

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 2528

DATED 14th May

[Despatch Abstract.]

Declining to grant copies of certain records
applied for on behalf of the Raja of Pudukkottai
Gangai Dt.

BACK PAPERS.

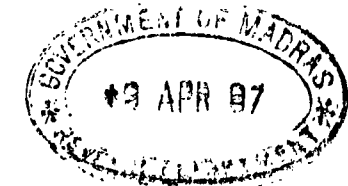
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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

Revenue (189) Department.

CURRENT No. 3081



From *The Collector
of Bangalore*

Order

*N C No. 612
Eng 197*

Dated *2nd April 1897*

Received *9 - 4 - 97*

Registered *7 - 4 - 97*

Enclosures

Spare copies

SUBJECT

*Submitting letter from the
Agent to the Raja of Barabanki
No. 182 Eng 197 of 26-3-97 asking for
copies of certain Govt orders
which are not forthcoming
in the collector's office.*

*Hd. Secy
9.4.97
27/4*

BACK PAPERS.

G.O.	No	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Revenue / Dep.

COLLECTOR

Palakudi

N. C. 612/247

- Forwarded
- The papers are not for cannot be had in this office.

K. B. B. B. B.
2-2-97
5

140 Lines
Aplalunel
Sargan

Aug-97

From W. Sagar Squire
Agent to the Rajah of
Palakudi.

To The Chief Secretary
to the Government
Madras
Fort St. George
Also The Collector of
Egmore.

Dated Palakudi 26.3.97.

Sir -

I have the honor to
request you will be so good
as to favor me with a
copy of each of the
following G.O.s, as
they are not available
in the office of either the
Pl. Asst. Collector, or the
District Collector.

- G. O. no 898 dated 23.8.98.
Rev.
- Proceedings of the
Madras Govt no 1693
dated 3.11.98 -

I have the honor to be
Sir,

Your most obedient servant.

W. Sagar
Agent to the Rajah of
Palakudi.

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Revenue / Depu

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CONFIDENTIAL.

[G.]
26
500-2-10-96.

C. No. 3081 (Revenue) & note thereon sent by
97
Rev. Dept. for counterinitials.

SUBJECT.

~~H. E. THE GOVERNOR.~~

2 THE HON'BLE MR. BLISS, C.I.E.

1 THE HON'BLE MR. GROSE, C.I.E.

FOR ORDERS.

The suit which Parlakemedi is bringing
against Govt. is for possession of the
Parlakemedi maliks, - with their forests.

Please see G.O.s $\frac{1480.T}{21.7.95}$ & $\frac{1493.T}{15.7.95}$ &
the copy of the plaint & written statement
obtained & put up.

The order of 1870, for a copy of
which the Parlakemedi agent applies, contains
an ^{*}implied recognition by Govt. of a
clear description that at that time
considered that these maliks formed
part of the Parlakemedi estate, for it
appears of the Court of Wards, which
was then in charge of the estate,
looking after the forests for the estate's
benefit, & keeping up establishment
for so doing, & alluding to the sale
of timber from the forests to the
Govt. itself.

* ~~implied~~ ~~recognition~~
* ~~implied~~

C. No. 3081 of 97

From the Collector of Ganjam

Dated 2nd April 1897.

FOR ORDERS.

The Hon. Mr. Justice C. J.

~~The Hon. Mr. Justice C. J.~~

To the Hon. Mr. C. J.

Int. Dept. for

favour of counterinitials

* Shuch. mt. with ref to him and this recent D.O. asking what more but important papers sent to him

10/3/97

Cin. 11/11/97

2023-497

The Collector of Ganjam forwards a letter from the Agent to the Rajah of Parlakimidi requesting to be furnished with ^{copies of} two Rev. G.O.

As regards the first of these G.O. (no 898 dt 23rd Aug. 1878), the old Record Office states that no order of the number and date given was issued in any of the Depts of Govt. A copy of the second G.O. (no 1693 dt 3rd Nov. 1870) is herewith submitted. The G.O. it will be seen deals with the Parlakimidi forests and in it the Govt has in a way admitted the Rajah's proprietary right over them.

The

as a reason for not

Doubtless there is other evidence of these facts, for the Plaintiff Zemindar has accounts & correspondence upon the matter dealing with the Court's action between 1867 and 1880 (page 9 of G.O. 1493.T. 15.7.95 passed A.) & in G.O. 1480.T. 21.7.93 a copy of which was sent at the time to the Zemindar's agent, Govt. admits that for 17 years on ward from 1862 the Court spent estate funds on the forests.

In the written statement, nevertheless, (pages 9 & 10) the Govt. puts the Zemindar to the proof of his plaint allegations that the Court exercised acts of ownership over the Maliahs, & spent estate money on roads, conservation of forests etc. in them. So as this line has been taken up it would perhaps be hardly consistent to give the Zemindar copy of the order of 1870 & so help him to establish his case.

But if copy is refused, Plaintiff can apply to the Court under sec. 130. Civil P. Code for an order to Govt. to produce the papers. Govt. can hardly ^{plead} refuse under sec. 123 of the Evidence Act, to produce it, & continuance of refusal with out good grounds is render Govt. liable to be ordered for default under sec. 136 Civil Proc. Code.

I consider that the grant of copy should be refused, at the same time it is to be said that the Zemindar will get the papers out of Govt. through the Court. Govt. cannot refuse to produce it; I presume that Govt. will say with regard to the fact that it was under a misapprehension, this explanation would come much better if Govt. gave the copy now than after it had been forced out of it 12/8/97.

The existence of this right has
since been denied ^{by Govt} and the Rajah
has taken the matter into Court,
the suit brought by him against
Govt. being still pending. Orders
are in these circumstances
solicited as to whether it is
advisable to furnish the Rajah's
agent with a copy of the F.O. now.
He can get the Court to call for it.

FOR ORDERS.

x (The papers are all in
the Ind. Dept)

AMM
23.12.97

Wille
23.4.97

I enclose it to be sent in future.

23/4/97.

I agree in thinking copy should not
be given. I don't see how the
"misapprehension" fear will be
wakened in this way.

JG
13/5/97