

Revenue (1898) Department.

G.O., No. 1020

Confidential No. 1015

DATED 1st March 1898

[Despatch Abstract.]

Referring to the advocate's report for report whether certain agreements, executed at the time of adoption by the adopted son of the proprietrix of the Veeravaram and Kolanka estates Godavari district in favour of the latter are valid.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
1799 428							

Confidential

Revenue (1898) Department.

CURRENT No. 1109.
Confidential No. 11

From Board of Revenue
Land Revenue

Order in

The Govt. agrees with
the Board of Revenue in
considering that the
interference of the Court
of Wards is unnecessary
in this case.

Ref: No. 3 Cinf.

Dated 7th February 1898

Received 9th

Registered 9th

Enclosures two

Spare copies

SUBJECT.

Submitting for the orders of
Govt the collector's report regarding the
death of the adopted son of the
Jemindarini of Viravaram and
Kolanda (Godavari District), &
agreeing with that officer that
the Court's interference is unnecessary.

To the B. of Rev (L.A.)
With Enclures

11 Feb 98.

Keep copy of the collector's letter.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

C. No 1109

14.4.

The last male registered proprietor of the estate was Sri Nagesh Rao who died in 1887 leaving a widow Cheliamana. She had an authority to adopt but did not exercise it at once, & the registry was transferred to her name; & in her name it still stands.

She did not exercise the authority to adopt till 1895, when she adopted Sri Venkata Srinja whose death is now reported.

Before the ceremony of adoption was carried out Cheliamana entered into an agreement with the adoptive son & his natural father by which they stipulated to allow the registry of the estate to remain in her name during her life, & to continue the possession enjoyment & management of the estates.

I think it is a question for the lawyers whether this so called "adoption agreement" has any legal validity. Can a widow holding from her husband an authority to adopt take advantage of that authority to ^{make} stipulations with the adoptive son, postponing or encumbering the natural rights to wh. he ought to succeed as heir of the deceased husband? That the adoptive son ~~accepted~~ ^{accepted} these

It seems to me that the adoptive son ~~had~~ ^{had} have been registered as proprietor as soon as the ceremony was completed.

That however was not done: & when this adoptive son died the registry was, as it still is, in the mother's name.

But the legal heir is apparently the ~~deceased~~ ^{deceased} adoptive son's widow - a ~~young~~ ^{young} girl aged eleven.

Considering the

stipulations with his eyes open, is not to the point. The duty was to the deceased husband.

conduct of Challaamma in perpetrating a fraud, if true upon the power given to her by her husband: & the fact that her management has not been successful, the debts having increased from Rs. 16,000 to Rs. 4,40,000 and ^{further} that there is impending litigation in which it appears most desirable that the interests of the young widow sh^d have adequate protection - in these circumstances it seems advisable that the Ct. of Wards sh^d intervene.

So clear however, in the first place the legal position it may perhaps be well to get the opinion of the Adm. General.

Yes
JG
25/2/98

JH
19/2/98

Confidential

Issue
1/3/98.

Read No: of the D^o of Rev (L.A.)
No 3 case d. 7. 298 (C.N. 1109/98)

G.P. mis. No 1020 d. 15th March 1898

Referred to the Advocate
General for favor of report
whether the agreements
said to have been executed
between Sri Rajah Rao ~~Chellayanna~~
Chellayanna Rao and her
adoptive son (since deceased)
at the time of ^{the} adoption
have any legal validity,
or to put it in general terms,
whether a widow holding
from her husband an
authority to adopt, can
take advantage of that
authority to make stipula-
tions with the adoptive
son, post panning or en-
cumbering the natural
rights to which he ought
to succeed as heir of her
deceased husband. If the
reply is in the negative it
is presumed that the
estate ~~cannot be~~

which ^{has remained} registered
in the name of the adoptive
mother ^{Chellayamma Rao} may now be
transferred to the name
of the deceased adoptive
Souru widow, his legal heir.

[Faint, mostly illegible handwritten text, possibly a continuation of the legal notice or a separate document.]

To the Advocate General
[illegible] / *desp*
[illegible] / *1/3/98*

In order
[illegible]
28 Feb 98

First copy sent to Press.

Returned for Signature.

Despatched.

READ AGAIN G.O., N.
189

DATED

NUMBER OF COPIES
REQUIRED. { Order complete.
Letter only.
Order complete with Letter.

Spare Copies.

Struck
Issued

CURRENT No.

ENCLOSURES TO C. No.

Total ..

In hand ..

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

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

N.B.—

- A = Print in full.
- B = Not to be printed.
- P = Print abstract only.
- Q = Print heading only.