Archives I - 10,006—16-8 77.

(1) Number of pages 14

(2) Date of repair 20-12-88

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. / B.P. No.	2037	Press. / Mis.
Dated	19-12-1878	197 .

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

2037/1.

19th December 1878, No. 2,037.

Read the following paper :—

No. 210. From L. C. PROBYN, Esq., Accountant-General, to the Secretary to Government, Revenue Department, dated Fort St. George, 9th December 1878, No. 6,698.

With reference to the Proceedings of the Court of Wards, No. 3,172, dated the 23rd November 1878, copy annexed, I have the honor to request that the Secretary of State may be asked to pay £350 therein referred to to Mr. Treasure, Solicitor of the India Office.

2. The equivalent of this amount, viz., Rs. 4,321-8-8, has been ordered to be recovered by the Collector of Madura from the Ramnad Zemindari.

Enclosure No. 1.

Proceedings of the Court of Wards, dated 23rd November 1878, No. 3,127.

Read letter from the Acting Collector of Madura, dated 20th November 1878, No. 185, enclosing a letter from Mr. Treasure asking instructions to appear before the Privy Council in the matter of an appeal preferred by Ramasawmi Chetty.

This is an appeal from the decree of the High Court in Regular Appeal No. 80 of 1876 passed in favor of the Minor Zemindar of Ramnad. The Court of Wards consider that the appeal should be opposed, and they resolve to instruct Mr. Treasure, Solicitor of the India Office, accordingly.

Court of Wards' Proceedings, 29th August 1876, No. 2,222.
" " 22nd Feb. 1877, " 792.
" " 6th Sept. " " 4,147.

2. The Collector will, in communication with the Accountant-General, arrange for a remittance to Mr. Treasure of £350 from the funds of the estate to defray the costs of the suit. A telegram to this effect will be sent as desired.

The following letter will be despatched to Mr. Treasure direct.

From C. A. GALTON, Esq., Acting Secretary to the Court of Wards, Madras, to H. TREASURE, Esq., Solicitor at the India Office, S.W.

In reference to your letter, dated 24th October 1878, addressed to the Collector of Madura regarding the case noted in the margin, I am directed to request you to appear on behalf of the respondent and defend the suit.

The Collector of Madura has been directed to make you a remittance of £350 to defray the costs of the suit.

Ramasawmi Chetty,
versus
The Collector of Madura and Agent to the Court of Wards on behalf of the Zemindar of Ramnad, a minor.

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

No. 211. Order thereon, 19th December 1878, No. 2,037.

Miscellaneous.

The Secretary of State will accordingly be addressed on the subject.

(True Extract.)
(Signed) H. S. THOMAS,
Acting Secretary to Government.

To the Accountant-General.
" the Court of Wards.

Exd. A. F. Goodall.

Govt. of {1878} Madras.

REVENUE.

To

THE ACCOUNTANT-GENERAL,
&c., &c., &c.

Dated December 1st.
Printed 21st.
Read.
Read.

G.O. 19th December 1878. No. 2,657.

DECEMBER.
Nos. 210-211.

Appeal Suit in connection with the Ramnad Zemindari.—Resolving to address the Secretary of State on the subject of paying Mr. Tessiger's Solicitor of the India Office, £150 for appearing before the Privy Council in the matter of the—

287
2

No 192.

Proceedings of the Board of Revenue.

Dated 22d February 1877.

Read the following letters:—

From W. McLuhar Esqr Collector of Madura to H.E. Stokes Esqr Acting Secretary to the Court of Wards dated 31 January 1877 No 11.

Adverting to the Courts Proceedings dated 17 October 1876, I have the honor to request that a copy of the High Courts Judgment in Special Appeal No 80 of 1876, referred to therein may be obtained and forwarded to me for reference if the appeal has been disposed of, as I understand it was.

From J.W. Handley Esqr Govt Pleader Madras to C.A. Galton Esqr Acting Sub Secretary to the Court of Wards dated 7 February 1877 No 23.

With reference to the Proceedings of the Court of Wards noted in the margin, I have the honor to forward copy

17 October 1876 No 2598.

2032/3

copy of the decree of the High Court in the Appeal (Regular Appeal No 80 of 1876) therein referred to, dismissing the Appeal with costs. No written judgment was delivered in the case.

2. I return the enclosure, forwarded to me with the above Proceedings.

Enclosure No 1. Authenticated Copy of Decree.

The Government Pleader's letter will be communicated to the Collector of Madura who will observe that no written judgment was delivered in Regular Appeal No 80 of 1876.

(Signed) C. A. Galton
Asst. Secretary.

E. W. H. S.

Board's Proceedings
of 22nd February 1877 No 792.

2037
A

Proceedings of the Board of Revenue, dated
29th August 1876, No. 2222.

Read the following letter from H.W.
Bliss, Esqre. Acting Collector of Madura, to
C.A. Galton, Esqre., Acting Secretary to the Court
of Wards, dated 7th August 1876, No. 103:-

With reference to paragraph 4 of the Court's
Proceedings, No. 1116, dated 12th May 1874, I have
the honor to submit, for the information
of the Court, copy of the judgment and decree
in the Sibagay suit therein mentioned, from
which it will appear that the case has been
decided in favor of the estate.

Enclosure No. 1. – Copy of judgment.

Enclosure No. 2. – Copy of decree.

Recorded.

2. It is observed that, although upon the
facts of the case the suit has been decided in
favor of the estate under the general principles
of Hindu law, because the defendant failed
to

2037/5

to prove a grant of the village, or a binding agreement to give it before plaintiff's birth or conception, or even after his birth a beneficial contract of lease or a lease for a beneficial consideration," the decision is adverse to the estate upon the point which the suit was chiefly brought to establish, namely whether these cowles are puttas within the meaning of Act VIII of 1865 / Madras /

3. In the face of Mr. Sandlay's opinion recorded in Board's Proceedings, dated 12th May 1874, No. 1116, the Court are not disposed to proceed with other suits of the same nature. Should the Collector, however, be of opinion that in other cases similar decrees could be obtained on the facts, he can make further application for sanction to sue.

(Signed) C. Gibson
Offg. Secretary.

To
The Collector of Madura.
Copy to the Govt. Pleader
with two enclosures to be returned.

Ed. [illegible]

Revenue Department

No 2127

2037

6

Proceedings of the Court of Wards

Dated 23 November 1878

Read letter from the Ag Collector of Madura dated 20th Novr 78 No 185 Enclosing a letter from Mr Treasure asking instructions to appear before the privy Council in the matter of an appeal preferred by Ramasawmi Chetty

Court of Wards' Proc. 29th Augt 76. No 2222
" 22d Feby 77. No 792
6th Sept 77. No 4147

This is an appeal from the decree of the High Court in R.A. No 80 of 1876. passed in favor of the minor Zamindar of Ramnad. The Court of Wards consider that the appeal should be opposed and they resolve to instruct Mr Treasure Solicitor of the India office accordingly.

2. The Collector will in communication with the Accountant General arrange for a remittance to Mr Treasure of £350 from the funds of the Estate to defray the Costs of the Suit. A telegram to this effect will be sent and Mr Treasure will be despatched to Mr Treasure direct

From The as Secretary to the Court of Wards, Madras.

To H Treasure Esqre
Solicitor at the India Office London

Sir

In reference to your letter dated 24th Octr

Boards Proceedings
29th August 1878
No 2222

G.O. 29 August 1878

1878. addressed to the Collector of Madura regarding the case noted in the margin I am directed to request you to appear on behalf of the respondent and defend the suit.

The Collector of Madura has been directed to make you a remittance of £350 to defray the costs of the suit.

I have &c.

(Sd) C. A Gallini
ag Secretary

True Extract

(Sd) C. A Gallini
ag Secretary.

To
The Collector of
Madura

(True Copy)
(Sd) C. A Gallini
ag secretary

(True Copy)

CR

(Sd) Asst. Accountant General

× Ramasamiyan
Versus
The Collr. of Madura
and a plt. to the
Court of Wards on be-
half of the Zamindr
of Ramnad on
minor —

Audit Department.

2037/1

No. 6698

Fort Saint George,
Accountant General's Office,
9 December 1878.

From The Accountant General
to the Government of Madras,

To The Secretary to Government
Revenue Department.

Sir,

With reference to the Proceedings of the Court of Wards ✕ 3172 dated the 23d November 1878 copy annexed, I have the honor to request that the Secretary of State may be asked to pay £350 therein referred to

Rec.
2 The equivalent of this amount viz. Rs 4321. 8. 8 has been ordered to be received by the Collector of Madura from the Ramnad Zemindary.

I have the honor to be
Sir
Your obedient Servant

(Sd) Accountant General.

CR

Revenue Departt

No 5435

1878 DEPARTMENT.

ACCTT. GENL.'S OFFICE, MADRAS.

No.

FROM

THE ACCOUNTANT GENERAL, MADRAS,

To The Secretary to Government
Revenue Department

Dated 9th December 1878
Recd. 11th No. of answer.
Ansd.

Subject.

Requesting that the Secretary of State may be asked to pay £350 to Mr Treasury Solicitor of the Supreme Office

Revised
Letter Rec'd
& Sent in

No 2037-19 December 78

No 2037

The Secretary of State
will accordingly be addressed
on the subject.

Sent

To Secretary of State dy 7 Jany 19 December 1878
" the Court of Wards

Entered the Indian Office Proceedings
in Letters to Bombay Vol 1878
Folio 1515-36

Rec'd Rev. Dept. 11 Dec. 1878
Ans. 19 Dec. 1878