

(1) பக்கங்களின் எண்ணிக்கை _____

(2) புதுக்கித் திருப்பிய நாள் _____

(3) ஆதாரங் குறிப்பவர் சுருக்கொப்பம் _____

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

Ramy துறை

அரசாணை எண். 1273 மு. கோப்புத் தாள் எண்.	அச்சகம் பலவகை
நாள் : 12-9-1880	199

மடிக்கவோ சுண்டப்படிக் கையாளவோ கூடாது.

பாபுசாபு பிளி-1

செப்பெருபெர் பெயர்:

செப்பெருபெர் பெயர் -
கொண்டப்பட்ட நாள்

பாபுசாபு
பெயர்
கொண்டப்பட்ட நாள்

பாபுசாபு
பெயர்
கொண்டப்பட்ட நாள்

பாபுசாபு
பெயர்
கொண்டப்பட்ட நாள்

No. 1,049.

PROCEEDINGS OF THE COURT OF WARDS, dated 20th July 1880.

Read the following letter from J. B. PENNINGTON, Esq., Collector of Tinnevely, to C. A. GALTON, Esq., Secretary to the Court of Wards, dated 25th June 1880, No. 371:—

I HAVE the honor to submit, for the orders of the Court, Mr. Baber's decisions (with sketch to be returned) in the boundary dispute between Government and the Zemindar of Singampati, in which I, as Agent to the Court of Wards, represented the minor Zemindar (G.O., No. 2,129, dated 31st October 1879).

2. The dispute was divided into two parts for the convenience of both parties, one affecting Aladiur and the other the villages to the east of Singampati.

3. I enclose also copy of any pleas on behalf of the Zemindar, and, though I failed to secure for him all that was claimed, I am of opinion that Mr. Baber's decision may properly be accepted by the Court, chiefly because, if the Zemindar is dissatisfied with it, he will be at liberty to bring a suit to set it aside as soon as he comes of age (next January); and also because I believe it is in the main a just decision. As to the dispute between Singampati and Kalakid, indeed, it only amounts to enforcing a decision already affirmed by the Civil Courts; and it may very safely be asserted that the division ordered by the Collector so long ago as 1857 is never likely to be more carefully carried into effect than it has been by Mr. Baber. Moreover, on this side the Zemindar gets slightly the best of the bargain and would certainly fail in any suit. The same may be said as to the comparatively trifling dispute on the Aladiur side; and as to the remaining tract, though there may be more doubt, it is certain that the Zemindar failed to produce any satisfactory evidence in support of a claim which is *prima facie* preposterous, though I took care that he should be practically represented by the most intelligent members of his family, and even put in a document on his behalf which was produced at the eleventh hour from my record-room, though very doubtful as to its authenticity, Mr. Baber has declined to place any reliance on this document in face of the often-repeated reports that there was no ayacut account of Singampati in existence, and I have no doubt that any Civil Court would follow him in doing so.

4. The line decided on by Mr. Baber is no doubt a very convenient boundary, but it is to be regretted, I think, that he does not give any very particular reasons for selecting it in preference to any other arbitrary line from the Karumbandiyamman anicut in the direction of Sorimuttaiyankoil. The argument, of course, is that the whole of the tract south-west of the line selected being a very *terra incognita* no rights of ownership in it have ever been exercised by the Zemindars of Singampati.

5. If the Court decide to accept the decisions, it will be necessary, I suppose, to withdraw from all interference with the tracts handed over to Government which have hitherto been worked on behalf of the Zemindar pending a decision by the Civil Court in case the minor Zemindar decides to file one when he comes of age, and the Zemindar should be advised to consider the propriety of doing so in the meantime.

ENCLOSURES Nos. 1 and 2.—Mr. Baber's decisions.

ENCLOSURES Nos. 3 and 4.—Copies of Collector's pleas on Zemindar's behalf.

ENCLOSURES Nos. 5 and 6.—Sketches.

In this letter the Collector of Tinnevely reports the settlement of the Singampati (forest) boundary dispute under Act XXVIII of 1860.

2. The disputed tract has been divided into (1) that above the villages to the east of Singampati and (2) that above Aladiyur; in the former Mr. Baber's decision virtually gives effect to the Collector's order of 1857 with regard to the area in dispute between Kalakád and Singampati, and the latter, which is comparatively trifling, has been disposed of on its merits. There is still a third tract which might perhaps have been treated separately, though it is included in the first decision, viz., the mountain range to the extreme south bordering on Travancore; in this it is shown that the Singampati Zemindars have never exercised rights of ownership, and this tract, which is styled a *terra incognita*, having virtually hardly ever been trodden by man is adjudged to Government on the ground that, in the absence of evidence to the contrary, it is preposterous to suppose that this distant tract could have ever formed part of the Zemindari.

3. The Court see no reason to object to either decision; the mountains far back on the Travancore frontier are uninhabited, almost inaccessible, and practically of no value to the estate, while those that have now been awarded are compactly situated, accessible, and amply sufficient for grazing fuel and timber. Approximately 50 square miles of forest have been allotted to the estate including the Manimuttar river for some distance above the falls.

4. This allotment is stated to be the better half of the area claimed, and includes all between the point of junction of the Kosavan Kuliar and the Pachiyar rivers on the east and the Támbraparni river on the west from the point where the latter is joined by the Mylar to a point opposite the mouth of the Serviyyar; to secure natural boundaries a liberal concession has been made to the Zemindari; and, as the interests of their ward have been watched by the Collector who has carefully inspected the boundaries, the Court are assured that all that should have been done has been done.

5. For the present the question is settled and the Collector will restrict the action of the Zemindari servants to the area now found to form a part of the Zemindari.

6. The minor Zemindar will be of age in January 1881 and will then be able to file suits to set these decisions aside, should he be dissatisfied with them.

7. The sketch that accompanied the report is herewith returned.

(A true Copy and Extract.)

Secretary.

To the Collector of Tinnevely, with four original enclosures returned.
Copy to the Secretary to Government, Revenue Department.
Conservator of Forests.
Exd. A. Grubert.

Boundary dispute — between Government and Zemindar of Singampati, in Tinnevely District, under Court of Wards. — Passing orders on letter from Collector reporting the settlement of the —

JULY.
No. 1,049.

PROCEEDINGS, 29th JULY 1880, No. 1,049.

Printed, August 11.
Revised — 1880.

THE COLLECTOR OF TINNEVELLY.

MADRAS.

Court of Wards.

1880.

No. 1,273.

PROCEEDINGS OF THE COURT OF WARDS, dated 3rd September 1880.

Read the following letter from Colonel R. H. BEDDOME, Conservator of Forests, to C. G. MASTER, Esq., Secretary to Government, Revenue Department, dated Ootacamund, 10th July 1880, No. 427:—

REFERRING to G.O., No. 2,129, dated 31st October 1879, I have the honor to forward enclosures as per margin.

- (1) Letter from Major J. C. Walker, to the Conservator of Forests, No. 140, of the 17th June 1880, enclosing two decisions of the Revenue Survey on the Singampatti forest boundaries.
- (2) A map illustrating the boundaries as claimed by the Zemindar, and as finally decided.

2. It will be seen that by this decision of the Revenue Survey Department the Zemindar is only entitled to an area of square miles 48.01 out of the total of 103.17 claimed.

3. The forests now allotted to the Zemindari of Singampatti include all the

lower hill forests in the vicinity of Singampatti and Papanassam, whilst all the higher hill forests towards the Travancore boundary, or those protecting the sources of the Támbraparni, will remain the property of Government.

4. The decision is open to appeal, but it appears improbable that it can be reversed; should it be upheld, I consider that the sources of the Támbraparni will be sufficiently protected without enforcing any reservation within the Singampatti limits.

5. The map should be published, and directly the decision of the Survey Department is finally settled the boundaries should be demarcated and surveyed.

ENCLOSURE No. 1.

From Major J. C. WALKER, Deputy Conservator of Forests, on Special Duty, to Colonel R. H. BEDDOME, Conservator of Forests, dated Periyakulam, 17th June 1880, No. 140.

I HAVE the honor to report that, in accordance with paragraph 4 of G.O., No. 2,129, dated 31st October 1879, I represented Government interests in the settlement of the Singampatti hill boundaries, the Collector, as Agent to the Court of Wards, representing the minor Zemindar, along with his guardian and relatives.

2. The boundary settlement officer, Mr. Baber, disposed of the question under two issues or cases, and I herewith submit copies of his decisions in each, along with a map illustrating the same.

3. In case No. I (the major) the question at issue was the right of the Zemindar as against Government to large tracts of mountain forests, beyond the boundaries of any village in the plains. In case No. II (the minor) it resolved itself into deciding betwixt the claims of the Zemindar and those of the villagers of Aladiyur, a Government village at foot of the hills, in a comparatively small tract of hill forest adjoining the latter.

4. The result, briefly stated, is that out of 103.17 square miles (map measurement) claimed on behalf of the Zemindar, 48.01 square miles are adjudged as his property, and the remainder 55.16 square miles remain Government property, of which a large proportion is fine mountain forest unencumbered with rights or privileges beyond those of a few resident hill men, and protecting the head-waters of the Támbraparni, Manimuttar, and their tributaries.

5. In my arguments I questioned the proprietary right of the Zemindar to any forest or hills which are all situated outside the boundaries of his Zemindari as defined by Istimrar Sanad, but, on behalf of Government, waived their claim to the portion immediately adjoining the Zemindari and in the vicinity of the Surumutiyan Kovil on the ground of expediency and occupancy and enjoyment by the Zemindar for many years.

6. The decision is, of course, open to appeal either now or when the minor Zemindar comes of age this year, but, considering the completeness of the inquiry and the careful manner in which Mr. Baber has conducted it and weighed the evidence on both sides, it appears improbable that his decision will be reversed.

7. The Collector will doubtless report to the Court of Wards the result of the case, and we shall shortly submit a joint report on the settlement of the other Zemindari and Mittah boundaries in which we both represented the interests of Government.

8. You will observe that the Singampatti decision leaves Government in possession of almost the whole belt of mountain forest between 2,000 and 4,000 feet elevation, referred to in paragraphs 7 and 8 of your letter, No. 813, dated 3rd September 1879, printed with Board's Proceedings, No. 2,784, dated 4th October 1879. The whole of the three mountains alluded to, viz., *Ainthakai*, *Podigai*, and *Naga Podigai*, and *Vel Varai* or *Mylar Varai*, remain Government property, as does the whole mountain range between the Manimuttar and the Travancore watershed boundary, and the valleys of the Pambar and Shembar, feeders of the Tambraparni. The Tambraparni itself runs through Government forest on both sides from its source to the junction of the Mylar, and lower down from the junction of the Sarviyar to the plains, its right bank only between the Mylar and Sarviyar (or Pattarayan Odai) being within the Zemindari.

9. Advantage was taken of this occasion to explore thoroughly the forests in the upper basin of the Manimuttar and its tributaries, as well as those on the Shembar, an important feeder of the Tambraparni, before joining which it unites with the Pambar, which has caused some confusion as to nomenclature now definitely set at rest.

10. Three distinct trips were made from Singampatti with the above object, viz., one up the Manimuttar itself, during which we ascended the hill marked Sinnanpillu Motai on the map, and explored the southern slopes of the Vadakakachi Malai; a second to Karampandi Amman-kovil (3,240 feet above the sea), via Kannimar Ammankovil, Kil Katali, and Nunduttu, and the water-shed boundary beyond at a point marked (5,280 feet above the sea); and a third via Surumutiyankovil and Pambanaruvu to Kulur Mundapum (3,850 feet), Motachi Malai (4,700), and a peak beyond (4,900) the name of which is unknown. On all those excursions we were accompanied by representatives and relatives of the Minor Zemindar, in order that no opportunity should be denied them of urging his claims and supporting them by the identification of boundaries and localities claimed. This they signally failed to do. A reference to the map will show that our explorations have been very complete, and I am now in a position to supplement your knowledge of those forests.

11. The whole valley of the Manimuttar and its feeders, the Kandamparai Odai, Sellambu Odai, and Peyattupilluar, is clothed with dense forest containing much Kong (*Hopea* and *Balanocarpus*), Nang (*Misna*), Shenkurumi (*Gluta Travancorica*) *Garcinia*, &c.

In the neighbourhood of the ancient forest is deciduous and comparatively valueless, although I observed the *Rottlera tinctoria* producing the Kamila powder,—a very valuable forest product which, I was astonished to learn from Mr. Hayne, is not utilised.

The banks of the Sellambu Odai and Peyattupilluar and the whole northern slopes of the Velvarai and Peyattupillunottai are very rich in Kong and Nang. Above the falls (marked Aruvi in the map) the valley rapidly contracts, and the river assumes the character of a very rapid and rocky mountain stream. The south-western slopes of the Sinnanpillu Mottai and Vadakakachi Malai are extremely steep and covered with heavy evergreen forest. I do not think they are ever likely to be cleared, being too steep for coffee, &c.

12. The slopes on the north and north-eastern sides are less precipitous, and there is a fine tract of forest on the Kossavankuli, marked as Man Sholai on the map, very rich in timber and minor products. The District Forest Committee refer to this tract in their report and recommend its reservation both on account of its value as forest and its situation with reference to the Pachiyar, an important feeder of the Manimuttar. I trust, however, that the Zemindar on coming of age may see that it is best to retain all his forests as forests, and that arrangements may be made for their conservancy and working by Government who, on account of the indirect benefits and protection of their own forests adjoining, can certainly afford to pay him an annual rental higher than any likely to be offered by private individuals. The details of such arrangements may safely be left to the Collector and Forest Officer of the district.

13. South of the Manimuttar we ascertained beyond doubt that the water from Muttukuli Vayal and the neighbourhood flows into Travancore by the Kodayar. This had already been reported by Mr. Hayne as Boundary Commissioner.

14. The valleys of the Shembar and Kuyatavalam Odai contain valuable forests, and the whole tract is very rich in cardamoms from which alone a considerable annual revenue should be derived. The kumari clearings in the Shembar valley are very extensive, but do not appear to have been re-cultivated for many years past. Arrangements will be made in connection with the District Forest Committee work for demarcating and securing to the hillmen the portions which they wish to retain for cultivation. The remainder would appear to present a fair field for experiments in re-planting or sowing, with a view to their conversion into valuable forests containing only trees of the most valuable descriptions for the supply of timber. The completion of a new road at present known as Bourdillon's trace would greatly facilitate forest operations.

15. I have furnished Mr. Hayne with copies of Mr. Baber's decisions, map, &c., and requested him to make the necessary arrangements in communication with the Collector for securing possession and protection of the forests claimed by Singampatti now adjudged to be Government property.

ENCLOSURE No. 2.

CASE No. I ON TINNEVELLY DISTRICT FILE.

Singampatti Boundary Dispute.

DECISION.

I decide that there is no evidence forthcoming to prove that the Zemindar of Singampatti has any right to the vast extent of hill country now claimed for him by the Collector and Agent to the Court of Wards, Tinnevely. By the decision of 1857 he is entitled to one-half of the tract of hills extending from the Tekku Kakachi Malai, on the south to the Elangi Vengai, on the north and from the Manimuttar on the west, to Karampandi Ammankovil, on the east; the sub-dividing line I now decide will run from the Moolakasam on the Pachiyar to Mottalathe junction and thence along Kosaven. Kuliyar and across the ridge of the Kakachi Malai to the Manimuttar. All the lower hill tracts north of the Mylar and Sellambu Odai and to the west of the Manimuttar and those on the east of the latter river and west of the Kottadi ridge will also be included in the Zemindari limits; the line now decided is colored green in the map, and I direct that the boundary be marked accordingly.

(Signed) E. M. BABER,
Ag. First Asst. Supt., Revenue Survey.

(Signed) A. O'H. CLAY, Major,
Acting Deputy Supt., Revenue Survey.

(True Extract.)

(Signed) J. C. WALKER, Major,
Deputy Conservator of Forests, On Special Duty.

ENCLOSURE No. 3.

CASE No. II ON TINNEVELLY DISTRICT FILE.

Aladiyur Villagers versus Singampatti Zemindar.

DECISION.

I therefore decide that the tract of hill and forest situated south of the Olugupothin and extending up to the Pattarayan Odai on the south is part of the lands included in the ayacut of Aladiyur, and has been in the occupation of those villagers from time immemorial; also that it is the same tract of land which was set apart by Mr. R. K. Puckle, Collector, as a grazing ground for the cattle of that village; and I direct that the hill boundary of the village be marked as specified below, and so as to include this entire tract within the limits of the village in question.

Specification of Boundary.—Commencing from the boundary-stone near Thenpothai, where the zemin and ayen cultivation approximate to the top of Thenpothai, thence to Kunankal and Sarakkal Theri, thence to a flag on the road to the Surumutiyankovil, thence westwards along the said road to a flag at the eastern limit of Edayanpothai, thence in a direct line to a flag on the Pattarayan Odai, and thence down this Odai to the point where it runs into the Tambraparni, opposite to the point where the Sarviyar joins the same river.

(Signed) E. M. BABER,
Boundary Settlement Officer, Tinnevely District.

(True Extract.)

(Signed) J. C. WALKER, Major,
Deputy Conservator of Forests, On Special Duty.

REFERRED to the Board of Revenue for remark.

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

OOTACAMUND,
5th August 1880.

ENCLOSURE No. 1.—Map.

THE Court of Wards have already recorded Proceedings, No. 1,049, dated 29th July, on the matter now referred to them. More recently application has been made by the guardian to extend the time of appeal, and the Court of Wards have applied for the sanction of Government to extend the period to six months after the Minor comes of age. Until the appeal has been heard, it seems needless to take steps towards publishing the map, or further defining the boundary which is mostly marked by streams.

2. Paragraph 4 of the Conservator's letter will receive attention in disposing of the Forest Committee's proposals for reserves in Tinnevely, which are now under the consideration of the Board.

(A true Copy and Extract.)

[Signature]

By Secy Secretary.

To the Secretary to Government, Revenue Department, - 20 -

Copy to the Collector of Tinnevely.

" " Conservator of Forests.

" " Superintendent of Revenue Survey.

with Map to be returned.

Exd. F. R. Bantleman.

Recd also C No. 1886

70 Copies

Recorded

23 Nov 80

*20. The Court of Wards
21. The Conservator of Forests
7. Superintendent of Revenue Survey*

Oct 12/80

Court of Wards,

MADRAS.

1880.

THE SECRETARY TO GOVT.
REVENUE DEPARTMENT.

Dated September 3rd.

Printed by.

Received on 18/11/80

PROCEEDINGS, 3RD SEPT. 1880, No. 1,049.

SEPTEMBER.

No. 1,273.

Boundary Dispute between Government and Singampatti Estate in Tinnevely District. Submitting remarks on letter from Conservator of Forests forwarding one from Major Walker regarding settlement of the —.

36.55
with notes

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To

THE SECRETARY TO GOVT.
REVENUE DEPARTMENT.

MADRAS.

Court of Wards,

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