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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

R.E.Y. — DEPARTMENT

G.O. No. B.P. No:	2153	Press. Mis.
Dated	29-6-1877	197

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

29th June 1877, No. 2,153.

Read the following paper:—

No. 659. Proceedings of the Board of Revenue, dated 25th June 1877.

Read the following letter from A. J. STUART, Esq., Acting Collector of Tinnevely, to H. E. STOKES, Esq., Secretary to the Board of Revenue, dated 21st May 1877, No. 331.

I HAVE the honor to submit, for the Board's approval and sanction, letter from the Sub-Collector and a draft answer which he proposes to file in Original Suit No. 8 of 1877 on the file of the Tinnevely Sub-Court, in which he is made first defendant. The facts of the case are detailed in the Sub-Collector's letter.

2. The value of the suit is Rs. 400.
3. Translation of the plaint is herewith sent.
4. The date of hearing is fixed for the 30th July 1877.

ENCLOSURE No. 1.

From J. F. SNAITH, Esq., Acting Sub-Collector, to A. J. STUART, Esq., Acting Collector of Tinnevely, dated Shermadevi, 5th May 1877, No. 98.

I HAVE the honor to forward copy of plaint in Suit No. 8 of 1877 on the file of the Sub-Court Tinnevely, in which I am made a defendant, and to request that you will be good enough to

2. The facts of the case are as follows.
3. An abandoned Hindu pagoda in Shermadevi was in the possession of the Range Officer for several years, the office things being kept there. In July 1875 the villagers claimed the stones, and Mr. Happell, the late Sub-Collector informed the Engineer Department that the pagoda or gopuram appears, from inquiry, to belong to the villagers of Shermadevi, and the stones removed for building the new Engineer's office should, therefore, be returned to them. The villagers accordingly obtained the value of the stones from the Engineer Department, the stones having been already used.
4. There being great factions in the village, some of the villagers asked permission of the Sub-Collector to utilize the rest of the stones in building a compound wall of a pagoda; some asked them for the construction of Ramankulam Teppakulam and some for Mulakoul Teppakulam. The late Sub-Collector, Mr. Glenney, thought that Ramankulam Teppakulam was the best work, and accordingly issued an order that the stones should be utilized for that work.
5. I, being of the same opinion, ratified the above order and refused to comply with the request of the plaintiffs, who demanded the stones for the construction of Venkatachellapathi Teppakulam. Hence the present suit.
6. I enclose draft answer proposed to be filed.
7. The hearing of the suit is fixed for 30th July next.
8. The first plaintiff was Mirassidar for some time acting on behalf of a minor, and was suspended under Mr. Puckle's order for not paying his own kist. He has been selected as first plaintiff for the singular reason, as I am told, that he is a "vagabond." As he, therefore, and the two other co-plaintiffs are men of no account, I propose to pray the Court to call on them to find security for costs.
9. It is needless to add that the plaintiff's claim is false *in toto*, and it is equally false whether the stones actually belong to Government or to the people of Shermadevi.
10. Had the Sub-Collector approved the work, in which the plaintiffs are interested, and given the stones for that work, there can be no doubt that he would have been sued by the other faction, but with a little more show of reason.
11. A very creditable liberality has been shown by a native of Shermadevi, which I take this opportunity of bringing to notice.

herewith

Revenue Department, 29th June 1877, No. 2,153.

He has given up valuable lands and 2,000 Rs. for the commencement of the Ramankulam Tank, which will confer immense benefits on the people, and he has already begun blasting and accumulated a vast amount of materials.

In order to assist him as much as possible, the Local Land Board voted him 1,000 Rs.

3. Ever since that time jealousy has fanned into flame, the factious spirit of the village and the plaintiff's party, who had done nothing for the Tappakulam, are now blasting the work and the air rings with explosion. They are sedulously working like bees.

I am happy to say that in this way the factions seem likely to have two new Tappakulams, one for each.

Thus in the end great benefit will result. The motive cause of all this energy is notwithstanding faction.

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

2. The case was one properly falling under Section 4, Regulation 7 of 1817, and the Sub-Collector should not have undertaken to dispose of the property, but the matter should have been submitted through the Board for the orders of Government. As it appears, however, that in giving the materials for the construction of a tank which, it is said, "will confer immense benefit on the people," the Sub-Collector had due regard to the interests of the public. Government will now be requested to approve his action.

3. In reference to paragraph 3 of the Sub-Collector's letter, the Board observe that the recognition of the claim of the villagers, by payment to them of the value of the stones used in the construction of a Government building, was an error. Should this fact be cited in evidence in support of plaintiff's claim, it must be explained that the payment was made through mistake, the provision of law above referred to having been overlooked, but that the right of Government to dispose of the property is not thereby affected.

(True Copies and Extract.)

(Signed) C. A. GALTON,
Sub-Secretary.

No. 660.

ORDER THEREON, 29th June 1877, No. 2,153.

Miscellaneous.

REFERRED for the opinion of the
Government Pleader.

(True Extract.)

(Signed) C. G. MASTER,
Secretary to Government.

To the Government Pleader.
.. the Board of Revenue.

Ed. A. F. Goodall

manipulation of the papers
herewith

N^o 2997

Trincomelly

3

Revenue Department

Proceedings of the Board of
Revenue
Dated 25th June 1877

Read the following N^o 331.

From A. J. Stuart Esquire
Acting Collector

To H. E. Stokes Esquire,
Secretary to the
Board of Revenue
Madras

Sir,
I have the honor to submit
for the Board's approval and sanction
letter from the Sub Collector and
a draft answer which he proposes
to file in C. S. N^o 8 of 1877, on the
file of the Trincomelly Sub Court
in which he is made 1st Defendant.
The facts of the case are detailed
in the Sub Collector's letter.

2. The value of the suit is Rs 4,00

3. Translation of the plaint is
herewith

herewith sent.

4 The date of hearing is fixed for the 30th July 1877.

Timinelly } I have &
21st May 1877 } C. J. A. J. Steuart.
A. S. Collector

N^o 98 From The A. S. Sub Collector
Timinelly
To The A. S. Collector
Timinelly.

Sir, I have the honor to forward copy of plaint in suit N^o 8 of 1877 on the file of the Sub Court of Timinelly in which I am made a defendant & to request that you will be good enough to obtain the sanction of the Board of Revenue for defending the suit at the public cost.

2. The facts of the case are as follows.

3. An abandoned Hindu Pagoda in Shermadeni was in the possession of the Range Officer, for several years

years, the office things being kept there. In July 1875, the villagers claimed the stones & W. Appell the late Sub Collector informed the Engineer department that the Pagoda or Gopuram appears from enquiry to belong to the village of Shermadeni & the stones removed for building the new Engineer's office should therefore be returned to them. The villagers accordingly obtained the value of the stones from the Engineer Department the stones having been already used.

4. There being great factions in the village, some of the villagers asked permission of the Sub Collector to utilize the rest of the stones in building a compound wall of a pagoda; some asked them for the construction of Ramankulam
Teppakulam

Teppakulam & some for Mir-
lakond Teppakulam. The late
Sub Collector Mr. Glemmy thought
that Ramankulam Teppakulam
was the best work and accord-
ingly issued an order that the
stones should be utilized for
that work.

5. I being of the same opinion
ratified the above order & re-
fused to comply with the request
of the plaintiffs who demanded
the stones for the construction of
Vekabakellapathi Teppakulam's
hence the present suit.

6. I enclose draft answer
proposed to be filed -

7. The hearing of the suit is fixed
for 30th July next.

8. The 1st plaintiff was Mirasdar
for some time acting on behalf
of a minor & was suspended
under

under Mr. Puckle's order for not
paying his own risk. He has been
selected as 1st Plaintiff for the
singular reason, as I am told
that he is a 'Dagahond'.

As he therefore, & the two other
co-plaintiffs are men of no account
I propose to pray the Court to call
on them to find security for costs.

9. It is needless to add that the
plaintiffs' claim is false in toto

& it is equally false since the
stones actually belong to Govern-
ment or to the people of Thernadun.

10. Had the Sub Collector approved
the work in which the plaintiffs
are interested & given the stones

for that work, there can be no
doubt that he would have been
sued by the other faction but with

a little more show of reason

11. A very creditable liberality has

has been shown by a native of
Chermadeni which I take this
opportunity of bringing to notice.

He has given up valuable lands
+ 2000 Rs for the commencement
of the Ranaudh... Teppakulam,
which will confer immense
benefits on the people & he has
already begun blasting & accumu-
lated a vast amount of materials.

In order to assist him as
much as possible, the Local fund
Board voted him 1000 Rs.

13. Ever since that time, jealousy
has fanned into flame, the fac-
tious spirit of the village & the
plaintiffs party who had done
nothing for the Teppakulam are
now belasting the work & the air
rings with explosion. They are sedu-
lously working like bees.

I am happy to say that in this
way

may the factions be likely to
have two new Teppakulams, one
for each.

Thus in the end great benefit
will result. The motive cause

of all this energy is notwithstanding

the faction

Subcollector's office

Chermadeni

5th May 1877

I have &c.

(Sd) J. G. Smith

A. & Sub Collector

(True copy)

(Sd) J. G. Smith

A. & Collector.

The defence of the suit is sanc-
tioned. The amended answer should
be substituted for the one proposed.

2. The case was one properly falling
under Sect. 4 Reg. 7 of 1817 & the Sub-
collector should not have un-
dertaken to dispose of the property
but the matter should have
been submitted through the
Board for the orders of Government.

As

As it appears however that in giving the materials for the construction of a tank which it is said "will confer immense benefit on the people", the Sub Collector had due regard to the ^{interests} ~~interests~~ of the public Government will now be requested to approve his action.

3. In reference to the para 3 of the Sub Collector's letter, the Board observe that the recognition of the claim of the villagers by payment to them of the value of the stones used in the construction of a Government building was an error. Should this fact be cited in evidence in support of plaintiff's claim, it must be explained that the payment was made through mistake, the provision of law above referred to having been overlooked, but that the right of Govt

Government to dispose of the property is not thereby affected.

(True Copies & Extracts)

W. J. C. L.
Sub Secretary
To The Secy to Govt. P.D.
with 2 encs. to be returned
& copy of revised
answer.

W. J. C. L.

W. J. C. L.

No. 3072

Pres: Board of Revenue

Dated 25 June

1872

FOR ORDERS

R.S. *See also the*
Q. Reader -

The property -
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perty & I don't see that
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Proceedings of the
Board of Revenue

David Smith

Dec 1877
Recd of Amos 8ms

Sanctioning the defence
of such a boy (1877 file)
Against the sub Col?
of Simnial, in India
the Hindu's claim
to own property & belong
to an Hindu Rajah
in the Hindoo's? & no
boy? Is anyone the
action of the sub Col?
in the matter?

Mr. J. P. was right
it is a good precedent
no court will look
at the R.C. explaining
away - The Board's device had fallen
through - The Board follow suit
never want to do
as it is not easy
to devise an escape
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No 3072.

FOR ORDERS.

Swindon against Swindon
Co. of Swindon.

Swindon against Swindon
Co. of Swindon.

1824 June