M.R.O. 1—30,000—16-10-52.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1307 Press
~~Mis.~~
256-257
Dated 11 th May 1869

Not to be folded or roughly handled

No. 256. Read the following Proceedings of the Board of Revenue, dated 10th April 1869, No. 2,437 :—

Read the following letter from the Collector of Bellary, to the Acting Secretary to the Board of Revenue, dated 22nd February 1869, No. 29.

As there is a vacancy for a Tahsildar in this district, I do myself the honor to bring to the notice of the Board of Revenue the claims to promotion of C. Rungapah Naidu, who at present holds the appointment of Chief Clerk and Accountant in the Commissioner's Office on the Neilgherries.

2. He is a public servant of twenty-one years' standing, twelve of which have been passed on the Neilgherries, where he has always willingly performed his duties in a climate which most Natives of his class seek to avoid, and where in consequence he hoped to obtain his promotion. This expectation has not, however, been realised, and as he sees no chance of a step at Ootacamund, he has applied to me for an appointment as Tahsildar in this district.

3. Rungapah Naidu's services are detailed in Mr. Grant's letter to the Chief Secretary, dated 26th April 1864, embodied in the Proceedings of Government, Public Department, dated 7th May 1864, a transcript of which will be found at page 11 of the pamphlet of testimonials to which this letter gives cover. Although I am always anxious to further the views of old and deserving servants of Government, I would not for an instant think of recommending Rungapah Naidu for the important post of Tahsildar, if I did not believe him to be fully competent to fill it. He is a very intelligent man, bears a very good character, has had considerable experience in both Revenue and Magisterial work, and, from his knowledge of English, is, in my opinion, better qualified for the post for which I now recommend him, than younger and less experienced men, who, with but little or nothing else to occupy their time, have succeeded in passing the Special Test in the Vernacular. To be an efficient Tahsildar and Sub-Magistrate now-a-days, a man must be acquainted with English. He cannot acquire the knowledge which he is rightly expected to possess in connection with Revenue and Judicial work through the medium of translations.

4. Under the foregoing circumstances, and with special reference to his long services on the Neilgherries, I venture to hope that the Board will recommend to Government a relaxation of the Examination Rules in favor of Rungapah Naidu. He was exempted from passing the General Test Examination by an Order of Government, dated 7th May 1864, No. 513, and from passing the Special Test *so long as he is employed on the Hills* by Government Order, dated 6th instant, No. 322. If this restriction is removed, I should be very glad, with the sanction of the Board, to give him a Tahseel in this district if his services can be spared by the Commissioner of the Neilgherries.

Enclosure No. 1.—Copies of testimonials of Rungapah Naidu.

The Board believe that it is desirable in the interests both of Government and of the Bellary people, that Rungapah Naidu should be made a Tahsildar in that district.

2. They resolve, therefore, to recommend Government to relax their rules in this as a special case.

Proceedings of the Madras Government, Revenue Department,
11th May 1869.

No. 257. ORDER THEREON, 11th May 1869, No. 1,309.

Miscellaneous.

THE Government observe that Rungapah Naidu has been exempted from the Examination Tests, owing to the difficulty of obtaining passed Candidates for offices on the Neilgherry Hills.

2. This difficulty cannot exist in regard to the Bellary District, and the Government are, therefore, unable to comply with the Board's recommendation.

3. Rungapah Naidu has done good service on the Hills, and should an opportunity occur for his advancement, his claims will doubtless not be overlooked.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

Govt. of Madras.

REVENUE.

To

THE BOARD OF REVENUE.

Dated May, 11th.
Recd.

Encl.

G. O., 11th May 1869, No. 1,309.

MAY.

Nos. 256-257,

C. Rungapah Naidu, Chief Clerk and Accountant in Neilgherry Commissioner's Office.—Board's recommendation to appoint him as a Tahsildar in Bellary District, without passing the Special Test, declined.

has done good service on

decided the following:—

3

No. 7,845A.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 4th November 1868.

Read the following letter from the Honourable D. ARBUTHNOTT, Collector of Madura, to the Acting Secretary to the Board of Revenue, dated 19th October 1868, No. 276:—

I HAVE the honour to forward, herewith, translate of a plaint filed by certain ryots at Melur, in the District Moonsiff's Court of Madura in No. 555 of 1867, including me as the tenth defendant.

2. The plaintiffs have instituted the suit to obtain a decree to recognise their right to a piece of land which the first defendant acquired by Durkhast, and which is in his occupation up to date. This piece of land was originally waste on which Mettoo Chavady was erected, the site of which was, in the first instance, applied for by the first plaintiff, and secondly by the first defendant, but as the Chavady was then serviceable their applications were rejected. Subsequently the building was found to be no longer required for public purposes, when one Ramasami Iyen and Neeroobeebee Saibah, the wife of the second plaintiff, applied for its site, and it was given to the former as he was the first applicant; but as the first defendant immediately after this, applied for the site stating that he was the first Durkhastdar in 1860, it was made over to him and the former order revoked, and the first plaintiff has also failed to appear and apply for it.

3. I beg to enclose, for the Board's approval, the draft of a Written Statement which I propose to file on my behalf in the Moonsiff's Court.

4. The suit will come on for hearing on the 31st instant, and I have directed the Government Pleader to apply to the Moonsiff to grant a period of six weeks more to file the answer.

ENCLOSURE No. 1.

Translation of a Plaint filed before the District Moonsiff of Madura in Suit No 555 of 1867, by

Plaintiffs.

1. Mustan, son of Caderbavah Rowtten, of Cusbah, Melur.

and

2. Thoola Saib, Vakeel of the Small Cause Court of Madura.

versus

Defendants.

1. Veloyudom Pillay, son of Chinnacoottia Pillay,
2. Chinna Iyulu Chetty,
3. Amma Mootten Chetty,
4. Manien Chetty,
5. Chinna Poolaver,
6. Koonee Chetty,
7. Aroonachollum Chetty,
8. Abdulkader Rowtten,

and

9. Cazi Mohideen, all of Melur.
10. Honourable D. Arbuthnott, Collector of Madura.

Land, etc., valued at Rupees 102-8-0.

THIS suit is instituted to obtain a Decree recognising the plaintiff's right to a piece of land in extent of $\frac{11}{16}$ Cawny litigated in Original Suit No. 353 of 1863, on the file of the said Court, and directing to put them in possession thereof after removing, at an outlay of 2½ Rupees, the roof of seven shops which have been erected thereon by the first defendant.

2. The piece of land in extent of $\frac{11}{16}$ Cawny described below was lying waste. With reference to Durkhast Rules, the first plaintiff applied for the land in the first instance, while the first defendant, one Ramasamy Iyen and Noorroobeebee Saibah, the wife of the second plaintiff, subsequently applied for it in order; but the Collector illegally gave it to the first defendant without considering the justice and rules. In the prosecution of claims between the first and second defendants before the Civil tribunals regarding the land in question, the former basing his claim on the above illegal order, and the latter, on his ownership to it, the claim of the first defendant, who is the second Durkhastdar, has been upheld. In consideration of this principle, the first plaintiff, who is the first Durkhastdar, becomes entitled to it. The first and second plaintiffs are equal sharers in the Durkhast. During the progress of the above Civil actions, the first plaintiff had gone to Colombo, and the second

was sick and insane. Consequently they were not able to lay their claims at the time. Plaintiffs, therefore, pray that this plaint may be admitted, and justice rendered.

Particulars of land.

West of the second defendant's land at Melur, north of the shop belonging to one Kalanjia Rowtten, east of the Road No. 4, and south of the toombs of Paria caste people.

Within these boundaries, situated a piece of Nunjah land in extent of $\frac{10}{16}$ Cawny.

Dated June 1867.

(Signed) MUSTAN, 1st Plaintiff.
(,,) THOOLA SAIB, 2nd Plaintiff.

We, the plaintiffs, do hereby certify that the contents of this plaint are true to the best of our belief.

(Signed) MUSTAN, 1st Plaintiff.
(,,) THOOLA SAIB, 2nd Plaintiff.
(,,) SIED MOHOMED MUSTAPA SAIB, Moonsiff.

From the time the first plaintiff attempted to apply for the land, up to the date it was given to the first defendant, the second plaintiff rendered all assistance to the first both in pecuniary and writing matters. Consequently the first plaintiff had promised at the beginning to give him half share in the land. Accordingly he has been included in the suit as second plaintiff. He is prepared to bear the costs of suit. It is, therefore, requested that he may be admitted as second plaintiff.

Dated 29th October 1867.

(Signed) MUSTAN, 1st Plaintiff.
(,,) THOOLA SAIB, 2nd Plaintiff.

Filed 22nd November 1867.

(Signed) SIED MOHOMED MUSTAPA SAIB, Moonsiff.

(True translation)

(Signed) D. ARBUTHNOTT, Collector.

Enclosure No. 2.—Proposed Written Statement.

The defence of the suit is sanctioned, on the usual terms. The Draft Answer to be filed is annexed.

(True Copies and Extract.)

(Signed) A. MACGREGOR, Acting Secretary.

To the Collector of Madura.

Copy to the Accountant General.

Draft Answer.

Plaintiffs have not and never had any title of the land.

2. The land applied for was Government waste at the disposal of Government.

3. Though certain rules regarding the disposal of waste have been laid down departmentally, they confer no rights on individuals, and afford no ground of Civil actions.

4. The land when applied for by plaintiff, in 1860, was required for Government purposes.

5. On its becoming available for disposal in 1863, first plaintiff did not come forward, and thereby forfeited any priority of claim to which his former application may be supposed to have entitled him.

6. The Collector's acts, in regard to the disposal of waste land, are not subject to the revision of the Civil Courts.

7. If dissatisfied plaintiff should have appealed to the Board of Revenue.

(Signed) A. MACGREGOR, Acting Secretary.

Exd. J. Wright.

R. 1309
the Madras Govt
the 11th May 1869
Read the following Proc
of the Board of Revenue
dated the 24th April R. 2437

Rec'd 7 May 1869 & R. 1309
6 May 69 - 124-5

Revenue 1869. Sept.

Board of Revenue,
MADRAS.
R. 1232.

PROCEEDINGS 10TH APRIL 1869, No. 2,437.

Encl
Received 16/5

S.O. 11 May R 1309.

APRIL
No. 2,437.

Special Test Examination.—Recommendation to Government to exempt C. Rungapah Naidu Chief Clerk and Accountant in Neilgherry Commissioner's office, whom Collector of Bellary proposes to appoint to a vacant Tahsildarship in his District, from passing

256.

C Rec'd 9 Feb Orig Reports

the Board's recommendation
Rungapah Naidu
has done good service on

was sick and insane. Consequently they were not
therefore, pray that this plaint may be admitted, an

Particulars

West of the second defendant's land at Melu
Rowtten, east of the Road No. 4, and south of the t

Within these boundaries, situates a piece of N

Dated June 1867.

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of

Exd. J. Wright.

No. 1309 R.D.

the Madras Govt
the 11th May 1869

Read the following Proc.
of the Board of Revenue
dd 10th April 1869. No. 2437

REVENUE DEPARTMENT.

No. 1232.

From Proceedings of the Board of Revenue

Dated 10th April 1869.

FOR ORDERS.

I really do not understand the
somewhat oracular opinion expressed
by the Board of Revenue in this
matter. In what respect is it desirable
in the interests of Govt. and of the
Bellary people that Rungapah
Haidoo should be made a Sub-Sub-Ordinary
in that District? It appears to me
that in the interests of Govt. it is better
that Rungapah Haidoo should
stay where he is, for it is very
difficult to get good native officials in the
[illegible] Hills and apparently

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due
in the
[illegible]
the [illegible]
dation.
Rungappah Haidoo
has done good service on

was sick and insane. Consequently they were not
therefore, pray that this plaint may be admitted, a
Particulars
West of the second defendant's land at Melu
Rowtten, east of the Road No. 4, and south of the t
Within these boundaries, situates a piece of N
Dated June 1867.

Rungappah Naidoo would do
us well to succeed the present
Tahsildar or ~~[illegible]~~ chief native
officer ~~[illegible]~~ in the Neilgherries, whatever
may be his designation, when
the latter vacates the appt.
I would not exempt Rungappah Naidoo ~~[illegible]~~ from
passing the prescribed test with
a view to his appt in Bellary;
though if the question arose of
exempting him with a view to
his promotion in the Neilgherries
I am disposed to think that the
exemption might be granted.

A J A.

Exd. J. Wright.

No. 1309 R.D.

...ings of the Madras Govt.
...er date the 11th May 1869
Read the following Pro...
of the Board of Revenue
... No. 24...

May it not be practicable to permit
the man to be employed as is proposed
in Bellary on condition of his being
up for examination by the Special
Test Standard. It seems hard to
keep him in the Hills because he
has already done good work there.

A D M

If he does good service in the
Hills I think we had better
keep him there but I would
give him promotion as a
Special case without
Examination in consideration
of his usefulness and

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...ve to comply with the
the Board's recommen...
...dation.
Rungappah Naidoo
has done good service ...

was sick and insane. Consequently they were not i
therefore, pray that this plaint may be admitted, ar
Particulars
West of the second defendant's land at Melur
Rowtten, east of the Road No. 4, and south of the t
Within these boundaries, situates a piece of N
Dated June 1867.

FOR ORDERS.

his employment
at a place probably
repugnant to
native feelings.

1232

Council

Exd. J. Wright.

No. 1309. 01.D.

Proceedings of the Madras Govt
Under date the 11th May 1869

Read the following Tr
of the Board of Revenue
dd. 10th April 1869, No. 2437

The Govt observe that
Rungapah harder has
been exempted from the
examination Tests owing
to the difficulting of
obtaining passed can-
didates for Offices in the
Neilghery Hills.

This difficulty cannot
exist in regard to the
Bellary District, and
the Govt are therefore
unable to comply with
the Board's recommen-
dation.

Rungappah harder
has been good service on

the hills and should
look for his promotion
in the Commissioners
office.

an opportunity occur
for his advancements
~~either~~ his claims will
not be overlooked.

N.

To the Bro of Revd Gurman Ewals Decd 12