M.R.O. 1—77,006—8-6-37.

(1) Number of pages 6

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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 463 Press Mis.

Dated 18.6. 1890.

Not to be folded or roughly handled

Malabar Collector's office

Nº

Calicut 9th May 1890

From,

J. W. F. Dunnergue Esquire,

Ag Collector of Malabar,

To,

C. A. Galton Esquire,

Secretary to Government,

Revenue Department

Ootacamund

Sir,

With reference to Proceedings of Government dated 4th March 1890, Nº 1777, I have the honor to report as follows.

2. In para 2 of the above order the Government remarks that the proposal made by the late senior Rajah regarding the payment of Mal Kchana to the senior adult male members of the branch Kovilakams was not separately noticed in Collector's order dated 22nd April 1879, Nº 568; but I beg to submit that Mr Logan enclosed an English translation of the letter in which the proposals were contained and also stated "he" (i.e. the senior Rajah) "proposes to authorize the holders of these shares "to draw their respective shares upon their own "receipts. The Board will see from the Valiyg

"Rajah's letter that his objects in making these pro-
"posals are to scare future troubles in his family
"and to provide for the decent maintenance of
"the members of the two branch Kovilakams."
But the point which appears to have been lost
sight of by Mr. Logan is that the Rajah's letter
contained also another proposal to the effect
that during the minority or in the absence of the
male members the amounts due to the branch
Kovilakams should be paid to the eldest female
members. It must be presumed that Govern-
ment intended to sanction both these proposals
but unfortunately in the Vernacular order issued
from this office on 24th July 1879, during Mr. Logan's
absence, reference was made only to the Valiya
Rance of each Kovilakam and no notice was
taken of the senior male members. Unless some
other influence was at work, the explanation of
this fact seems to me to lie in the Valiya
Rajah's letter of the 16th April 1879 from which it
was probably thought that with the exception of
the Elaya Rajah of the Ayanchery Kovilakam
who draws a separate allowance, there were
no adult male members in existence in either

branch. My reason for this assertion is that the
word 'Tamban' used in the letter is generally
applied only to minors and it is the then
Tamban of the Etavalath Kovilakam who has
now attained majority and claims payment
of the Malikhana.

3. The petition order dated 18th May 1880
has never been communicated to this office until
now and I submit that it was cancelled
by G.O. dated 14th September 1882, No. 228 R.P.
whereby, on a petition from the senior Rajah
– the successor of the Rajah on whose proposal
the division of malikhana was sanctioned –
the Government "desired that the existing ar-
rangements should not be disturbed". It is
clear that the existing arrangements were
those sanctioned by G.O. 30th June 1879 and in
accordance with the order of 1882 these arrange-
ments have been continued up to the present
date.

4. With regard to para 3 of the G.O. under
reply it appears from information now obtained

"that the impression caused by the use of the word
"'Tamburan' in the Valiya Rajah's letter of 16th April
"1879 was incorrect and that there actually
"were at that time adult male members in the
"Ayancheri Kovilakam

5. Notwithstanding this payments of Malikkhana were made in accordance with this office order dated 24th July 1879 (referred to in para 2 supra) to the senior Rances of both Kovilakams and the reason why payment was made to the senior Ranee of the Ayancheri branch appears to be this.

6. The present head of the whole family including the branch Kovilakams is Mõna Varma Valiya Rajah of Kadattanád. In a statement now made by him before the Tahsildar he asserts that he was for 22 years from 1858 the senior Rajah of the Ayancheri branch; that the affairs of that Kovilakam were managed and Malikkhana received by him during that period; that in both the branches the affairs were in previous years always managed by the senior male, and not by the senior female,

members; that in 1879 when he was the senior male member of the Ayancheri Kovilakam he merely acquiesced in the arrangement for the disbursements of the Malikkhana in deference to the communications of the Collector; that in 1881 another Rajah became the senior male member of the Ayancheri branch and contended that the payment should be made to him on his receipt, but that the matter was dropped owing to his death before final orders were passed and that afterwards the next Rajah, who was the son of the Ranee, allowed the Ranee to receive the amount and pay it to him. The Valiya Rajah asserts, moreover, that the affairs in the Ayancheri branch are even now, as before, managed by the senior male member, that in the Edavalath branch the affairs were managed since 1879 by the senior Ranee because the senior male member was a minor, that the latter having now attained his majority the Ranee has handed over the management to him and that the Ranee's present contention

untenable.

7. Thus it will be evident that in these Kovilakams the practice prior to 1879 was that the senior male member managed the affairs and received the malikhana for the benefit of the whole family and that since 1879 the Valiya Ranees have been receiving the Malikhana owing, in the Edavalath Kovilakam, to the absence of male members who had attained majority, and in the Ayanchery Kovilakam, to acquiescence in the direction given by the Collector and to mutual agreement. The present contention of the Valiya Ranee is that the malikhana hitherto drawn by her may continue to be paid to her, but it appears to me that the arrangement is opposed to the one which, as I have indicated, has already received the sanction of Government in G.O. 30th June 1879 and G.O. 14th September 1882 No. 228 R, and according to which malikhana should be disbursed

to the senior Ranees only when no competent male representatives are available.

8. The enclosures to the Proceedings under reply and the petition and its enclosure received with endorsement No. 2633 dated 30th April 1890 are herewith returned.

I have the honor to be,

Sir,

Your most obedient servant

[illegible]

Collector

14-3-90 No 1777

1815 (1890)

Revenue Department

No 3447.

From,

The Collector
of Malabar

To The Secretary to Govt.
Revenue Deptt
Ootacamund

Dated 9th May 1890. Recd 12. do.

Submits report called for on the petitions of the Rajahs of Edavalathu Kovilakam of Kadathanad Porlathiri Swarupam, regarding the payment of Malikhana.

RECEIVED OFFICIAL LETTERS
12 MAY 90
REVENUE DEPARTMENT

Exmr. 9.

Rev. 10/5
14/6

MDO 14/5

5

REVENUE DEPARTMENT.

Current No. 3447/90.

From the Collector of Malabar.

Dated the 9th May. 1890.

FOR ORDERS.

Please see the notes & orders under G.O. 1777. dt. 14. March. 90. The Current is the report that was called for in that order. The Collector brings to notice another G.O. which was not brought up when the papers were circulated before. G.O. 228. dt. 14. Sept. 82. This was overlooked by the reference as it was not mentioned in any of the papers. As the Collector points out, this order of 1882 practically cancels the petition order of 1880. no. 540. although it merely declares the "desire" of Govt that the existing arrangements should not be disturbed. These arrangements were those sanctioned in G.O. 1399. dt. 30. June 75, which however only said "the proposed division of the Malikhana is"

The point on which appeal was made in both cases — first by the petitioners & ultimately by many others who had actually succeeded to that Stanam — was the alienation from the chiefs Stanam of Rs 200 to each of the two Kovilagoms in addition to the customary shares. Order No 540 was right & that of 82 wrong — but they both only affect the amount they receive & not the principle of the present question

REVENUE DEPARTMENT.

Current No.

From ¶

Dated 18 .

FOR ORDERS.

"approved" - In the letter from the Senior Rajah of the Kattabomman farming which was read in the said order, three proposals were made:-

(i) an increase in the shares to be allotted to the two branch Kovilagoms.

(ii) that the holders of the shares belonging to the two branch Kovilagoms, should draw them upon their own receipts.

(iii). that during the minority or in the absence of male members these shares should be paid to the eldest female members.

The Govt. order sanctioned (i) & (ii) and impliedly approved of (iii), but the Collector now reports that in the Circular order issued from his office in July 75, on the strength of the above Govt. order, reference was made only to the "Valia Rajee of Each Kovilagom "and no notice was taken of the senior male members.

The Collector thinks that this was owing to the fact that with one exception there were no adult male members in existence - However this may be, payment has always been made to the Senior Rajees of both Kovilagoms since 1875.

In a statement made by the Valia Rajah of the whole family, which is extracted in Par. 6. of the current, it is said that "in the Edavalatu Kovilagom "the affairs have been managed "since 1875 by the Senior Rajee "because the senior male "member was a minor & "that the latter having now "attained his majority, the "Rajee has handed over the

(& see Govt. order. dated 1880.)

FOR ORDERS.

"management to him."
His statement is apparently
accepted by the judgement of
the District Judge in Cs. No. 765
of 1885. The Judge refused
to consider the question of
Varmah Rajah's majority,
and said that if he wished
to manage the Kovilagom,
he should establish his
right to do so by regular
suit (vide G.O. 2633. dated
30 Sept. 90). The Rance's
Pleader forwarding copy of
this judgment was sent
to Chertas, but he has
not noticed it in his
present report. The wording
of the judgment however
shows that the management
of Varma Rajah was ad-
acquiesced in by the
Senior Rance, as stated
in the Chris letter read
in G.O. 73. dt. 27. Jan. 90.

The Collector (in para. 6 of the Current)
details the circumstances
under which a female
member has been
managing

FOR ORDERS.

(This was an appeal
brought by Varma
Rajah against a decree
of the Dt. Munsiff, directing
the surrender of certain
Kovilagom properties to
the 1st respondent, the
Senior Rance.
Rm)

Incorrect as they have stood

This change of front, on 25 Oct 89, was
evidently communicated to the petitioners in
the C.J.'s above the Pleaderships & the powers
which sanctioned in the order of Oct 89.

Revenue Department.

Current No.

From

Dated 18 .

FOR ORDERS.

Managing the Anandcheri
branch of the family.
The only question for
decision seems to be—
ought Govt to accept the
Chris report that Varma
Rajah is of age and retire
on the principle adopted in
G.O. 1357. dt. 3rd June 87, recognize
him as manager of the
Kovilagom? or ought it
to wait until Varma Rajah
establishes his right in a
court of law? If the former
question be answered in the
affirmative G.O. 73. dt. 27. Jan. 90.
may stand: if the latter it
must be reversed and
payment of the Pleaderships
to the Senior Rance be discontinued.
It is submitted that the latter
will be the safer course —

6.6.90. Rm

Never considered that it is right
to pay the Pleaderships to the senior
male member, i.e. the upper mentioned
arrangement. JHS 14 June

Mr Chairman pleading that
that the practice since
1879 has been the Senior
Lady should manage the
affairs of the Kovilakom
Pleader the Pleaderships
and I think that the
practice, which is in accordance with the sentiments
expressed in G.O. 27 June
1879 should not be disturbed
Mr JHS 13/6/90 CL
8/6

FOR ORDERS.

Disbursement of Malikhana to the Edavalathe Kovilagom -

The Hon. Mr. Garstin. Offg.
The Hon. Mr. Stokes. Offg.

8 9

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Print abstract only of the G.O.s read - Run

Read again G.O. 1777. dt. 14. March. 90.
" G.O. 2121. dt. 31. March. 90
" G.O. 2633. dt. 30. April. 90.
Cno. 3447/90.

Orders

Ordered, 18th June 1890, no: 463.

The arrangements sanctioned in G.O. 1357. dt. 30. June. 75, contemplated the disbursement of malikhana to the senior male member of the Kovilagom ~~aforesaid~~, and the Govt. sees no reason to reconsider that order now. The malikhana due to the Edavalathe Kovilagom should accordingly be paid to Viza Varmah Rajah as ordered in G.O. 73. dt. 27. Jan. 90.

2. The Bd. are referred to the Collector for orders in their case -

Sd/ G. G. Ross
18/6 Run

To the Comrs. of Land Revenue with Proc. - Collr. of Malabar, - Refce (Para 2) (2 encls).

Edavalatu Kovilagom

Draft G.O. from order

Ser 4

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—again G.O., dated 14th March 1890, No. 1777, Mis., Revenue. (IV)

ABSTRACT.—Forwarding to the Collector of Malabar, for report, petition from Lakshmi Rani of Edavalath Kovilagom and counter-petition from Mahadevi Rani and others regarding payment of malikhana allowances.

READ—again G.O., dated 31st March 1890, No. 2121, Mis., Revenue. (M)

ABSTRACT.—Recording, pending the receipt of the report from the Collector of Malabar, Board's Proceedings, dated 15th March 1890, No. 783, Mis., submitting to Government telegram from Lakshmi Rani, requesting to stop payment of malikhana allowances to Ravi Varma Rajah, until her petition to Government has been disposed of.

READ—again G.O., dated 30th April 1890, No. 2633, Mis., Revenue. (L)

ABSTRACT.—Forwarding to the Collector of Malabar, for report, petition from Lakshmi Rani praying that the arrears of malikhana allowance may be ordered to be paid to her.

READ—also the following letter from J. W. F. DUMERGUE, Esq., Acting Collector of Malabar, to the Secretary to Government, Revenue Department, dated Calicut, 9th May 1890, No. 1719-P:—

With reference to Proceedings of Government, dated 14th March 1890, No. 1777, I have the honor to report as follows.

2. In paragraph 2 of the above order the Government remarks that the proposal made by the late senior Rajah regarding the payment of malikhana to the senior adult male members of the branch Kovilagoms was not separately noticed in Collector's order, dated 22nd April 1879, No. 563; but I beg to submit that Mr. Logan enclosed an English translation of the letter in which the proposals were contained and also stated "he" (*i.e.*, the senior Rajah) "proposes to authorize the holders of these shares to draw their respective shares upon their own receipts. The Board will see from the Valiya Rajah's letter that his objects in making these proposals are to save future troubles in his family and to provide for the decent maintenance of the members of the two branch Kovilagoms." But the point which appears to have been lost sight of by Mr. Logan is that the Rajah's letter contained also another proposal to the effect that during the minority or in the absence of the male members, the amounts due to the branch Kovilagoms should be paid to the eldest female members. It must be presumed that Government intended to sanction both these proposals, but unfortunately in the vernacular order issued from this office on 24th July 1879, during Mr. Logan's absence, reference was made only to the Valiya Rani of each Kovilagom and no notice was taken of the senior male members. Unless some other influence was at work, the explanation of this fact seems to me to lie in the Valiya Rajah's letter of the 16th April 1879, from which it was probably thought that, with the exception of the Elaya Rajah of the Ayancheri Kovilagom, who draws a separate allowance, there were no adult male members in existence in either branch. My reason for this assertion is that the word "Tamban" used in the latter is generally applied only to minors and it is the then Tamban of the Edavalath Kovilagom who has now attained majority and claims payment of the malikhana.

3. The petition order, dated 18th May 1880, has never been communicated to this office until now, and I submit that it was cancelled by G.O., dated 14th September 1882, No. 228, Petition Department, whereby, on a petition from the senior Rajah—the successor of the Rajah on whose proposal the division of malikhana was sanctioned—the Government "desired that the existing arrangements should not be disturbed." It is clear that the existing arrangements were those sanctioned by G.O., dated 30th June 1879, and, in accordance with the order of 1882, these arrangements have been continued up to the present date.

4. With regard to paragraph 3 of the Government order under reply, it appears from information now obtained that the impression caused by the use of the word "Tamban" in the Valiya Rajah's letter of 16th April 1879 was incorrect and that there actually were at that time adult male members in the Ayancheri Kovilagom.

5. Notwithstanding this, payments of malikhana were made in accordance with this office order, dated 24th July 1879 (referred to in paragraph 2 *supra*), to the senior Ranis of both Kovilagoms and the reason why payment was made to the senior Rani of the Ayancheri branch appears to be this.

6. The present head of the whole family, including the branch Kovilagoms, is Mâna Varma Valiya Rajah of Kadattanâd. In a statement now made by him before the Tahsildar, he asserts that he was for 22 years—from 1858—the senior Rajah of the Ayancheri branch; that the affairs of that Kovilagom were managed and malikhana received by him during that period; that in both the branches the affairs were in previous years always managed by the senior male, and not by the senior female, members; that in 1879, when he was the senior male member of the Ayancheri Kovilagom, he merely acquiesced in the arrangement for the disbursements of the malikhana in deference to the communications of the Collector; that in 1881 another Rajah became the senior male member of the Ayancheri branch and contended that the payment should be made to him on his receipt, but that the matter was dropped owing to his death before final orders were passed and that afterwards the next Rajah, who was the son of the Rani, allowed the Rani to receive the amount and pay it to him. The Valiya Rajah asserts, moreover, that the affairs in the Ayancheri branch are even now, as before, managed by the senior male member, that in the Edavalath branch the affairs were managed since 1879 by the senior Rani because the senior male member was a minor, that the latter having now attained his majority the Rani has handed over the management to him and that the Rani's present contention is untenable.

7. Thus it will be evident that in these Kovilagoms the practice prior to 1879 was that the senior male member managed the affairs and received the malikhana for the benefit of the whole family and that since 1879 the Valiya Ranis have been receiving the malikhana owing, in the Edavalath Kovilagom, to the absence of male members, who had attained majority, and in the Ayancheri Kovilagom, to acquiescence in the direction given by the Collector and to mutual agreement. The present contention of the Valiya Rani is that the malikhana hitherto drawn by her may continue to be paid to her, but it appears to me that the arrangement is opposed to the one which, as I have indicated, has already received the sanction of Government in G.O., dated 30th June 1879, and G.O., dated 14th September 1882, No. 228, Revenue, and according to which the malikhana should be disbursed to the senior Ranis only when no competent male representatives are available.

8. The enclosures to the Proceedings under reply and the petition and its enclosure received with endorsement No. 2633, dated 30th April 1890, are herewith returned.

ORDER—dated 18th June 1890, No. 463 Revenue.

Miscellaneous.

The arrangements sanctioned in G.O., dated 30th June 1879, No. 1397, contemplated the disbursement of malikhana to the senior male member of each Kovilagom, and the Government sees no reason to reconsider that order now. The malikhana due to the Edavalath Kovilagom should accordingly be paid to Vira Varmah Rajah as ordered in G.O., dated 27th January 1890, No. 73.

2. The petitioners are referred to the Collector for orders in their case.

(True Extract.)

(Signed) C. A. GALTON,
Secretary to Government.

To the Commissioners of Land Revenue, with enclosures.
„ the Collector of Malabar.
„ the Petitioners (paragraph 2).

Exd. P. L. Pereira.

50 Copies.

Original

Govt. of {1890} Madras.

REVENUE.

Issued

Recd. *Encl.*

G.O., 18th June 1890, No. 463.

JUNE.

Malikhana allowance.

Observing that the arrangements sanctioned in 1879 contemplated the disbursement of — to the senior male member of each Kovilagom and that the Government sees no reason now to reconsider that order and directing that the malikhana due to Edavalath Kovilagom should be paid to Vira Varmah Rajah.