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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	740	Press
B.P. No.		Mis.

Dated 2-6-1876 196 .

Not to be folded or roughly handled

740/1

*Proceedings of the Madras Government, Revenue Department,
2nd June 1876.*

No. 31. Read the following Proceedings of the Board of Revenue, dated 8th May 1876, No. 1,205 :—

Read the following letter from J. HOPE, Esq., Acting Collector of the Godavery District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Cocanada, 6th April 1876, No. 84 :—

In continuation of my letter, No. 47, dated 8th March 1876, I have the honor to forward herewith copies of decree and judgment in Original Suit No. 12 of 1874.

ENCLOSURE No. 1.—Copy of Judgment.

ENCLOSURE No. 2.—Copy of Decree.

G. O., 15th September 1873, No. 987.
" 1st August 1874, " 961.
" 10th September " " 1,157.
Bd's Procs., 2nd October " " 2,860.
" 31st March 1876, " 885.

SUBMITTED for the information of Government with reference to the correspondence noted in the margin.

2. Plaintiff, Zemindar of Gutala, claimed as belonging to his estate two villages, Sivagiri and Chiduru, which have been in the possession of Government since 1858, when they were confiscated as forming part of the property of Korukonda Subba Reddy who was executed for rebellion.

3. The suit has been dismissed as barred by limitation. With reference to the strictures of the District Judge at paragraph 12 of the judgment on the line of defence adopted by the Government Officers, the Board observe that the facts of the case were laid before Government in the papers recorded in G. O., dated 15th September 1873, No. 987, and that the answer filed was drawn by the Government Pleader as directed in G. O., dated 10th September 1874, No. 1,157.

(A true Copy and Extract.)

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

No. 32. ORDER THEREON, 2nd June 1876, No. 740.

Miscellaneous.

RECORDED.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue.

Exd. J. W. Lewis.

No. 1,205.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 8th May 1876.

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(A true Copy and Extract.)

C. A. Galton
Acting Secretary.

To the Secretary to Government, Revenue Department,
with Judgment and Decree, to be returned.

Copy to the Acting Collector of the Godavery District.

Exd. W. J. Lewis.

Botl. of 118761 30 adms.

REVENUE

THE BOARD OF REVENUE

Dated June, 2nd.

Read.

G. O., 2nd June 1876, No. 740.

JUNE

Nov. 31-32.

Suit No. 12 of 1874 on file of Godavery District Court by Proprietor of Gutala Estate for recovery of Sivagiri and Chiduru Villages.—Board's Proceedings submitting copies of decree and judgment in —, recorded.



...live, though an intrigue was set on

"fore to make out that
 "the holder leased them from the
 "Zamindar in 1838. All that is
 "proved is that he holds of the
 "villages part a tribute of Rs 33 to
 "the Gatala Zamindar. Whether
 "the tribute was justly demanded
 "and legally enforced or not it is
 "impossible to determine. The origin
 "was probably in unrecorded circum-
 "stances attending the disruption
 "of the old Polavaram Estate".
 The Govt concurred, and, as recom-
 mended by the Bd., sanctioned -
 as a matter of grace, not of right -
 payment to the Zamindar of
 Rs 480, being Rs 32 a year from
 the time the villages were confiscated,
 and a permanent annual re-
 mission in his pocket book of Rs 32.

3. Dissatisfied with his settlement,
 the Zamindar brought his suit
 from the villages themselves. The Govt,
 as advised by the Coln, the Bd., &
 their legal adviser, raised a preliminary

- any issue in bar of the hearing
 of the action, viz, that they had
 been in adverse possession for 16
 years, & that the Statute of limita-
 tions left the Plff no locus standi.

4. In lieu of addressing himself
 to the first instance to the compe-
 tence of his plea, he directed Judge,
 while ultimately allowing it,
 let in the ex parte evidence of
 the Plff as to the strength of his
 title, and hereupon based his
 strictures regarding the defence, to
 which he had then called a section.

5. As the decree is in their favor,
 the Govt suppose there is no ground
 for any Appeal, but they resolve to
 remit the papers to the Govt Pleader,
 who will advise more the High Ct
 to consider the obnoxious remarks
 of the Sd Judge, with a view to their
 removal as superfluous - if he
 is of opinion that such a motion
 can properly be made.

J.S.P.
 27-5/6

a Lent ago Govt

in the Goddard district

I think it hardly desirable
to take further notice of
this. We have got the
dence in our favor. &
I don't think the R. of interfering
as is denied.

I can't say I have the
Breadth feeling. I wish
the case had been fought
on its merits - & that
demutation had not
been pleaded.

RM

21/6.

I should not move any
further. The more would
be unsuccessful in all
probability. B. 1/6

May 196. R. 18th June