(1) பக்கங்களின் எண்ணிக்கை _____

(2) புதுக்கித் திருப்பிய நாள் _____

(3) ஆதாரங் குறிப்பவர் சுருக்கொப்பம் _____

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

Revenue துறை

அரசாணை எண். 1174
மு. கோப்புத் தாள் எண்.

அச்சகம்
பலவகை

நாள் : 18-9-1880

199

மடிக்கவோ கண்டபடி கையாளவோ கூடாது.

ஆவண. கா. 1—18,006—6-9-90.

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர் : MCமதிகரன்

செப்பனிடுவதற்காக எடுத்துக்-கொள்ளப்பட்ட நாள் : மே - 2008
ஜூன் - 2008

11/6/08
சரிபார்க்கும் முதல் முறியாள கையொப்பம்

13/6/08
சரிபார்க்கும் 2ம் முறியாள கையொப்பம்

13/6/08
சரிபார்க்கும் உயர்நிலை கையொப்பம்

the Secretary of State in Council
a notice in writing must under
Section 424 of the Civil Procedure Code
have been served on a Secretary
to the Local Government or the Collector
of the District at least two months
prior to the institution of the said
6. That the only possible way of
avoiding this dilemma (occasioned
by a defect in the Legislature) is to
apply to the Governor in Council under
the said section XXVI of Act XXVIII
of 1860 to extend the period of
preferring the said appeal.
7. That this is not a case in which
the Crown has undertaken

of age, that the limitation of two
months, (unless extension of time
granted by the Governor in Council)
is fixed by a Special Enactment
XVIII of 1860, the Zemindar's legal
disability existing at the period
at which the Cause of action ac-
crued, cannot give him any ad-
vantage in respect of limitation
which it can otherwise give under
the provisions of Section 7 of the
General Limitation Act XV of 1877
(vide Section 6 of the above Act)
2. That it is therefore absolutely
necessary that [illegible]

Revenue Department

Miss: No 9509

Proceedings of the Court of Wards

Dated 30th August 1880

Read the following

To J. B. Pennington Esquire

Agent to the Court of Wards

The humble petition on behalf

of Swaminaiyaperumal Servaigaran

To the Minor Zemindar of Sivagangai

Most humbly Showeth:-

1. That the boundary dispute case

No I between the Zemindar and

the

Assistant Superintendent of Revenue Survey.

That a copy of the decision has been received by the Mirasdars on the 20th June 1880.

3. That petitioners learn that no copy has been forwarded, nor any intimation given to your Honor, (it ought to have been done,) to the Agent to the Court of Wards.

That the appeal to be preferred against the decision must be by regular suit instituted within two calendar months as provided by section XV of Act XXVIII of 1874.

and a suit instituted for setting aside the decision in question.

Prays therefore that your Honor may be pleased to apply to the Governor in Council for extension of time sufficient to admit of the suit being filed on the expiration of two months after notice is given to Government as stated in para 5 of this petition.

Prays also that should the Court of Wards or the Government having in view the collision of interests and the double but antagonistic capacity which they will have to [illegible] till suit is decided

Zemindar to institute the suit
on coming of age (which will be
January 1887); time may be obtained
to admit of the suit being filed
within three or four months after
delivery of the Ista; to the Zemin-
dar. Copy of decision & plan are enclosed.
21st August 1880. (Sd) (in Tamil) Sivananja perumal
Fees - Guardian.

(True Copy)

Submitted for the orders of the
Court of Wards with reference to their
proceedings No 1049 dd 29th July 1880.
It appears to me that the
two months allowed by the Act

the minor's coming of age; but if not,
Government should be moved to extend
the time under Section 25 of Act XXVII
of 1860.

Tinnevelly
Collector's office,
21st August 1880

(Sd) J. B. Pennington
Collector

The Board do not think that
Section 6 of Act XV of 1877 was
intended to exclude the operation
of Section 7, but to obviate any
difficulty which might arise the
Government will be requested to
extend the time for filing a suit
to set aside the decision of the

with Forests for six months from
date of the Minor Grantee attaining
his Majority:

(True Copy & Extract)

Clerk
Secretary

To
The Secretary to Govt: P.D.

Gr. mdz.

C. No. 5309

FOR ORDERS.

Ch. 9
R. 8. 9.

REVENUE DEPARTMENT.

No. 5309

From Court of Wards
Revenue Board

Dated 30th August 1880.

FOR ORDERS.

The legal difficulty about limitation now pointed out is one already noticed in the office memo: circulated re ---th instant with C. No. 5269.

For the reasons therein given, it seems doubtful whether the two months

Notice required by Sec 424
of the Civil Procedure
Code should be given in
Cases like the present one.
There is however no
objection to extending the
period for preferring
in this case
the appeal as requested,
under Section 25 of Act.
XXVIII of 1860.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

16th September 1880, No. 1,174.

READ THE FOLLOWING PAPER:—

No. 275. Proceedings of the Court of Wards, dated 30th August 1880, Miscellaneous No. 9,509.

Read the following petition from SIVANANANJAPERUMAL TEVER, Guardian to the Minor Zemindar, Singampatti, to J. B. PENNINGTON, Esq., Agent to the Court of Wards, dated 13th August 1880.

MOST HUMBLY SHEWETH,—That the boundary dispute, Case No. 1, between the Zemindar and the Government has been decided against the Zemindar by the Assistant Superintendent of Revenue Survey.

2. That a copy of the decision has been received by the minor Zemindar on the 20th June 1880.

3. That petitioner learns that no copy has been forwarded, nor any intimation given to your Honor (as it ought to have been done) as the Agent to the Court of Wards.

4. That the appeal to be preferred against the decision must be by a regular suit instituted *within two calendar months* as provided by Section 25 of Act XXVIII of 1860.

5. That such suit being against the Secretary of State in Council, a notice in writing must, under Section 424 of the Civil Procedure Code, have been served on a Secretary to the Local Government or the Collector of the District, at least *two months prior* to the institution of the same.

6. That the only possible way of avoiding this dilemma (occasioned by a defect in the Legislature) is to apply to the Governor in Council under the said Section 25 of Act XXVIII of 1860 to extend the period for preferring the said appeal.

7. That this is not a case in which the Zemindar can under ordinary circumstances file a suit on coming of age; that the limitation of *two months* (unless extension of time is granted by the Governor in Council) being fixed by a Special Enactment, XXVIII of 1860), the Zemindar's legal disability, existing at the period at which the cause of action accrued, cannot give him any advantage in respect of limitation, which it can otherwise give under the provisions of Section 7 of the General Limitation Act XV of 1877 (*vide* Section 6 of the above Act).

8. That it is therefore absolutely necessary that the extension of the time must be applied for and obtained, and a suit instituted for setting aside the decision in question.

Prays, therefore, that your Honor may be pleased to apply to the Governor in Council for extension of time sufficient to admit of the suit being filed on the expiration of two months after notice is given to Government as stated in paragraph 5 of this petition.

Prays, also, that should the Court of Wards or the Government, having in view the collision of interests and the double but antagonistic capacity which they will have to hold (as plaintiff and as defendant), deem it expedient to allow the Zemindar to institute the suit on coming of age (which will be in January 1881), time may be obtained to admit of the [illegible]ng filed within three or four months after the delivery of the estate to the [illegible]dar. Copy of decision and plan are enclosed.

SUBMITTED for the orders of the Court of Wards with reference to their Proceedings, No. 1,049, dated 29th July 1880.

2. It appears to me that the two months allowed by the Act will be allowed from the date of the Minor's coming of-age; but if not, Government should be moved to extend the time under Section 25 of Act XXVIII of 1860.

TINNEVELLY,
21st August 1880.

(Signed) J. B. PENNINGTON,
Collector.

THE Board do not think that Section 6 of Act XV of 1877 was intended to exclude the operation of Section 7, but to obviate any difficulty which might arise, the Government will be requested to extend the time for filing a suit to set aside the decision of the Survey Officer regarding the Singampatti Forests, for six months from the date of the minor Zemindar attaining his majority.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Secretary.

No. 276. ORDER THEREON, 16th September 1880, No. 1,174.

Forests, No. 9.

THE proposal of the Court of Wards is approved and sanctioned.

(True Extract.)

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

To the Court of Wards.

Exd. W. H. French.

40 Copies.

Original.

Gobt. of (1880) Madras.

REVENUE.

To THE COURT OF WARDS.

Dated September 10th.

Printed 24th. Read.

Entd. G.O., 10th September 1881, Nos. 1,176.

SEPTEMBER.
Nos. 275-276.

Suit to set aside the decision of the Survey Commissioner Sloper-Smith Francis, Tinnevelly District.—Approving and confirming the proposal of the Court of Wards to extend the time for filing &c.—

12/2001 | S4/11 OBR

Reference

Minute Book 30

Record Map

PRINT

Clerk: — to see
Abstracts of Title
regarding Sec
St Leonards, Streets
Plan of Sale
Conveyances

Renewal 1879

S. @. No 1174

The Interest of the Court of Wards
is Approved & Sanctioned.—

List from orders.
To
14 The Court of Wards Act 1879

11th Novr 1880