Archives 1—10,000—6-10-76.

(1) Number of pages 12

(2) Date of repair 24.2.99

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. / B.P. No.	2932	Press. / Mis.

Dated 25-9-1877 197 .

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

25th September 1877, No. 2,932.

Read the following paper :—

No. 663. Proceedings of the Board of Revenue, dated 22nd September 1877, No. 4,457.

Read the following letter from H. SEWELL, Esq., Acting Collector of Trichinopoly, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 17th September 1877, No. 329 :—

In 1872 the old palace buildings in the town of Trichinopoly were purchased* from the individuals who at the time owned them. A portion of these buildings, which formed lot No. 3 when sold by the Receiver of the Carnatic Property, it would appear, had been hypothecated by an individual who had had no interest whatever in it. The party to whom the property is said to have been hypothecated has filed a suit in the District Court in Original Suit No. 8 of 1877, in which I am made the 12th defendant.

* *Vide* G.O., dated 8th Oct. 1872, No. 1,363.

2. An English translation of the plaint and a draft answer are herein enclosed. The suit is to be heard on the 28th of this month. I request the favor of the Board's obtaining sanction for the defence of the suit at the expense of the State.

Submitted for the orders of Government.

2. Plaintiffs sue to recover Rupees 12,588, the balance of principal and interest due on a bond executed on the 20th August 1866 in favor of 1st plaintiff's father (deceased) by Vaiyapuri Pillay (deceased), 1st defendant's father, hypothecating as security for the debt the property mentioned in the plaint. The Collector, 12th defendant, is sued in respect of the property, No. 26 in the plaint schedule, which was purchased by Government in connection with the improvements to the old palace at Trichinopoly.—*Vide* G.O., dated 8th October 1872, No. 1,363, Financial Department.

3. In support of plaintiffs' claim the following allegations are made in the plaint :—

Vaiyapuri Pillay (deceased), 1st defendant's father, and Chinnasami Pillay (deceased), 2nd defendant's adoptive father, were undivided brothers. Chinnasami Pillay died in 1866, owing Rupees 5,000 to 1st plaintiff's father and Rupees 5,000 to one Ratnamier *alias* Vunbier. For the amount of these two debts, Rupees 10,000, Vaiyapuri Pillay executed the hypothecation bond above referred to to 1st plaintiff's father on his undertaking to discharge the debt of Rupees 5,000 due to Ratnamier. The property hypothecated was the self-acquired property of the deceased Chinnasami Pillay.

Of the property mentioned in the plaint, Government are interested only in No. 26, which it appears was purchased at auction in the name of Chinnasami Pillay, and was divided as follows :—

1. Chinnasami Pillay ... ... $\frac{2}{11}$
2. Munisami Mudeliar ... ... $\frac{4}{11}$
3. Thota Veeraragavaperumal Chetty ... ... $\frac{2}{11}$
4. P. Muthusami Pillay ... ... $\frac{3}{11}$

Chinnasami Pillay's share was sold in execution of a decree against him and was purchased by one Locamdas, who sold it to Government in 1873 for Rupees 153. The shares of Nos. 3 and 4 were purchased at a Court's sale by Munisami Mudeliar (No. 2), who sold them, together with his own share, to Government in 1873 for Rupees 2,120.

5. It is proposed to defend the suit as against the Collector on the grounds that the property, No. 26 in the plaint schedule, belongs to Government by right of purchase from its owners, and that Vaiyapuri Pillay had no right to hypothecate it.

6. As the 28th instant is the date fixed for the hearing of the case, the Collector should apply for an extension to admit of the orders of Government being received.

(A true Copy and Extract.)

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

No. 664. ORDER THEREON, 25th September 1877, No. 2,932.

Miscellaneous.

THE defence of the suit is sanctioned.

(True Extract.)

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

To the Board of Revenue with two enclosures

Rxd. A. F. Goodall.

2932/2

SEPTEMBER
No. 663-884.

REVENUE DEPARTMENT.

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 22 September 1877.

Read the following

No. 329

From

The Acting Collector

Trichinopoly

To

The Secretary to the Board of Revenue

Madras

Sir

In 1872, the old Palace buildings in the Town of Trichinopoly were purchased from the individuals, who at the time, owned them. A portion of these buildings, which formed Lot No 3 when sold by the Receiver of the Pondia property, it would appear had been hypothecated by an individual, who had had no interest whatever in it. The party, to whom the property is said to have been

†Vide G. O. dated 8th October 1872 No 1363.

1st plaintiff's father (deceased) by Vaiyapuri Pillay (deceased) first c. defendants' father hypothecating as security for the debt the property mentioned in the plaint. The Collector, 12th defendant, is sued in respect of the property No. 26 in the plaint Schedule which was purchased by Government in connection with the improvements to the old pathway at Trichinopoly. Vide G.O. dated 8th October 1872 No. 1363. F.D.

3. In support of plaintiffs' claim the following allegations are made in the plaint:—

Vaiyapuri Pillay (deceased), 1st defendants' father, and Chinnasami Pillay (deceased) 2nd defendants' — adoptive father were undivided brothers. Chinnasami Pillay died in 1866 owing Rs. 5,000

been hypothecated, has filed a suit in the District Court, in Original Suit, No. 8 of 1877, in which I am made the 12th Defendant.

2. An English translation of the plaint and a draft answer are herein enclosed. The Suit is to be heard on the 28th of this Month. I request the favour of the Board's obtaining sanction for the defence of the suit at the expence of the state.

Trichinopoly
Coll's Office
17 September 1877

I have &c.
(Signed) H. Sewell
Acting Collector.

Submitted for the orders of Government.

2. Plaintiffs sue to recover Rupees 15,008 the balance of principal and interest due on a bond executed on the 20th August 1866 in favor of

1st

1st plaintiff's father (deceased)

to 1st plaintiff's father and Rs 5,000 to one Ratnamier alias Vembier. For the amount of these two debts Rs 10,000 Vaipury Pillay executed the hypothecation bond above referred to, to 1st plaintiff's father undertaking to discharge the debt of Rs 5,000 due to Ratnamier. The property hypothecated was their self acquired property of the deceased Chinnasami Pillay.

4. Of the property mentioned in the plaint Government are interested only in Rs 26 which it appears was purchased at auction in the name of Chinnasami Pillay and was divided as follows:-

1. Chinnasami Pillay — 2/11
2. Munisami Mudeliar — 4/11
3. Thota Veeraraghavaperumal Chetty 2/11
4. P. Muthusami Pillay 3/11

Chinnasami Pillay's share was sold in execution of a decree against him and was purchased by one Lodum-das who sold it to Government in 1873 for Rs 159.

The

The shares of Nos. 3 and 4 were purchased at a Court's sale by Munisawmi Mudelliar (No. 2) who sold them together with his own share to Government in 1873 for Rs. 2120 — " — ".

5. It is proposed to [illegible] the Collector on the grounds that the property No. 26 in the plaint schedule belongs to Government by right of purchase from its owner and that Vanjapury Pillay had no right to hypothecate it.

As

6. As the 28th Instant is the date fixed for the hearing of the case the Collector should apply for an extension to admit of the orders of Government being received.

(True Copy & Exact)

[signature]
Ag. Secretary

To the Secretary to Govt. &c.

With 2 Enclos. to be returned.

2932/6

2d Bl.
P.
[signature]

No 2932—

The defence of the suit
is sanctioned

25-9-77

Dy. Secy. to Govt. of Panjab 26-9-77
with Rec.
No. 3 2-9-77