M.R.O. 14—13,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 330 — Press ~~Mis.~~

88-89

Dated 8 — 2 — 1867.

Not to be folded or roughly handled

330/8-2-67

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Proceedings of the Madras Government, Revenue Department,
8th February 1867.

No. 88. Read the following Proceedings of the Board of Revenue, dated 3rd January 1867, No. 3:—

Read again letters from the Collector of Ganjam, dated 21st April 1866, No. 637, and 31st May 1866, No. 1,073, recorded in Board's Proceedings of 7th May and 24th July 1866, Nos. 5,085 and 3,211.

Read also the following letter from the Collector of Ganjam, to the Secretary to the Board of Revenue, dated Chetterpore, 27th October 1866, No. 2,895.

1. With reference to the Board's Proceedings, No. 5,085, of the 24th July last, I have the honor to state that Chundramuny Devi, the daughter of the late Peetambara Nissenk, by his second wife Christna Vallaba Pedda Mahadevi, the present proprietress, is alive, but has no issue (male or female). She is residing with her mother at Budarsinghy, owing to family feuds between herself and her husband, who is a pensioner of the Purlah Kimedy Estate, and allows her a maintenance under the orders of the Civil Court. It is now ten years since they have been separated. Goura Chendra Nissenk is dead, as reported in my letter of the 27th May 1862, No. 108.

2. I am unable to give any information regarding the third brother of the late Gopenaud Nissenk, who is put down as "unknown" in the genealogical tree (which is the copy of a Telugu paper prepared in the year 1846) given in the margin of my letter of the 21st April last.

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1. Ordered that the foregoing letter be submitted to Government, with the Board's recommendation that the petition of the widows of Peetambara Nissenk, late Zemindar of Budarsinghy, may be favorably considered.

2. The recent history of the Budarsinghy Zemindary, as gathered from the correspondence marginally noted, is as follows.

From Ganjam, 26th March 1839, No. 27.
To do. 29th April 1939, ,, 804.
From do. 24th May 1839, ,, 38.
Board's Proceedings, 6th June 1839, ,, 1,084.
From Ganjam, 19th September 1844, ,, 90
To do. 17th October 1844, ,, 2,181.
From do. 8th November 1814, ,, 115.
Board's Proceedings, 16th December 1844, No. 2,587.
From Ganjam, 8th July 1846, No. 409.
To Government, 24th August 1846, No. 409.
From do. 14th September 1846, ,, 934.
To Ganjam, 28th September 1846, ,, 2,057.
From do. 25th September 1854, ,, 153.
To Government, 7th October ,, ,, 122.
From do. 27th ,, ,, ,, 1,383.

3. At the time of the Permanent Settlement, the Zemindary was held by Sri Madana Nissenk. He left two sons, Sri Croostna Chendra Deo and Ramachendra Soona Deo, the former of whom succeeded to the estate, but was afterwards murdered by his younger brother. His son, Peetambara, succeeded to the estate, and died in January 1839, leaving three widows and a daughter by Christna Vallaba Pedda Mahadevi, the senior of the two present applicants, but no son.

4. The right to succeed to the Zemindary lay in the eldest widow; but at the request of the three widows, their nominee, Gopana Deo, (the elder son of Ramachendra, who murdered his brother as above stated,) was allowed to hold the Zemindary.

5. It appears from the correspondence* that the branch of the family to which Gopana Deo belonged was considered to have forfeited all right of succession to the estate, by reason of the crime of his

* From Ganjam, No. 115, dated 8th November 1844.

father Ramachendra; and when in March 1843 Gopana died, leaving a widow, but no issue, the right of succession reverted to the eldest widow of Peetambara.

6. The estate, indeed, was claimed by Goura Chendra Nissenk, Gopana's younger brother; but, after much discussion, it was finally decided by Government that the estate should be made over to Lutchmee Puttah Mahadevi, principal widow of the late Peetambara, and on her death in June 1854, to the present proprietress, Christna Vallaba Pedda Mahadevi, Peetambara's second widow.

Order of Government, No. 934, dated 14th September 1846.
Order of Government, No. 1,383, 27th October 1854.

7. She it is, who now, conjointly with the third widow, petitions that Lakshmi Narrain Nissenk, the adopted son of the late Goura Chendra, (who was declared incapable of succeeding to the Zemindary,) may be recognized as their adopted son, and heir after them to the Zemindary.

See Board's Proceedings, 16th June 1862, No. 3,855.

8. It is to be observed that Chundramuny Devi, the daughter left by Peetambara, is alive, and would appear to have a prior claim. Her right of succession seems, however, to have been entirely ignored when her father's widows were allowed to make over the estate to Gopana Deo; and no circumstances, so far as is known, have arisen to make her claim any better now than at the time of her father's death. She is separated from her husband, and has no children, so that in the event of her death, the question of succession would be again raised. Moreover, the present application emanates primarily from her mother, with whom she is residing, and, therefore, may fairly be held to represent her own wishes.

9. There is only one other person who can be supposed to have the remotest claim, and that is a third son of Ramachendra, of whom however nothing is known, and whose existence is doubtful. His claim, moreover, would be rendered invalid on the same grounds as that of his brother Goura Chendra.

10. Under these circumstances, the Board beg to recommend that the petition of the two widows of Peetambara Nissenk be granted.

No. 89.

ORDER THEREON, 8th February 1867, No. 330.

Miscellaneous.

The Collector is authorized to inform the petitioners that the Government consent to recognize Lakshmi Narrain Nissenk as heir to the Bodarsinghi Zemindary by adoption.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

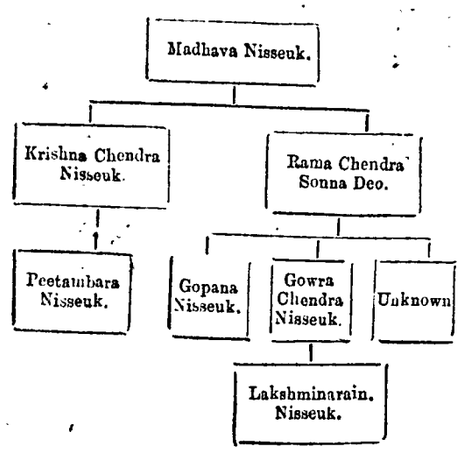
To the Board of Revenue.

Exd. S. T. Augustin.

No. 3,211.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 7th May 1866.

Read the following letter from G. S. FORBES, Esq., Collector of Ganjam, to the Secretary to the Board of Revenue, dated Chetterpore, 21st April 1866, No. 637:—



1. I have the honor to forward, for the orders of Government, translation of an Arzee sent to me by the Proprietresses of Bodarsinghy, a small ancient Zemindary, paying an annual peshcush of Rupees 500, stating that they have *adopted*, as son, one Lakshminarain Nisseuk, cousin to the late Zemindar, aged ten years, and praying that the Board's sanction may be obtained for making over the estate on their death to this boy.

2. The adoption will not carry any legal weight with it according to Hindoo law, but the boy, being the only legal heir, there is no objection to granting the request of the widows.

ENCLOSURE No. 1.

ABSTRACT.—Translation of an Arzee addressed to G. S. Forbes, Esq., Collector of Ganjam, by the Mahadevis of Bodarsinghy, dated 20th March 1866.

The Collector is requested to state whether either Gopana Nisseuk, the uncle, or Gowra Chendra Nisseuk, the father of the boy to whom it is proposed to leave the estate is living, as their claim to succeed to the estate after the present owners, appears to take priority of his. He will also state whether they have recorded their consent to the proposed nomination of the child as next heir.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To the Collector of Ganjam.

Exd. J. Wright.

Read 18 May 1866.

No. 3,211.

Dated 7th May 1866.

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

1866. Department.

Rev. 18 May.

Requesting Collector of Ganjam to state whether either the uncle or father of boy proposed to succeed to Bodarsinghy Zemindary on death of present Proprietresses, is living, and whether they consent to proposed nomination.

No. 5,085.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 24th July 1866.

Read the following letter from G. S. FORBES, Esq., Collector of Ganjam, to the Secretary to the Board of Revenue, dated Chetterpore, 31st May 1866, No. 1,073 :—

From Collector, 19th September 1844.
From do. 8th November "
Board's Proceedings, 16th December 1844.
From Collector, 8th July 1846.
Board's letter to Government, 24th August 1846.
Extract from Minutes of Consultation, 14th September 1846.
Board's Proceedings, 25th September 1846.
From Collector, 25th do. 1854.
Extract from Minutes of Consultation, 27th October 1854.

With reference to the Board's Proceedings, dated the 7th instant, No. 3,211, I have the honor to state that Gopenand Nissenk died in March 1843, and that the claim of Peetambara Nissenk, who is alive, was set aside by Government in the correspondence noted in the margin.

1. The Board do not understand the foregoing letter. The two widows of Peetambara Nissenk Deo petitioned to have one Lakshmi Narrain Nissenk, a lad of ten years of age, recognised as their adopted son, and heir after them to the Bodarsinghy Zemindary; but observing from the genealogical table in the margin of the Collector's letter of the 21st April last, that this lad was the son of Gowri Chendra Nissenk, a younger son of the late Zemindar Peetambara's uncle, the Board inquired whether the said Gowri Chendra Nissenk, or his elder brother, Gopana Nissenk, were yet alive, as their claim to succeed would in such case be preferential to that of the youth referred to. The Collector now replies that Gopana Nissenk died in 1843, and that the claim of Peetambara, who he states to be alive, was formerly set aside by Government. It is very evident that the Collector has erroneously named Peetambara in place of Gowri Chendra, the father of the lad Lakshmi Narrain, for Peetambara died in January 1839.

2. The Board have referred to the former correspondence on the subject, and find that the recent history of the Bodarsinghy Zemindary is as follows:—At the time of the Permanent Settlement the Bodarsinghy Zemindary was held by Sri Madana Nissenk. He left two sons named Sri Croostna Chendra Deo and Ramachendra Soona Deo, the former of whom succeeded to the estate, but was immediately after assassinated by, or at the instigation of, his younger brother the said Ramachendra. Croostna Chendra was succeeded by his son Peetambara, who, as stated above, died in January 1839. He left three widows and a daughter but no son. The right to succeed to the Zemindary lay in the eldest widow; but at the request of the three widows, the Government allowed their nominee, Gopana Deo, (the elder son of Rama Chendra, who had assassinated his brother,) to hold the Zemindary. This Gopana Deo died in March 1843, leaving a widow but no issue. The question then arose who was to succeed to the Zemindary, as Gopana had a younger brother named Gowri Chendra Nissenk, who was considered by the Collector to be a person not fit to be entrusted with the care of the estate, and who was abhorred by the three widows of the late Peetambara and the widow of his own brother Gopana. After some discussion on this point, and as to the course of succession to the ancient Hill Zemindaries of Ganjam, it was held that the right of succession reverted to the widows of Peetambara, and that Gowri Chendra had no claim whatever in his own right. The Zemindary was accordingly made over to Lutchmee Puttah Mahadevi, the principal widow of the late Peetambara, and on her death, in June 1854, it was made over to the present proprietress, Chri-tna Vullaba Pedda Mahadevi, the second widow of the late Peetambara Nissenk.

From Ganjam, 26th March 1839, No. 27.
To do. 29th April 1839, No. 804.
From do 24th May 1839, No. 38.
Board's Proceedings 6th June 1839, No. 1,084.
From Ganjam, 19th September 1844, No. 90.
To do. 17th October 1844, No. 2,191.
From do. 8th November 1844, No. 115.
Board's Proceedings, 16th December 1844, No. 2,587.
From Ganjam, 8th July 1846, No. 40.
To Government, 24th August 1846, No. 409.
From do. 14th September 1846, No. 934.
To Ganjam, 28th September 1846, No. 2,057.
From do. 25th September 1854, No. 153.
To Government, 7th October 1854, No. 122.
From do. 27th October 1854, No. 1,383.

3. It is the above-named Christna Vullaba Pedda Mahadevi, who conjointly with Chandra Mani Chinna Mahadevi, the third widow of the late Peetambara, now petitions that the young lad, Lakshmi Narrain, should be recognised as heir to the Bodarsinghy Zemindary. The Board learn from the Collector's letter of the 27th May 1862, No. 108,* that even Gowri Chendra Nissenk (the alleged father of the lad Lakshmi Narrain) is dead, and that the said lad was only his adopted son; but that does not remove all difficulty in respect to the succession to the Bodarsinghy estate. Not only does it appear from the genealogical tree in the margin of the Collector's letter of the 21st April last, that Gopana Nissenk and Gowri Chendra Nissenk had a third brother who is put down as "unknown;" but it transpired in the course of the correspondence, that Peetambara Nissenk left a daughter by his second wife, who married a member of the Kimedy family. There is nothing to show that this daughter is dead, or that she has no issue. This must first be ascertained before the request of the Zemindarni of Bodarsinghy and her sister can be dealt with; for considering the merits of the discussion which resulted in putting the estate into the hands of the widows of the late Peetambara Nissenk, the right to succeed to the estate would appear to vest in his daughter and her issue.

Board's Proceedings, 16th June 1862, No. 3,853.

(A true Copy and Extract.)

(Signed) R. A. DALYELL,
Sub- Secretary.

To the Collector of Ganjam.

Exd. J. Wright.

1866. Department.

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 24th July 1866.

No. 5,085.

Requesting further information from Collector of Ganjam in connection with application of widows of late Bodarsinghy Zemindar to have the estate registered in name of their adopted son Lakshmi Narrain Nissenk.

14

For Orders

Board's 3rd Jan 67 No 3

Madava Nissenk

Krishnachendra Nissenk	Ramachendra Nissenk Deo
Peetambara Nissenk	Gopana Deo, Gowrichendra Nissenk, Ramachendra Deo
1st daughter	Lakshmanarain Nissenk

*Lakemanarain.

In this proceedings the Board recommend for favourable consideration a petition from the ladies who now hold the little Doridh zemindary of Budarsinghy, you will perceive [illegible] their cousin Lakshmanarain, they request that he may be adopted, may be recognized as heir to the zemindary.

The history of the zemindary is given in the first [illegible]

ceedings.

The only objections to recognising the proposed heir are the possibility of the widows changing their minds before their nominee comes of age (the adoption being invalid), & the possibility of the daughter of Ratna Tara Vasanta, who is now resident & living apart from her husband, being reconciled to him & having a male child. ~~Which~~ Case.

From the correspondence it appears that in

If any it is not invalid according to the Customs of the Country. L.K.

Which I should adopt

W. H. Hyde

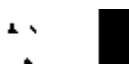
these Hill Zemindaries it is usual to give the succession to some member of the family without considering it essential that he should be the nearest heir to the deceased.

L.K.

Recommend that the Hon'ble Mr. is informed & that my views L.K.

25 Jan 87.

Mr. Hyde is not to the point. The question is whether the Collector is right in setting aside the adoption.



No. 3.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 3rd January 1867.

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2. I am unable to give any information regarding the third brother of the late Gopenaud Nissenk who is put down as "unknown" in the genealogical tree (which is the copy of a Telugu paper prepared in the year 1846) given in the margin of my letter of the 21st April last.

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1. Ordered that the foregoing letter be submitted to Government, with the Board's recommendation that the petition of the widows of Peetambara Nissenk, late Zemindar of Budarsinghy, may be favorably considered.

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From do. 8th November 1844, No. 115.
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From Ganjam, 8th July 1846, No. 409.
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To Ganjam, 28th September 1846, No. 2,057.
From do. 25th September 1854, No. 153.
To Government, 7th October 1854, No. 122.
From do. 27th „ „ No. 1,383.

2. The recent history of the Budarsinghy Zemindary, as gathered from the correspondence marginally noted, is as follows.

3. At the time of the Permanent Settlement, the Zemindary was held by Sri Madana Nissenk. He left two sons, Sri Croostna Chendra Deo, and Ramachendra Soona Deo, the former of whom succeeded to the estate, but was afterwards murdered by his younger brother. His son, Peetambara, succeeded to the estate, and died in January 1839, leaving three widows, and a daughter by Christna Vallaba Pedda Mahadevi, the senior of the two present applicants, but no son.

4. The right to succeed to the Zemindary lay in the eldest widow; but at the request of the three widows, their nominee, Gopana Deo, (the elder son of Ramachendra, who murdered his brother as above stated,) was allowed to hold the Zemindary.

5. It appears from the correspondence* that the branch of the family to which Gopana Deo belonged was considered to have forfeited all right of succession to the estate, by reason of the crime of his father Ramachendra; and when in March 1843 Gopana died, leaving a widow, but no issue, the right of succession reverted to the eldest widow of Peetambara.

* From Ganjam, No. 115, dated 8th November 1844.

5. The estate, indeed, was claimed by Goura Chendra Nissenk, Gopana's younger brother; but, after much discussion, it was finally decided by Government, that the estate should be made over to Lutchmee Puttah Mahadevi, principal widow of the late Peetambara, and on her death in June 1854, to the present proprietress, Christna Vallaba Pedda Mahadevi, Peetambara's second widow.

Order of Government, No. 934, dated 14th September 1846.

Order of Government, No. 1,383, 27th October 1854.