

(1) Number of pages 20

(2) Date of repair 12.11.72

(3) Initials of the Referencer _____

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	12-74	Press
B.P. No.		Mis.
Dated	12.11.72	197 .

Not to be folded or roughly handled

No. 831. Read the following Proceedings of the Board of Revenue, dated 21st March 1877 :—

Read the following letter from C. T. LONGLEY, Esq., Collector of Salem, to M. R. STOKES, Esq., Secretary to the Board, Dharampuri, 23rd February 1877, No. 147.

I HAVE the honor to enclose translation of the plaint and the draft of answer which I propose to file in Suit No. 735 of 1876, on the file of the District Munsif's Court of Namkul, and to state that the hearing of the suit is fixed for 30th March 1877.

2. The history of the case is that a stone mantapam and a kolum (square well) on the road to Rasipur from Salem, which were originally built by one Virasawmi Thikshithur for the use of travellers, have been in a most dilapidated condition from a long time. The plaintiff Ragavachari, who is the grandson of the daughter of one of the sons of Virasawmi Thikshithur, so far back as 1865, applied to the late Collector Mr. Arbuthnott for permission to remove the stones to Chinna Theroopathy near Salem, evidently intending to sell the stones and make profit by it. The inquiry then instituted elicited the fact that in 1854 the plaintiff as well as the two grandsons by daughter of another son of Virasawmi Thikshithur, were asked by the then Collector to restore the mantapam and the kolum, but expressed their inability to comply with that requisition. Mr. Arbuthnott rejected the plaintiff's request, stating that he had no right to the mantapam and the kolum, which are the subject of the present suit.

3. In 1876 the Temple Committee of the Salem Taluq requested my permission to appropriate the stones for the building of a mantapam to be constructed in connection with a temple at Salem. I published a notice in the *District Gazette* (page 6, dated 1st April 1876) intimating my intention of making over the mantapam to the Committee, unless any person preferred a claim within three months from the date thereof. Ragavachari again came forward with his claim, but I rejected it as the same was disposed of by my predecessor.

4. As there appears no prospect of the mantapam being restored, and as the retention of it in its present dilapidated condition is dangerous, I have made it over, together with the pond, to the Committee, who, however, have not yet removed the stones to Salem. The plaintiff has brought this suit to get it back. I am of opinion that plaintiff has no claim to the mantapam and the kolum, having been constructed for the use of the public, are Government property, and that he is not in the line of the heirs of Virasawmi Thikshithur. I will dismiss the suit.

THE defence of the suit is sanctioned. The annexed answer should be substituted for the one proposed by the Collector.

2. The case is properly one falling under Section 4, Regulation VII of 1817, and the Collector should have applied, through the Board, for the orders of Government as to the disposal of the property, instead of taking it upon himself to make

*Proceedings of the Madras Government, Revenue Department,
27th March 1877.*

it over to the Temple Committee. Government will be requested now to approve his action, which seems in the circumstances best calculated to secure that the materials shall continue to be used for public benefit.

(True Extract.)

(Signed) H. E. STOKES,
Secretary.

ANSWER.

PLAINTIFF has no right or title to the property referred to in the plaint, and his allegation as to long possession is not true.

2. The stone mantapam and tank in question were constructed for, and devoted to the use of, the public for the accommodation of travellers by one Verasawmi Thikshithur. As the buildings were for many years in a dilapidated condition, and could not be conveniently repaired, they were at the disposal of Government, and the defendant made over the materials to the Temple Committee of Salem for the construction of a mantapam intended for the use of the public.

(Signed) H. E. STOKES,
Secretary.

No. 832.

ORDER THEREON, 27th March 1877, No. 1,244.

Miscellaneous.

RECORDED.

2. The Collector's action is approved.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Offg. Chief Secretary.

To the Board of Revenue.

Exd. F. R. Bantleman.

124/2
Answer.

Plaintiff has no right or title to the property referred to in the plaint & his allegation as to long possession is not true.

The Stone Mantapam & tank in question were constructed for and devoted to the use of the public for the accommodation of travellers by me Virasami Thekshitha. As the buildings were for many years in a dilapidated condition and could not be conveniently repaired they were at the disposal of Govt & the defendant made over the materials to the Temple Committee of Salem for the construction of a Mantapam intended for the use of the public.

W. S. Sivas
Secretary.

Govt. of 1877 30th Dec.

REVENUE.

THE BOARD OF REVENUE.

Dated March, 27th.

Recd.

Dist.

G.O. 27th March 1877, No. 1,244.

MARCH.
Nos. 331-332.

Set No. 735 of 1876 on file of District Muz's Court of Namkud, Salem District.—Recording Board's Proceedings sanctioning defence of —, and observing that the Collector's action is approved.

RECEIVED

No 147

Salem Collector's Office
Camp Topoor, Durum Puri
Telug, 23^d February 1877.

From The Collector of Salem.

To The Secretary to the Board
of Revenue, Madras.

Sir I have the honor to enclose
translation of the plaint and the
draft of answer which I pro-
-pose to file in Suth No 735 of
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Munsiff's Court of Ramkul
and to state that the hearing
of the suit is fixed for 30th
March 1877.

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case is that a stone mantapam
and

1877-3-77 No 1244

1877-3-77

to Madras

and a Kolum (square well) on
the road to Rasipur. From Salem
which were originally built by
one Virasami Thikshithar for the
use of travellers, have been in a
most dilapidated condition for
a long time. The Plaintiff
Ragava Chari, who is the grandson
of the daughter of one of the sons
of Virasami Thikshithar, so far
back as 1865 applied to the late
Collector Mr. Arbuthnot for
permission to remove the stones
to Chinnai. Thereafter near
Salem evidently intending to
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by

1874
it. The survey then instituted shewed
the fact that in 1854 the Plain-
tiff as well as the two grandsons
by daughter of another son of Vir-
sami Thikshithar were asked by
the then Collector to restore the
mantapam and the Kolum
but expressed their inability
to comply with that requisition.
Mr. Arbuthnot rejected the Plain-
tiff's request stating that he had
no right to the Mantapam and
the Kolum which are the sub-
jects of the present suit.

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Committee of the Salem Taluk
requested

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disposed of by my predecessor ^{will}. As there appears no prospect of the Mantapam being restored and as the retention of it in its present dilapidated condition is dangerous, I have made it over together with the pond to the Committee who, however, have not yet removed the stones to Salem. The Plaintiff has brought this suit to get, as he says, my order making over the Mantapam and the Koolam to the Committee cancelled. I am of opinion that Plaintiff has no claim to the Mantapam and the Koolam which having been constructed for the use of the public are Government property and that he is not in the line of the heir.

of Virasami Thikshitar who
originally built them.

I have been

Edw. J. Longley
Collector

Enc copy

Wm. W.

Secretary

Revenue Department.

Proceedings of the Board of Revenue.

Dated 21st March 1877.

Read letter from the Collector of Salem of 23rd Feb. 1877, no: 147. on point no: 735 of 1876.

The defence of the suit is sanctioned. The amended answer should be substituted for the one proposed by the Collector.

2. The case is properly one falling under Sec: 4. Reg: 7 of 1817 & the Collector should have applied through the Board for the orders of Government as to the disposal of the property, instead of taking it upon himself. Make it over to the temple Committee. Government will be requested now to approve his action which seems in the circumstances best calculated to secure that the materials shall continue to be used for public benefit.

(Enclosed)

J. P. M. S.
Secretary

To the Secretary to Government P.O. with copy of
bill's letter & note 2 encl: such: blue sets & copy of
102

Copy of bill's letter

For 22-3-77 no: 1244

Recd: 18/3/77

Encl: in P.O. Memo
of Sec: to the
Secretary to Govt.
No: dated 21st March
1877. no-

1850: 1849 Sept
1846

Proceedings of the
Board of Trustees.

Started 21 March 1849

Done 21 — — —

Read 22 — — —

in the — — —
Chas 1244

Record.

2. The Association is

represented by

27-3-77 43.77

finished: 135 of 1846

on the Board of Directors

University of Pennsylvania

John St.

Discussion of the
of the University and
as well as the of the
and the of the

On S. C. 1848 of Regent 27-3-77 into 28th
printed 6-4-77