

Revenue Department

Minutes of Consultations.

9th April 1858.

Back No^s 59 & 60

Order No 454 D/9th April 1858.

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(2)

Fort Saint George, Revenue Consultation of 9th April 1858.

No. 59. Read the following Extract from the Proceedings of the Board of Revenue; dated 24th March 1858, No. 1057.

Read letter from the Collector of Bellary, dated 19th November 1857 reporting upon Government Petition No. 1814 of 1856.*

* In Cons. 24th March 1858.

(Here enter No. 139.)

1: Ordered to be submitted to Government with reference to their Endorsement, dated 9th September 1856, on Petition No. 1814 of 1856.

2: The land in respect of which Petitioners seek permission to sue is a Bhutwurthy Enam entered in the Survey accounts in the name of their uncle. Their father, it appears mortgaged it in 1821, on the understanding that its usufruct should be enjoyed in lieu of interest upon a debt of Rupees 33-8-8. Four years afterwards a similar arrangement was made by the mortgagee and the Enam was transferred upon the same terms to third parties, who have enjoyed it for nearly 30 years and now refuse to relinquish it without payment of the amount lent upon the mortgage.

3: The Collector recommends that permission to sue may be granted, and in this view the Board concur. The case is properly one for the adjudication of the Courts as it rests on a settlement of accounts, and as the interests of Government will not be affected, the Board recommend that permission may be accorded under Regulation IV of 1831 for the institution of a suit.

(A true Extract.)

(Signed) J. D. SIM, Sub-Secretary.

No. 60. ORDER THEREON, No. 454; dated 9th April 1858.

Ordered that the following endorsement be passed on Petition No. 1814 of 1856 from Au-charapa and Vencatavarahacharloo of Paregy in Panoogondah Talook, Bellary District.

"Under Clause I. Section II. Regulation IV. of 1831 Petitioners are permitted to prosecute in the Civil Courts for the recovery of their Lakhirag Survamaniem land, represented to be in the possession of certain mortgagees."

"But this order shall not in any degree be held to prejudice the possible claims of Government, or to afford proof of its being rightfully held as Enam."

(Signed) H. FORBES,
Acting Secretary to Government.

பாதுகாப்பு பிரதி - 1

செப்பனியைப் பெயர்:

செப்பனியைத் தாது எடுத்துக் -
கொள்ளப்பட்ட நாள்

25/2/58
செப்பனியைத்
பெயர் பெயர்
கொள்ளப்பட்ட

25/2/58
செப்பனியைத்
2ம் செப்பனியை
கொள்ளப்பட்ட

25/2/58
செப்பனியைத்
உதவியாளர்
கொள்ளப்பட்ட

3
No. 1057.

Extract from the Proceedings of the Board of Revenue dated 24th March 1858.

In Com. 24th March 1858.

Read letter from the Collector of Bellary, dated 19th November 1857 reporting upon Government Petition No. 1814 of 1856.

(Here enter No. 189.)

1. Ordered to be submitted to Government with reference to their Endorsement, dated 9th September 1856, on Petition No. 1814 of 1856.

2. The land in respect of which Petitioners seek permission to sue is a Bhudwathi Enam entered in the Survey accounts in the name of their uncle. Their father, it appears, mortgaged it in 1821, on the understanding that its usufruct should be enjoyed in lieu of interest upon a debt of Rupees 33-8-8. Four years afterwards a similar arrangement was made by the mortgagee and the Enam was transferred upon the same terms to third parties, who have enjoyed it for nearly 30 years and now refuse to relinquish it without payment of the amount lent upon the mortgage.

3. The Collector recommends that permission to sue may be granted, and in this view the Board concur. The case is properly one for the adjudication of the Courts as it rests on a settlement of accounts, and as the interests of Government will not be affected, the Board recommend that permission may be accorded under Regulation IV of 1831 for the institution of a suit.

(A true Extract.)

L. S. Smith

Sub Secretary.

H. FORBES, Esq.,

*Acting Secretary to Government,
Revenue Department.*

Revenue Dept

Extract from the Minutes of Consultation
April
Under date the 9th March 1858.

Read the following
Extract from the Pro. of
the Board of Revenue.

Here enter 24th March 1858
No 1057

Ordered that the
following Endorsements
be placed on Petitions
No 1814 of 1856 from
Aacharapa and Venkata
-varahacharloo of Poreyy
in Panogondah Talook
Mylly District.

2000 12-8 1858
2000 9-2 1858
No 1435

Extract from the Consultation
of the Board of Revenue
Date 21st March 1858
No 2053
2000 1-10 1858

2000 12-8 1858
2000 9-2 1858
No 1435
Extract from the Consultation
of the Board of Revenue
Date 21st March 1858
No 2053
2000 1-10 1858
2000 12-8 1858
2000 9-2 1858
No 1435

2000 12-8 1858

Under clause I Section

Regulation IV of 1881

Petitioners are permitted
to prosecute in the Civil
Courts for the recovery and release
of their Lakkira
Sudamanyu lands
represented to be in
the possession of certain
mortgagors.

But this order
shall not in any degree
be held to prejudice
the possible claim of
Government or to afford
proof of its being
rightfully held.

Again.

To be to the Registrar
with an Encl.
- 2nd Dep. with an Encl.
Recd 11/10/81

27/11/81

"V" J
Revenue 1888 Dept.
Cons 9th April

No 454.
Extract of Cons.
27th April 1888

Passing orders on
Petition No 1016 of 1886 in
forming Petitioners under
Clause I Section II Re.
Regulation IV of 1881. The
Petitioners are permitted
to prosecute in the
Civil Courts for the re-
covery of their Lakkira
Sudamanyu lands
represented to be in the
possession of certain
mortgagors.

MS 9060