M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 14

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(3) Initials of the Referencer

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	1374	Press
B.P. No.		Mis.
Dated	29.10.1874	~~196~~ .

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
29th October 1874.

No. 312. Read the following Proceedings of the Board of Revenue, dated 21st October 1874, No. 3,060:—

Read the following letter from J. H. GARSTIN, Esq., Collector of South Arcot, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Cuddalore, 17th September 1874, No. 488:—

At page 199 of the Inam Register of the Chidambaram Taluq, there is a Religious Service Inam of Acres 10·10, assessed at Rupees 23-12-2, granted for the support of a Thakkia or Mosque, in the Village of Thillanayakanallúr. In the Paimash Register this Takkia is entered as "Fakir Takkia Maniem of Abdul Khadar and others." The Title-deed No. 1,242, issued by the Inam Commissioner, is in the name of "Mahomed Jaffer and eight other sharers," as detailed in the register. The Inam is "to be continued as long as the Takkia is maintained, and usual alms to mendicant Fakirs are given at the Takkia."

2. The Tahsildar now reports that of this Inam, an extent of Acres 8·2 has been for the last ten years in the enjoyment of one Vira Pillai who claims to have acquired it by purchase and mortgage from Mahomed Jaffer, and that the conditions of the grant are not *duly* fulfilled as admitted by one of the sharers, Mahomed Gouse, who states that he reads prayers and lights the Takkia, but never feeds the Fakirs, and that no ceremonies are performed ever since the land has been taken possession of by Vira Pillai.

3. The Acting Sub-Collector states that disputes having arisen between Vira Pillai and the persons named in the title-deed regarding the possession of the Inam land in question; Mr. Lister, as Acting Joint Magistrate, passed an order in April last, under Section 530, Code of Criminal Procedure, declaring that Vira Pillai was entitled to retain possession of the land until ousted by due course of law, and Mr. LeFanu recommends that, as Vira Pillai has no claim to enjoy the land as Inam, the full assessment thereon should be charged.

4. It appears from the Tahsildar's report that the extent of Acres 8·2 in the possession of Vira Pillai is all that can be cultivated, the remaining portion Acres 2·8, assessed at Rupees 3-12-4, being occupied by Mussulman residences and as a grave-yard.

5. As it appears clear that the Inam land has been improperly alienated for ten years to Vira Pillai, and that the original conditions of the grant are not fulfilled properly, I recommend that the land, in the possession of Vira Pillai, viz., Acres 8·2 assessed at Rupees 19-15-10, be charged with full taram assessment with retrospective effect from the fasli of alienation, and I request that the Board will be good enough to obtain the necessary sanction of Government to this being done.

6. A copy of the Acting Sub-Collector's letter, dated 9th instant, No. 584, is enclosed.

Enclosure No. 1.

From H. LeFANU, Esq., Acting Sub-Collector, to J. H. GARSTIN, Esq., Collector of South Arcot, dated Chinna Salem, 9th September 1874, No. 584.

I have the honor to forward, for your orders, Arzi No. 718 of the 3rd instant, from the Tahsildar of Chidambaram.

2. An extent of 10 Acres and 10 Decimals of land in Thillanayakanallúr is entered in the Paimash as "Fakir Takkia Maniem of Abdul Khader and others." The title-deed issued by the Inam Commissioner runs in the name of "Mahomed Jaffer and eight other sharers."

3. It is reported that 8 Acres and 2 Decimals of the Inam have for the last ten years been in the enjoyment of one Vira Pillai who claims to have acquired them by purchase and mortgage.

4. Disputes having arisen between Vira Pillai and the persons named in the title-deed regarding the possession of the Inam in question, Mr. Lister passed an order, under Section 530, Code of Criminal Procedure, declaring that Vira Pillai was entitled to retain possession of these lands until ousted by due course of law.

5. It appears clear from the Tahsildar's arzi, that the charitable services, that is the feeding of Fakirs for which the Inam was granted are not performed; Mahomed Jaffer pleads that he is not in possession, but is doing all he can without the Inam, viz., lighting the mosque, reading prayers, etc.

6. However this may be, there is no doubt that Vira Pillai who is now in possession has no claim to enjoy the land as Inam, and I therefore request that you will recommend to Government that the Inam in question be charged with the full assessment.

7. The Inam Register is in the Huzur, and on perusal it will be seen whether the terms of the Inam are such as to render the cancelment of the title-deed necessary under the circumstances.

(True Copy.)

(Signed) A. KRISTNASAWMY AIYER,
Deputy-Collector,
for Collector.

SUBMITTED for the orders of Government.

2. Acres 8·2 of a Religious Service Inam comprising Acres 10·10 were alienated ten years ago and are in the possession of a person who has no concern with the service.

3. The Collector recommends that full assessment, viz., Rupees 19-15-10 should be charged with retrospective effect for ten years.

4. The Board are of opinion that as in the cases disposed of in G. O., dated 17th July 1874, No. 892, Revenue Department, and G. O., 28th August 1874, No. 1,098, the alienated portion of the Inam should be resumed and the holder charged full assessment, but they do not think retrospective effect can be given to the order.

(True Copies and Extract.)

(Signed) J. GROSE,
Secretary.

No. 313.

ORDER THEREON, 29th October 1874, No. 1,374.

Miscellaneous.

THE Governor in Council concurs with the Board. The assessment should be kept in deposit until the orders of the Government of India are received as to the disposal of such escheats.

(True Extract.)

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

To the Board of Revenue.
" the Accountant-General.

Exd. G. A. Turton.

3

Govt. of {1874 Subjects.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated October 29th

Read.

Ditto.

G. O., *29th October* 1874, No. 1,974.

OCTOBER.

Nos. 212-213.

Religious Service Inam, South Arcot District.—Concurring with the Board in considering that the portion of a —, alienated ten years ago and now in the possession of a person who has no concern with the service, should be resumed and the holder charged full assessment, and directing that the assessment be kept in deposit till the orders of the Government of India as to the disposal of such subjects are received.

No. 3,060.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 21st October 1874.

Read the following letter from J. H. GARSTIN, Esq., Collector of South Arcot, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Cuddalore, 17th September 1874, No. 488:—

AT page 199 of the Inam Register of the Chidambaram Taluq, there is a Religious Service Inam of acres 10·10, assessed at Rupees 23-12-2, granted for the support of a Thakkia or Mosque, in the Village of Thillanayakanallúr. In the Paimash Register this Takkia is entered as "Fakir Takkia Maniem of Abdul Khadar and others." The Title-deed No. 1,242, issued by the Inam Commissioner, is in the name of "Mahomed Jaffer and eight other sharers," as detailed in the register. The Inam is "to be continued as long as the Takkia is maintained, and usual alms to mendicant Fakirs are given at the Takkia."

2. The Tahsildar now reports that of this Inam, an extent of acres 8·2 has been for the last ten years in the enjoyment of one Vira Pillai who claims to have acquired it by purchase and mortgage from Mahomed Jaffer, and that the conditions of the grant are not *duly* fulfilled as admitted by one of the sharers, Mahomed Gouse, who states that he reads prayers and lights the Takkia, but never feeds the Fakirs, and that no ceremonies are performed ever since the land has been taken possession of by Vira Pillai.

3. The Acting Sub-Collector states that disputes having arisen between Vira Pillai and the persons named in the title-deed regarding the possession of the Inam land in question; Mr. Lister, as Acting Joint Magistrate, passed an order in April last, under Section 530, Code of Criminal Procedure, declaring that Vira Pillai was entitled to retain possession of the land until ousted by due course of law, and Mr. LeFanu recommends that, as Vira Pillai has no claim to enjoy the land as Inam, the full assessment thereon should be charged.

4. It appears from the Tahsildar's report that the extent of acres 8·2 in the possession of Vira Pillai is all that can be cultivated, the remaining portion acres 2·8, assessed at Rupees 3-12-4, being occupied by Mussulman residences and as a grave-yard.

5. As it appears clear that the Inam land has been improperly alienated for ten years to Vira Pillai, and that the original conditions of the grant are not fulfilled properly, I recommend that the land, in the possession of Vira Pillai, viz., acres 8·2 assessed at Rupees 19-15-10, be charged with full taram assessment with retrospective effect from the fasli of alienation, and I request that the Board will be good enough to obtain the necessary sanction of Government to this being done.

6. A copy of the Acting Sub-Collector's letter, dated 9th instant, No. 584, is enclosed.

ENCLOSURE No. 1.

From H. LEFANU, Esq., Acting Sub-Collector, to J. H. GARSTIN, Esq., Collector of South Arcot, dated Chinna Salem, 9th September 1874, No. 584.

I HAVE the honor to forward, for your orders, Arzi No. 718 of the 3rd instant, from the Tahsildar of Chedambaram.

2. An extent of 10 acres and 10 decimals of land in Thillanayakanúllur is entered in the Paimash as "Fakir Takkia Maniem of Abdul Khader and others." The title-deed issued by the Inam Commissioner runs in the name of "Mahomed Jaffer and eight other shares."

3. It is reported that 8 acres and 2 decimals of the Inam have for the last ten years been in the enjoyment of one Vira Pillai who claims to have acquired them by purchase and mortgage.

4. Disputes having arisen between Vira Pillai and the persons named in the title-deed regarding the possession of the Inam in question, Mr. Lister passed an order, under Section 530, Code of Criminal Procedure, declaring that Vira Pillai was entitled to retain possession of these lands until ousted by due course of law.

5. It appears clear from the Tahsildar's arzi, that the charitable services, that is the feeding of Fakirs for which the Inam was granted are not performed; Mahomed Jaffer pleads that he is not in possession, but is doing all he can without the Inam, viz., lighting the mosque, reading prayers, etc.

6. However this may be, there is no doubt that Vira Pillai who is now in possession has no claim to enjoy the land as Inam, and I therefore request that you will recommend to Government that the Inam in question be charged with the full assessment.

7. The Inam Register is in the Huzur, and on perusal it will be seen whether the terms of the Inam are such as to render the cancelment of the title-deed necessary under the circumstances.

(True Copy.)
(Signed) A. KRISTNASAWMY AIYER,
Deputy-Collector,
for Collector.

SUBMITTED for the orders of Government.

2. Acres 8·2 of a Religious Service Inam comprising acres 10·10 were alienated ten years ago and are in the possession of a person who has no concern with the service.

3. The Collector recommends that full assessment, viz., Rupees 19-15-10 should be charged with retrospective effect for ten years.

4. The Board are of opinion that as in the cases disposed of in G. O., dated 17th July 1874, No. 892, Revenue Department, and G. O., 28th August 1874, No. 1,093, the alienated portion of the Inam should be resumed and the holder charged full assessment, but they do not think retrospective effect can be given to the order.

(True Copies and Extract.)

Secretary.

To the Acting Secretary to Government, Revenue Department.
" the Collector of South Arcot.

Exd. G. A. Turton.

17 July 1874 No 141-242
28 August " " 275-276.

312

In order. U U

Board of Revenue
MADRAS.
Rec 1874. Despatched

PROCEEDINGS, 21ST OCTOBER 1874, No. 3,060.

Dup 2286 of 1874 Encl.

Received 29 ——— 1874

Col 1874-89 Octr 1874

OCTOBER.
No. 3,060.

Religious Service Inam—in South Arcot District, alienated ten years ago and now in the possession of a person who has no concern with the service.—Recommendation of Collector that full assessment should be charged on portion of —with retrospective effect for ten years, submitted for orders of Government.—Opinion expressed that the alienated portion of the Inam should be resumed and the holder charged full assessment, but that retrospective effect should not be given to the order.

7

REVENUE DEPARTMENT.

No. 3799

The Board of Revenue
Dated 21st October 1874.

FOR ORDERS.

Concur with the Board. The assessment being levied in default must be borne from the date of Sanad in which the default occurred.

Order 30 Oct 3/11

FOR ORDERS.

c 2/11/74
R. 9th "

Revenue Department.

No. 1374

Proceedings of the Madras Government
Under date the 29th October ~~November~~ 1874

Read the following
Proc. of the Bd. of Rev.

Subg. with Remarks
recommendation of Coll. that
full assessment should be
charged on portion of Religious
Service Inam in S. Arcot Dist.
alienated ten years ago and now
in the possession of a person who
has no concern with the service.

} H.C. 21st October 1874 No. 3060.

The Governor in
Council concurs with the
Board - The assessment
should be kept in deposit
until the orders of the Govt.
of India are received as
to the disposal of such
escheats.

List from orders.

14 To the Board of Rev. Dy. 29 Oct 74
6 " the Accountant General "

312-313