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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. *631, Revenue* Press.
B.P. No. _____ Mis.

Dated *29th April 1878* 197 .

Not to be folded or roughly handled

 * செப்பனுவதற்காக எடுத்துக் *
 * கொள்ளப்பட்ட *
 * மாதம் வருடம் 85 *
 * செப்பனிட முடித்த *
 * மாதம் வருடம் 85 *
 * ஆராய்ச்சி உதவியாளரின் *
 * கையொப்பம். *

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

29th April 1878, No. 632.

Read the following paper :—

No. 264. Proceedings of the Board of Revenue, dated 2nd April 1878, No. 885.

Read the following letter from R. W. BARLOW, Esq., Collector of the Chingleput District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Sydapet, 11th March 1878, No. 138 :—

REFERRING to Board's Miscellaneous Proceedings, No. 5,905, dated 12th July 1876, communicating G.O., No. 923, dated 7th idem, sanctioning the institution of an appeal in the District Court of Chingleput against the decision of the District Munsif of Trivellore in Original Suit No. 471 of 1875, I have the honor to forward copies of appeal judgment and decree, from which the Board will see that the District Judge has reversed the decision of the Lower Court and dismissed the plaintiff's claim with cost throughout, holding that in the disputed village Kundivakam "it is clear that the right to the spontaneous produce of the poramboke vests in Government from the fact that it was formerly rented out by Government to the villagers and that this source of revenue was as a matter of grace discontinued and it is hardly necessary to refute the transparent fallacy of the Munsif in holding that the practical meaning of the agreement based on the remission of this tax is that a subject has no right to any property on which the State has been pleased to remit a tax, this *reductio ad absurdum* being illustrated by concluding that our incomes would thus be at the disposal of Government because the Income-tax was abolished."

2. I enclose a detailed statement of costs incurred in both the Courts and request the sanction of the Board for the payment of Rupees 3-13-4 mentioned therein.

ENCLOSURE No. 1.—Copy of Judgment.

ENCLOSURE No. 2.—Copy of Decree.

ENCLOSURE No. 3.—Statement of Costs.

SUBMITTED for the information of Government with reference to G.Os., dated 13th January 1876, No. 54, and 7th July 1876, No. 923.

2. In this case plaintiffs as Mirassidars claimed an exclusive right to the spontaneous produce of certain poramboke land reserved for public purposes. The District Munsif decided in plaintiff's favor, but on appeal to the District Court the Lower Court's decision has been reversed and plaintiff's claim dismissed with costs.

REVENUE DEPARTMENT, 29TH APRIL 1878, No. 632.

3. In the statement of costs Rupees 12-9-0 is entered as the total costs incurred in the appeal suit, but the sum of the items is Rupees 13-9-0. The Collector is requested to explain the discrepancy.

(A true Copy and Extract.)

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

No. 265.

ORDER THEREON, 29th April 1878, No. 632.

Miscellaneous.

RECORDED.

(True Extract.)

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

To the Board of Revenue.

Exd. A. Grubert.

ENCLOSURE No. 3.—Statement of Costs.

66 13 (Jan 17) 68 109-10
1 July - 84-85

Revenue Dept

1878. No 1628

Board of Revenue,
MADRAS.

PROCEEDINGS, 2ND APRIL 1878, No. 885.

② 4/2 10/4/78

Encl. 13 (DE 14)

Received

11 April

APRIL.

No. 885.

Appeal—preferred to District Court of Chingleput against the decision of District Munsif of Trivellore in Original Suit No. 471 of 1875 regarding plaintiff's right to the spontaneous produce of certain poramboke land in Kundivukam.—Submitting to Government copies of judgment and decree in —, and requesting Collector to explain certain discrepancy in regard to cost incurred therein.

Receve

29th June 1873

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