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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	2633	Press.
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Dated	8.5.1877	197 .

Not to be folded or roughly handled

82

No. 471. Read the following endorsement of the Chief Engineer for Irrigation, dated Fort St. George, 11th April 1877, No. 183 W:—

From Major J. O. HASTED, R.E., Superintending Engineer, Kistna District, to Lieutenant-Colonel J. MULLINS, R.E., Chief Engineer for Irrigation, dated Masulipatam, 2nd June 1876, No. 27.

I have the honor to forward a letter* from the Officer in charge of Bezwada Division, and to request that permission of Government may be obtained to defend the suit brought against him, if you consider it advisable.

* One No. 87 of 22nd May 1876, from the Bez-
wada Division Officer.

" Copy of plaint with two enclosures.

" Sketch.

" Sluice Register.

" To be kindly returned.

2. The case is a peculiar one. In 1864 the Range Officer, Ellore, Godavery District, gave the Zemindar permission to construct a sluice in the Ellore canal bank, and dig a channel to irrigate his own lands. In 1872 the wooden sluice that used to irrigate the Jalipudy village lands below the zemindary was washed away, and Mr. Peters then gave permission to the Jalipudy villagers to take water through the Zemindar's channel, making arrangements that the supply to the Zemindar should always be in excess of his wants. The Zemindar bunded his channel across so that the Jalipudy villagers should get no water. They complained to the Delta Superintendent, who referred the matter to the Tahsildar, at whose request the Zemindar removed the bund. He then complained to the Range Officer and subsequently to me that the Jalipudy villagers were taking his water. I think it probable that I did not clearly understand the Zemindar had executed the works entirely at his own expense, and on the assurance of the Range Officer that sufficient water would be supplied for both parties, I informed the Zemindar that the Jalipudy villagers would be supplied through the channel, after he had been supplied. He now sues Mr. Peters and the villagers of Jalipudy, asking the Court to establish his right to the sluice, value Rupees 130, channel, value Rupees 350, and to grant him Rupees 60, said to have been expended in putting up bunds (I suppose those he removed at the instance of the Tahsildar), and expenses of this suit.

3. Mr. Peters attaches a sketch plan showing the channel and sluice, and a statement of water supplied through the sluice during last year. The latter gives a somewhat larger discharge than I should estimate, but there is no doubt that the supply was more than sufficient for the Zemindar.

4. I do not however think the suit can be defended. I should think that the Zemindar had a right to put up a bund in the channel, if he wished, even though it would be shown that his only object was to prevent others benefiting by the water, and it seems to me that we should lose no time in buying the sluice and channel from the Zemindar, whether the village of Jalipudy is to be supplied by its means or not. I consider it objectionable that Zemindars should have private sluices in the canal banks.

5. As the suit is expected to come on soon after the Courts open in the end of this month, I have the honor to request an early reply.

Proceedings of the Madras Government, Public Works Department,
20th April 1877. No. 1,350.

2. The Government notice with regret that the channel was used, without the necessary consent of the owner, for the supply of another village.

(True Extract.)

W. L. L. L.

Lieut.-Col., R.E.,
Joint Secretary to Government, P.W.D.,
Irrigation Branch.

To the Superintending Engineer, Kistna
" Chief Engineer for Irrigation.
" Examiner of Public Works Accounts
" Revenue Department. ✓
" Judicial do

Ed. S. T. Austin

8, 1877

