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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Rev

DEPARTMENT

G.O. No.	2447	Press.
B.P. No.		Mis.
Dated	6-8-1877	197

Not to be folded or roughly handled

Archives 1-5,806-24-2-78.

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GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT

6th August 1877, No. 2,447.

Read the following paper :—

No. 57. Proceedings of the Board of Revenue, dated 2nd August 1877.

Read the following letter from A. WEDDERBURN, Esq., Collector of Coimbatore, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 19th July 1877, No. 264.

With reference to the Revenue Board's Proceedings noted in the margin, according sanction for the defence of Original suit No. 2 of 1876 on the file of the District Court of Coimbatore, in which I was included as a defendant, I have the honor to forward, for the information of Board, copies of the Decree and Judgment passed by the District Judge.

2. The Board will observe that the plaintiff's suit has been dismissed, but on the ground that "the channel was originally cut without sanction," and "that the whole matter has for so long been bandied about by the Revenue authorities and by the engineers,—sometimes with one opinion, sometimes with another,"—the Judge has not awarded to Government the costs incurred in conducting the defence, of which a memorandum is enclosed.

SUBMITTED to Government with reference to G.O., dated 16th December 1876, No. 2,074.

2. Defendants, one and two, excavated, at their own cost, a channel from the Amravathy river for the irrigation of land which, with a ruined tank, the property of Government, was made over to them on certain conditions in 1863. The ryots holding land under the Kullapuram anicut-channel objected to defendants using the new channel, except under certain restrictions. Considerable correspondence ensued which led to contradictory orders being passed, sometimes in favor of one party and sometimes of the other, but eventually the Revenue authorities allowed the defendants the unrestricted use of their new channel.

3. The Kullapuram ryots then filed a suit for an injunction to close the channel, and claimed Rs. 8,000 as damages.

4. In defence on behalf of Government it was pleaded that plaintiffs had no cause of action, and that they were not entitled to the injunctions sued for.

5. The suit has been dismissed but *without costs*. The Board recommend that payment of the Collector's costs, Rs. (315-15-11) three hundred and fifteen, annas fifteen, and pies eleven, be sanctioned.

(A true Copy and Extract.)

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

Revenue Department, 6th August 1877, No. 2,447.

No. 58. ORDER THEREON, 6th August 1877, No. 2,447.

Irrigation, No. 2.

SANCTIONED Rs. 315-15-11.

(True Extract.)

(Signed) C. G. MASTER,

To the Board of Revenue.
the Accountant-General.

Exd. F R. Bantleman.

2447-2

The defense, of which a
memorandum is enclosed.
Coimbatore falling I have
Office 19th July 1877 (sd) A. Martinsale
for Govt.

Submitted to Govt.
with reference to G.O. 916th
Decr 176 A 2074.

2. Defendants 1 & 2 exa-
mined at their own cost
a channel from the An-
namay river for the irri-
gation of land which
with a raised bank the

property of Govt.
over to them under
conditions in 1863. The ryots
holding land under the
Kuttapuram annicut

G.O. of 1877 Mysore.

REVENUE.

THE BOARD OF REVENUE,

&c., &c., &c.

Dated August 6th.

Encl.

G.O., 6th August 1877, No. 2,447.

AUGUST.
Nos. 57-58.

Slit No. 2 of 1876 in Coimbatore District
Court.—Sanctioning Rs. 315-15-11, being the
amount of the Collector's costs in defending — on
behalf of Government.

Channel objected to de-
fendants using the name
not except under certain
circumstances.

correspondence ensued
which led to contradictory
orders being passed some-
times in favor of one party
& sometimes of the other
but eventually the Re-
sults of the authorities allowed the
defendants the unres-
tricted use of the name Chan-
nel.

3. The 4th paragraph
was filed in suit for an
injunction to close the
Channel & claimed Rs. 2000
as damages.

4. In defence on behalf
of Govt it was pleaded
that Plaintiffs had no
cause of action & that
they were not entitled
to the injunctions and
for.

5. The suit has been
dismissed but without
costs. The Jd recommended
that payment of the costs
Rs. (315-15-11) should be
made & fifteen annas fif-
teen pice & pice eleven be
sanctioned.

(True Copy & Expt)

Chatterjee
Sd/- Secretary

To the Govt Secy, Govt R. &
D. with 30 pice to be paid.

as a Reifendant, I have

the honor to forward for
the information of Board
copies of the Decree & judg-
ment passed by the District

Judge.

The Board will ob-
serve that the Plaintiff's
suit has been dismissed
but on the ground that

"the channel was origi-
nally cut without some
dredging" & that the whole
matter has for so long
been bandied about by

the Board, some members
are of opinion, sometimes we
are of opinion. The judge has
not awarded to fault the
costs, incurred in conducting