

Revenue (1897) Department.

ROUTINE SERIES.

G.O., No. 633

DATED 25th March 97

[Despatch Abstract.]

INFORMING Vijayaraghava Chari, late Munsiff,
of Kanjirakkam Village, Chengam Taluk, Chingleput
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.

FURTHER PAPERS.

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

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.
that village of as entitled to and sufficient			



PETITION

1012

REVENUE DEPT.

To The Right Honorable His Excellency
the Governor in Council
Fort Saint George
Madras

The humble appeal of Vijayaragava-
chari, late Munsiff of the village of Kanjivakkam
in the Taluk of Conjeevaram in the District of
Chingleput, most respectfully sheweth,
That petitioner was
Munsiff of the village of Kanjivakkam in the Taluk
of Conjeevaram for the last 15 years, and in the
recent revision of the village establishment the
neighbouring villages of Vattambakam and Pan-
apakam were grouped with the village of Kanji-
vakkam in the aforesaid Taluk.

2. That one Ragava Iyer and one Ethir-
ajulu Raju, as gumaster of the late (Minor) Rama
Raju were Munsiffs respectively in the villages of
Vattambakam and Panapakam.

3. That in his recommendation roll
dated 10th November 1894 the Tasildar of Conjeevaram
nominated petitioner and the aforesaid Ragava Iyer
as the most eligible candidates for the above appoint-
ment to the amalgamated villages and he consider-
ed both to be competent men and that any one of
them may be appointed and in regard to petition-
er he pointed out that he lives in the central
village

village (vide Exhibit A)

4 That the Divisional officer, the Sub-collector, to whom the above recommendation was submitted was pleased to select Ragava Iyer and to appoint him as Munsiff of the newly created Kanjivakkam group (vide Exhibit A)

5 That petitioner who considered he had a preferential claim to the new appointment in accordance with the rules prescribed for carrying out the revision, submitted an appeal to the collector and urged among other reasons that as hereditary Munsiff of Kanjivakkam which was constituted the central village of the newly formed group, he was entitled preferentially to be appointed and on due consideration of the aforesaid appeal the collector was pleased to set aside the appointment of Ragava Iyer and to appoint the petitioner as Munsiff of the Kanjivakkam group (vide Exhibit B)

6 That against the foregoing order Ragava Iyer submitted an appeal to the Honorable Members of the Board of Revenue and was successful in getting the collector's order reversed and the appointment made by the Sub-collector confirmed (vide Exhibit C)

7 That petitioner accordingly submitted a second appeal to the Honorable Members of the Board of Revenue and prayed that their order referred to may be reconsidered for the following reasons:

(1) That in the circular instructions promulgated

promulgated for the guidance of officers carrying out the village revision (copy ~~Attached~~ Exhibit D) it is distinctly laid down as one of the ruling principles that where two or more villages have to be clubbed and there are duly qualified candidates claiming the office from the old Mirassi families of more than one of those villages, preference should be given to the candidate representing the central village (vide rule 5 and para 4 of the Board's Proceedings No 863 dated 14th December 1887).

(2) That in view to further affirm the principle communicated above, the Board were pleased in their proceedings dated 9th July 1895 no 229, to rule that all village officers should, as a rule, reside in the central village of the group to which they were attached.

(3) That considering the importance attached to the aforesaid qualification petitioner begs respectfully to state that as compared with Raganat Iyer, he, petitioner, complies with the aforesaid condition as, from his birth, he has resided ~~resided~~ in Kanyinakkam which has been constituted the central village of the newly formed group.

(4) That nowhere in the rules referred to above is there any thing said about payment of the larger heriz conferring a superior claim between rival claimants neither is there any thing said about longer personal service. The only three qualifications to which stress is attached are:— 1. hereditary claim, 2. competency, 3. residence in the central village where

where other qualifications may be equal and
(as certified ~~by~~ the Tasildar in his recom-
mendation roll petitioner fulfils all the
three conditions stated.

8. That notwithstanding the
very strong reasons urged on the Board as
stated above the Honorable Members of the
Board of Revenue were pleased in their
proceedings dated 22nd Nov. 1895 No 3136 to
reject petitioners appeal on the ground
that under section 23 of Madras Act III
of 1895 "no second appeal lies to the Board
in regard to appointments made at a
revision of village establishment" (vide
Exhibit E).

9. That against the foregoing
order petitioner begs very respectfully to
appeal to your Excellency in Council and
to represent the great hardship inflicted
on petitioner by the operation of section
23 of the Act referred to above and the
interpretation placed on it by the Board; for
if Ragava Iyer possessed the right of appeal
to the Board of Revenue, the final appellate
authority, there seems no good reason why
petitioner should not also be entitled to exactly
the same privilege. In the circumstances petitioner
respectfully prays that your Excellency in
Council will be pleased to direct the
Honorable Members of the Board of
Revenue to consider the petitioner's
appeal to them and to dispose of it

Government of Madras.

Read case 9254 of 96

REVENUE DEPARTMENT.

Endorsement No. 633 Rof/15-3-97

THE petitioner is informed that no appeal lies to Government under Section 23 (1) of Madras Act III of 1895. as amended by Act II of 1897.

(By Order.)

[Signature]

Under Secretary to Government.

FORT ST. GEORGE,

189

To the petitioner with enclosure

633 Rof/15-3-97

24/3/97

note

The petition is
dt 15-12-96

C.A.
24/3/97

633 Rof/15-3-97

Read case 9254 of 96

633 Rof/15-3-97

The petition is
dt 15-12-96

C.A.
24/3/97

633 Rof/15-3-97

To the petitioner with enclosure

24/3/97

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189

Read again G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

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LETTER OF GOVERNMENT

STATEMENT WITH DATA

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