(1) Number of pages 18

(2) Date of repair 18-2-1985

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

REVENUE DEPARTMENT

G.O. No. / B.P. No.	1492	Press. / Mis.
Dated	12-9-1878	197 .

Not to be folded or roughly handled

Archives I—5,806—24-2-78.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

12th September 1878, No. 1,492.

Read the following paper :—

No. 154. Proceedings of the Board of Revenue, dated 2nd September 1878, No. 2,139.

Read the following letter from Mr. L. M. TORIN, Ootacamund, to W. LOGAN, Esq., Collector of Malabar :—

I HAVE the honor to acknowledge receipt of your notice, dated 27th ultimo, in reference to certain land leased to me by the Mangadu Rani in the Attapadi Valley in your district.

2. The land in question has been leased to me on behalf of a partnership consisting of four persons, Mr. Fraser Tytler, Mr. McCallum, Mr. Havelock, and myself. What I now state is on behalf of my partners, so far as I am authorised to act on their behalf. I possess no formal or other written authority, but was authorised by them to take upon lease the land now claimed.

3. I am not anxious to become a party to litigation where the *casus belli* is actually between Government and my lessor, the Mangadu Rani, and I therefore make the following proposal :—

(*a.*) That Government shall obtain the valid and final decision of a proper Court respecting their claim to the tract in dispute including the land now leased to myself and partners.

(*b.*) That pending this decision I will not exercise acts of ownership or otherwise interfere with the land in dispute.

(*c.*) That should the decision be adverse to the Rani, I will give up the land removing only such portion of the buildings erected and other improvements as may be practicable reserving to myself the right of proceeding against the lessor for damages.

(*d.*) That should the decision be favorable, my present action shall be without prejudice to the future undisturbed possession by me of the land leased.

(*e.*) That Government will not make me a party to any suit or otherwise subject me to legal costs whilst the terms of this agreement are observed on my part, and on the part of my co-proprietors.

The notice of the 27th July I did not receive till August the 17th, 1878.

FORWARDED to the Secretary to the Board of Revenue for information. It will be necessary to sue the Mangadu Rani, and this I propose to do as soon as the Government Pleader can assist me in drawing up the plaint.

2. It would perhaps be as well to allow the Mangadu Rani an opportunity of withdrawing her claims before the suit is instituted.

CALICUT,
24th August 1878.

(Signed) W. LOGAN,
Collector.

SUBMITTED to Government in continuation of Board's Proceedings, dated 8th August 1878, No. 2,190.

2. Mr. Torin's proposal to hold his claim in abeyance pending the settlement of the question of ownership is fair and reasonable, but the formal acquiescence of his partners is necessary and should be obtained.

3. The Board approve of the Collector's suggestion in paragraph 2.

(A true Copy and Extract.)

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

No. 152. ORDER THEREON, 12th September 1878, No. 1,492.

Miscellaneous.

HIS GRACE the Governor in Council considers that Mr. Torin's proposal is perfectly fair and that Mr. Logan's suggestion to give the Mangadu Rani (the lessor) an opportunity of withdrawing her claim is perfectly reasonable. The Collector should in every case give the lessors option to cede their claims.

2. The instructions given in the case of General Morgan and Colonel Scott apply equally to this case.

(True Extract.)

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

To the Board of Revenue.

Exd. W. J. Lewis.

Revenue Dept.

Ext. No. 2439. 1892

Proceedings of the Board of Revenue
Dated 2 Sept. 1892.
Read the following

1st
Letter

From

Mr. A. M. Solin
Collector

To

C. Logan Esq.
Collector of Malabar
Calicut

Sir

I have the honor to acknowledge receipt of your notice dated 27th Ultimo in reference to certain Canal Cesses to be levied by the Municipal Council in the Ottapalam Valley in your District.

2. The Canal in question has been leased to me on behalf of a Partnership consisting of 4 persons, Mr. Fraser Lyttle, Mr. Mc. Mellon, Mr. Hamilton

Hancock and myself. that I
now state is on behalf of my partners,
so far as I am authorized to act on their
behalf. I possess no formal or other
written authority, but was authorized
by them to take up on lease the land
now claimed.

2. I am not anxious to become
a party to Litigation where the
Kaw's title is actually between
Government and my Lessor, the
Maragada Rani, and I therefore
make the following proposals.

(a) That Government shall obtain
the valid and final decision of a
proper Court respecting their claim
to the tract in dispute including
the Canal now leased to myself
and Partners.

(b) That pending the decision until
not

not exercise any ownership or other
interference with the land in dis-
pute

(c) That should the decision be ad-
verse to the Kaw, I will give up the
land, removing only such portion of
the buildings, erected and other im-
provements as may be practicable
reserving to myself the right of pro-
ceeding against the Lessor for damages

(d) That should the decision be favorable
my present position shall be without
prejudice to the future undisturbed en-
joyment by me of the Canal leased.

(e) That Government will not make
me a party to any suit or otherwise
subject me to legal costs whilst
the terms of this agreement are observ-
ed on my part and on the part of
my Co-proprietors.

The notice of the 27 July 1883
not

not receive till August the 17th 1792

Thave &c

pd/ J. R. M. Lorio

A true Copy of Forwarded to the Secretary to the Board of Revenue for information. It will be necessary to see the Mangarella Name, and then a Proclamation to do as soon as the Government Claim, can decide one way or drawing up the claimant.

2. It would perhaps be as well to allow the Mangarella Name an opportunity of withdrawing her claims before the suit is instituted

Revenue Collrs Office Cabinet 24th August 1792

pd/ W. Hogan Collector

Submitted to Government for confirmation of Boards Proceedings dated 8th August 1792 Rs 2190

2 Per Cent Fee on the Sales

two claims, viz a bequeathed pending the settlement of the question of ownership to fair and reasonable sale the Court to recognizance of his partners is necessary and should be obtained.

The Board approve of the Collectors suggestion on Paras 2.

A true Copy & Extract

J. Secretary

To

The Secretary to Government &c

Revenue Department.

No. 3520

From Board of Revenue

Dated 2nd September 1875.

FOR ORDERS.

Eisenach.

FOR ORDERS.

£6-9-7½
£5-9-7½
£5-9-7½
£11-9-7½

Sent 10/9 1877

Proceedings of the Madras Government
under date the 12th September 1877

Read the following
Extract from the Board of Revenue
dated 23rd Sept. 1877 No 2437

1. "The Hon'ble the Governor in Council considers that Mr. Jones's proposal is perfectly fair and that Mr. Logan's suggestion to give the Mangadu Ranee (the Queen) an opportunity of withdrawing her claim is perfectly reasonable.

The Collector should in
every case give the Lessees
option to cede their claims
2. The instructions given
in the case of Gent Morgan
and Colonel Leith apply
equally to this case.

JCC 14 Feb Board of Customs

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