

Revenue (1897) Department.

ROUTINE SERIES.

G.O., No. 2104

DATED 16 November

[Despatch Abstract.]

INFORMING Subbis Reddi, late monegan,
alluripat Village, Cuddalore Taluk, South Arcot
District, that, under section 23 of Madras Act III of 1895, as amended by Act II of 1897, no appeal lies
against the Government.

Revenue (1894) Department.

CURRENT No. 9/10/97

BACK PAPERS.

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

FURTHER PAPERS.

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

Order

From

Subba Reddi
Lali Monigam
Alleripat vattam
Cuddalore Dy
South Arcot Dist.
No.

Dated 8 Nov

Received 11

Registered 12

Enclosures 10.

Spare copies.

SUBJECT.

Praying for reinstatement.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PETITION

1881

His Excellency

Sir Arthur E. Savelock G. C. M. G. G. C. E.



Governor-in-council of the
Presidency of
Fort St. George.

The humble memorial of
Subba Reddi, late Monigar of Elleripah
vattam in the Cuddalore Taluk, South
Arcot District;

Most Respectfully sheweth that;

The memorialist appeals against
the order of the Honorable Board contained
in their Proceedings^{*} dated 6th July 1897 to 2451.
Miscellaneous.

* Exhibit
A.

2. The case of the memorialist is as
follows:—

3. The villages of Elleripah and Karai
-mudu were clubbed together at the Revision
of the village Establishment. The memorialist
was Miras Monigar of the former village. He
held the office then. He was confirmed^{*} as
monigar of the Clubbed vattam in 1890.

* vide Exhibit
B.

4. Lakshminarayana Reddi disputed
the claim of the memorialist to office several
months after. He did not object to the claim of
the latter at the time of the Revision, though he
was afforded all opportunities of doing so when

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vide exhibit
C

vide exhibit
D

vide exhibit
E

full enquiry was made. On the other hand the Memorialist fully established his right to the office by oral evidence. Eight months after Lakshminarayana Reddi preferred an appeal to the Collector saying that the memorialist was not a mirasdar. In disproof of the latter's claim, the former urged that the latter's father who claimed and succeeded in getting the office in 1882 did not mention in his petition then made that he was the mirasdar of the village. This simple ground of non-mention in that petition of the mirasi claim was made much of by the Collector, Mr. Hammett, who cancelled the appointment of the memorialist made at the Revision and appointed Lakshminarayana Reddi in the office. Against the impropriety of this order the memorialist appealed to the Honorable Board and to the Government who all referred him to a suit. 5. The petitioner accordingly filed a suit against Lakshminarayana Reddi in the Court of the Head Quarter Deputy Collector. This suit was enquired into. The memorialist proved by most reliable witnesses his mirasi claim. The judgment in the suit was deferred for over 18 months. In the meantime the Rules regarding the appointments at the Revision was altered by the Honorable Board. According to the altered law the suit had to fall through. The arguments adduced in favor of the petitioner received less consideration on that account. The suit was dismissed. The memorialist preferred an appeal against the dismissal to the Collector in 1893. The Collector having found that wrong was done to the petitioner admitted the appeal, suit

for

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7
Vat.

vide Exhibit
F.

Exhibit A.

vide Exhibits
F. & G.

for the records of the case and heard the memorialist
Vatib. Here too the misfortune followed him -
Full 2 years and 6 months had elapsed before
the decision was delivered in this appeal. The
conviction of wrong had to sink under the
provisions of act III of 1895 which invalidated
the appeal. The appeal decision was therefore
given in the line of the lower court's judgment.

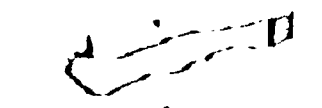
6. The memorialist applied for redress
to the Honorable Board. This redress was refused
on the ground that there is no appeal in the present
case.

7. The memorialist most respectfully
begs to approach your Excellency as a last resort
in the humble hope that the wrong done to him
by the great delay mentioned above will be
graciously redressed. The case of the memorialist
rests on equity. The injustice done to him will
be found to outweigh the disability thrown by
the law and to render the case a fit one for
your Excellencies gracious consideration.

8. The memorialist submits that he
has proved at the time of the Revision and during
the enquiry in the suit by respectable old persons
the fact that Subba Reddi held the office of
Muzigar in Fasli 1217 and that the memorialist
is his grandson. The veracity of these witnesses
was not in any way impeached by Lakshumi
Narayana Reddi - ~~without~~ Without assigning
any reason whatever the whole evidence
adduced by the memorialist was considered
as being untrustworthy. If the memorialist is
not a Mirasdar, or, if he is not Subba Reddi's
grandson, who else is Mirasdar, or, Subba Reddi's
representative? Lakshuminarayana Reddi has
not proved by an iota of evidence that Subba
Reddi (the 14th Fasli Mirasdar) family had become
extinct, or, that some one else than the memora-
list, is the descendant of that Subba Reddi.

The

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The memorialist leaves to your Excellency to consider whether the getting of the office of Monigar by the father of the memorialist in 1882 without mention of the mirasi right, but on financial status alone can annul or negative the relationship between the memorialist and Subba Reddi, the 17th Fasli Mirasdar - The finding of the lower and the Appellate Courts arrived on pure non-mention of the miras in a petition addressed to the Collector by the father of the memorialist while there was no necessity for doing so, is against all rules of evidence - This incident can not be accepted as cutting at the very root of the memorialist's case. Even Lakshminarayana Reddi's mirasi claim to the B village was not admitted by the Honorable Board to have been based on good grounds. The Board in their Proceedings No 3908 Miscellaneous dated 24th June 1892 conclude that Lakshminarayana Reddi could not claim to inherit the inheritance the office from Rama Reddi, the 17th Fasli Mirasdar of Karaimedu, the B village - Lakshminarayana Reddi did not only fail to prove that the memorialist was a non-mirasdar of Alleripah, but also failed to establish the legal connection between him and Rama Reddi, the 17th Fasli Mirasdar of Karaimedu, so as to justify his getting the office according to the Rules in force at the time of the Revision. Further if the memorialist was not really the grandson of the 17th Fasli Mirasdar, Lakshminarayana Reddi would not assuredly have failed to make mention of this circumstance at the inquiry conducted by the Deputy Collector at the Revision. In the face of the above facts and circumstances,

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H.

it is needless to say that a severe wrong was done to the memorialist in turning him out of the office, and in keeping his suits and appeals to hang fire for four years, and then in telling him that Act III of 1895 restricts all his claim for justice.

9. Again Elloripat village is on the borders of the French territory. There has been serious water disputes between the French and the English ryots. It was urged all along that Lakshmunarayana Reddi has no lands, nor house, in the vattam, but that he has all his landed property in the French territory. This fact was proved by registered documents. His sympathy therefore is and must be with the French Government. Such a person presiding over the affairs of the village tends to the furtherance of the French interests in all ways. Politically the appointment of Lakshmunarayana Reddi is inadvisable and improper.

10. In these circumstances, the memorialist most respectfully prays that your Excellency will be graciously pleased to accept this humble memorial, to send for and peruse all records of the case, and to render justice by reinstating him in the office of Mowigan of Elloripat pattam.

11. For this act of kindness, the memorialist shall as in duty bound, for ever pray.

FRANK W. W. W.

8th November
1897

Government of Madras.

Read case 9728.

REVENUE DEPARTMENT.

Endorsement No. 2104 R. d/16-11-97

THE petitioner is informed that no appeal lies to Government under Section 23 (1) of Madras Act III of 1895 as amended by act II of 1897.

Note

The Dy collector's judgment in the case was passed on 20-10-93.

C.A.
13 Nov 97

15/11/97
(By Order.)
(C.C.)

Under Secretary to Government.

FORT ST. GEORGE,

189

To the pet^r
in the Encl^s

26-11-97
220-81-97

S.A.
13/11/97

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

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

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

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