Revenue Department

G-6 Inv 1294 of 23-9-1858

Back no 11-12

Diary 28-9-1858

Fort Saint George, Revenue Consultation of 28th September 1858.

No. 11. Read the following Extract from the Proceedings of the Board of Revenue; dated 25th August 1858, No. 3245.

In Consultation 25th August 1858. Read letter from the Collector of Chingleput, dated 7th August 1858.

(Here enter No. 246.)

In Consultation 19th March 1858. Resolved that the above letter be submitted to Government, with reference to Extract Minutes Consultation, No. 256, Revenue Department, dated 26th February last.

2. The Collector reports that the tope, the rent of which Nagapah Chetty seeks to recover by Civil Suit, is entered in the Pymash accounts as "Varapet" or "taxable," and it would thus appear beyond a doubt, that the Shrotriumdar or his representative, to whom the Government have resigned their rights over the land included in the Shrotrium—has a legal claim against the Ryots for the melvarum or Government-share in the produce—and that the plea of the Ryots, that the tope in question is "Manyam" or "rent free," cannot be supported.

3. The Board are moreover of opinion, that the permission of Government was not necessary under Section IV. of 1831, to allow of the institution of a Civil Suit for the enforcement of that claim.

Ordered that the following Endorsement be passed on Petitions Nos. 648 and 2349 of 1858.

"Petitioner is informed that the Board of Revenue have submitted their opinion on his case to Government, to whom he should apply for orders."

(A true Extract.)

(Signed) J. HUDLESTON, *Sub-Secretary.*

No. 12. ORDER THEREON, No. 1294; dated 23rd September 1858.

The Board of Revenue with their Proceedings above recorded submit the report called for in Extract Minutes Consultation dated 26th February 1858, No. 256, on the subject of the permission sought by Nagappa Chetty to institute a Suit under Regulation IV. of 1831.

**Dated 3d February* 1858. 2. Nagappa Chetty produced in support of his application* an extract from the Proceedings of the Court of Sudder Udalut dated 21st January 1858, in which they decided that as Coyembadoo is a Shotrium the absence of the permission of Government under the enactment quoted was fatal to Suit No. 186 of 1853 instituted by him in the Court of the District Moonsiff of Trippasoor in Chingleput. The Government observed that the Suit was for the recovery from some of the ryots of the produce of certain tope in the Shotriem of Coimbadoo and that the claim had nothing whatever to do with the Shotriem itself; they however referred the subject to the Board of Revenue, as some of the Defendants pleaded that the tope was mauniem.

3. The Board state that the tope, the rent of which Nagappah seeks to recover by Civil Suit is entered in the Pymash accounts as "Varaput," or "taxable," and that it would thus appear beyond a doubt that the Shotriemdar or his representative to whom the Government have resigned their rights over the land included in the Shotriem has a legal claim against the ryots for the Melvarum, or Government share, in the produce, and that the plea of the ryots that the tope in question is "mauniem" or "rent free" cannot be supported. Under these circumstances they are of opinion that the permission of Government was not necessary under Regulation IV. of 1831 to allow of the institution of the Suit in question. In this view the Government fully concur and resolve to intimate accordingly to Nagappah Chetty.

(Signed) T. PYCROFT,

Chief Secretary.

R.D.

Fo 1294

Extract from the Minutes of Consultation

Under date the 23d September, 1858.

Read the following

Extract from the Proceedings

of the Board of Revenue

Here enter 25th August 1858 N. 3245

The Board of Revenue

with their Proceedings above

recorded submit the report

called for in Extract Minutes

Consultation dated 26th February

1858 No. 256 on the subject of

the permission sought by

Nagappa Chetty to institute

a suit under Regulation IV of

1831.

2 Nagappa Chetty

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application an extract from

the Proceedings of the Court

of

+ Dated 3d February 1858.

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January 1858 in which they
decided that as Coyembadoo
is a Shotrium the absence of
the permission of Government
under the enactment quoted
was fatal to Suit N° 186 of 1853
instituted by him in the
Court of the District
Moonsiff of Trippasoor in
Chingleput. The Government
observed that the suit was
for the recovery from some
of the ryots of the produce
of certain tope in the Shotrien
of Coimbadoo and that the
claim had nothing whatever
to do with the Shotriem itself,
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to the Board of Revenue as some
of the Defendants pleaded that
the tope was Mannieam.

3 The Board state
that the tope, the rent of
which

of the Institution of the Suit
in question ~~and~~ In this view
the Government fully concur-
and resolve to intimate
accordingly to Rayappa
Chetty

JP

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Dup 24
1 — Rayappah Chetty —

P 16th Jan R 21

which Nagappah seeks to
recover by Civil suit is
entered in the Pymash ac-
counts as "Varaput" or
"taxable" and that it would
there appear beyond a
doubt that the Shotriendar
or his representative to
whom the Government
have resigned their rights
over the land included in
the Shotriem has a legal
claim against the ryots
for the Melvaram or
Government share in the
produce and that the plea
of the Ryots that the tope
in question is "Manyam"
or "rent free" cannot be sup-
ported. Under these circum-
stances they are of opinion
that the permission of Govt
was not necessary under
Regulation IV of 1831 to allow

of

Revenue 1868 Departt.

Dft. to Cous. 28th September

No. 1294.

Extract Mins. of Cous.

Dt. 23d. Sept.r 68.

Informing one
Nagappah Chetty that the
permission of Government
is not required for the
institution of a Suit for the
recovery of the produce
of certain topes in the
Shotrium village in the
Chingleput District.

No. 11 & 12.