principle that, in the eye of
the law, all people are equal, but
what she thinks is not taken into
account is the fact that prosecution
and deprivation would mean, in her
case, an immense amount of degradation
that considering the value of the pro-
perty belonging to her the Government
has no right to put as in the case
of the King who has but from him to

months. Even if circumstances arise so
bring her into disagreement with the
Revenue authorities, she is completely at
their mercy, and her present pecuniary
difficulties makes her fear that unless
the Government steps forward to protect
her she will have to pass through
something more than mere mental
distress.

19
The Yemindam begs once
more to assure His Grace that she
but requires a little temporary help
to tide over her difficulties, and
for such a boon as His Grace is
willing to grant she will feel deeply
grateful.

I have the honor to be,
Sir
Your Obedient Servant
Chamberlain

1234 R.D.

From Mr. Miller, Kamik, on behalf of the Zamindars of Thiruvamp, Madura dist. d/29-11-6

As the Collector & Board have been no more promptly with his request, I presume the Govt will not interfere.

It was no fault of mine as it was in the Prammal case, where he set me back a going & have since expiated by unjustly making a large loan to the State at very interest of 12% & has engaged to largely to be victorious in litigation.

If we make an exception in this case - other Zamindars will not be inclined to preparing similar claims.

W. H. J. 1/6

Enclosed

Confidential
 1/10/6
 1/10/6

From Mr. Miller, Kamik, on behalf of the Zamindars of Thiruvamp, Madura dist. d/29-11-6

As the Collector & Board have been no more promptly with his request, I presume the Govt will not interfere.

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If we make an exception in this case - other Zamindars will not be inclined to preparing similar claims.

W. H. J. 1/6

Mr. Thompson

Sh 2052
This petition will be
comm to the Bd of Revenue
with the remarks that the Govt
is desirous of complying with
the Zamindar's prayer
for an extension of time
in paying her backrent
for Fyals 1285 & 1286.

The circumstances of her case are very exceptional peculiar.

2. The fact will state what conclusions may properly be made, as an act of exceptional kindness &c.

14 Dec 1976

P 5: Dec: