Revenue Dep$^{t}$:

E. M. C. dated 18$^{th}$ Jan 1857

Back No$^{s}$ 28-29

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[Order no 40 dated 10$^{th}$ Jan 1857]

பாதுகாப்பு பிரிவு-1

செய்பனிருபவர் பெயர் M. ராமலிங்கம்

செய்பனிருவதற்காக
எடுத்துக்கொள்ளப்பட்ட நாள் 06/06

செய்பனிட்டு முடித்த நாள் 18/06

சரிபார்க்கும்
முதல் மு.நி.பா.எ.
கையொப்பம்

சரிபார்க்கும்
2ம். நி.பா.எ.
கையொப்பம்

ஆராய்ச்சி
உதவியாளர்
கையொப்பம்



*Fort Saint George, Revenue Consultation of* 13*th January* 1857.

No. 28. Read the following *Extract from the Proceedings of the Board of Revenue; dated 24th December* 1856, *No.* 4408.

*In Cons. 24th December* 1856.

Read letter from the Acting Collector of Madura dated 9th December 1856.

(Here enter No. 290.)

*In Consultation* 13*th June* 1856.

Resolved that the foregoing letter be submitted for the orders of the Right Honorable the Governor in Council, with reference to Extract from Minutes of Consultation dated 11th June 1856, R. D. No. 596.

2. The Acting Collector forwards a communication from his Sub-Collector, with its enclosures, and recommends, in reference thereto, that Suit No. 26 of 1855, may be compromised.

3. This suit was instituted to prevent the formation of a road across the Plaintiff's lands, and to put a stop to the filling up of a channel dug at his own cost.

4. The Plaintiff, in an Urgee addressed to the Sub-Collector, now offers to withdraw the suit, and pay the costs incurred by Government, if the road objected to by him is not re-opened, and a second channel alluded to in his supplemental plaint is not interfered with. He does not object to the closing of the channel referred to in the original plaint.

5. The Sub-Collector has visited the spot, and suggests a compromise on the conditions proposed by Plaintiff.

6. The supplemental plaint and reply are not before the Board, and they cannot therefore clearly apprehend how the case stands; but taking into consideration the facts stated by the Sub-Collector in his report made after his personal inspection, the Board are disposed to support his recommendation. The road appears to be simply a pathway across private property, and there seems to be no objection to allowing the new channel to remain as it is, the orders of Mr. Clarke, the late Sub-Collector, for filling it up, not having been carried into execution as shewn in para. 3 of the answer filed in the case; they think therefore that the interference of Government in either case is not called for. If His Lordship in Council should concur in this view, the necessary instructions will be sent to the Acting Collector to accept the Plaintiff's offer for an amicable arrangement.

(A true Extract.)

(Signed) J. D. SIM,
*Acting Secretary.*

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No. 29. ORDER THEREON, *No.* 40; *dated* 10*th January* 1857.

Under the circumstances stated, the Right Honorable the Governor in Council authorizes the compromise of Suit No. 26 of 1855 on the file of the Sub-Court of Madura, in the manner suggested by the Acting Sub-Collector and recommended both by the Acting Collector and by the Board of Revenue.

(Signed) J. D. BOURDILLON,
*Secretary to Government.*

Revenue Department

No. 4408

Extract from the Proceedings of the Board of Revenue dated 24th December 1856.

Read letter from the Acting Collector of Madura dated 9th December 1856.

In Con. 26 Dec. 56

(Here enter No. 290)

Resolved that the foregoing letter be submitted for the orders of the Right Honorable the Governor in Council, with reference to Extract from Minutes of Consultation dated 11th June 1856 P.C. No. 596.

In Con. 13th June 56.

2 The Acting Collector forwards a Communication from his Sub Collector, with its enclosures, and recommends in reference thereto, that Suit No. 26 of 1855 may be compromised.

3 This Suit was instituted to prevent the formation of a road across the Plaintiff's lands, and to put a stop to the filling up of a channel dug at his own cost.

4 The Plaintiff, in an Urzee addressed to the Sub Collector, now offers to

to withdraw the suit, and pay the Costs incurred by Government, if the road objected to by him is not re-opened, and a second Channel alluded to in his Supplemental Plaint is not interfered with. He does not object to the closing of the Channel referred to in the original Plaint.

5. The Sub Collector has visited the spot, and suggests a compromise on the conditions proposed by Plaintiff.

6. The Supplemental Plaint and Reply are not before the Board, and they cannot therefore clearly apprehend how the case stands, but taking into consideration the facts stated by the Sub Collector in his report made after his personal inspection, the Board are disposed to support his recommendation. The road appears to be strictly a pathway across private property, and there seems to be no objection to allowing the new Channel to remain as it is, the orders of Mr. Clarke, the late Sub Collector, for filling it up, not having been carried into execution as shewn in para 3 of the Answer filed in the case; they think therefore that the interference of

3
15/
26

Government in either case is not called for. If His Lordship in Council should concur in this view, the necessary instructions will be sent to the Acting Collector to accept the Plaintiff's offer for an amicable arrangement.

(A True Extract)

Acting Secretary

To

P. C. Boundillon Esq.
Secretary to Government,
Revenue Department.

Dy to Com 13th June/56 No 52-53

No 28829

6th Jany Rcd

Revenue 1856 Depart.
Dto 2nd 13th Jany/57
No 154 Rcd 7

Extract from the Proc.
of the Bd of Revenue

Dated 24th December/56
Read - 26 -

No 40408

3 Encls.

Submitting with the Bds observations a letter from the Dy Collector of Madura relative to Suit No 26 of 1855 - that as the road in dispute is simply a pathway & only private property and there seems no objection to allowing the new Channel to remain as it is the withdrawal of Suit in either case is not called for.

Pro 4.0. Write an order 10th January

No 40

Under the circumstances stated the Right Honorable the Governor in Council authorizes the compromise of Suit No 26 of 1855 on the file of the Sub Court of Madura, in the manner suggested by the Acting Sub Collector and recommended both by the Acting Collector and by the Board of Revenue -

Fort St George.
10th January 1857

To Copies to the Bd of Rev. with 3 Orig Encls Desp 12