

- (1) பக்கங்களின் எண்ணிக்கை 10
(2) புதுக்கித் திருப்பிய நாள் 9/8
(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 96/21/91/88

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

வெண் துறை

அரசாணை எண். மு. கோப்புத் தாள் எண்.	<u>99</u>	அச்சகம் பலவகை
நாள் :	<u>15.1.1879</u>	198

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

A. V. V.

99
GOVERNMENT MADRAS.

REVENUE DEPARTMENT.

15th January, No. 99.

Read the following papers:—

No. 243. Proceedings of the Board of Revenue, dated 10th January 1879,
No. 35.

Read again Board's Proceedings, 11th December 1878, No. 3,318.

Read also the following letter from J. WINDLEY, Esq., Government Pleader, to
J. STURROCK, Esq., Acting Secretary to the Board of Revenue, dated
Madras, 6th January 1879, N

I HAVE the honor to reply to Board's Proceedings noted in the margin on the
subject of the suit by one Goondoosa for
recovery of the hamlet of Ramapuram,
Singaput District.
11th December 1878, No. 3,318.

2. I enclose draft written statement embodying the defence set up in the Collec-
tor's draft in the more formal shape prescribed by the new code. I think objection
should always now be taken to suits of this kind by the government not being brought against
the Secretary of State as required by the law. The old practice of making the
Collector the defendant in such suits is in accordance with the law as it now
stands, and all suitors should know this. A defect can, of course, be remedied by
amendment, but the want of the notice required by Section 424 is fatal to the suit as
it at present stands though plaintiff may leave to bring a fresh suit.

3. Instead of simply admitting the facts in paragraph 4 of the plaint, as
in the Collector's draft, I have narrated the circumstances connected with the resump-
tion and restoration of the village in 1833 as I gather them from the papers.
Paragraph 4 of the plaint puts the case at rest as restoration was the result of the suit,
but in the Board's Proceedings of January 1879 no mention is made of the suit and
the case is continued because it was considered a valid one. I may have made some
slight mistakes in stating the facts, which the Collector will be able to correct. The
statements in the papers before me are correct in some respects.

4. If it can be proved that plaintiff does a claim to the village in 1803 and
gave a deposition in support of it before the Tahsildar, his case of insanity is of
course gone even if he could prove, as he has, to get over the bar of limitation, that
he was insane at the time the village was resumed in 1847. Altogether his case seems
a desperate one.

5. I return all the original records.

Enclosure No. 1.—Written Statement.

SUBMITTED to Government in reference to G.O., dated 17th July 1878, No. 1,081,
with the recommendation that the defence to the suit be sanctioned

(A true Copy and Extract.)

(Signed) J. STURROCK,
for Acting Secretary.

57
12

2

REVENUE DEPARTMENT

JANUARY 1879, No. 99.

No. 244.

ORDER THEREON

January 1879, No. 99.

Miscellaneous.

The defence of the suit is sanctioned
and the draft answer approved.

2. The Collector will satisfy himself that the facts of the case are correctly stated in the draft answer.

(Tr. tract.)

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

PROCEEDINGS OF THE BOARD OF
Read the following letter from J. F. PR
to C. A. GALTON, Esq., Ac
Saidapet, 28th November 18

In reference to the Proceedings of
July 1878, I have the honor to enclose

2. I regret to say that very many
have, as is very common in this district,

3. There is enough however on rec
even though his suit may be held not to
regarding the sale of the village prior to
which I traced to the records of the R
the cowles given by the purchaser to ce
regarding repudiation of payment is se
to the then Collector and the order there

4. It appears that in 1842 a refer
of Revenue (*vide* Proceedings, No. 17, c
that the village was to be restored to t
the same day—one directing the Tahsil
make over Ramapuram to the permanent
vakil, in which it was stated what instr
directing the vakil to take measures to
off the file.

5. It appears to me perfectly im
Goondoosa in 1843 executed and regist
puram and in 1847 repudiated all connec
due and he made no objection to the resu

6. The allegation in regard to the
Goondoosa, if any such condition ever ex

7. I enclose a statement showing th
than the Collector) in the suit.

ENCLOSURE No. 1.—

ENCLOSURE No. 2.—Stat

BEFORE soliciting the sanction of G
Government Pleader will be requested t
Board's Proceedings, dated 11th July 187

(A true Cop

To the Government Pleader, with two original
of 1878 at

Copy to the Collector of Chingleput.

Exd. J. W. Fischer.

dated 11th December 1878.

Collector of the Chingleput District,
Saidapet, 28th November 18

Revenue, No. 1,930, dated 11th
aft answer.

which would be of use to Government,
iously disappeared.

I think, effectually defeat Goondoosa
arred by limitation. The statement
ar 1847 is supported by a document
of Assurances where it is filed and
yots of Ramapuram. The allegation
by the report of the then Tahsildar

s made by the Collector to the Board
3th January 1842), and the reply was
osa. Takids were issued on one and
the then taluk of Manimangalam to
and the other to the Government
had been given to the Tahsildar and
the suit brought by Goondoosa taken

whether this was done or not, for
deed of sale of the cowle of Rama-
the village and refused to pay list
of the village by Government.

ance up to 1865 of the insanity of
capable of distinct disproof.
ion of each of the defendants (other

Draft Answer.

garding Defendants.

ment for the defence of the suit, the
ise the draft answer with reference to
o. 1,920.

(Extract.)

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

ures in No. 4,528
o in No. 10,637 of 1878 to be returned.

at 33
Proceedings Board of Revenue
Dated 10 December 1878.

Read again Reports Prof.
Read also the following.

of 11 Decr/78
From J. N. obly Esq.
Government Pleader - Madras.

To J. Sturt Esq.
as Secy to the Board of Revenue.

Sir,
I have the honor to reply to Board Proceed-
ings noted in the on the subject of the suit
by one Goundoos in the hamlet of
Rampuram District.

I enclose the written statement and the
the defence set up in the Collector's draft in its
formal shape prescribed by the new Code. I think
objection should not be taken to suits against
Govt not being brought against the Secretary of State
as required by the Code. The old practice of making
the Collector the defendant in such suits is not
in accordance with the law as it now stands and
all suits should now be brought against the Govt.
Course be remedied by amendment but the want
of the notice required by Section 424 is fatal
to the suit as it stands, though plaintiff
may obtain leave to bring a fresh suit.

Instead of simply admitting the statement
in para 6 of the draft, as in the Collector's draft
I have narrated the circumstances connected with the

11/24/79

1878.

Board of Revenue,

MADRAS.

To THE GOVERNMENT PLEADER,

Esq., &c., &c.

Dated December 11th.

PROCEEDINGS, 11th DECEMBER 1878, No. 3,318.

DECEMBER.
No. 3,318.

11/24/79

File - No. 12 of 1877, instituted in Dis-
trict Court of Chingleput by one Goundoos for
recovery of the possession of the hamlet of
Rampuram. - Requesting Government Pleader
to review the draft answer proposed by Collector
in -

plaint just the case as if
result of the suit, but in
of January 1842 no mention
and the Cowle is contin-
sidered a valid one - I
slight mistakes in stating
Collector will be able to
in the papers before me in
respects.

4. If it can be proved
a claim to the village in 18
in support of it before the
of insanity is of course ge-
proved, as he must to get
that he was insane at the
resumed in 1847, although
one.

5. I return all the on

to village in 1838,
er. Para 4 of the
ration was the
ward Proceedings
side of the suit
cause it was con-
one made some
acts, which the
The statements
liking in some

at Plaintiff made
of gave a deposition
childless his case
even if he could
Bar of Limitation,
the village was
case seems a desperate

l. records.

I have &c
(Sd) J. W. Handley
Clerk Reader.

Madras
6 Jan 1799

Submitted to Government in reference
to G.O. of 17 July 1878 & 1081. & the recommendation
that the defence of the suit be sanctioned.

(Sd) J. W. Handley

J. W. Handley
Secretary

The Secretary to Government R.O.
with 1 copy of the same
& copy of 13th Dec 1878 & 1081.

807-4-70 20 12-52

Memorandum (1879) Deput

No 295

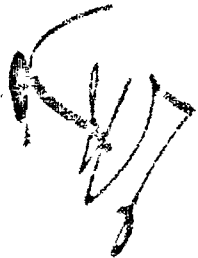
Proceedings of the

Board of Revenue

Dated 10 June 1879

Order No 11

Page 100



The above

the draft was

the draft was

the draft was

afforded the opportunity to the

the draft was

the draft was

relating to the 1970 of 1879