

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 5057

DATED 27 Sept^r

[Despatch Abstract.]

Seeing no reason to interfere ~~in~~ on behalf
of A. Varisai Pothidi Marakayar, Dharmakarthi
of the mosque of Karungulam village, Srivai-
kuntam Sq., Muvattur, Dt. in the matter of his
petn. regarding an allowance paid to him
in connection with the mosque.

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 (1897) Department.

CURRENT No. 7308

From
Read again G.O. 2364 of 11 May 97 P
again G.O. 1374 of 22 July 97 P
Can be 7308 P
Order was no 5057 of 27 Sept 97

The Collector of
Tinnevely

Your Disposal No. 26 of 1897
General

Dated 12th August 1897.

Received

Registered

Enclosures (One file) & 2 papers

Spare copies

SUBJECT

Reporting on the petition of
A. Varisa Mohidin Marakayar
Shannakartha of the mosque
of Karungulam Village, Sri-
vaikuntam Taluk, Tinnevely
District regarding the allowance
paid to him in connection
with that mosque.

The revenue on 6 cents of
wet land amounting to 11-8-4
was assigned to the mosque
in 1865. In 1878 the assessment
was revised at settlement and
fixed at Rs. 9-8-0. ~~The~~
Up to 1893 the trustee of the
mosque with no steps to ~~have~~
settlement but not however
the assignment converted into a
fixed deduction. In that year, however
the assignment was upon the trustee
the assignment was still
application invited into a ~~fixed~~
deduction of 11-8-4. The petitioner
from the trustee. This the
trustee's job to make good to him the
loss of Rs 2-0-4 per annum caused by
his own negligence from 1878 to 1893.

2. The Govt therefore sees
no reason to comply with the
petitioner's request.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Read again G.O. 2364
11.5.97
C No 7308 of 97

The Hon^{ble} Mr J. J. G. C. C.

For orders.

Please see notes under G.O. No 2364 of 11.5.97. Formerly a Cash allowance of Rs 11-8-4 was being paid out of the Moturpha Collection for the Support of a Mosque at Karungulam. On the abolition of the Moturpha tax, the Revenue on 61 Cents of wet land was assigned in 1865 in lieu of the Cash payment. At the settlement in 1878, however, the assessment on the land was reduced to Rs 9-8-4.

In 1893, the trustee of the Mosque complained to Govt that the village Munsiff had been paying him only Rs 7-0-0 out of Rs 9-8-4 and that he had been misappropriating the remainder. The Collector of Tinnevely to whom a reference was made on the subject submitted a report from which it

See.

Please see details of current G.O. No 1698

21/11/97

it appeared that the petr
had ^{received} the difference of Rs 2-8-
claimed by him and had given
a full acquittance and that
the sum of Rs 9-8-4 was
being paid to him by deduction
from the beris of the village
since 1893. Thereupon,
the Govt in G.O. No. 2783
dated 17.8.94. saw no rea-
son to interfere in the petr's
behalf.

known wrong. 169
was being paid
11-8-4
the
11-8-11

In March 1897, he again
presented a petition to Govt
in which, besides reiterat-
ing the old Complaint a-
gainst the village Munsiff,
he stated that he was re-
ceiving from 1893 the original
allowance of 11 Rs-8-4.
on the strength of a Govt order
and asked ~~that~~ for the
grant of the difference
of Rs 2-4-4 per
annum from 1878 to 1893.

As the G.O. cited by the
petitioner as authority
for the restoration of the
original allowance of Rs
11-8-4 did not authorize
any

any such thing and ~~as~~ the
Collector had stated that
the amount ordered to be paid
by way of beris deduction
since 1893 was Rs 9-8-4.
the Collector was asked in
G.O. No 2364 of 11.5.97 to re-
port whether the petr was
really being paid Rs 11-8-4
as he alleged and, if so, to
state under what authority
that was being done.

The Current read above
contains the Collector's reply.
It appears that in 1892, the
petr represented to the Ina
Comr. the loss which had
resulted from the settlement
of 1878 at which the assess-
ment on the lands was reduced
by Rs 2-4-4. And prayed
that he should be reimbursed
to the extent of the difference
by a fresh assignment of
land revenue or that the
entire allowance of Rs 11-8-4
should be paid by deduction
from the village beris. The
Collector to whom a reference
was made by the Ina Comr.

Considered the first request as inadmissible and proposed under the authority of B.P. No 2240 of 8.9.82, to resume the inam lands originally assigned to the Mosque and to pay the full allowance of Rs 11-8-4 by herir deduction. This was approved by the Inam Comr and sanctioned by the Board of Revenue in its Proceedings No 2213 of 11.4.93 which was not communicated to Govt.

It would thus appear that the pet's statement is correct and that the Collector was in error in having stated in his report dated the 23rd ^{June} 94 that Rs 9-8 was ordered to be paid by way of herir deduction from 1893.

The only question therefore, now for consideration is whether the pet should be given the arrears i.e. the difference of Rs 2-4-4 per annum from 1878 to 1893.

In

and has thus caused much unnecessary correspondence
H.N.S.M.

please see para 31.6
of the B.P. in G.O.
dated 11.4.93

Tabularians Td. 23/13.2.8
slipped F Comr. Collection order

In G.O. No 1217 dated the 30th October 1873, the Govt. concurred in the Board's view that the assessment which the assignee was entitled to levy was the revenue fixed on the land prior to the assignment, and that the relation between the assignee and the tenant in occupation was not affected by the revision of assessment at the settlement, the revised assessments being taken into account only for the calculation of cesses. Evidently on the strength of this order, the collector has held that the pet himself ^{is} to blame for not having collected the original assessment ~~from~~ from the occupants of the land and thus his claim to the difference of Rs 2-4-4 per annum is inadmissible. It may be noted that if the pet had raised the question immediately after the settlement in 1878, he could have got the redress which he

has since obtained and that
it is his own fault that he
slept over the matter till 1892.

Under the order set forth in
the B.P. flagged E (paras 5 & 6)
it seems clear that even
after the settlement petition
had the right to collect
a revenue of 11-8-4 from
the halcom of the assigned
lands he neglected to do so
from 1878 to 1893. ~~Subsequently~~

~~But he neglected to see that~~
~~the village munsiff was~~
~~apparently the appearance~~
~~of B.P. 20 per annum~~
~~from 1878 to 1893~~
~~was recovered from the~~
~~halcom of the land by him~~
~~and the munsiff was~~
~~the petitioner. He cannot~~
~~now recover it for his~~
~~claim is time barred. Under the~~

Real Recovery and under
Inclusion that there is
no reason why Govt should
make good to him the
loss caused by his own

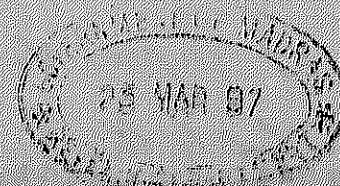
the negligence
1899
11-8-4
1899/1000

~~Thiruvannamalai~~

I agree
JG
22/9/97

No.

The Chief Secretary to Government
Fort Saint George



PETITION
1772
REVENUE DEPT
CHIEF SECRETARY
20 MAR 1897
GOVERNMENT OF MADRAS

The humble petition of A. Varasai
Molideen elera Kayer a Durmaur-
tha of the Mosque of Karangalam in
the Srivasthantur Taluq of the
Tinnevely District - Residing at Chinna
Lakshai Street, Vellore -

Most Respectfully Sheweth,

That the British Government
has been graciously pleased to
grant an allowance of Rs 11-8-4
per annum, to defray the expenses
of the Mosque of Karangalam in
the Tinnevely District, which he
continued to receive for these many
years -

PETITION
6088
REVENUE DEPT

2. That this allowance in question
was discontinued by order of the
Collector in his Takteed No. 232 dated
28th October 1865, and a sum of
Rupees 9-8-0 was sanctioned
by the authorities, out of which the
petitioner received only Rs 7-0-0
from the Village Munsiff annually.
3. That when the petitioner sub-
mitted his appeal to Government

This has
not been filed

The order merely says
that as the payment
has been commuted into
a being deduction into
current payment is 9 2/10
with 4 annas in future
US
14/1/91

whereas the
order

on this matter, he received an order
to the effect that the original allow-
-ance of Rs 11-8-4 should
be granted to the petitioner com-
-mencing from the year 1893, vide
order No 2783 of 1894, which he
continues to receive up to the present
date. That when the settlement
of the village took place it was
decided that the allowance of
Rs 11-8-4 should be reduced to
Rs 9-8- per annum (but the
Village Munsiff paid only Rs 7-
as above stated) and there is
a difference of Rs 2/8- calculating
from the year 1890, due to the petitioner
from the original amount and Rs
2-4 which has been withheld
by Government from the time when
the settlement took place.

4. The British Government has
been pleased to sanction the dis-
-tribution of the allowance of Rs
11-8-4 at first, but no order as
yet been passed for the grant

of the difference of allowance in
arrears from the time when the
settlement took place as stated
in para 3-

5. The petitioner having represented
his case to the sub collector of Tuni-
-nelly praying that he may be granted
with the difference of Rs 2-4
in arrears which has been withheld
by Government from Rs 11-8-4
being the sanctioned amount, but who
declined to interfere on this matter
as the time for appeals having
expired-as per his endorsement
herewith sent for your perusal-
The petitioner having also submitted
his appeal to the Inam Com-
-missioner, who assured the
petitioner that the collector is
prepared to arrange in redres-
-sing to his grievance as per
his endorsement herewith sent
for your perusal-

6. The petitioner having submitted
his appeal to the collector of Tuni-
-nelly praying that he may be

granted with the means of allow-
-ance of Rs 2-4 from the
original amount of Rs 11-8-4
who in reply stated that time having
expired to claim for the said amount,
as per his endorsement sent through
the Tahsildar here with sent for
your perusal-

7- Under the pitiful Circumstance
as above stated the petitioner most
humbly pray, after mature Con-
sideration your honor will be
graciously pleased to recommend
the matter before Government pray-
ing that the difference of allowance
may be granted to the petitioner
the boon he now craves.

Yellow

18th March
1897

21 JUL 197
COLLECTOR'S OFFICE
File 6-552-1-1
Drawing in to make 22

Quarterly statement of being deductions ordered by the collector under the authority of the Board's Proceedings No 2240 dated the 8th September 1882 on account of Religious institutions and services in lieu of land assessments ^{received} in the District of Tinnevely for the Quarter ending 31st March 1893 No 233 dated 7th April 1893.

Name of the villages in which the institutions are situated or recipients reside.	Name of the Religious Institution or Service.	Allowance originally paid from the Treasury for which land assignment was made.	Assignment of land revenue now resumed - summed.	Name of the village in which Beris deductions have been ordered to be made.	Amount deducted in each village.	Whether the deduction has been ordered to be made from the total collection or from individual hut taxes.	Numbers and date of Board's Proceedings or Government orders sanctioning the land revenue assignments in each case.	Remarks.	
1	2	3	4	5	6	7	8	9	10
		Rs	as P	Acres	cents	Rs	A. P.		
Karungulam village Tenkari Taluk.	For the support of Moidin Calliwal and for lighting it.	11	8 4	in	61	11 8 4			
		original allowance							
		Fixed Percentage				Karungulam	11 8 4		
		Total assignment of Land Revenue		1 2 6					
		Present assessment at settlement rates		9 8 in					
							From the total collections of the village.	G.O. no. 1166 2-7-1863 and 2087 20-11-1863	As the present assessment differs from that assigned both figures are entered in column 5.
						(Signed)	G. S. Forbes Collector		
						(True Extract)			

(Signed) G. S. Forbes
Collector

(True Extract)

Collector

Mop
13/8/97.

13/8/97

Proceedings of the Board of Revenue,
(Land Revenue).

Dated 11-4-1893. No 2213 M.S.

Read statement of herix deductions
for the quarter ending 31st March 1893
from the collector of Simmelly dated
7th April 1893 No 233.

Resolution

The herix deduction ordered
by the collector in the case shown
in the statement is approved and
sanctioned.

(True Extract)

(Signed) J. Ling

For Ag: Secretary

(True copy)

Collector

Msp
13/3/97.

Al
13.8.97.

No.

From

To

THE SECRETARY TO GOVERNMENT,

Revenue DEPARTMENT,

Madras.

SIR,

I have the honor to reply to G. O.
No 2364, dated 11th May 1897 referring
for report petition from A. Varasai Mohidin
Maraikaya, Dharmakarta of the mosque at
Karnungulam, Sriwaikumbam taluk.

2. A cash allowance of Rs 11-8-4 was
paid out of the Motupha tax for supporting
and for lighting the Mohidin mosque at
Karnungulam. On the abolition of this tax,
the land revenue on 61 cents of wet land
in the said village amounting to Rs 12-10-10
was assigned allowing 10 per cent for the
trouble of collection. At the Revenue
Settlement the assessment on the land
was fixed at Rs 9-8-4. Since then the
petitioner

petitioner was apparently collecting only Rs 9-8-0 from the pattadars in occupation.

3. In the year 1892 the petitioner applied to the Enam Commission - praying either that he should be reimbursed to the extent of the difference by a fresh assignment of land revenue or that the entire allowance of Rs 11-8-4 should be paid by deduction from the ^{Village} heri. On a reference from the Enam Commission, I informed him that the former prayer of the petitioner was inadmissible under the ruling contained in para 6 of B. P. No 1791 dated 10th September 1873, which lays down that the assessment which the assignee is entitled to levy is the revenue fixed on the land prior to the assignment, the relations between the assignee and the tenants in occupation being unaffected by the revision of assessment at settlement, and proposed under the authority conveyed in ^{B.P.} G.O. No. 2240 of 8.9.82 to resume the inam lands and to pay the allowance of Rs 11-8-4 by deduction from the ^{heri}

heri of the village. This proposal met with the approval of that officer and the Board in its Proceedings No 2213 dated 11th April 1893 (Copy enclosed together with copy of the statement) sanctioned the payment of the allowance by heri deduction. It is on this authority that the allowance of Rs 11-8-4 is being paid from 1893.

4. The petition with its enclosures is resubmitted.

I have the honor to be,
Sir,
Your most obedient servant,

Outagam

Collector

2240
13/8/87.

116
13.8.92.

From

THE COLLECTOR OF

District,

To

THE SECRETARY TO GOVERNMENT,

GOVERNMENT,

Madras.

Dated

Despatched

189

Received

No.

Enclosures

Subject

When given for copying

When copied

When examined

When signed

189

READ AGAIN G.O., No.

189

DATED

CURRENT

ENCLOSURE TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BRING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.

B = Not to be copied.

P = Copy abstract only.

Q = Copy heading only.