

(1) Number of Pages.....8
(2) Date of repair 24-3-69
(3) Initials of the Referencer 14.4.59

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.

559

Press

B.P. No.

Mis.

Dated

1-5-1876

196

Not to be folded or roughly handled

559
1

*Proceedings of the Madras Government, Revenue Department,
1st May 1876.*

No. 1. Read the following Proceedings of the Board of Revenue, dated 24th April 1876, No. 1,084:—

Read again Board's Proceedings, dated 8th March 1876, No. 651.

Read also the following letter from A. WEDDERBURN, Esq., Collector of Coimbatore, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 8th April 1876, No. 79.

IN accordance with the Proceedings of the Board of Revenue, No. 651, of the 8th ultimo, I have the honor to submit, for sanction, the proposed plaint, which, if approved, will be filed in the Court of the District Munsif of Coimbatore.

ENCLOSURE No. 1.—Draft Plaint.

SUBMITTED for the orders of Government.

2. The Board authorized the Collector to sell by public auction, subject to payment of assessment, certain tank-bed poramboke land, the property of Government.

3. One Kaliyappa Gounden purchased twelve acres for Rupees 3,200; but he having failed to pay the purchase-money within the prescribed time, according to the terms of the sale notice the land was resold at his risk and loss, when it realized only Rupees 1,500, resulting in a loss of Rupees 1,700.

Rupees 350, and the Collector considers that recovery is doubtful, the Board are of opinion that, in order to discourage sham purchases, it is desirable to proceed against the defaulter for the recovery of the loss. They accordingly recommend that the institution of the suit be sanctioned.

(True Copy and Extract.)

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

No. 2. ORDER THEREON, 1st May 1876, No. 559.

Miscellaneous.

The institution of the plaint is sanctioned, on the assumption that notice of intention to "resell" was given to the

defendant, as required by Section 107 of the Indian Contract Act, 1872.

2. Perhaps the best plan of obviating these illusive purchases would be to require the person to whom the lot is knocked down to deposit a certain percentage of the money before sunset.

(True Extract.)

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

To the Board of Revenue.

Exd. J. W. Fischer.

Read the following letter from A. WEDDERBURN Esq., Collector of Coimbatore, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 11th February 1876, No. 40:—

WITH reference to the Proceedings of the Board of Revenue, Miscellaneous No. 4,424, dated 19th May 1875, sanctioning the sale of the Samalapuram Tank bed in Pulladum Taluq, I have the honor to inform you that the land was divided into five lots of 6 Acres each and sold by public auction, (*vide* notice in page 224 of the *Coimbatore District Gazette* for 1875). Lots Nos. 2 and 3 were first purchased by one Karuppa Gounden for Rupees 2,000 and 1,200, respectively. He defaulted payment of the amount according to the terms of the notice. These two lots were, therefore, resold on the 31st July last and purchased likewise for Rupees 3,200 by another, Kaliyappa Gounden, who again made a similar default. The land had, therefore, to be sold a third time, and this third sale took place on the 20th September last at the risk and loss of the said second purchaser Kaliyappa Gounden, when the two lots were purchased by Vencatakristnien for Rupees 890 and 610, respectively, making a total of Rupees 1,500. Thus the second purchaser has to make good a sum of Rupees 1,700. He has, according to the notice, deposited a sum of Rupees 30. From inquiries I understand that his property is worth only about Rupees 350.

2. I beg to append, for the Board's information, a marginal note showing the price for which the other three lots were

price for which the other three lots were sold. The Board will observe that the average price paid for an acre of these three lots was Rs. 101 while the second and third lots in question have realized at the last sale a price of Rupees 125 per acre.

3. Under the circumstances, I request to be favored with instructions as to whether the defaulter, Kaliyappa Gounden, is to be proceeded against for the loss. Recovery is doubtful.

THE Board are decidedly of opinion that, with the view of discouraging sham purchases, it is desirable to proceed against the defaulter unless the Collector can advance any special reasons to the contrary.

2. A copy of these Proceedings will be sent to all Collectors, who should invariably proceed against defaulters in similar cases unless there are strong objections to that course.

(A true Copy and Extract.)

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

(True Copy.)

(Signed) M. JORDAN,
First Assistant.

To the Collector of Coimbatore.
Copy to all other Collectors.

Exd. W. J. Lewis.

Col J. H. Fischer

Revenue Department

Proceedings of the Board of Revenue
Dated 24 April 1876, No 108

Read again Board's Proceed-
ings dated 8th March 1876 No 651
Read also the following:-

No 79

From,

A. Wedderburn Esquire
Collector of
Coimbatore

C. A. Gallow Esquire
By Secretary to the
Board of Revenue
Madras

Sir,

In accordance with
the Proceedings of the Board
of Revenue, No 651, of the 8th
ultimo, I have the honor
to submit for sanction
the proposed plaint, which
if

1876.

Board of Revenue,

MADRAS.

PROCEEDINGS, 8TH MARCH 1876, No. 651.

Incl.

Received

MARCH.

No. 651.

Tank-bed of Samalapuram Village in Polla-
dum Taluq. Coimbatore District.—Expressing
opinion that defaulting purchaser of — should
be proceeded against for loss arising from re-
sale.

if approved, will be filed
in the Court of the District
Mansiff of Coimbatore.

I have re
 {
 Coimbatore }
 Collector's Office }
 8th April 1876 } Messrs G. Mc Watters
 for Collector

Submitted for the orders
of Government.

The Board authorized the collector to sell by public auction, subject to payment of assessment certain tanted Poramboke land the property of Government. One Kalizappa Gounden purchased 12 acres for Rupees 3,200 but he having failed to pay the purchase money within the prescribed time, according to the terms of the sale notice the land was resold at his risk.

risk and loss when it re-
sulted only Rupees 1500 result-
ing in a loss of Rs 1700. ⁵⁵ X

Though it appears that
Kaliyappa Gounden's property
is worth only about Rs 350
and the Collector consi-
ders that recovery is doubt-
ful the Board are of
opinion that in order to
discourage sham pur-
chasers it is desirable to
proceed against the de-
faulter for the recovery of
the loss. They accordingly
recommend that the insti-
tution of the suit be
sanctioned.

True Copy & Extract

Califton
By Secretary

To, The Secretary to Government
Revenue Department

with draft Plaintiff to be returned and
Cf. 1st Bk. B. & O. Inc. 1001 No 65

20
 G. W. W. W. W.
 G. W. W. W. W.

No 1082
 Decemr 1876 Sept
 Proceedings of the
 Board of Trustees

July 24. April 1876
 Dec 24 — " — "
 Dec 27 — " — "
 Aug 1, 1876

No 579. 1. Mar 1876

Submitting to
 Council of the Board
 proposed to visit.
 take a drive again
 visiting the grounds
 for the recovery of
 low districts by
 food at the table
 of Santa Barbara
 Santa Red and
 Grindford and

10549

The institution of the Board is to be continued.

on the assumption that the office of the Board is to be continued.

was given to the date as required by § 107 of the Statute.

On first Act, 1872.

Further he has been of standing from the Board of Trustees.

While to require the Board to be in the Board of Trustees.

To deposit a certain amount of the money to the Board.

Dec 24. 1876
 Dec 27. 1876
 Dec 28. 1876

Dec 28. 1876