1 SA

பொ. ப. புத் எண். 24

———————— துறை,

குறிப்பிட்டவர் பெரறுப்பிலிருக்கும் பதிவுக் கட்டினின்றும் எடுக்கப்பட்ட தாள்.

அச்சு / பல்வகை / வாலாயம் என் ————————, தேதி ———————— 198 .

எடுத்த தேதி.	எதன் பொருட்டு:			தாள் எடுக்கும் எழுத்தர். அல்லது சிற்றெழுத்தர் சுருக்கொப்பம்.	திருப்பிக் கொடுத்த தேதி.	சிற்றெழுத்தரின் சுருக்கொப்பம்,
	துறை.	நடப்பு எண்	ஆண்டு.			

M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 590 — Press / ~~Mis.~~

246-247

Dated 14—3—1861.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 14th March 1861.

No. 246. Read the following Proceedings of the Board of Revenue, dated 25th February 1861, No. 1,018 :—

Read letter from the Collector of the Kistna District, dated 8th February 1861, No. 30.

(In Cons. 12th February 1861, No. 899.)

In Cons. 16th July 1860, *No.* 3,442.

1. In his letter dated 10th July 1860, No. 144, the late Collector Mr. Knox, requested permission to sell by auction under the Freehold Rules, two small plots of land required by two individuals for building purposes.

Board's Proceedings, 27th July 1860, *No.* 3,456.

2. The Board recommended that sanction should be granted for this, and Government consented.

G. O. No. 1,366, *15th, in Cons. 16th August* 1860, *No.* 4,040.

3. The present Acting Collector in reporting the completion of the sale, recommended that the "original" purchaser of one of the plots should be repaid, out of the sale proceeds, the sum originally paid by him for it.

From Collector 19th, in Cons. 26th November 1860, *No.* 6,096.

Board's Proceedings, 4th December 1860, *No.* 5,664.

4. As the Collector's letter was wholly silent as to the existence of any prior private rights to the land, further explanation was requested by the Board and is furnished in the letter above recorded.

5. It now appears that the land in question had been held on Patta, for at least 33 years, by one Víranna who sold it to Latchmi Reddi, the person alluded to as the original purchaser. This Latchmi Reddi wished to have the land on Freehold tenure and under the rules was entitled to redeem the assessment in perpetuity by a payment, once for all of 20 years' assessment, which he was willing to pay.

6. The late Collector Mr. W. Knox was wholly wrong in recommending that the land should be sold by auction, as it was already the property of Lutchmi Reddy and could not be taken from him so long as he paid the annual assessment.

7. The result of the sale was the purchase of the land by another party, the highest bidder, for Rupees 82.

8. The Acting Collector recommends that Lutchmi Reddi should be paid his original purchase money, Rupees 60, out of the sale proceeds, which arrangement will still leave Government a gainer to the amount of Rupees 18-12-4, as the spot of land (only ·13 of an acre) was assessed at Annas 2 Pice 7.

	Rs.	A.	P.
Sale proceeds, Rs. 60=22		0	0
Annas 2 Pice 7 +20=	3	3	8
Rupees...	18	12	4

9. The Board are of opinion that as the sale has not been legally completed, no Title Deed having yet been sealed or delivered, it should be cancelled, because Government had no right to sell the land. If, however, Government consider this inexpedient, they should at least make over to Latchmi Reddi the whole sale proceeds above the sum which he would have had to pay for the Title, so that at least they will not profit by the error of their Officer.

10. The Acting Collector will report without delay whether the other sale is similarly invalid or not.

11. Ordered a copy of these Proceedings be submitted to Government for their consideration and orders on paragraph 9.

(A true Extract.)

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

Proceedings of the Madras Government, Revenue Department, 14th March 1861.

No. 247. ORDER THEREON, 14th March 1861, No. 590.

1. If the facts are as now stated, it is clear that the Government had no right to sell the land in question; the sale therefore cannot stand good, it must be cancelled, and the purchase money refunded to Malapeddi Venkanna.

2. But before passing an order to that effect, the Governor in Council wishes to be informed positively, whether Viranna maintained his claim to the land by paying the sist on it during the 33 years that he is said to have owned it, or whether it was a merely nominal occupancy.

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

No. 5,664.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 4th December 1860.

Read the following letter from G. THORNHILL, Esq., Acting Collector of the Kistna District, to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Gudivada, 19th November 1860, No. 269:—

1. With reference to the Proceedings of Government, dated 15th August, No. 1,366, I have the honor to forward for the Government Seal two printed copies duly filled up, of the Title Deeds to be granted to Somuri Gopana, inhabitant of Pasumarru in Gudivada Taluk, and to Malipeddi Venkanna of Vurutur in Sallapalli Taluk, who purchased at public auction the 18 and 13 cents of an acre of ground referred to in Mr. Knox's letter of the 10th July last for Rupees 62 and 82 respectively.

In duplicate.

No. 144.

2. The original applicant for the latter spot purchased it in the first instance for Rupees 60 from Pramarti Viranna, but having been outbid at the auction, both the land and the money are lost to him.

B. Lutchmi Reddi.

3. The Board will observe that the ground has now been sold for Rupees 82, while the upset price was only Rupees 3-3-8 being 20 years purchase at the rate of Cist previously paid, viz., Rupee 0-2-7 per annum; the high price realised was partly, no doubt, owing to the demand for building sites; but it can hardly be doubted that it was greatly enhanced by feelings of animosity against the original purchaser.

4. Under these circumstances, I would respectfully urge the Board's favorable consideration to the original purchaser's prayer for re-imbursement, out of the purchase money realised at auction, of the 60 Rupees paid by him for the ground. Even deducting this sum, the Government will receive Rupees 22 for a spot of land valued, under the rules of the 5th August 1859, at only Rupees 3-3-8.

ENCLOSURES Nos. 1 to 4.—Title Deeds.

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1. The Acting Collector will please to report in full detail the circumstances of the purchase from Pramarti Viranna by Lutchmi Reddi the applicant at whose request the site in question was put up for sale at public auction.

2. It should be explained what right or title in the land P. Viranna possessed and transferred by the original sale, and why the subsequent application by the purchaser for a further sale was deemed necessary.

3. This information should have been afforded by the Acting Collector in the first instance.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,
Acting Secretary.

To G. Thornhill, Esq., Acting Collector of Kistna District.

Exd. J. Wright.

1861 No. 899 Sheet 4

Enclosure 2 in Board's Proceedings
of the Board of Revenue
to the Secretary to Government
No. 80. dated 25th February
1861. No. 1018.

Examd

Postd

Letter from the Collector of the Kistna District
to the Board of Revenue dated
19th August 1860 No. 269.
Regarding sale of land -
and Board's Proceedings
thereon -

In Cons. 12th February 1861, No. 899.

From G. THORNHILL, Esq., Acting Collector of the KISTNA DISTRICT,
dated Masulipatam, 8th February 1861, No. 30.

With reference to the Proceedings of the Board of Revenue, dated 4th December last, No. 5,664, directing me to report, in full detail, the circumstances of the purchase of a piece of land in Gudivada taluq, from Pramarty Viranna by B. Lutchmereddi, I have the honor to state, for their information, that the original occupant Pramarti Viranna appears to have possessed by right of succession 13 cents of an acre of land in the said village, which is alleged by him to have been acquired by his grand-father about a century ago; whereas the village accounts for Faslis 1236, 47, and from Fasli 1259 to 1268, without exception, show that it was in the occupation of Viranna for 33 years ending with Fasli 1268. He sold the land to Lutchmereddi for 60 Rupees according to the established usage in the country, which allows Ryots to dispose of seri lands, held by them under patta, at their pleasure. A bill of sale to the same effect was also executed by him to the purchaser B. Lutchmereddi, who with a view to build a house on the spot, applied for permission to convert it into free-hold by payment of 20 years' cist under the orders of Government, dated 5th August 1859, whereupon the case was recommended to the Board, and in obedience to their orders the land in question was put up to auction and sold for Rupees 82 to Somuri Gopanna, an inhabitant of Pasumarru, who is therefore entitled to obtain a Title Deed in his name.

Dated 15th August 1860, No. 1,366.

2. Under these circumstances the original applicant B. Lutchmereddi solicited the re-imbursement of the Rupees 60 which he had paid for it.

Exd. J. Tulloch.

No. 1,018.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 25th February 1861.

Read letter from the Collector of the Kistna District, dated 8th February 1861, No. 30.

(In Cons. 12th February 1861, No. 899.)

In Cons. 16th July 1860, No. 3,442.

1. In his letter dated 10th July 1860, No. 144, the late Collector Mr. Knox, requested permission to sell by auction under the Freehold Rules, two small plots of land required by two individuals for building purposes.

Board's Proceedings, 27th July 1860, No. 3,456.
G. O. No. 1,366, 15th, in Cons. 16th August 1860, No. 4,040.
From Collector 19th, in Cons. 26th November 1860, No. 6,096.

2. The Board recommended that sanction should be granted for this, and Government consented.

3. The present Acting Collector in reporting the completion of the sale, recommended that the "original" purchaser of one of the plots should be repaid, out of the sale proceeds, the sum originally paid by him for it.

Board's Proceedings, 4th December 1860, No. 5,664.

4. As the Collector's letter was wholly silent as to the existence of any prior private rights to the land, further explanation was requested by the Board and is furnished in the letter above recorded.

5. It now appears that the land in question had been held on Putta, for at least 33 years, by one Viranna who sold it to Lutchmi Reddy, the person alluded to as the original purchaser. This Lutchmi Reddy wished to have the land on Freehold tenure and under the rules was entitled to redeem the assessment in perpetuity by a payment, once for all of 20 years' assessment, which he was willing to pay.

6. The late Collector Mr. W. Knox was wholly wrong in recommending that the land should be sold by auction, as it was already the property of Lutchmi Reddy and could not be taken from him so long as he paid the annual assessment.

7. The result of the sale was the purchase of the land by another party, the highest bidder, for Rupees 82.

8. The Acting Collector recommends that Lutchmi Reddy should be paid his original purchase money, Rupees 60, out of the sale proceeds, which arrangement will still leave Government a gainer to the amount of Rupees 18-12-4, as the spot of land (only ·13 of an acre) was assessed at Annas 2 Pice 7.

	Rs.	A.	P.
Sale proceeds, Rs. 60 =	22	0	0
Annas 2 Pice 7 + 20 =	3	3	8
Rupees...	18	12	4

9. The Board are of opinion that as the sale has not been legally completed, no Title deed having yet been sealed or delivered, it should be cancelled, because Government had no right to sell the land. If, however, Government consider this inexpedient, they should at least make over to Lutchmi Reddy the whole sale proceeds above the sum which he would have had to pay for the title, so that at least they will not profit by the error of their Officer.

10. The Acting Collector will report without delay whether the other sale is similarly invalid or not.

11. Ordered a copy of these Proceedings be submitted to Government for their consideration and orders on paragraph 9.

(A true Extract.)

Secretary.

To J. D. Bourdillon, Esq., Secretary to Government, R. D.

Copy to G. Thornhill, Esq., Acting Collector of the Kistna District.

Exd. J. Wright.

1861 Despatches

Enclosure No. 1 in Bd's proceedings of the Board of Revenue to Mr. Secretary to Government R. D. dated 25th February 1861 No. 1018.

Letter from the Collector of the Kistna District to the Board of Revenue, dated 8th February 1861 No. 30 - forwarding sale of land.

5th August 1859 No. 147
23rd September " 33-34
5th August 1868 " 174-175

Revenue 1861 Depart
Pro: of Govt for March.
No 561.

Proceedings of the
Board of Revenue

Dated 25th February 1861
Rec: 1st March "

No. 1018.

No. 590. 14th March

Submitting for orders with the Board's opinion a letter from the Acting Collector of Kistna District reporting that the two small plots of lands sold by auction under the Freehold rules for building purposes are the property of one Lutchmi Reddy and requesting that he may be paid his original purchase money out of the sale proceeds - With an order

No. 590

If the facts are as now stated it is clear that the Government has no right to sell the land in question; the sale therefore cannot stand good, it must be cancelled, and the purchase money repunded to Malapeddi Venkanna -

2. But before passing an order to that effect, the Governor in Council wishes to be informed positively, whether Venkanna maintained his claim to ~~possession~~ by paying the rent on it the lands during the 33 years that he is said to have owned it, or whether it was a merely nominal occupancy.

For Chief Secy:
14th March 1861

List -
13 Copies to the Board of Revenue with the Proceedings