

Revenue (1897) Department.

G.O., No. 2525

Confidential No. 942

DATED 17 May 1897

[Despatch Abstract.]

Recording of the Court of Wards passing
orders on papers relating to the devolution of
the Vadimetta estate in the Sinnerully District

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

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

Confidential

CURRENT No. 3707
Central No 42

The Hon. Mr. George C. D.



Order mis. No 25258 17 May 1897 From The Court of Wards
28 15/5/97

Reended.

No. 687 Qui
Coupl. n^o 23

Dated 30 April 1897.

Received 5 May 1897

Registered 5-12

Enclosures *three*.

Spare copies

SUBJECT.

To the Cust of wards

With 3 mules etc.

18.
пшчгг)

Sept. 18/5/97

Passing orders on papers
relating to the devolution of the
Vadimitta Estate, Tenmurelly
District.

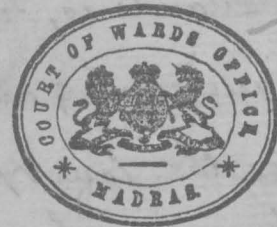
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G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CONFIDENTIAL.



Proceedings of the Court of Wards,

Dated 30th April 1897.

No. 687 Ais.
Consl. No. 23

READ the following papers:-

Again Court's Proceedings, No. 1447, dated 20th October 1896.

Letter from A. W. B. Higgins Esq., Collector of
Simevelly to the Secretary to the Court of Wards, dated
27th March 1897, Ref. Cur. No. 259 of 1896.

(3)

Petition from Moothukumarasami Moniagar,
son of Agobalasami Moniagar of Kalposthu, Vadi
Mittali, Satur Taluk, Simevelly District, dated
21st April 1897.

Resolution

The above papers relate to the question
of the devolution of the Vadimitta estate in Simevelly.

2.

The Collector's letter deals fully with the
cases of the several claimants. He considers that Vallai-
sami Moniagar (Claimant II) has *prima facie* the best
title and should be given possession of the estate; but
he suggests in reference to the Advocate General
as the case involves several questions of law.

The

Receving, pending further report,
letter from the Collector of Simevelly
reporting the death
of the Vadimitta minor

3. The Court of Wards is, however, of opinion that such a reference is unnecessary; and, following the advice of counsel in similar cases, the Court resolves to direct that an interpleader suit under Section 470 of the Civil Procedure Code be filed. It should be stated that the Court of Wards is a mere stakeholder, that several conflicting claims have been preferred, and that it is for the Civil Court to call upon the claimants to interplead one another. An order of exoneration under Section 473 (a), should also be asked for.

4. If before action is taken as directed above, a suit should be filed by any of the claimants, that opportunity should be taken to take the necessary steps as indicated above, as a separate suit by the Court of Wards will not then be vide proviso to Section 470 of the Civil Procedure Code.

5. It is observed that in her petition of the 8 March 1897, Palani Ammal, the sister of the deceased ward, has put in a claim on her own account. This being so, she should also be made a defendant in the suit.

6. In view of the fact that in the absence of a ward, the Court of Wards cannot render pattaahs, collect rents, conduct suits &c, an application for the appointment of a Receiver should be put in at the same time.

7. With reference to the marginally noted papers, the collector should decline the Receivership on

2440
19-5-92
N. D. 218
11-5-92
2767
10-6-92

on the ground that he cannot discharge the duties of the office without prejudice to his legitimate work.

8. A copy of these Proceedings will be submitted for the information of Government.

True Extract

K. Swamikannu

3 MAY 1897

For Secretary

- To The collector of Tennevelli with enclosures (as per list, except the genealogical tree) with one petition
- Secretary to Government P.D. with collector's letter, genealogical tree & one petition (to be sent)

2815 mi
23-5-94
5156 mi
13-9-94
5586 mi
8-11-95

Copy

CONFIDENTIAL

1897.
Court of Wards,
MADRAS.

To
THE COLLECTOR OF

Proceedings, dated 1897.
No.
Conf. No.

Abstract.

First copy sent to Press.

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Despatched.

READ AGAIN G.O., N.
1897,

DATED

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