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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. / B.P. No: 1769	Press. / Mis.
Dated 4.11.1878	197 .

Not to be folded or roughly handled

Archives I—5,806—24-2-78.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

1269/1

4th November 1878, No. 1,769.

Read the following paper :—

No. 41. Proceedings of the Board of Revenue, dated 14th September 1878, No. 2,546.

Read the following papers :—

Proceedings of the Madras Government, dated 4th September 1878, No. 1,436, Revenue Department.

ABSTRACT.—*Madugula Estate in the Vizagapatam District.*—Ordering a telegram to be despatched to the Collector respecting Lingam Lakshmaji Pundit's complaints against Mr. Goodrich's proceedings in connection with the attachment of the —, and requesting that officer to report fully through Board.

From H. ST. A. GOODRICH, Esq., Acting Collector of the Vizagapatam District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Vizianagram, 6th September 1878, No. 1,343.

WITH reference to the annexed telegram from the Revenue Secretary to Government of 5th instant, I have the honor to report as follows :—

"Following telegram received from Lakshmaji, viz., 'During my absence Mr. Goodrich in May illegally attached Madugula apparently for arrears, which, although tendered by Maharajah in following June, he declined to release estate. My sentence being reversed, Mr. Goodrich accepted payment and ordered delivery of estate to Dewan preparatory to my interests. As this interference will do me damage, I pray for telegraphic instructions to Collector for restoring my possession. Report fully through Board."

		RS.	A.	P.
Peishcush		1,291	8	7
Quit-rent		620	12	0
	Total ...	1,912	4	7

2. At the close of Fasli 1286 the arrears due on the Madugula Zemindari was Rupees 1,912-4-7 as noted in the margin. The demand for Fasli 1287 up to April last amounted to Rupees 31,472-2-8 as shown below :—

	RS.	A.	P.
Peishcush	22,864	2	9
Land-cess	6,345	11	9
Quit-rent	2,172	10	0
Interest	89	10	2
Total ...	31,472	2	8

3. The estate having been held under the usufructuary mortgage of the Maharajah of Jeypore and registered in his name in the Collector's Register of Permanently Settled Estates, he was called upon to pay up the arrears due on the estate.

4. In Fasli 1287 he paid Rupees 1,912-4-7 on account of arrears and Rupees 11,187-14-9 on account of current, leaving a balance of Rupees 20,284-3-11 to be paid at the close of April last. Although repeated letters and demand notices were served on him, he failed to pay the arrears or to show cause for his non-payment. Failing all attempts to collect the arrears, I attached the estate under Section 34 of Act II of 1864 and assumed the management of the estate under Section 29 of the Act (*vide* Notification published at page 219 of the District Gazette of 1878).

5. The fact of my having attached and assumed the management of the estate was duly brought to the notice of the Board of Revenue in my letter, No. 560, of 8th May last, and the Board have sanctioned the entertainment of G. Balaramayya Pantulu as Manager in their Proceedings, No. 1,380, dated 22nd May last.

6. The Maharajah of Jeypore never offered to pay up the arrears, nor did I ever tell him that the estate would not be released.

7. The Maharajah sent Rupees 20,000 in the month of August last, and requested me to restore the estate to his Diwan. The estate has accordingly been made over to the Diwan as the above sum and the amount collected during the management satisfied all demands due to Government.

8. With reference to the foregoing and to the telegram of this day also from the Revenue Secretary to Government, to the following effect: "Lakshmaji complains your interference regarding audit of certain accounts between him and Jeypore Maharajah's affairs being apparently non-official. Explain by letter forthwith." I have to remark further as follows:—

(Sic in telegram received).

9. The Maharajah requested me to hand the estate over to his Diwan. As I have already reported to Government, the Maharajah last December complained to me of the impossibility of getting any accounts from Lakshmaji whose lease under Jeypore has expired.

10. The Order of Government of 9th October 1877, No. 3,087, approves the delegation of my Principal Assistant Collector to scrutinize the accounts as between the proprietrixes of Madugula and the Maharajah of Jeypore.

11. I should strongly recommend that the policy which approved itself to Government in October last should be followed, and that Mr. Lee-Warner should do that which Mr. Roupell was ordered to do.

12. I need not say that I have no concern with the accounts between the Maharajah and Lingam Lakshmaji. The complaint made to me by the Maharajah was made at an interview and was not a formal criminal complaint. As Lakshmaji was then in jail I told him he had better wait until the charge then pending had been heard. He said that from Lakshmaji's accounts not having been furnished he could not tell what the true state of the case was. I understand that he has again since Lakshmaji's release called upon him to produce the accounts without effect, but I have had no communication with either party. As the Secretary to Government seems to desire an early report, I respectfully beg that this letter may be sent on with expedition.

THE Collector's letter will be submitted to Government with reference to the Order above read.

2. The Board are of opinion that Mr. Goodrich has not in any way exceeded his powers or acted otherwise than judiciously. They support the recommendation made at paragraph 11.

(True Copies and Extract.)

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

No. 42. ORDER THEREON, 4th November 1878, No. 1,769.

Miscellaneous.

THE petitioner will be informed that it appears from the Collector's report that no tender of payment of arrears was made by the Maharajah of Jeypore till August last, by which time the petitioner's lease had expired.

(True Extract.)

(Signed) L. A. CAMPBELL,
Under Secretary to Government.

To the Board of Revenue.
" the Petition Department.
Exd. A. F. Goodall.

1269/2

Cogl. R. (1878) 3[illegible]

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated November 4th 1878.

Printed 8th.

Read.

Read.

G.O. 1st November 1878, No. 1,703.

NOVEMBER.

Nos. 41-42.

Madras: Printed at the Fort St. George Gazette Press.—Informing the Petitioner that it appears that no order of payment of arrears on account of the — was made by the Maharajah of Jeypore till August last, by which time the petitioner's lease had expired.

Cogl. R. (1878) 3[illegible]

My dear Master 1110 21st Sept: 1878.

I am rather perplexed by the wording of your tele[gram] about Madgol affairs: as I have taken no action I do not understand what action can be disapproved. As I reported to Govt. the Maharaja of Jeypore complained to me last December of the fraud as he believes to have been practiced on him, and I would not receive his complaint as it was not made formally, because Lakshmaji was sufficiently occupied in preparing for his trial for forgery.

I am absolutely ignorant of what is now going on excepting that Lakshmaji has been ordered to render accounts and has not done so.

I have never heard of any dispute regarding the Madgol Estate. The only thing that has been alleged before me is that Lakshmaji fraudulently converted 2 lakhs or more the property of the Maharaja of Jeypore to his own

...ual in 1875-1877. but this
is my what the Maharaja &
his Dewan have told me, they
have lodged no formal complaint
The estate is mortgaged to Seyhore
is in his possession.
I must trust that a D.O. will
throw light on the telegram.

I hope Birla Kimidi will be
approved as a place of residence for the
Bobbili minor. The Rani has behaved
well & the minor very ill in this dispute
and she has unspeakable objections to
Waltair. old L.L. hoping Ran will she
believes get hold of the boy & lead him
astray in many ways: I believe she
is quite right in this belief. It is very
sensible of her to wish for Venkatagiri
attendants for him.

all going well here, but Murray my
pt is very ill with fever & dysentery - poor fellow

Revenue (Financial) Department.

No. 4100. 1769/81

From Board of Revenue

Dated 14th September 1878.

FOR ORDERS.

Govt record
9/10 MR

Sir, I do not see
how I can allow
more than two days.
In former cases
I have granted
four days for
Conferences during

1769/76

No. 1,380.

PROCEEDINGS OF THE COURT OF WARDS, dated 22nd May 1878.

Read the following letter from H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to C. A. GALTON, Esq., Acting Secretary to the Court of Wards, dated 8th May 1878, No. 560 :—

THE necessary action in pursuance of the injunctions contained in G.O., dated 9th October 1877, No. 3,087, could not be taken by me in consequence of the necessity of listening to the plea of Lingam Lakshmaji Pandit, who refused to render any accounts whatever either to me or to the Maharajah of Jeypore whilst the charge of forgery against him was pending.

2. That charge was investigated at the last Criminal Sessions of the Kistna District Court, and he was found guilty and sentenced to seven years' rigorous imprisonment and Rupees 5,000 fine.

3. The Maharajah of Jeypore has had no accounts for two years at least, and knows nothing excepting that L. Lakshmaji must owe him more than two lakhs.

4. As I have already reported, the two widows of the last Zemindar, who have been registered as joint proprietors of the Madgole Zemindari, have irreconcilable interests. The elder has adopted; the younger hopes that her own grandchild may eventually succeed.

5. I propose that a guardian whose character is beyond cavil, and who has been unconnected with any stage of the long intrigue for the possession of the estate, should be appointed to the two ladies, and he may manage their seri lands, which will produce about Rupees 20,000 annually.

6. I have in my own charge a large quantity of personalty, Benares cloths and chuddas and jewels, probably of the value of about Rupees 50,000. These articles are most of them such as are suitable to the adornment of the person or retinue of a Zemindar; and I propose that the jewels, which are proper to male costume, should be retained in the charge of the Agent to the Court of Wards until another Zemindar shall have succeeded, whilst the women's jewels and the cloths be divided between the two ladies. The camel which I reported unsold in my letter of 13th April, No. 445, has been sold for Rupees 100.

7. In addition to the seri lands and personalty, there is a claim against the Maharajah of Jeypore, to whom the Zemindari is pledged in usufructuary mortgage. This claim is for Rupees 1,000 per mensem, and is supported by the terms of the registered deed under which the estate was mortgaged.

8. The ladies must be represented by a man of experience and integrity as, besides the decision as to the legal steps to be taken in a good many suits to which the ladies are or must become parties, there remains the question of the accounts with Jeypore. Those accounts must be scrutinized with the purpose of saving the estate from all claims with which it cannot be legally charged. The creditor (the Maharajah) has employed an agent, now in jail, from whom he has had no accounts for two years, but it would not be fair to allow sums, of which he has permitted himself to be plundered, to be added to the burdens of the estate.

9. Gade Balaramayya Pantulu was well known for many years to Messrs. Forbes and Thornhill, and holds highly honorable testimonials. I have known him as Tahsildar of Berhampore and previously of Gumsur. Mr. C. G. Master will testify to his opinion of Balaramayya. He has never served in Vizagapatam, and would come to his difficult task without prejudice in favor of any. I should recommend that he receive Rupees 80 per mensem at the least.

10. It has become necessary to attach the Madgole estate on account of the heavy arrears of peishcush, which amount to Rupees 24,814.

11. The management of the whole estate will be too heavy a tax upon the Deputy Tahsildar who only receives Rupees 70 per mensem, and whose head-quarters are some ten miles from Madgole. The management of the whole estate, the seri lands

re circ - 4 Hall W. R. 1406

FOR ORDERS.

How can it be said that Goodrich acted in order? Record his explanation (as Ld W. R. proposes) no harm in that; but that -mubbis wrong forgot to say his progs are approved -

There were two accusations (1) that the money was tendered & release of attach^t refused notwithstanding -

Q. says "false" - very good but what of -

(2) that Q. made over the Estate, when he did release it, to the Rajah's Dewan - does the party who pays up an arrear have a claim to the summary possession of the Estate?

If so, this runs counter - see my Memo attached to G.O. - 2 Feb^y last, No 1436. S.F.L. Oct 11/78

As I understand the case L.L. has not acquitted as to the risk to Mr. Agent for managing the Madgole Estate in preference of the R. on mortgage. The Estate attached for arrears. Q. the Agent. Can this be the request that the Estate might be released on this Dewan's place in possession Q. does not. The Estate stands in the public offices as in the Agent's execution a mere fiction. Agent keeps Jeypore Estate under Court of Wards. Can anything be done with L.L. in the matter of papers in the Agent. as also to Dewan. Sunkoodich has quitted office. Assistant C 2-10-78 R 11-10-78 PC 11-10-78 Rc 12-10-78 Rc 29-10-78 R 23-10-78 24-10-78 R 29-10-78 Collr. 30.10.78

of the widows, and the four villages of Chidikada Jaganathapuram, would not be out of the power of a man of Balaramayya's experience if he have a reasonable establishment. Rupees 120 per mensem is the present pay of the manager and is not excessive.

12. It is, of course, open to the Maharajah to pay the arrears, some Rs. 25,000, and release the estate; and I am anxious that Balaramayya should be appointed in order to act as the guardian of the ladies. If he is on the spot, his services in managing the attached estate, provided it be left under attachment, will be an additional gain.

13. I have the honor to solicit early orders on the question.

The Court approve of the appointment of Balaramayya Pantulu as recommended, but they are not satisfied that Rupees 80 is a sufficient salary if the estate remains under attachment, and would allow him Rupees 100 irrespective of what he may get for separate duty. The Collector should report the establishment which Balaramayya will require.

2. The disposal of property recommended in paragraph 6 is approved.

(A true Copy and Extract.)

(Signed) J. STURROCK,
Acting Sub-Secretary.

To the Acting Collector of Vizagapatam.

Exd. W. H. French.

1878.

Court of Wards,

MADRAS.

Proceedings, 22nd May 1878, No. 1,380.

Read.

Received

MAY.

No. 1,380.

Madgole Estate—in Vizagapatam District—Approving the appointment of Balaramayya Pantulu as guardian of the two widows of the late Zemindar of —; requesting Collector to report the establishment which he will require; and approving the proposed disposal of the property under the charge of the Collector.

Rev: Department.

No. 546

1279

Proceedings of the Board of Revenue
Dated 14 September 1878

Read G.O.R.D. 4 September 1878 No 1436.

Read also the following

No 1343.

From H. St. A. Goodrich Esquire
Acting Collector

To C. A. Galton Esquire
Asst Secretary to the Board of Revenue
Madras.

Sir,

With reference to the annexed telegram from the Revenue Secretary to Govt of 5 instant, I have the honor to report as follows:—

"Following telegram received from Lakshmayya namely 'During my absence Mr Goodrich in May illegally attached Madugula apparently for arrears which although tendered by Maharajah in following June he declined to release estate - My sentence being reversed Mr Goodrich accepted payment & ordered delivery of estate to divan prejudicially to my interest as this interference will do me damage - I pray for telegraphic instructions to Collector for restoring my

my possession - Report fully through the Board"

2. At the close of Fasli 1286, the arrears due on the Madgole Zemindari was Rupees 1912-4-7 as noted in the margin - The demand for Fasli 1287 up to April last amounted to Rupees 31,472-2-8 as shown below -

Peishcush - - -	22,864-2-9
Land Cess - - -	6,345-11-9
Quit Rent - - - -	2172-10--
Interest - - - -	89-10-2
	31,472-2-8

Peishcush 1291-8-9
Quit-rent — 620-12-10
1912-4-7

3. The estate having been held under the usufructory mortgage of the Maharajah of Jeypore and registered in his name in the Collector's Register of Permanently Settled Estates, he was called upon to pay up the arrears due on the Estate.

4. In Fasli 1287 he paid Rs 1912-4-7 on account of arrears and Rs 11,187-14-9 on account of current leaving a balance of Rupees 20,284-3-11 to be paid at the close of April last. Although repeated letters and demand notices were served on him, he failed to pay the arrears or to show cause for his non-payment. Failing all attempts to collect the arrears, I attached the estate under Section 34 of Act II of 1864 and assumed the management of the estate under Section 29 of the Act vide Notification published at page 219 of the District Gazette of 1878.

5. The fact of my having attached and assumed the management of the estate was duly brought to the notice of the Board of Revenue in my letter No. 560 of 8th May last and the Board have sanctioned the entertainment of G. Balaramayya Pantulu as Manager in their Proceedings No 1380 dated 22d May last.

6. The Maharajah of Jeypore never offered to pay up the arrears nor did I ever tell him that the estate would not be released.

The

7. The Maharajah sent Rs 20000 in the month of August last and requested me to restore the estate to his Dewan. The estate has accordingly been made over to the Dewan as the above sum and the amount collected during the manage-ment satisfied all demands due to Govern-ment.

8. With reference to the foregoing and to the telegram of this day also from the Revenue Secretary to Government to the following effect "Lakshmaji complains your interference regarding audit of certain accounts between him and Jeypore Maharajah's affairs being apparently non-official explain by letter forthwith" I have to remark further as follows. (See in telegram received)

9. The Maharajah requested me to hand the estate over to his Dewan. As I have already reported to Govern-ment the Maharajah last December complained to me of the impossibility of getting any accounts from Lakshmaji whose lease under Jeypore has expired-

10. The order of Government of 9th October 1877 No 3087, approved the delegation of my Princi-pal Assistant Collector to scrutinize the accounts as between the proprietrixes of Madgol and the Maharajah of Jeypore.

11 I should strongly recommend that the policy which approved itself to Government in October last should be followed and that Mr Lee Warner should do the which Mr Row-pell was ordered to do.

12. I need not say that I have no concern with the accounts between the Maharajah and Lingam Lakshmaji. The Complaint made to me by the Make Rajah was made in an interview and was not a formal criminal Complaint. As Lakshmaji was then in jail I told him he had better wait until the charge then pending had been heard. He said that from Lakshmaji's accounts not having been furnished he could not tell what the true state of the case was. I understand that he has again since Lakshmaji's release called upon him to produce the accounts without effect, but I have had no

1769/10

no Communication with either party.

As the Secretary to Government seems to desire an early report, I respectfully beg that this letter may be sent on with expedition.

Vizagapatam Collectors Office
Dated 6th Sept. 1878
Camp Vizianagaram

I have &c
(Sd) H. Goodrich
Acting Collector

The Collector's letter will be submitted to Government with reference to the order above read.

2. The Board are of opinion that Mr. Goodrich has not in any way exceeded his powers or acted otherwise than judiciously - They support the recommendation made at para 11.

True Copy and Extract

A. Pelly
Sy. Secretary

To

The Secretary to Government N.D.
with Copy of BDS. Pro: Dated
22nd May 1878. No. 1380.

7. The Maharajah sent Rupees 20,000 in the month of August last, and requested me to restore the estate to his Diwan. The estate has accordingly been made over to the Diwan as the above sum and the amount collected during the management satisfied all demands due to Government.

8. With reference to the foregoing and to the telegram of this day also from the Revenue Secretary to Government, to the following effect: "Lakshmaji complains your interference regarding audit of certain accounts between him and Jeypore Maharajah's affairs being apparently non-official. Explain by letter forthwith." I have to remark further as follows:—

(*Sic* in telegram received).

9. The Maharajah requested me to hand the estate over to his Diwan. As I have already reported to Government, the Maharajah last December complained to me of the impossibility of getting any accounts from Lakshmaji whose lease under Jeypore has expired.

10. The Order of Government of 9th October 1877, No. 3,087, approves the delegation of my Principal Assistant Collector to scrutinize the accounts as between the proprietrixes of Madugula and the Maharajah of Jeypore.

11. I should strongly recommend that the policy which approved itself to Government in October last should be followed, and that Mr. Lee-Warner should do that which Mr. Roupell was ordered to do.

12. I need not say that I have no concern with the accounts between the Maharajah and Lingam Lakshmaji. The complaint made to me by the Maharajah was made at an interview and was not a formal criminal complaint. As Lakshmaji was then in jail I told him he had better wait until the charge then pending had been heard. He said that from Lakshmaji's accounts not having been furnished he could not tell what the true state of the case was. I understand that he has again since Lakshmaji's release called upon him to produce the accounts without effect, but I have had no communication with either party. As the Secretary to Government seems to desire an early report, I respectfully beg that this letter may be sent on with expedition.

The Collector's letter will be submitted to Government with reference to the Order above read.

2. The Board are of opinion that Mr. Goodrich has not in any way exceeded his powers or acted otherwise than judiciously. They support the recommendation made at paragraph 11.

(True Copies and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department,
with copy of Board's Proceedings, dated 22nd May 1878, No. 1,380.
Copy to the Collector of Vizagapatam, with Government Order.

Exd. A. Grubert.

1269
12

Rev. Department.

1269
13

PROCEEDINGS of the MADRAS GOVERNMENT.

~~Reads the following letter~~

Tobacco with

Revenue Board
for cancelling
the warrant issued
against the Talukdar
and to release
the attached property

The Adv. Genl is requested to advise under what formalities, if any, immovable property attached for arrears of Revenue should be released, on discharge of the arrears.

2. In a recent case, he referred to a Zamindari complaint that, he having fallen into arrears during his temporary absence from the district, the Collr attached the Estate; that the Zamindar came forward & paid the arrears, obtaining at the same time that the Estate might be made over to him; and that on his, the Collr's, return to the district, he finds himself out of possession by the Collr's act in making over the estate to the Zamindar; & whether the act be challengeable beyond the Collr's jurisdiction & highly prejudicial to his, complainant's, interests.

3. The Adv. Genl is requested to state whether, the outstanding Govt demand has been paid by the Zamindar, the payor was rightly put in possession of the Estate by the Collr during the currency of complainant's lease; or whether it was the duty of the Collr to do more than withdraw the attachment. In the latter case he will please state what formalities it

Extract from the letter from Govt. of Madras No. 1088 dated 4th Feby 1878 to the Board of Revenue, Madras.

Para 2. Mr. Norris' case appears to be that the Zamindar's temporary non-payment of his kist due on the 15th Jany. 1878 and the subsequent issue of a warrant for the attachment of the Estate, were caused by the Zamindar's absence from his district, and that the Collector, on the Zamindar's return, ought to have withdrawn the attachment and restored the Estate to him.

Para 3. The Collector's report shows that the Zamindar was in arrear for Fasli 1287 (1877-78) and that he was absent from his district from the 15th Jany. 1878 to the 27th Jany. 1878. The Collector's report also shows that the Zamindar's kist due on the 15th Jany. 1878 was not paid by him, but was paid by the Collector out of the Estate. The Collector's report also shows that the Zamindar's kist due on the 15th Jany. 1878 was not paid by him, but was paid by the Collector out of the Estate.

The Collector's report shows that the Zamindar was in arrear in Aug. 1877, after a lease from him had expired.

I do not think the Board's note in the case of the Superintendent

No. 41.

Fort St. George,
1878.

Board of Revenue,
MADRAS.

To

THE SECRETARY to GOVT.,
REVENUE DEPARTMENT.

Dated September 14th.

Printed 21st.

Read.

PROCEEDINGS, 14TH SEPTEMBER 1878, No. 2,546.

Read the following letter from the Collector of Vizagapatam, dated 7th September 1878, No. 2,546.

SEPTEMBER.

No. 2,546.

Col. H. Pennefather to the Board.

Madapolu Estate—in Vizagapatam District.—Submitting to Government report from Collector with reference to Lingam Lakshmaji Pundit's complaints regarding attachment of—for arrears.

Forwarded
Govt
with A.O. from

have simultaneously
taken place, for the information
of all parties concerned -

Dec 22/70.

1769
121

Copt. of 1187 } Mr Adams.

To

Dated
Recd. } 187 , No.

Nos.

Vol. 41-62

R 25-11-78 RC 29-10-78
RC 25-10-78 R 4-11-78
R 29-10-78

Sh 1769

The Petr will be informed that it appears from the Collr's report that no tender of payment of arrears was made by the Mortgagee of Tessora till after Sale, & it must be Petr's care to have Land exempted.

4 November 1878 25/10/78