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# TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

REVENUE DEPARTMENT

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1405

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

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8th March 1877, No. 601.

**Wynaad.**

Read again the following papers:—

*Letter to Government of India, dated 25th November* 1876, *No.* 2443, *and reply dated 29th Jan.* 1877, *No.* 17, *recorded in G.O., dated 16th February* 1877, *No.* 423.

*Proceedings of Government, dated 23rd May* 1871, *No.* 689, *15th July* 1873, *No.* 1097, *and 28th December* 1874, *No.* 2357.

Read also the following papers:—

No. 38. *From Mr. W. E. SCHMIDT, dated 1st October* 1875.

No. 39. *Minutes by Sir W. ROBINSON, K.C.S.I., dated 2nd and 11th October* 1875.

No. 40. *Minute by the Hon. Mr. ELLIS, dated 19th November* 1875.

No. 41. *From the Acting Collector of Malabar, dated 7th February* 1876.

No. 42. *From the Malayalum Translator to Government, dated 14th February* 1876.

No. 43. *From the Trimulpad of Nellambur, dated 17th June* 1876.

No. 44. *Note by the Collector of Malabar, dated* [illegible]

No. 45. *Letter from the Collector of Malabar, dated 10th August* 1876.

No. 46. *From the Honorary Secretary of the Planters' Association, North Wynaad, dated 11th August* 1876.

No. 47. *From the Representatives of the Wynaad Planters' Association, dated — August* 1876.

No. 48. *Minute by Sir W. ROBINSON, K.C.S.I., dated 14th October* 1876.

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No. 49. ORDER THEREON, 8th March 1877, No. 601.

The Government of India having by their reply, dated 29th January 1877, No. 17, to the letter from this Government, dated 25th November 1876, No. 2443, indicated their willingness to allow the pay of the Commissioner of the Nilgiris and the appointment of Assistant Commissioner to remain on their former footing, the Governor in Council is now able to deal with the question of the proposed annexation of South-East Wynaad to the Nilgiris which has been repeatedly urged on the consideration of Government.

2. The local limits of the jurisdiction of the Ootacamund Subordinate Court as fixed in 1858 followed the Ghaut ridge by Sispara, Makurti, and Nilgiri peaks to Neddiwattum and the course of the Pykara and Moyar rivers thence to the junction of the latter with the Bhowani river, thus including a tract of country below the Segoor pass in the Hills jurisdiction.

3. The same local limits were, on the abolition of the Subordinate Court, assigned as the jurisdiction of the Civil and Sessions Court established under Notification, dated 8th September 1863, published in the *Fort St. George Gazette*, dated 8th idem, and

on the abolition of the Civil and Sessions Court and the establishment of the Nilgiri Commissionership under Madras Act I of 1868, the jurisdiction of the Commissioner embraced the same local limits.

4. It was increased in 1873 by the addition of the "Ouchterlony Valley" section of South-East Wynaad.

5. The population of South-East Wynaad was stated by the Collector in 1872 at 37,347. The coffee acreage at 6,546 exclusive of the Ouchterlony valley.

6. In 1869 a petition signed by thirty-four landholders in South-East Wynaad prayed that their properties might be included in the Nilgiri Commission, and described the district as bounded on the west by road from Sultan's Battery to the Mysore frontier at Goondulpet, and from Sultan's Battery by Yellakul Hill and the Sholadi river to the crest of the ghaut, and as including, in 1867-68, seventy-six coffee estates of 6,973 acres under cultivation on which about fifty European planters were resident. It stated that they all banked at Ootacamund and drew their supplies thence, and that many of the proprietors resided there, while for any Court business beyond the jurisdiction of the local Sub-Magistrate they had to resort to Manantoddy or Calicut.

7. In dealing with this petition the Government (23rd May 1871, No. 689, Judicial) doubted the practicability of including the whole of the South-East Wynaad tract in the Commission, but saw no objection to the transfer of a part of it, and suggested as the boundary the road from Tippukadu to the head of the Karkur pass, on which proposal they desired the Commissioner and the Collector of Malabar to report, ...e addition to the work of the Commissioner did not prove unmanageable it would be easy to add a still larger tract. The opinion of the High Court was also sought on the expediency of the proposed change.

8. The High Court replied that if provision were made for disposing of civil suits at Gudalur no real hardship would in the opinion of the majority of the Court result, the reservation alluding apparently to the suggestion of Government that the Sub-Magistrate who has District Munsif's power might be abolished.

9. The Commissioner and Collector of Malabar recommended that the transfer should be restricted to the Ouchterlony valley, basing this limitation to a great extent on the suggestion of Government that the annexation might be accompanied by the abolition of the Sub-Magistrate's post at Gudalur, but also because the inclusion of Gudalur ... the Commission would leave the adjoining Wynaad tract without any nearer Sub-Magistrate or Police Station than Vitri, fifty-five miles distant. They also objected to a District boundary being drawn close to a town and along a much frequented road.

10. This transfer of the Ouchterlony valley was carried out by G.O., dated 15th July 1873, No. 1097.

11. In December 1874, a memorial was addressed to Government by thirty-two planters of South-East Wynaad owning 30,000 acres of land of which 3,200 were under cultivation, praying again for the annexation of the district to the Nilgiris on the ground of distance from Calicut, the station of the District Magistrate, the centre of the administration of Malabar, the seat of the Local Fund Board and of the Chief Registration Office, compared with comparatively close proximity to Ootacamund and therefore to the corresponding officials there, as well as to the memorialists' Banking station and source of supplies.



12. The Government declined to accede to the proposal (28th December 1874, No. 2357).

13. In Proceedings, dated 7th January 1875, No. 35, the Government had again under consideration the arrangements necessary for the proper administration of the Wynaad as including North Wynaad, South Wynaad, and South-East Wynaad, and came to the conclusion that it was necessary, with reference to the area, population, and growing planting interests, to place a second Deputy Collector and Magistrate at some station to be selected in South and South-East Wynaad, and directed the Collector of Malabar to report where he could best be stationed, and what detailed arrangements should be made.

14. But while the question was still under discussion, that of annexation to the Nilgiris was again raised by a deputation which waited on the Acting Governor in June 1875, and by a memorial, dated 1st October 1875, signed by thirty-eight planters and landowners, pointing out that all the reasons formerly urged in favor of annexing South-East Wynaad to the Nilgiris had acquired added strength by lapse of time and growth of local interests. They prayed that if the Government should abide by their decision to reject the prayer it might be referred through the Government of India to the Secretary of State.

15. On the 7th February 1876, the Collector of Malabar forwarded three petitions from the Native inhabitants of the Mūnnanād, Cherangode, Nambalakode, and Ganapativatom Amshoms, constituting South East-Wynaad, signed by 261 persons styling themselves landholders and principal inhabitants, deprecating the proposed annexation on the ground that all their relations, caste connexions, and old associations are with Malabar; that none of their race reside on the Nilgiris; that the climate of the Hills is adverse to them; that the peculiar customs and tenures and the language of Malabar are not understood there; that they are the proprietors of the soil in South-East Wynaad, while the advocates of annexation are only their lessees; that for them (petitioners) Manantoddy even is less inconvenient as the centre of business than Ootacamund; and that even the partial annexation made (Outchterlony valley) was a perpetual cause of regret to them.

16. On 17th June 1876, the Tirumulpad of Nilambur memorialized Government protesting as Jemni proprietor of the whole of the Nambalakode Amshom against the proposed annexation on the ground that, owing to climate, caste obligations, and difficulties of language, it would be impossible for him to proceed to the Nilgiris for the despatch of business.

17. On 28th June 1876, Mr. Logan, the Collector of Malabar, submitted in a note to the Chief Secretary his opinion that the annexation of the whole or any part of the Wynaad to the Nilgiris was perfectly practicable, provided adequate arrangements were made for the disposal of civil suits in the Malayalum language which he considered to be essential for securing justice to the people in this class of business.

18. He added that he did not attach much importance to the native objections as regards climate, caste, religious observances, &c., adding that the Nilgiri climate is much less of a change to a Wynaad man than to one from the plains.

19. In July and August 1876, memorials were addressed and a deputation waited on His Grace the Governor from the Planters' Associations of the whole of Wynaad praying for the annexation of the entire Taluq to the Nilgiris.

20. A counter-memorial was at the same time presented to the Collector of Malabar by seven planters of North Wynaad deprecating the measure.

21. After carefully considering the question and weighing the arguments urged for and against annexation, and after personally conferring at length with the European and Native parties interested, and with the Collector of Malabar and the Commissioner of the Nilgiris, the Governor in Council has come to the conclusion that the balance of advantages is in favor of annexing the Nambalakode, Cherangode, and Mūnnanād Amshoms to the charge of the Nilgiri Commissioner.

22. The statistics of the tract are set forth in the annexed statements, of which the abstract is as follows:—

| | No. of Holdings. | Assessed Area. | Revenue. |
|---|---|---|---|
| | | ACS. | RS. |
| Europeans and Eurasians ... ... ... | 59 | 4,736 | 10,051 |
| Malayalum speaking Natives ... ... ... | 952 | 1,268 | 4,980 |
| Canarese and Tamil speaking Natives ... ... | 331 | 731 | 1,578 |
| Total ... | 1,342 | 6,735 | 16,609 |

23. The representatives of the most growing interest in the locality are unanimously in favor of annexation, and, although they are styled "*lessees*" of their estate, there is no doubt that they are practically proprietors; that they have invested very large capital in the development of the resources of the district; and that its prosperity mainly [illegible] is entitled to receive every encouragement at the

24. The tract of country is exceedingly remote from the headquarters of the Malabar District, while it is within easy reach of the Nilgiri Commissioner's headquarters.

25. The occasions on which necessity compels the Native inhabitants to resort to the seat of the District Magistrate and Chief Court can in any case be comparatively few, but the facilities for the superior officers of the district to visit this locality will be unquestionably far greater in the event of its annexation to the Nilgiris than if it should remain attached to Malabar.

26. The difficulties in the way of climate and caste prejudices are not considered by the experienced Collector of Malabar to be of any importance, and, as regards the essential of a knowledge of Malayalum for the disposal of more important civil suits, the Governor in Council sees no reason to suppose that a qualified agency will not be readily available for the service of litigants, or that the Commissioner of the Nilgiris will have greater difficulty in this respect than the District Judge of South Malabar.

27. As tending to promote the material prosperity of the tract in question, the Governor in Council has no reason to doubt the good policy of the measure, and he is also of opinion that it will tend to economy of administration by enabling the Government to arrange at less cost than would otherwise be practicable for the improved administration of the remainder of the Wynaad which will continue attached to Malabar.

28. The Governor in Council is also convinced that whatever tends to encourage cultivation in Wynaad is directly for the manifest advantage of the Native proprietors of the land.



29. His Grace the Governor in Council accordingly directs that the annexed Notification requisite to give effect to this Resolution be published in the *Fort St. George Gazette* and in the Gazettes of the Malabar and Nilgiri Districts, respectively:—

## NOTIFICATION.

With reference to Madras Act I of 1868, Section 1, and to the several enactments noted in the margin, the Governor in Council directs that the tracts known as the Nambalakode, Cherangode, and Mūnnanād Amshoms, which at present form part of the Taluq of Wynaad in the District of Malabar, and are included within the local limits of the jurisdiction of the District and Sessions Judge of South Malabar, shall, from and after the 31st March 1877, be transferred to, and included in the jurisdiction of, the Commissioner of the Nilgiri Hills.

Madras Act I of 1865.
The Madras Civil Courts Act, 1873, Sec. 10.
The Code of Criminal Procedure, Section 38.
Madras Act I of 1868, Section 5.

(By order of His Grace the Governor in Council.)

*Chief Secretary.*

To the Commissioner of the Nilgiris.
" Collector of Malabar.
" Revenue Department.
" Board of Revenue.
" Honorable the Judges of the High Court.
" Accountant-General.
" District Judge of South Malabar.
" District Judge of North Malabar.

Exd. J. Wright.

Rec'd 1877 Dec'r
No. 1680

Govt. of {1877} Madras

JUDICIAL

To

THE COMMISSIONER OF THE NILGIRIS,

&c., &c., &c.

Dated March, 8th.

Issued — 10 Secs

Recd. 10th Mar:

Encl.

G.O., 8th March 1877, No. 601.

MARCH.
Nos. 38—50.

*Wynaad.*—The transfer of the tracts known as the Nambalakode, Cherangode, and Edannanad Amshoms forming part of the Taluq of Wynaad, in the District of Malabar, to the jurisdiction of the Commissioner of the Nilgiris, resolved on; and a Notification of the same directed to be published in the Fort St. George and Malabar and Nilgiris District Gazettes, respectively; and the High Court addressed on the subject.

Lodged
12 March 77.