

Paper taken out of the Records from the charge of the Record-keeper.

Regular
Miscellaneous No.

of 189 .

Revenue (1897) Department.

ROUTINE SERIES.

G.O., No. 833.

DATED 30th April 1897.

FOR WHAT CURRENT.

No.

Year.

To whom given.

When taken out.

[Despatch Abstract.]

INFORMING Y. Perayya, late _____,
 of Juggannipur Village, Coconada Taluk, Godavari
 District, that, under section 23⁽¹⁾ 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.

Revenue (1897) Department.

CURRENT No. 3301



From

H. Asim Singh I. C. S.
Private Secretary to
H. E. the Governor.

No.

Order

Dated 17 April 1897.

Received 21-4-97

Registered 21-4-97

Enclosures 5

Spare copies.

SUBJECT.

Transfers a petition dated 7 April 1897 from Y. Prayag of Jagannikpur, Coimbatore praying that the orders of the Board of Revenue dismissing his appeal petition regarding his claim to the municipality of Jagannikpur village may be revised.

/ By order of

H. Asim Singh

Private Secretary

B.M. 21-4-97

BACK PAPERS.

G.O.	No.	Department.	Date.
	1168	Rev	24-11-32
	1168	73-17-2	72
	625		3-5-56

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PETITION

0834

REVENUE DEPT

To

His Excellency the Governor
in Council, Madras.

Galla Perugga — Appellant
(Plaintiff)

versus

Kakilekita Ramaswami Respondent
(Defendant)

May it please your Excellency
in Council.

The above humble petition,
Revision,
submitted by the above named Appellant,
an inhabitant of Jagannakpur,
Cocanada Division, Godavari District,
most respectfully sheweth:—

- That his father Galla Sadma-
nathudu was the village headman
and huzuriff of Jagannakpur for
8 years from 1843 to 1851 when he was
dismissed from service.
That in his father's dismissal
the Respondent's father was appointed
in 1851 and held the office till 1891
when he resigned in favor of his son (the
Respondent).
That the appellant sued for
the office in May 1892 under

Madras Regulation VI of 1831 and
his suit was dismissed on some
technical grounds not valid at
law both in the Courts of the
Head Assistant Officer and the
District Officer (vide copies of
judgments enclosed.)

4. That your petitioner preferred
a second appeal to the Board
of Revenue and the Board dismissed
the appeal in its proceedings
No 1805, dated 17th April 1886, holding
that the appellant had no right
whenever to bring the suit by
virtue of the provisions of sec 13,
Act III of 1895 (Madras).

5. That your petitioner begs
to submit that the Board
of Revenue erred in law in
constructing sec 13; as it provides
that "Any person may sue
"before the Collector x x x of
any such office," but does not
restrict the suits to be brought
only by such persons as are
contemplated by the Board.

6. That the petitioner is
admittedly the heir of the last
holder of the office inasmuch
as the Respondent's father was
not the last holder, he having

been appointed merely to act
on the dismissal of the
father of the appellant.

7. That your petitioner has
thus a legal right to sue for
the office when it fell perma-
nently vacant in consequence
of the resignation above referred
to.

8. That when your petitioner's late
brother sued for the office before the
resignation of the Respondent's father,
he was informed that he (brother)
was at liberty to file the suit
when the post permanent of
falls vacant and it is why
your petitioner sued in 1882 when
it had permanently fallen
vacant, after waiting so long.

9. That even supposing the
construction laid on sec 13 by the Board
to be correct, the petitioner's case does
not fall under it, he having
instituted his suit so far back
as 1882 when Reg. VI of 1831 was
in force.

10. That in these circumstances,
your petitioner most humbly prays
your Excellency in Council to revise
the Proceedings of the Board of

your petition does
understand
II of 1895

His Dep. Secy,
 Your Excellency in Council's
 most obedient &
 humble servant

9 April 1887.
Cocamusa }

(11) Proceedings of the Board of
Revenue, no 1805, dated 17.
April/86.

(3) ~~no~~ ^{order} of appeal ^{order} ~~disposit~~ ^{disposit} by the District Munsif, Gudawan.
dated 15 July 1895 (B. 76 of 95).

(57) 7th October 1888.
 Do do of final judgment
 in appeal by the S^r Collector
 for avarice dated 18th Jan 1890.

30

Government of Madras.

Read CMO 3301 of 97

REVENUE DEPARTMENT.

Endorsement No. R 833 of 30th April 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.

(R.
28 April 97

(By Order.)

(C.C.)
P. Maff.

Under Secretary to Government.

FORT ST. GEORGE,

1897.

To the petr
with Encls. }

616-3-5-97

CAW 28/4/97

2/6/80-47

RS

To
His Excellency,
the Governor General,
at Madras.
Subject:
Revision petition of
Yalla Perappa, an
inhabitant of Jagun
nuckpur, near foranada,
praying the Government
under the extraordinary
jurisdiction vested in
it by Law, to revise the
Proceedings of the Board
of Revenue, dated
17th April 1896, No 1805.

Enclosures: Two