

Revenue (1897) Department.

ROUTINE SERIES.

G.O., No. 2092

DATED 12.11.97

[Despatch Abstract.]

Petition from C. M. Anthoumuthu
Kachar and others, Kanguveri taluk,
Sinnerelly St., praying that certain ma-
nageries may be restored to them; dispo-
sed of under para 2 of C. petition rules.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
CD-1018	17						

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18 4,000-19-7-97.

Revenue (1897) Department.

CURRENT No. 9864

From

Custody Michael Antonimithu Nair
(Three others)
Inmates in the Village of Kalakad
Manguneri Taluk
Terninully Dist.
No.

Order R. 2092. d/12.11.97
Para 2 (of Rules)

Let
Tatthe petrus dis. 16.11.97
11 Nov. 97

Dated

Received 8 Nov.

Registered

Enclosures

Spare copies.

SUBJECT.

Praying that certain known
properties may be restored to the
petitioners or some allowance out of
charity may be granted to them.

See
11/11/97

BACK PAPERS.

G.O.	No.	Department.	Date

FURTHER PAPERS.

G.O.	No.	Department.	Date.

The Right Honorable Edwd. Lord Clive Governor, and Commander in Chief of the FORT and GARRISON of FORT ST. GEORGE, and Town of MADRAS PATNAM and of all the FORCES, which are or shall be employed for the Service of the UNITED COMPANY of MERCHANTS of ENGLAND, trading to the EAST INDIES, in the said FORT, GARRISON, and TOWN, and President of the Council of FORT ST. GEORGE and the rest of the Council thereof.

TO CUSTOORY

GREETING

We Reposing especial Trust and Confidence in your Courage, and good Conduct, do hereby appoint you Subidar to the 2nd Battn. 18th Reg. Nat. Infry in the Honorable Company's Service, requiring you to be faithful to the Honorable Company, and obedient to your Superior Officers, and constantly to discipline the Sepoys under your Command, always observing that their Arms are kept clean, and their Accoutrements in good order, and that in every Respect they behave themselves as become good Sepoys, and reporting all those who may misbehave and neglect their Duty, that they may be discharged the Service. Given under the Seal of the said Company in FORT ST. GEORGE, this 1st day of July in the 41st year of the Reign of our Sovereign LORD GEORGE the Third, King by the Grace of GOD, of the United Kingdoms of Great Britain, and Ireland, and in the Year of our Lord, One Thousand Eight Hundred.

Signed by order of the President in Council

J. WEBBE,

Asstt. Sec. to Government.

TO

THE COLLECTOR OF TINNEVELLY.

SIR,

I am directed to forward to you the enclosed Extract from the Resolutions of Council with transcript of a minute of the Commander-in-Chief referred to therein, and to acquaint you that the land proposed to be granted to Subadar Custoor in the District of Tinnevelly consists of Forty Cawnies of nanjah which you are accordingly directed to select for the purpose, furnishing the information necessary to the preparation of a Sunnud.

Fort Saint George.

20th March 1807,

Exd. (Signed) T. WATTS,

Asst. Secretary.

I am,

Sir,

Your most obedient servant,

(Signed) W. WAYTE,

Secretary.

Extracts from the minute of the Right Honorable the Governor in Council in the Military Department dated 18th February 1807.

Minute of the Commander-in-Chief.

In consequence of the Resolution of the Board to bestow on Subadar Abdul Cawder of the 1st Battalion of the 5th Regiment of Native Infantry, and Subadar Custoor of the 2nd Battalion of the 18th Regiment N. I. in reward for their zeal and fidelity on a recent occasion at Nundidroog, some of the favor of Government I have endeavoured to ascertain, through Colonel Cuppage, the mode in which the approbation of the Government might be most satisfactorily manifested to those officers, I now submit Colonel Cuppage's reply, and as the Rank of Commandant, which Subadar Abdul Cawder is desirous to attain no longer exists in the service and could not in his behalf be granted without giving rise to numerous claims and probable discontent in others, I recommend that the grants of land solicited by that officer near Trichinopoly, and by Subadar Custoor in the Tinnevelly District may be allotted to them.

The Resolutions of the Board to reward these officers being anterior to that of the 10th Instant, I have not hesitated to recommend a grant of land in reward for their services, although by the determination of the latter date such grants except in particular cases, are considered as liable to objection.

(Signed) I. F. CRADOCK,
Lieutenant General.

17th February 1807.

Resolved that instructions be furnished to the Board of Revenue for granting, if practicable, to the Subadars mentioned in the foregoing minute the lands severally requested by them in the Trichinopoly and Tinnevelly Districts.

(A true extract)

Examined (Signed) T. WATTS,
Asstt. Secretary.

(Signed) W. WAYTE,
Secretary.

A true extract
(Signed) A. DRUMMOND,
Head Asstt. Collector.
24th January 1816.

Filed on the 5th April 1864.
(Signed) A. P. STRENEEVASALOO,
Offg. Pl. SUDERAMEEN.

(True copy)
(Signed) A. P. STRENEEVASALOO,
Offg. Pl. S. AMEEN.

Copy applied for: 9th January 1865.
Stamp furnished: 9th & 20th January 1865.
Copy ready: 25th January 1865.

Revenue Department.

No. 534.

Extract from the Minutes of Consultations under date the 14th April 1859.

Read the following extract from the Proceedings of the Board of Revenue.

Submitting a letter from the Collector of Trichinopoly affording information with regard to the Enam conferred on Subadar Abdool Kawder similar in character to that granted to Subadar Custory and his descendants in Tinnevely, with the Board's recommendations that the grant conferred on the latter be continued to Petitioner Antony Mootoo his son, and a sunnud issued making it heritable in perpetuity by the direct lineal descendants of the original grantee.

Here enter 2nd
March 1859
No. 1066.

In 1807 two grants of 50 and 40 cawnies of nanjah land respectively were made to Abdool Kawder and Subadar Custory for eminent fidelity to the state during the Vellore Mutiny.

2. The descendants of Abdool Kawder are now in the enjoyment of their 50 cawnies in the Trichinopoly District, but the Enam conferred on the latter was partly resumed in 1820, and totally in 1844.

3. "No Sunnud" is the reason assigned for this resumption, and Petitioner after bringing his case before the Collector and the Board without receiving any favorable order finally decided on memorializing the Home Authorities. The Government however resolved that Petitioner's claim should be reconsidered before the transmission of his Memorial to the late Honorable Court of Directors, and the opinion of the Revenue Board in Petitioner's favor is the result.

4. It is quite clear from an examination of the original papers that the two grants were intended to be made on precisely similar terms, and the sunnud held by Abdool Kawder's descendants shews that his Enam was conferred on "him and his heirs in perpetuity" Government therefore concur in the opinion now formed by the Board. They direct therefore that the forty cawnies of land originally granted to the Memorialist be restored to him and that the whole proceeds of the Enam since 1844 as also the proceeds of the portion resumed in 1820 be paid to him with interest at 5 per cent. The Board will report for information the amount payable under the order.

(A true Extract)

(Signed) W. C. SIMS,

Ag. Dy. Secretary to Government.

No 1405

Forwarded to the Ag. Collector who will carry out the Order of Government without delay reporting the amount paid for the past proceeds of the lands and interest.

By order

(Signed) J. D. SIMS,

Secretary.

Revenue Board Office
Fort Saint George
19th April 1859.

(True copy)

(Signed) V. H. LEVINGE,
Ag. Collector.

Order of Government on the Memorial of Anthony Mootoo, son of Subadar Cutoory, residing at Tinnevely, dated 12th August 1858.

The Government direct that the forty cawnies of land originally granted to the Memorialist be restored to him and that the whole proceeds of the Inam since 1844 as also the proceeds of the portion resumed in 1820, be paid to him with interest at 5 per cent.

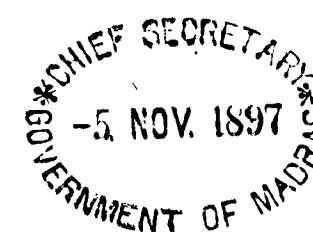
By Order

(Signed) J. D. SIMS,
Ag. Dy. Secy. to Government.

Fort St. George, }
14th April 1859. }

Name of persons in whose enjoyment the land is, as per para 9.	Extent of land.	
	Acre.	Cent
Veerapatty Mohamedkanni Rowther	41	31
Parpanabha Iyer	2	67
Alaghianambia Pillai	7	22
M. Rama Subbier	2	67
C. Rama Subbier	2	21
Narayana Thasarathy	7	7
Poisollameia Pillai	1	36
Kailasa Sundra Iyer	0	65
Narayana Iyer Vagaiara	0	76
Total	65	96

To



His Excellency the Governor in Council,

MADRAS.

PETITION

1898

REVENUE DEPT.

The humble petition of Custoor Michael Anthonimuthu Naicker, son of Anthonimuthu Naicker and grandson of Custoor, Subadar of 2nd Battn. 18th Reg. Nat. Infry., and Inamdar in the village of Kalakad, Nangunery Taluk, Tinnevelly District, on behalf of himself and of three others (viz, Amboyee Ammal, widow and fourth wife of petitioner's father Anthonimuthu Naicker, Savari Michael, grandson of the said Anthonimuthu Naicker by his third wife's daughter and Gnanappoo, grand-daughter of the said Anthonimuthu Naicker by his son), heirs and legal representatives of the said Custoor.

Most Respectfully Showeth:-

That in the year 1800 one Custoor, a resident of Palamcottah, Tinnevelly District, was appointed Subadar to the 2nd Battn. 18th Reg. Nat. Infry. in the service of the Honorable East India Company by the Right Honorable Edward Lord Clive, Governor and Commander-in-chief of the Fort and Garrison of Fort St. George and Town of Madras-patnam.

2. That on the 20th March 1807 in recognition of the meritorious services rendered by the said Subadar Custoor during the Vellore Mutiny, the Right Honorable the Governor in Council, on the recommendation of His Excellency the Commander-in-chief Colonel Cuppage, was pleased to bestow forty cawnies of nanjah lands free of assessment on the said Custoor to be enjoyed by him and his heirs in perpetuity.

3. That subsequent to the demise of the said Custoor who died in 1812, the Inam lands continued to be enjoyed by Nicholamuthu Naicker, the eldest son of the said Custoor, till his death in 1820, and after him by Innacimuthu Ammal, widow of the original grantee till her death in 1844; on which date the endowment, which had been partly withdrawn in 1820, was wholly resumed by Government on the plea of "a sunnud" not having been given to the grantee.

4. That thereupon Anthonimuthu Naicker, the youngest son of the said Custoor and father of petitioner, after submitting his case to the Collector of Tinnevelly and the Board of Revenue, finally decided on memorialising the Home Authorities, when the Government of Madras, in re-considering the petitioner's (the said Anthonimuthu's) claims, concurred in the opinion of the Board that the Inam conferred on the Subadar Custoor had been conferred on "him and his heirs in perpetuity," and accordingly directed the restoration to the memorialist of the forty cawnies of land and the payment of the whole proceeds of the Inam since 1844, as well as the produce of the portion resumed in 1820, with interest at 5 p. c. by an order dated 14th April 1859.

5. That at the settlement of the Inams, a title-deed was granted, on the 1st of August 1865, to the said Anthonimuthu Naicker, by which the Inam in question was enfranchised and converted into a freehold, subject to payment of an annual quit-rent of Rs. 120.

6. That on the death of the said Anthonimuthu Naicker in August 1865, his widow Amboyee Ammal, his daughter Papathy and his grand-daughter Gnanappoo and his sister's son Thomas, petitioner being then quite a babe, jointly incurred various debts and hypothecated the Inam properties in the course of a single year 1865—6.

7. That in the years 1867—8 suits were filed on these several bonds and decrees passed; and in execution of these decrees the Inam lands were attached, and the result was that for the paltry sum of a little more than Rs. 6,000, the whole of the valuable properties—the hard-earned reward of the signal services of the old Subadar Custoor—were sold in public auction in 1869 and 1870, and thus the family of the said Custoor, in spite of their strongest protests to the contrary, were deprived of all their properties.

8. That the heirs and legal representatives of the said Custoor who had till then lived in affluence were thus reduced to utter penury. In vain did they raise their voice against the illegality of selling away their Inam lands at such nominal prices. In vain did they point out that the Inam, being a military stipend, was not liable to be attached for debts, under the then existing law, embodied in the present Act IV of 1852. In vain did they contest in Courts of Law *in forma pauperis* in the years 1872 and 1874 against the usurpation of their Inam lands. In vain did they pray that the claims of the decree-holders, consistently with the general principles of equity, good conscience and justice, might very easily be satisfied from the annual proceeds of their valuable and extensive properties. Petitioner's guardian even made a last attempt to withstand these usurpations in O. S. No. 11 of 1880 by impleading sixteen persons as defendants, who under various pretexts had taken wrongful possession of these lands. But to the great misfortune of petitioner all these attempts proved fruitless.

9. That not a few of these decree-holders and their assignees, under cover of an auction-sale by court, have taken wrongful possession of several items of the Inam properties, which were not included in court-auction and for which no certificate of sale has been issued. Details of these several items of property amounting in all to eight kottas and odd of seedland and the names of persons who at present enjoy them, are given below.

10. That although these Inam lands have thus passed into the hands of strangers, their inam nature still continues inasmuch as the nominal quit-rent of Rs. 120 per annum is still being paid jointly by all the holders of those properties. Thus while, on the one hand, the heirs and legal representatives of the original grantee are not in the least benefited by these Inam lands, Government, on the other hand, has incurred a heavy loss, since from the date of court-auction in 1869 & 1870, Government has levied only a nominal quit-rent on all these valuable properties.

In conclusion your petitioner most humbly prays that Your Excellency will be graciously pleased to order a thorough inquiry to be instituted into the matter by the Collector of Tinnevely, and to direct the Inam properties to be restored to petitioner and the three other heirs and legal representatives of the original grantee; or if this course should be found impracticable, at least out of charity to grant some allowance in some suitable shape, such as an annuity &c, to save from starvation the surviving members of the family of the old Subadar who rendered yeomen's service in the cause of the Honorable East India Company during the Vellore Mutiny.

For which act of charity petitioner will, as in duty bound, ever pray.

Custoor Michael Anthony Mutha Naicker

For W R R

Savari Michael

—Marke of Gnanappoo

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

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

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

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only

Paper taken out of the Records from the charge of the Record-keeper.

Regular
Miscellaneous No. 6342 of 1897.

FOR WHAT CURRENT.		To whom given.	When taken out.
No.	Year.		
6810/98	97	34	9-12-97
6810/98		H. F. Wiley	4-10-98