(1) Number of pages 6.

(2) Date of repair

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. / B.P. No:	3341.	Press. / Mis.
Dated	3-12-1877	197 .

Not to be folded or roughly handled

Archives I—5,806—24-2-78.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

3rd December 1877, No. 3,341.

Read the following paper:—

No. 13. Proceedings of the Court of Wards, dated 16th November 1877, No. 5,011.

Read the following letter from W. LOGAN, Esq., Collector and Agent to the Court of Wards, Malabar, to H. E. STOKES, Esq., Secretary to the Court of Wards, dated Kanoth, 26th October 1877, No. 235-A:—

I HAVE the honor to enclose copy of my Head Assistant's Report, No. 629, dated 18th October 1877, regarding the estate of a Minor in Palghaut Taluq, the Mangara Kuppu Neithiyar.

2. Mr. Johnson's letter will, I think, furnish the Court with the information necessary to enable it to come to a decision on the point as to whether the estate should or should not be taken under management.

3. The Minor is between 11 and 12. The capitalized value of the estate is estimated at Rupees 1,46,000, and the known liabilities are Rupees 34,000 and odd. The gross annual income is Rupees 4 367. After deducting Government assessment and other dues and the expenses of the Minor and of the temples attached to the property, a clear balance of about Rupees 2,600 would be left.

4. The estate is therefore small, but I think it should be taken under management. It is clear that none of the claimants who have started up can be recognized while the boy is alive. If their claims had been valid they would no doubt have been pressed while the boy's mother was alive. Every one of them, supposing their claims good and substantial, have a direct interest in the boy's death, and it is clear that the estate cannot be left to their management during the boy's minority. His putative father (who is of course under Malabar law in no way an heir to the property) is also interested in dissipating it. This he has done already it seems to some extent, though no case can be brought home to him. Failing the boy the property would most probably lapse to Government, for it would be most difficult for the claimants who have started up to substantiate their claims in the face of the fact that they have hitherto had no voice in the management. Considering these facts, I think the property should be taken in charge.

5. If the Court agrees with me, I will endeavor to have the boy brought into Calicut and educated at the school recently established by the Zamorin Rajah.

—

ENCLOSURE No. 1.

From E. C. JOHNSON, Esq., Acting Head Assistant Collector, to W. LOGAN, Esq., Collector and Agent to the Court of Wards, dated Palghaut, 18th October 1877, No. 629.

I HAVE the honor to report on the subject of the late Mangara Kuppu Neithiyar's Estate, as requested in your letter, No. 1,159, dated July 30th, 1877.

2. The late proprietrix, Kilakekara Mangara Kuppu Neithiyar, died on the 3rd December last, and the Tahsildar reported to Mr. Sewell that the estate should escheat to Government. Mr. Sewell immediately went to the spot, and, making inquiries, soon found that an heir to the

estate existed, in the late proprietrix's daughter's son, Kadingi, a boy of between 11 and 12 years old. Claims to the property have since been put in by (1) Kadingi Nair, (2) Ravunni Nair, Teyunni Nair, and Rekunni Nair, (3) Kandappan Nair. These claimants if at all related to the deceased are so in a remote degree only, and their title to the estate is in no way better now than it was while the late proprietrix was alive. There can, in my opinion, be no doubt that the boy Kadingi, deceased's grandson, is the proper heir to the property; the other claims are deserving of no consideration.

	Rs. A. P.
Immovable	1,38,734
Movable	7,339
Total ..	1,46,074

3. The estate is not a large one, its total capitalized value being only about Rupees 1,46,000.

Its gross yearly rental is about Rupees 4,367, but after deducting the payments to be made on account of Government demand and Michavaram on lands held on Kanom, the net income is about Rupees 3,600. The debts due by the estate amount to Rs. 34,304-10-8 (or one-fourth the capitalized value of the estate) as far as has been ascertained; the balance of credit over liabilities being thus Rupees 1,11,770-2-3. At the time of the Neithiyar's death most of the lands were under lease, 563 seed paras of land only under her own management. These remained uncultivated for the first half of the present cultivation season, but have been leased out for the second crop.

	Rs. A. P.
Government Assessment	520 0 0
Michavaram	228 9 2
Total ..	748 9 2

	Rs. A. P.
Secured on Estate	30,304 10 8
On simple Bond	4,000 0 0
Total ..	34,304 10 8

4. Small as the estate is, I think it would be well to take it under the management of the Court of Wards. It is compact, being chiefly situated within the limits of three adjacent Amshoms, Mangara, Kotayi, and Chulanur—and could be easily managed by the Tahsildar with the assistance of the Adigaries; the whole extra establishment required being one gumastah on Rupees 15, and one peon on Rupees 5.

5. The amount required for the maintenance of the Minor and of the temples attached to the estate, inclusive of the establishment for managing, will amount to about Rupees 960-15-6, as shown in the schedule enclosed. The Minor being at present only 12 years of age, the estate would remain under management for nearly six years, during which time about half of the liabilities of the estate could be paid off to its very great advantage. The Minor is a handsome intelligent boy, and expresses himself willing to come and live in Palghaut and attend school. He is at present under the care of his putative father, one Thapu Nair, who managed the estate for the late Neithiyars during the last years of her life. Mr. Sewell held an inquiry into alleged malpractices by this man, who was said to have misappropriated a good deal of the property; but no record of the inquiry is forthcoming, nor was any decision passed. I have no doubt that he did misappropriate property of the deceased to a considerable extent, but there does not seem sufficient evidence to bring the charge home to him; nor under the circumstances of the case, and considering the relationship in which he stands to the Minor, do I consider a prosecution advisable.

6. If the estate be taken under the Court of Wards, this man may, I think, be allowed to retain the guardianship of the Minor, as the latter desires. Should the Board of Revenue not consider it advisable to take the estate under management, a difficulty would arise as to who should be appointed guardian and manager under the provisions of Regulation X of 1831. Thapu Nair is certainly not fit to be trusted with the management of the property, and he only relative (the claimants to the estate already mentioned) being all directly interested in the death of the Minor and not otherwise having any interest in the property, it would be most unadvisable to appoint any of them. This is a strong reason for taking it under management, a course which should not be attended with any difficulties.

7. As the crops are now being reaped, and the rents if not collected soon will be difficult to get in, I have directed the Tahsildar as a temporary measure to entertain a gumastah on Rupees 15, and proceed at once to collect the rents of the present year and the arrears of last year still remaining unpaid. I request that you will obtain the necessary sanction for this.

8. Such of the records as are necessary for reference are enclosed, as shown in the accompanying list.

(True Copy.)

(Signed) W. LOGAN,
Collector.

SUBMITTED to Government with the Board's recommendation that the estate be taken under management. Although the property is small, the Court's intervention is evidently necessary to prevent its being dissipated.

(True Copies and Extract.)

(Signed) C. . GALTON,
Sub Secretary.

No. 14. ORDER THEREON, 3rd December 1877, No. 3,341.

Miscellaneous.

THE Board's proposal is approved and sanctioned.

(True Extract.)

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

To the Board of Revenue.

Exd. T. D. Ryan.

No. 5,011.

PROCEEDINGS OF THE COURT OF WARDS, dated 16th November 1877.

Read the following letter from W. LOGAN, Esq., Collector and Agent to the Court of Wards, Malabar, to H. E. STOKES, Esq., Secretary to the Court of Wards, dated Kanoth, 26th October 1877, No. 236-A:—

I HAVE the honor to enclose copy of my Head Assistant's Report, No. 629, dated 18th October 1877, regarding the estate of a Minor in Palghaut Taluq, the Mangara Kuppu Neithiyar.

2. Mr. Johnson's letter will, I think, furnish the Court with the information necessary to enable it to come to a decision on the point as to whether the estate should or should not be taken under management.

3. The Minor is between 11 and 12. The capitalized value of the estate is estimated at Rupees 1,46,000, and the known liabilities are Rupees 34,000 and odd. The gross annual income is Rupees 4,337. After deducting Government assessment and other dues and the expenses of the Minor and of the temples attached to the property, a clear balance of about Rupees 2,600 would be left.

4. The estate is therefore small, but I think it should be taken under management. It is clear that none of the claimants who have started up can be recognized while the boy is alive. If their claims had been valid they would no doubt have been pressed while the boy's mother was alive. Every one of them, supposing their claims good and substantial, have a direct interest in the boy's death, and it is clear that the estate cannot be left to their management during the boy's minority. His putative father (who is of course under Malabar law in no way an heir to the property) is also interested in dissipating it. This he has done already it seems to some extent, though no case can be brought home to him. Failing the boy the property would most probably lapse to Government, for it would be most difficult for the claimants who have started up to substantiate their claims in the face of the fact that they have hitherto had no voice in the management. Considering these facts, I think the property should be taken in charge.

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From E. C. JOHNSON, Esq., Acting Head Assistant Collector, to W. LOGAN, Esq., Collector and Agent to the Court of Wards, dated Palghaut, 18th October 1877, No. 629.

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2. The late proprietrix, Kilakekara Mangara Kuppu Neithiyar, died on the [illegible] December last, and the Tahsildar reported to Mr. Sewell that the estate should escheat to Government. Mr. Sewell immediately went to the spot, and, making inquiries, soon found that an heir to the

estate existed, in the late proprietrix's daughter's son, Kadingi, a boy of between 11 and 12 years old. Claims to the property have since been put in by (1) Kadingi Nair, (2) Ravunni Nair, Teyunni Nair, and Rekunni Nair, (3) Kandappan Nair. These claimants if at all related to the deceased are so in a remote degree only, and their title to the estate is in no way better now than it was while the late proprietrix was alive. There can, in my opinion, be no doubt that the boy Kadingi, deceased's grandson, is the proper heir to the property; the other claims are deserving of no consideration.

	Rs.
Immovable	1,38,724
Movable	7,350
Total ..	1,46,074

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Its gross yearly rental is about Rupees 4,367, but after deducting the payments to be made on account of Government demand and Michavaram on lands held on Kanom, the net income is about Rupees 3,600. The debts due by the estate amount to Rs. 34,304-10-8 (or one-fourth the capitalized value of the estate) as far as has been ascertained; the balance of credit over liabilities being thus Rupees 1,11,770-2-3. At the time of the Neithiyar's death most of the lands were under lease, 563 seed paras of land only under her own management. These remained uncultivated for the first half of the present cultivation season, but have been leased out for the second crop.

	Rs.	A	P.
Government Assessment	520	0	0
Michavaram	228	9	2
Total ..	748	9	2

Secured on Estate	30,304	10	8
On simple Bond	4,000	0	0
Total ..	34,304	10	8

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8. Such of the records as are necessary for reference are enclosed, as shown in the accompanying list.

(True Copy.)

(Signed) W. LOGAN,
Collector.

Submitted to Government with the Board's recommendation that the estate be taken under management. Although the property is small, the Court's intervention is evidently necessary to prevent its being dissipated.

(True Copies and Extract.)

Sub-Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Collector of Malabar.

Exd. W. H. French.

REVENUE DEPARTMENT

No. 4965

From Pres. Court of Wards

Dated 16 November 1877.

FOR ORDERS.

Re Rangadu
Kavi family &
Gopala Pai - Petition for
families (Reduced
in circumstances) &
Rs. 200 for the Boys
views in the interest
of the family
20 Pai 1877

Pleadings 1877.
Court of Wards.
MADRAS.

PROCEEDINGS, 16TH NOVEMBER 1877, No.

NOVEMBER.
No. 5,011.

Estate—of the late Mangara Kuppu Na
year in Palghaut Taluq, Malabar Distri
Recommending that the— be taken u
management of Court of Wards

Received 29-Nov

FOR ORDER

Regarding the Petition
of Morgan Rudyard Jun.
on Patchent Valley, Ba

C. 29. Shows by R. 3 Dec 1/2