

Revenue (189th) Department.

ROUTINE SERIES.

G.O., No. 2245

DATED 4th Dec 1897

[Despatch Abstract.]

INFORMING Gajapati Narayana, late
of Lakkuraj Village, Sattimappa Taluk, Kistna
District, that, under section 23 of Madras Act III of 1895, as amended by Act II of 1897, no appeal lies
to Government.

BACK PAPERS.

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

FURTHER PAPERS.

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

0 4,000-12-7-07.

Revenue (1897) Department.

CURRENT No. 1024

From

Gorlapati Morasayya of
Lakharaji Gorlapadu
Kattinapalle Taluk
Kistna Dist.

No.

Order

Dated 28.12.07

Received 26.1.08

Registered 29.1.08

Enclosures 9

Spare copies.

SUBJECT.

Praying for the post of
curram of Lakharaji Gorlapadu.

9.1.11
50-11-11

G.O.	No.	Department.	Date

G.O.	No.	Department.	Date.

99.6

REVENUE DEPT

CHIEF SECRETARY
24 NOV. 1907
GOVERNMENT OF MASS.

To Your Excellency the
Governor in Council
Madras
The Honble appeal
Garlapati Narasayya
Lakkargu Garlapadiah
Sattenapally talug
Christna District
That the appellants most
humbly and respectfully
submit to your excellency
technical aids other important
reasons with a full hope
that your excellency will
be pleased and merciful
to interfere with the orders
of the Lower Courts
such as were originally
brought under Regulation
III of 1831 and disposed of
under the same.
As the same case has been
continuing still, act III of 1895

2
should not be applied to it
under act II of 1897.

3. In both the collector &
Board are wrong in
applying act III of 1895 to
your appellants case; and
refusing to interfere with
the order of the Sub collector.

4. To submit briefly of the
appellants case, your
appellant brought a
summary suit in 1887.

Questioning the partition order.

5. The suit was dismissed
by the Sub collector.

6. Then the appeal was
made to the Collector, who
set aside the Sub collector
decision, and gave the
appointment to your
appellant (vide his pro-
fession enclosed).

7. In comparing the respec-
tive claims of your
appellant and his opponent
the Collector found your
appellants claims superior
(vide the same).

8. An appeal was made
to Board by the Respondent.

9. The Board, in reversing
the Collector's order, gave
the Respondent three

3
months time to adopt a
boy.

10. Under this order, a
motion was made to the
Sub collector by Respondent.

11. Then Sub collector declined
to comply with the request
of Respondent, saying

clearly that the adoption
seems open to objection.

It will not be recognized
until established in a
Civil Court. (Vide the Sub

Collector's order herein
enclosed).

12. Thus it is clear that
the Sub collector ordered
Respondent to get the

adoption verified in a
Competent Civil Court.

13. Then the Respondent made
appeal to the Collector
who cancelled the Sub-

Collector's appointment
to the so called

adopted boy, and ordered
your appellant (i.e. the

1 initiates proceedings (which is
 2 the wording of the order) to
 3 bring a suit to set aside
 4 the adoption (vide the Col-
 5 lector's order herein enclosed).
 6
 7 13. The legal inference or
 8 presumption proceeding
 9 from this order would be
 10 that your appellant
 11 has to get back his post
 12 (i.e. the one in question)
 13 when the adoption is found
 14 to be invalid by a Civil Court.
 15
 16 The adoption in dispute
 17 was questioned in the
 18 Quarter District Court
 19 and found invalid
 20 (vide the public copy of
 21 the judgment of the
 22 said Court herein enclosed).
 23
 24 15. Now under the Collector's
 25 order above mentioned in
 26 para 12 & 13 the appellant
 27 has to get back his post.
 28
 29 16. Accordingly, your
 30 appellant moved the
 31 Collector to grant him
 32 the post - stating that a
 33 child named boy (Kharagha-
 34 valur).

17. The Collector in virtue of
 18 the Civil Court decree
 19 removed Kharagharulur
 20 from the post and directed
 21 the Subcollector to fill up
 22 the vacancy as he likes.
 23
 24 18. The Collector's order
 25 herein enclosed
 26
 27 18. To bring in this connection
 28 to your excellency's notice
 29 the Respondent Kharagharulur
 30 made a suit before the
 31 Collector passed an order
 32 stating that
 33 19. The Subcollector gave
 34 the appointment of a stranger
 35 Talukdar Kharagharulur
 36 who is not in any way
 37 entitled to the post.
 38
 39 20. The order mentioned in
 40 para 17 is quite opposed
 41 to law and justice. The
 42 Collector ought to have
 43 given me the post back
 44 when the adoption of Khar-
 45 agharulur was found
 46 and decided by a Com-
 47 petent Court as invalid.

said when the said Viraraghavulu was ousted
 in accordance to the
 dated Collectors order
 mentioned in paras 12 & 13.
 It is quite unjust to
 fulfil one Condition of
 the order and leave the
 other unsatisfied.
 One Condition of the order
 is to remove the minor
 Curram Viraraghavulu
 when his adoption was
 decided invalid & illegal.
 This was done. The other
 is to restore the appellant
 to his Curram (Kede
 para 12). But this was
 not done. Against this
 order the appellant begs
 to appeal to your excellency.
 21. The orders and decisions
 beginning para 5 to para 20
 are such as are the Con-
 tinuation of the Summary
 Suit brought by the
 appellant for the Curram
 -kam in question in 1887
 under Regulation II of 1831.
 They are further such as
 ought to be governed by
 the said regulation but

not by the act III of 1895.
22. It is clearly stated in
act II of 1895 and the
latest G.O. passed on
the subject that the cases
brought under Regulation
II of 1831 should be dis-
posed of according to the
principles of the same
regulation. 23. The appellant has there-
fore got the best prefe-
rential claim to the post in
question as mentioned above
and he has been recom-
mended for the post by Messrs.
L. Haseldars, K. K. K. K.
Munche Lingayya Paroo
& Patre Venkata Narasim-
harao Paroo who found
him competent to hold the
post. And also in the
Collector's order mentioned
in para 17, the last part
of his order runs to the
effect that the appellant's
case also might be con-
sidered along with that
of other applicants and

that he was referred to
 the Subcollector for orders
 24. In spite of all the reasons
 standing in his favour,
 the post has been given
 to a stranger, who has not
 got even the least shadow
 of any claim to the post
 in question.

25. For all the foregoing
 reasons, the appellant
 humbly prays that
 your excellency will be
 pleased & merciful to set
 aside the lower court's
 orders and grant him
 the Courtikan of Lakka
 - raja Garlapadu Sattina
 pallantalug Kistna District
 acatangur Purnudhanu
 Rajendru.

For such an act of
 mercy, he begs to remain
 at your excellency's most
 obedient & humble
 servant.

28-10-97

Government of Madras.

Read no. 10240 of 97

REVENUE DEPARTMENT.

Endorsement No. R. 22452/14 Dec 97

Justice 4/12/97

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.

(By Order.)
 (C.C.)

Under-Secretary to Government.

FORT ST. GEORGE,
 1897

To the pet.
 with encl.

Note This is a petition re-
 garding a karnam
 office in the Kistna district

Let all this be sent
 to the pet.
 with encl.
 die all endors under
 the rules

28-7-12-97

3 Dec 97

30/11/97