

Revenue (1897) Department.

ROUTINE SERIES.

G.O., No. 2360

DATED 18th Dec.

[Despatch Abstract.].

INFORMING Pennumucku Guaranayya, late Village Headman of Guzzerlapadi Village, Tattavapalle Taluk, Krishna 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.

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G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	20609/98						

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18 4,000-19-7-97.

Revenue (1897) Department.

CURRENT No.

17/12/97

Order R. no. 2360 of 18th Dec. 97

The petr is in-
formed that no
appeal lies to Govt
under ^{Sec.} 23 (1) of act
III of 1895 as amend-
ed by act II of 1897.

From

Pennumuchu Guravayya
Late Village headman of
Guzzerolapudi
Lathinapalle Taluk.
No. Krishna Dist.

Dated 26th Dec

Received 10th Dec

Registered 11th Dec

Enclosures 12.

Spare copies.

SUBJECT.

Praying for restoration.

Let
To the petr
with Encls.

(P)
15 Dec 97

17/12/97
21-12-97

21/12/97

21/12/97

BACK PAPERS.

G.O.	No.	Department.	Date.

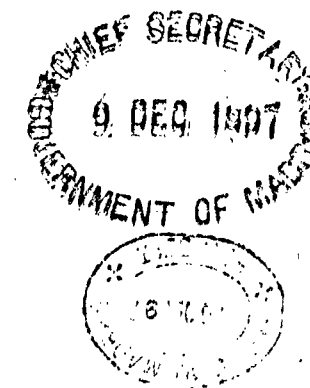
FURTHER PAPERS.

G.O.	No.	Department.	Date.

PETITION

1877

REVENUE DEPT.



and I pray that all the
 members of the Right
 Honourable the Governor and
 Council of the Government of
 Madras
 The humble petitioner of the
 perumthar Guruswami
 Late Village headman of
 Guruswami, Sattur District
 Taluk, Krishna District
 Most respectfully sheweth
 That this is a humble petition
 in order 8181
 1374 B.C. 2182
 6-8-97 27-7-97
 in which his name has
 the said headman of the
 (Late) village of Guruswami
 was appointed as headman
 of the village of Guruswami
 under the provisions of the
 Act of 1895 which is applicable
 to this case. As it is shown
 applicable to the said village
 below under Act II of 1897
 he prays that his excellen-
 cy will kindly perceive
 the said B.C. 1374 2182
 6-8-97 27-7-97
 Rantore and send him
 justice by restoring him to
 his post and ousting the
 Respondent G. Venkatappayya

a competent man, as the
nominee of the dismissed
man has no power to
nominate successor, the
Sub collector appointed your
petitioner to the post (Enr)
dated 21-1-96 & 24-3-96
respectively. Thereon the
respondent appealed to the
Collector who rejected the
appeal seeing no reason
for interference. The res-
pondent again put in
a review to the Collector
who for reasons set forth
in his order, set aside the
Sub collector's order and
appointed the respondent
to the post. (Enr) dated 7-2-96
3. That against this order
your petitioner put in
an appeal to the Honorable
Board which rejected it
no B.P. 13 & 4 B. dated
6-5-97
4. That against this, he put
in a review petition praying
that the Honorable Board
will kindly go into the merits
of the case. Since act II of
97 declares that act III of 95
which says that there is no

appeal in the matter of ap-
pointment of Village officers
or their deputies and under
which his appeal was rejected
is not to be applied retrospec-
tively to appeals made under
Reg. II of 31. That this case
is the continuation of the
appeals disposed of by the
Collector on 20-8-95 that is
long before the act III of 95
came into existence. (Enr) Ex
5. That the grounds of appeal
to set aside the Collector's
order under appeal are—
(a) That the Collector's order
under appeal is perfunctory
he has no power to admit
review appeals from the
respondent. The first
decided in Enr that there
was no reason to interfere
any appeal against it should
not have been allowed by
him and he should have
referred the respondent to
the higher appellate autho-
-rity, the Board.

2. That the facts of the case
in brief are prior to revision
there was only one maniff
for the two villages of Garapadu
and Guizerlapudy. Sat-
tenapally balug, and G.
Akhayya, grandfather of
the respondent was then Mun-
siff. In 1852 this Akhayya
was dismissed and penumadu
Venkayya, grandfather of
your petitioner, was
appointed in his place.
This man continued till
1878 when at revision he
was retained for Garapadu
and another Paladugu
gogayya, a person of
different family (Brahmin)
was appointed for Guizerla-
pudy. Respondent's father
or uncle never asserted their
rights at revision or after.
This Paladugu gogayya
transferred his post to his
son Chenna Venkatappa.
This man was suspended
on 20-12-94 by the Sub-
Collector for three months
for not residing in the
Village (Ex. A) with pain
of dismissal on the ex-
piry of suspension period

the matter of ap-
if he did not construct a
house and live in it
during his suspension your
petitioner was appointed
on 16-3-95 to act for him
as acting Muniff of the
Village of Guizerlapudy
(Ex. B). At the expiry of
the suspension, he (the
permanent man Chenna
Venkatappa) neither
sons nor daughters resigned
his post in favour of his
minor wife aged 8 years old
with G. Venkatappa (Res-
pondent) as her deputy.
The resignation & the registry
of the post in the name of
the minor wife with respon-
dent as her deputy was
accepted by the Sub collector
as proposed by the Tahasildar
(Ex. D. dated 30-6-95). Your
petitioner appealed to the
Collector who set aside the
above order of the Sub collector
by not accepting the resig-
nation but dismissing
him and by directing the
Sub collector to appoint

(b) That the minor wife
a should not have been re-
no quered as mansiff of the
m Village (vide Act III Section
no 10 of Act III)

(c) That even if it were so
pe her husband the dismissed
di man had no power as
re held by Mr Buckley then
pe then Sub Collector to no-
Co minate a gumastha

a But the Government had
the right - vide section 10
clauses 5 To reject nomi-
9 nation of the dismissed
h man is not unreasonable
i as furnished by the Collector

(d) He has Pymaish &
Revision Mirasi right as
shows in the beginning
of para 2. supra while the
other has not. As such
it is but just that he
should have been prefer-
red to the stranger (Respon-
dent) vide section 10 clauses
V & VI of Act III of 95

(e) The application by the
Collector of clause 4 of
Section 10 of Act III of 95
to this case is not to the
point

(f) your petitioner is not
the substance of Act III of
1895, since he pays a Kist
of 300 Rs which the respon-
dent pays only 200 Rs &
he is also of a different
Caste and the other is from
the dismissed man
Both have Indiga rights

(g) As regards merit, your
petitioner is better than
the other since he has
been acting for 16 months
while the other only 3 months
Both have had 1/2 acre in

(h) This is not related to the
dismissed man in question
or any other dismissed man
while the other respondent
is the nephew of the dis-
missed mansiff of
Yemmedigunda Village &
is undivided & is living
with him jointly

(i) He is not the nominee
of the dismissed man
while the other is.

5. In these circumstances,
your humble petitioner

respectfully prays that
 your excellency will kindly
 peruse the records will
 rectify the collectors &
 irregular admissions of
 the Respondents review
 appeal to him by Can-
 celling the Collectors &
 the Board's orders now
 under appeal, and restoring
 his first order to force
 or will enter into merits
 of the case under act II
 of 97 which says that
 act III of 95 should not
 be applied retrospectively
 and will render him justice
 by restoring him to the
 post in question.
 (b) For which act of justice
 he shall ever pray.
 26/10/97
 [Signature]
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 [Address]
 [City]
 [State]
 [Country]

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 examined _____
 signed _____

189

AGAIN G.O., No.
 189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

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