

- (1) பக்கங்களின் எண்ணிக்கை 16
(2) புதுக்கித் திருப்பிய நாள் 22-1-1989
(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 165

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

உருவாக்க துறை

அரசாணை எண். மு. கோப்புத் தாள் எண்.	<u>165</u>	அச்சகம் பலவகை
நாள் :	<u>21-1-1979</u>	<u>165</u>

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

21st January 1879, No. 165.

Read the following paper:—

No. 398. Proceedings of the Board of Revenue, dated 13th January 1879,
No. 56.

Read again Board's Proceedings, dated 21st December 1878, No. 3,503,
and 8th January 1879, No. 22.

Read also letter from the Government, Madras, dated 9th January 1879,
N. 5.

SUBMITTED for the orders of Government.

2. Certain land recently referred in the Government village of Kulla was rented by Government to plaintiffs for one year. Immediately afterwards the Zemindar of Viravallipalem claimed this land as belonging to his estate, and complained that plaintiffs interfered with its cultivation. The matter was referred for inquiry to the Deputy Tahsildar of Alampur, and on his report the late Sub-Collector, Mr. Kelsall, formed an opinion favorable to the Zemindar's claim, but he declined to interfere in the matter. Upon this the Zemindar's people apparently took possession of the land and crops, and plaintiffs then filed a suit claiming Rs. 1,281 as damages on account of crops removed and land which they had been prevented from cultivating. On the suit being filed the Acting Sub-Collector, Mr. Johnson, inspected the land in dispute, and after careful inquiry arrived at the conclusion that the greater portion of it belongs to the Government village of Kulla, and he marked out the boundary accordingly.

3. The Collector who has been necessarily made a party to the suit proposes to file an answer to the effect that the Revenue authorities simply declined to interfere on the motion of 2nd defendant, and that this order was in no way prejudicial to plaintiffs' interests. The draft answer is approved by the Government Pleader, and the Board are of opinion that the Collector should be instructed to file it and to render plaintiffs such assistance as they may require to prove their case.

4. As the 15th January 1879 is the date fixed for the hearing of the suit and the Court has declined to extend the time, the Board resolve, in anticipation of the sanction of Government, to send the Collector the following telegram:—

"Your No. 396, dated 23rd December. File draft answer and await further instructions."

(True Copy and Extract.)

(Signed) J. STURROCK,
Acting Secretary.

No. 399. ORDER THEREON, 21st January 1879, No. 165.

Miscellaneous.

THE Board's Proceedings are approved.

(True Extract.)

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

To the Board of Revenue.

Edw. W. H. French.

Revenue Deptt
V

No. 3503.

Proceedings of the Board of Revenue.
Held 21st November 1878.
Read the following.
No. 373.

To
W. L. Jacob Esquire
Collector
Do. A. G. Esquire
Secy. to the Board of Revenue
Madras.

Sir,
In forwarding herewith copy of Subcollector's
letter with its Enclosures dated the 21st Ultimo,
I have the honor to inform you that the
dispute about the Lanka is between the
ryots of the Government village of Kulla and
the Proprietors of Tiravallipalam. On the re-
presentation of a ryot of the latter village,
Mr. Kellett, the late Subcollector, thought
it to be an addition to the Tiravallipalam
Lanka, but said that disputes of the kind
about the boundary between a Govt. village
and that of a zamindar could not be
decided by Revenue Authorities. Mr. Johnson
arrives

3/11/78
1/12/78
2/12/78

Original
C. H. 11901
1878

11/12/78

arrives at a definite conclusion and says
 that a great portion of the disputed land
 belongs to the Government. It will
 be well if the matter be finally concluded in
 a Civil Court; but for the present, the
 draft answers enclosed seem to be all that
 is necessary. Mr. Roberts's decision has
 done no harm to Plaintiffs. It practically
 referred them to a Civil Court. They trust
 that the Board will approve of the draft
 answers and sanction the defence of the title.

2. The date of hearing has been asked
 to be extended to the 11th of February next.

Godavari District } I have 900
 Collector's Office } (Sd) W. S. Sankar
 9th December 1878 } Collector
 (Sd) B. K. Raju Rao
 Dy. Dy. Collector

Before submitting the case for the
 order of Court, it will be referred for the advice
 of the Court. Please (The copy and extract)
 The Court. Please (The copy)
 (The copy) (Sd) J. Sankar
 J. Sankar
 Dy. Dy. Collector

Revenue Report

No. 22.

Proceedings of the Board of Revenue
Held 8th January 1879.

Read the following:-
No. 396.

To W. L. Foster Esquire
Collector, Cadiz

C. A. Galloway Esquire
Sg. Secretary to the Board of Revenue
Madras.

Referring to my letter No. 373 dated the
9th instant, I have the honor to inform you that
the District Magistrate at Coaranda, has ex-
tended the hearing of the suit therein alluded
& only to six months from the date already fixed
viz 11th December 1878.

Cadiz District
Collector's Office Coaranda
23rd December 1878

I have 1st
(Sd) Charles E. Philipps Esq
Deputy for Collector

Communicated to the Dist. Pleader in
continuance of Board's Proceedings dated 21st
December 1878 No. 3500.

(True Copy and Extract)
To the Dist. Pleader. (Sd) J. Sturrock
(True copy) Sg. Secretary

Sturrock
Sg. Secretary

Revenue Report

Collector, Coaranda.

11th Dec 1878

No. 38

11th Dec 1878

No. 398

11th Dec 1878

11th Dec 1878

Revenue Department

Proceedings of the Board of Revenue
Dated 13 January 1879.
Read again Board Proceedings of 21st Dec 1878, No 2203
78 January 1879, No 22. Read the following
4.5

From
J. M. Wardley Esq.
Government Pleader
Madras.
J. Storrock Esq.
by Secretary to the
Board of Revenue

I have the honor to acknowledge
receipt of the Board's proceedings noted
in the margin, referring for my advice
papers relating to a dispute between
the proprietors of Viarallipalem and the
Government Village of Kallu in the Coimbatore
District as to the ownership of a certain
Lanka.

2. Specimens these papers during the first
-mas holidays and finding that the collector
had applied for an adjournment of
the

21st Dec^r 1878
No. 3503.

Price Recd
 £. 100. 00
 1898
 No. 106
 1898

the 1st hearing of the Suit until 11 February
did not consider the matter urgent.
To-day however I have received Board's pro-
ceedings of same date communicating
letter from collector informing that the
Debnick has refused to adjourn the
hearing beyond 6 weeks from the 11
December which leaves very little time
for obtaining the orders of Government.
Fortunately it does not much matter
as Government have really no interest
in defending the Suit. Their interest, if
any, is to support the plaintiff's case,
but there is no necessity for doing this
as the plaintiff may well be left to
fight his own case and if it is thought
proper to do so any assistance he may
require in proving his case can be given
him by the Revenue Officer during
the trial of the Suit. It would be of
no consequence therefore if the collector
were to allow the case to be heard ⁱⁿ _{against}

against him. I do not understand that any
belief is sought against him and cer-
tainly none could be given. It may be a
hardy party it is not easy to say, but
honestly because of the general opinion
that all officials who have ever passed
orders in any matter must be made parties
to a suit relating to that matter. The
answer prepared by the collector is quite
sufficient unless it is desired actually
to support the plaintiff's case. In that
case a statement of the facts as to the
investigation by Mr Johnson and its re-
sults must be added.

3. As to the merits of the dispute.
I have not time to discuss the question
whether Mr Johnson is right in his con-
clusion as to the ownership of the dis-
puted Land. His inquiry seems to
have been a very careful and minute
one and having visited the spot he

had ample means of arriving at a correct decision. It is undoubtedly right in the principle from which the estate in that land reformed on a side parallel of identification belongs to the owner of that side. The difficulty is in applying the principle, which is merely a corollary of the well known rule that an accession belongs to the owner of the land which formed the nucleus of it, to the facts of each case, but there seems no reason to doubt that his former has done so correctly in this case.

4. I return all the papers.

Yours
9 January 1879
J. H. M. Stanley
Esq. M. S. Stanley

Submitted for the order of Court
Certain lands in B. B. recently reformed
in the Dept. village of Kullia was pending by
Court

2/3
Government to Plaintiffs for one year.
Immediately afterwards the Zamindar
of Viravallipalam claimed this
land as belonging to his estate
and complained that plaintiffs
interfered with its cultivation. The
matter was referred for inquiry to
the Dy. Tahsildar of Alampur and
on his report the late Dist. Collector
has himself formed an opinion
favourable to the Zamindar's claim
but he declined to interfere in
the matter. Upon this the Zamindar's
people apparently took
possession of the land and
crops

crops and plaintiffs then filed
a suit claiming Rs. 1284, as damages
on account of crops removed
and land which they had been
prevented from cultivating. On
the suit being filed the District
Collector Mr. Johnson inspected
the land in dispute and after
careful inquiry arrived at the
conclusion that the greater
portion of it belongs to the
Govt. village of Kulla and
he marked out the bound-
ary accordingly.

3. The Collector who has been unnecessarily
made a party to the suit proposes to file an
answer to the effect that the Revenue Author-
ities simply declined interference on the
motion of 2nd defendant and that this
order was in no way prejudicial to plaintiffs
interests. The draft answer is approved
by the Law Pleader and the P.D. are of
opinion that the Collector should be in-
trusted to file it and to render plain-
tiffs such assistance as they may
require to prove their case.

4. As the 15th January 1891 is the date fixed
for the hearing of the suit and the Court
has declined to extend the time, the Board
resolves in anticipation of the Sanction
of Govt. to send the Collector the following
Telegram

Your No. 396 of 23 December. File draft
answer & await further instructions.

(Enc. Copy & Initial)

Sturrock

Ag. Secy.

To
The Secretary to Government P.D.
with Encl. P.D. No. 11, 1891, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

W. B. L.

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Proceeds of 1879
Proceeds of 1879

Board of Finance

Dec 16 21 January 1879

Jan 13 1879
Dec 14 1879

Wm. H. H. H. H.

Submitting for the
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Ch. 165

The Board of Finance are of the opinion

Board of Finance
Dec 16 21 January 1879

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