

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 62	Press ~~Mis.~~
120-121	
Dated 6-1-	18 61.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
10th January 1861.*

No. 120. Read the following Proceedings of the Board of Revenue, dated 5th December 1860, No. 5,691:—

Read again letters from the Collector of Tinnevely, dated 15th September 1859, No. 358, and 10th April 1860, No. 131.

(In Cons. 26th September 1859, and 16th April 1860, Nos. 4,800 and 1,699.)

Read also the following letter on the same subject from the same Officer, dated 10th November 1860, No. 436:—

1. In reply to paragraph 2 of the Board's Proceedings under date the 3rd May last, No. 2,168, requesting further information on the subject of the Mányam land referred to in Petitions Nos. 811 and 1,296 of 1859, I have the honor to state that, according to the report received from the Tahsildár, the land alluded to is included in the Sarvamányam village of Samugarengappen Kattalai. It does not form a general Temple Endowment so as to be at the disposal of the Darmakarta, but stands assigned to a special service in the temple, called "Arthajáma Kattalai," for the due maintenance of which the Petitioner was responsible as the Hukdár. But as he is now dead, leaving a son who is under age, his son-in-law Ándi Putten is conducting the service.

2. The Board Petition No. 2,683 of 1860, subsequently addressed by the aforesaid Minor, is herewith returned.

Nos. 811 and 1,296 of 1859.

No. 2,683 of 1860.

1. The above correspondence relates to the Board's Petitions noted in the margin.

2. The Hukdár of the Arthajáma Kattalai in the Nalliappa Swámi Pagoda of the Nalliambalam Taluq complained to the Board—

First. That a Patta had been granted to a certain individual for 17 Mercals seed measurement of Nanja land in Petitioner's Sarvamányam village of Samugarengappen Kattalai.

Second. That on 5th November 1858, the then Acting Collector Mr. Mayne ordered that the annual quit-rent of Pons 5, or Rupees 10-9-9, payable on certain "Chillara Cuttoogootigé" land held by Abdulla Khan and Shere Khan in the same village should be collected in arrears from Fasli 1250, and in future on behalf of Government, whereas such quit-rent was properly due, and had been hitherto paid to Petitioner as the Hukdár of the Kattalai.

3. On the first subject of complaint the Collector reports that inquiries showed that the land in question was included in the Tank bed of a Government village, and that consequently Petitioner had no right to the land for which a Patta had been given in Fasli 1266, but which had not since been cultivated.

4. The Board agree that Petitioner has no good cause of complaint in this matter, but they disapprove of the cultivation of Tank beds, and request that the Collector will endeavour to arrange for the cancelment of the Patta in question, and will disallow any such proceedings in future.

The practice is one productive of far more injury to the community than the gain of the individual or his payment to Government can compensate.

5. On the second matter it appears that the facts stated by Petitioner are correct, and that under the order of the Acting Collector a sum of Rupees 95-7-0 has been carried to the credit of Government under the head of "Sevai Jumma."

6. In 1803, the question was first raised whether this payment was due to Government or to the Pagoda, and it being considered that the latter was proved, an order was issued accordingly which continued in force until 1832, in which year the question was again raised and orders issued to collect the rent on behalf of Government, solely it would seem on the strength of the Copper Deed produced by the holder of the "Cuttoogootigé" land which showed that he was liable to pay 5 Pons yearly, and which it was assumed must be due to Government, though it was proved that until the previous year it had been paid to the Stallatars of the Pagoda.

7. This order of 1832 seems to have been acted on until 1839. From 1840 the collection on behalf of Government was discontinued, but the records do not show under what circumstances it ceased.

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10th January 1861.*

It was again revived as already stated, by Mr. Mayne in 1858, and has since been discontinued with the sanction of the Board, who concurred in opinion with Messrs. Levinge and Silver that the demand on behalf of Government was not authorized.

8. The Board resolve now to request the sanction of Government for the refund to the Hukdár of the Kattalai, of the amount, viz., Rupees 95-7-0, collected under Mr. Mayne's order and carried to account.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Acting Secretary.*

No. 121.

ORDER THEREON, 10th January 1861, No. 62.

The Government authorize the disbursement of the sum of Rupees (95-7-0) ninety-five and Annas seven as a refund, to the Hukdár of the Arthajáma Kattalai, on account of an equal amount wrongfully collected in 1858 on behalf of Government, from the renters of certain Chillara Cuttoogootigé land in the Sarvamányam village of Samugarengappen Kattalai, Tinnevelly District, and which stands assigned to certain service in the temple aforesaid.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

IN CON. 16TH APRIL 1860, No. 1,699.

From J. SILVER, Esq., Collector of TINNEVELLY,
dated Tinnevelly, 10th April 1860, No. 131.

With reference to Extract from the Proceedings of the Board, under date the 20th January 1860, I have the honor to forward translations of the Orders passed in 1832 and 1858, by the then Collectors, on the subject of the maniem village, referred to by the Board, and to give the following information:—

The amount of tax to which the Board allude in paragraph 1 of their Proceedings, is not in deposit, but has been carried to account as sevoy jummah.

Mr. Levinge in paragraph 4 of his letter, dated the 15th September 1859, No. 358, refers, as is evident from the documents connected with the case, not to the whole village, which is held on survamaniem tenure, but to the Chillera Cuttoogoottah land in dispute.

2. In reply to paragraph 2 of the Board's Proceedings, I beg to state that as Mr. Mayne's Order to carry the rent to the head of Iyen, is founded on the Order passed in 1832, and does not contain any valid ground for so transferring the rent, I agree with Mr. Levinge in opinion, that the Government demand should be discontinued, and the collected arrears be disbursed to the petitioner.

ENC. 1.

ABSTRACT.—Translation of an Order, No. 174, issued to Madar Hussain Khan, tahsildar of the Nelliambalum taluq, under date 28th March 1832.

ENC. 2.

ABSTRACT.—Translation of Order, No. 636, issued to the tahsildar of Nelliambalum, under date the 5th November 1858.

Letter from the
Collector of Tinnevely
to the Secretary to the
Board of Revenue dated
10th April 1860 No. 131
regarding Maniam land

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Enclosure No. 2 in the
Proceedings of the Board
of Revenue to the Acting
Secretary to Government
Revenue Department dated
5th December 1860 No. 5891.
Encs. 2. & 3.

IN CON. 26TH SEPTEMBER 1859, No. 4800.
From V. H. LEVINGE, Esq., Acting Collector of TINNEVELLY,
dated Tencausey, 15th September 1859, No. 353.

With reference to the endorsement on Board Petitions, Nos. 811 and 1293 of 1859, I have the honor to submit the following report:—

2. The petitions contain two subjects of complaint; one is that in Fusly 1266 a puttah was granted to an individual for 17 mercials of nunjah land, which he cultivated in petitioner's maniem village. Enquiries were made at the time, and it was proved by the ayacut account that the land claimed was part of the bed of the tank of the Government village of Kandiapary, for it a puttah was given, since then the land has not been cultivated.

3. The 2nd subject of complaint is, that on the 5th November 1838, the late Acting Collector issued an order directing the amount of tax, five pons or Rupees 10-9-9 yearly, payable on the "Chilera Cuttoogootaga" alluded to in the petitions, and held by Abdulkhan and Serkhan, to be carried to the head of Iyen, and collected in arrears from Fusly 1250. Of this Rupees 95-7-0 was accordingly collected, and entered as Sevoy Jummah.

4. The village in which this disputed land is situated is surva maniem to the pagoda. I find from the records that in 1803 there was a like dispute and that the then Collector issued an order directing it to be held by the pagoda, and it was so held till 1831. In 1832 an order was issued to carry it to the head of Iyen till further orders—it was so carried till 1839; from 1840 it was not collected by the Government officers, and there is nothing on the records to shew under what circumstances it was discontinued.

5. Mr. Mayne's order to carry the rent to the head of Iyen is founded entirely on the order passed in 1832. There is nothing to shew the grounds or the justness on which that order was passed. As it is included in the maniem village, is of small amount, and as the propriety of the demand is doubtful, I beg to recommend that it be disallowed, and the collected arrears returned to the petitioner.

Encs. 1 and 2.—Petitions, No. 811 and 1296 of 1859.

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Authorize the disbursement of



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