

Revenue (1897) Department.

ROUTINE SERIES.

G.O., No. 1227

DATED 30th June

[Despatch Abstract.]

*Informing Alagiamambai Pillai that under
Section 23 of Madras Act III of 1895, no appeal
lies to Govt.*

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

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Revenue (1897) Department.

CURRENT No. 5282

Order R. no. 1227 of 30th June 97

The petitioner is
informed that under
Sec 23 of ^{Madras} Act III of 1895,
no appeal lies to Govt.

From

Alagiahambra Pillai,
Dinnerly St.

No.

Dated 17th June 1897

Received 25.6.97

Registered 25.6.97

Enclosures

Spare copies

SUBJECT.

Praying to be appointed

as the Munsiff Muniyam
of Sindalaperi village

Lib

28 June 97

To the petitioner
with incs.

64.5-7-97

25/6

BACK PAPERS.

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REVENUE DEPT.

CHIEF SECRETARY
22 JUN. 1897
GOVERNMENT OF MADRAS



The Government of Madras.

The humble petition of one Alagiamuthia Pillai
Village Revenue Officer of Sivalaperi Village, Kangumari
Taluk, Trincomelly District.

Most Respectfully sheweth.

I That the office of the Muniff of the said Sivalaperi Village belongs to the petitioner's family by hereditary right and is held by them ever since the time of Hyakat.

II That the last holder thereof is the petitioner's father by name Alwarappa Pillai who was dismissed from the service on 20.8.94 for some misconduct and that the office was then registered in the name of petitioner's elder brother by name Kentha Pillai.

III That as the said Kentha Pillai was in the D.P.M. service at the time, one Kenthalagiri Kait, the village revenue officer of Kankulam Village, a neighbouring village, was doing the duties of the office for him.

Handwritten text in Tamil script, organized into sections marked with Roman numerals I through VI. The text is dense and covers the entire left page.

IV That then the said Anthia Pillai having re-
signed the office in favor of the petitioner
on 26.7.96 the petitioner applied to the Deputy
Collector Shrinademi for the entry of his
name in the Register and to be allowed
to enter upon the duties of the office.
V That the said Deputy Collector registered
the name of the petitioner as the holder of
the office but refused to allow him to enter
upon the duties at once.
VI That as the petitioner was divided
from his father & brothers so far back as
1888 and is living separately ever since,
and a formal deed of partition was
drawn up among them on 2nd July, 1896
i.e. before the dismissal of his father,
there is no bar under Act III of 1895 or
under any other enactment to allow the
petitioner to do the duties of the office.
VII That when the petitioner petitioned the
Collector of Tinnevely against the order of
the said Deputy Collector, he rejected the
same holding that the deed of partition being
drawn up only a short time before the dismissal,
might have been got up for the occasion.

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the petition of the late John A. Smith, deceased, for the appointment of a collector of the same. The same has been forwarded to the Board of Revision for their consideration.

I am, Sir, very respectfully,
 Your obedient servant,
 J. A. Smith

VII That the petitioner humbly submits that the collector is not justified in questioning the bona fides of the transaction, for the provision of the law prohibiting an undivided member of the family to which a disinterested holder of office belongs, from doing the duties of the same during his life-time, is introduced for the first time in Madras Act III of 1895 and it cannot be contended that the petitioner was aware of the said provision in 1894 when the deed of partition was drawn up.

VIII That moreover the collector need not have taken into consideration the bona fides of the transaction for if it be proved that the petitioner became divided from the delinquent, and being separate from him, he could be allowed to do the duties, the object of the rule simply being that the delinquent should not get the benefit of the appointment from which he was removed.

IX That though the petitioner sent in a petition to the Board of Revision

Handwritten text in a non-Latin script, likely Tamil, covering the left page. The text is organized into several paragraphs, with Roman numerals IV, V, VI, VII, VIII, and IX marking specific sections. The script is dense and cursive.

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against the order of the collector on various grounds set forth above. The Board declined to interfere simply on the ground that no appeal is provided against the order of the collector under section 12 of Act III of 1895 from doing the
X That the petitioner humbly submits that the request of the petitioner is simply a matter resting on the discretion of collector to be exercised wisely and not a decision between two contending parties, and that therefore the Board as a superior authority ought to have considered the question and rectified the order of the collector if he has not exercised the discretion properly. It is submitted that
XI That therefore the petitioner most humbly prays that the benign Government will be pleased to bestow some consideration upon the facts of the case and to allow the poor petitioner to enter upon the duties of the office of Revenue Officer of the said Sivalappari village registered in his name and thus
XII

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X

V

17-6-97.
Kalahad }

For which act of kindness
and charity, the Petitioner
shall, as in duty bound,
ever pray.

Leptocarpus

u. B.

The records submitted herewith
are (1) The order of the Collector of Tinne-
vely
(2) The order of the Board of Revenue.
All other records are in the office of the
Collector of Tinnevely.

Agnes

to remember further to him.
 For which set of business
 and clearly, the distinction
 shall be in copy (copy)
 even copy.
Explanatory

17-6-97
 Related

the records submitted to me are (1) the order of the Collector of Revenue
 (2) the order of the Board of Revenue
 of the records are in the office of the
 Collector of Revenue.
Explanatory

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

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READ AGAIN G.O., No.
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DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

A A A A A A A

H.P.—
 A = Copy in full.
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