

Revenue (1897) Department.

ROUTINE SERIES.

G.O., No. 2378

DATED 24th Dec.

[Despatch Abstract.]

Petition from P. M. Saminatha Pillai, Madurai,
praying for issue of permanent pattas for certain
land assigned to him disposed of under Pt. II of C.
Petition Rules.

BACK PAPERS.

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

FURTHER PAPERS.

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C N ^o 305	199						

Revenue (1894) Department.

CURRENT No. 10/21

From

P. M. Laminatha Pillay
Madura Town & District.

Order R. no. 2378 of 24th Dec 97.
Para II of C Petition.

Rules.

No.

11/11/81

KD
17/12/97

Dated 8 Dec.

Received 13th

Registered 14th

Enclosures 3.

Spare copies.

SUBJECT.

Praying for issue of per-
manent pattahs for certain
lands assigned to him.

dist

To the petitioners

Recd on 4-1-98

15/12/97

15/12/97

BACK PAPERS.

G.O.	No.	Department.	Date

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PETITION

0082

REVENUE DEPT

To

His Excellency, the Right Honorable
The Governor in Council,

FORT SAINT GEORGE,

MADRAS.

The humble petition of P. M. SAMINATHA PILLAY,
residing in Mela Perumal Maistry Street,
Madura Town, Madura District.

MOST HUMBLY SHEWETH,

That on 7th December 1889, petitioner applied to the Tahsildar of Madura Taluk for the assignment to him on Dharkast of about 15 acres of waste land in each of the villages of Anyur and Silianeri, petitioner undertaking to give up the same without compensation, if they should be required for the excavation of channels in connection with the Periyar Project.

2. That on the 20th of May 1890, the Tahsildar granted petitioner's Dharkast applications by assigning to him 16 acres and 74 cents in Anyur and 14 acres in Silianeri, on condition that petitioner should surrender the same if they were required for the excavation of Periyar channels.

3. That the Periyar Project having been completed and none of the above lands having been required for the excavation of channels, petitioner applied to the Special Deputy Collector, Madura, in April 1896 for the issue of permanent puttahs in place of the Dharkast Angami puttahs that had been till then issued.

4. That no order having been passed on that petition, petitioner repeated his request by a fresh petition dated 9th October 1897. The Special Deputy Collector endorsed on this petition that the petitioner "must pay the average value for the lands."

5. That thereupon, petitioner by his petition dated 19th November 1897 represented to the Collector of Madura, that the demand of any price from him for the lands in his possession was not justified by the terms under which they were originally assigned to him, and that as the lands were not required for the excavation of channels, petitioner was entitled to have permanent puttahs issued to him in respect thereof.

6. That in reply, the Collector has sent to petitioner an endorsement dated 29th November 1897 in which he says that "As the question of temporary puttah has been finally decided by the Board and Government, the undersigned cannot interfere in the matter. The petitioner may apply to Government, if he wants to have the order set aside."

7. That the puttahs were issued Dharkast Angami merely because the Government intended to reserve to itself the right of taking up so much of the lands as might be required for the excavation of channels. But in all other respects the puttahs are practically identical with the permanent puttahs. Under those circumstances, it is submitted that petitioner cannot be called upon to pay any price for his lands.

8. That it was in that sense that the G. O. of January 1886 on the subject of disposal of waste lands was understood and given effect to by the Revenue authorities, will become manifest from a perusal of the records herewith submitted.

9. That fully believing that he would not be disturbed or in any way interfered with, in his enjoyment of the lands assigned to him, so long as the said lands or any portion thereof are not required for the excavation of channels, petitioner spent a large sum of money in reclaiming the land, in forming a tank, in sinking a well, in transporting Madura Town sweepings for manure every year, and otherwise rendering fit for cultivation about 7 acres in Anyur, and has been all along regularly paying the kist due, on the aforesaid 7 acres as well as the remaining extent of 23 acres and 74 cents which are still lying waste, in the same manner as permanent puttadars.

10. That in Fusli 1302, he was granted a remission of the kist due—a concession which is only allowed in the case of lands held on permanent tenure, and which affords another conclusive proof of the footing upon which the Revenue Authorities conceived themselves justified in treating petitioner's holding.

11. That petitioner begs leave to submit, that if any hint had been given to him, that his assignment would be cancelled at the pleasure of Government, even though the specific contingency contemplated should never happen, he would not have first of all applied for any land on Dharkast, nor would have laid out any money in their improvement, nor would he have been paying for the last 7 years the revenue due in respect of the immemorial waste lands assigned to him.

12. That in the circumstances which petitioner has ventured to set forth in the preceding paras, he submits that it would be a very great hardship to him, and entail a heavy pecuniary loss if he should be now called upon to pay any price before he entitles himself to the issue of permanent puttahs in his favour.

Petitioner therefore most humbly solicits Your Excellency in Council will be graciously pleased to take the petitioner's extremely hard case into Your Excellency's benign consideration, to reconsider the G. O. referred to in the Collector's endorsement on petitioner's petition dated 19th November 1897, and to set aside the order of the Collector appealed against, and to direct the issue of permanent puttahs for the lands assigned to him.

For this act of kindness and generosity, petitioner shall
as in duty bound, ever pray.

Your Excellency's most obedient Servant.

Madura,
8—12—97.

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M. Laminatha Pillay