

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 1920

DATED 3rd May

[Despatch Abstract.]

Sanctioning with remark the use
by Mr. Fisher of certain open space in
Madura for a public garden fountain.

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 (1898) Department.

CURRENT No. 2921

Order in. No. 1920 of 3.5.98
H. M. 1/5/98

From The Board of Revenue,
Land Revenue

No. 1004 mis.

Sanction is
accorded to ~~the use of~~
using the open space
in question for a public
garden and fountain
as proposed by the
Collector.

Dated 13 April '98

Received 16

Registered 18

Enclosures /

Spare copies

SUBJECT.

L. R. Shrivastava being understood
that no rights in or over the
said land are conceded him
permission to use it temporarily
for the purposes stated.
To the Board & R. M. Dept.
L. & M. Dept.

Submitting to Govt. that the
Board sees no objection to the
proposed being permitted to use
a certain plot of land in Madras
for a public garden and fountain
as proposed by the Collector of
Madras & stating that the
question of alienating Govt.
land does not arise in this
Case.

As pointed out by
the Board, the question
of a variation does
not arise in the case
as only the use of Govt.
land does not arise in this
Case.

27/4/98
1/5/98

BACK PAPERS.

G.O.	No.	Department.	Date.
Mis	1511	Rev.	29.3.98

FURTHER PAPERS.

G.O.	No.	Department.	Date.
See			

The land is permitted and the property vests in the Govt. Under letter from the Govt under G.O. No. 2871 Rev dt 20.7.96.

See

It should be submitted

to the Council & also

that no rights in

or over the plot in

question are conceded.

The docket of G.O. 1511

& 19 Rev of March 98 is

had been recorded. The

request of Mr. T. Shankar

is considered as one

in the temporary use

of the square.

Ull

27/10/98

G.P.

[25]
2,000-4-2-98.

LOCAL AND MUNICIPAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper 3-

From the Chairman, Municipal Council, Madras, No. 41, dated 5th August 1897.

In forwarding herewith copy of the resolution of the Municipal Council No. 269, dated 20th July 1897, accepting the offer I made in my private capacity as a citizen, to lay out the open square opposite (and to the east of) the palace into an ornamental garden and erect a fountain thereon for the use of the public, I have the honour to request that Government will be pleased to accord sanction to the resolution in question.

2. The open space is almost a square lying between four streets and measuring 18,700 square feet in extent. It has been in the occupation of the Council, since the introduction of the Municipality into this town and has been fenced on all sides, with a gate in the middle facing the north and planted here and there with trees capable of affording shade..

3. When the Public Works Department and the Revenue authorities claimed the ground on behalf of Government, I, as Chairman, declined to admit the validity of the claim for the reasons stated in para. 2 supra and for the additional reason that all vacant lands, spaces &c. adjoining public streets and roads within Municipal limits have been vested in the Municipality and added that the definition of street in section 3 of the District Municipalities Act favoured my contention, but the Collector in his Dis. No. 2473 of 1895 dated 15th July 1895 held otherwise and there the matter dropped.

The square is still in the possession of the Council. Similar squares near Main Guard, Old Jail and Kollampattar street have been in the undisturbed occupation of the Municipality which has been leasing them year after year or making such use as it thinks

fit.

fit. I cannot therefore conceive any distinction between these squares and the one in dispute. It might be that the lands around the Palace and forming a part of its premises belong to Government and when a store room was constructed in 1887 on the land to the north of the Palace and next to the west of the Municipal Office, the sanction of Government was obtained for the purpose, vide G.O. No. 240 B, dated the 7th April 1888. Considerations of this kind led me to vacate the ground to the south of the Palace which was also fenced in pursuance of the resolution of 1891.

The present case however is quite a distinct one. The open square is cut off from the palace by the public roads on all sides and cannot therefore be treated as land around the Palace.

Should, however, the decision of Government be adverse to the Municipality, I beg that they will be pleased to grant the square as a special case, for the purpose required, seeing the use it will be put to.

A rough sketch of the design of the work proposed is herewith submitted for the information of Government and its execution is likely to cost over 2000 Rupees.

Sub
Endorsement of the Collector of Madura, Dis. No. 26, dated 5th January 1898.

Submitted.

2. The plot referred to by Mr. Fischer does not form part of any public street &c. vested in the Council under the Municipal Act. Both the Executive Engineer and the Deputy Collector Madura Division are of opinion that it is Government property. The claim of the Council to the ground has not been established.

3. But neither the Executive Engineer nor the Deputy Collector who were consulted (copies of their letters enclosed) objects to Mr. Fischer's proposal to use the ground for an ornamental garden and erect a fountain for the use of the public. I see no objection myself.

4. Mr. Fischer may be permitted to lay out an ornamental garden and erect a fountain whether the land is vested in Government or in the Municipal Council. The question of ownership need not I think

be considered. It will be sufficient to inform the Municipal Council that its claim to the ownership is not admitted.

5. Permission should be granted on the understanding that the garden and fountain will be the exclusive property of Government or of the Municipal Council, whichever is the owner of the site.

From the Collector of Madura, Ref. on G. No. 101/Board, dated 25th February 1898.

I have the honour to submit herewith a sketch drawn to scale showing the situation of the open space opposite the Tirumal Nayak's Palace as directed in Government Memorandum No. 105 dated 28th ultimo.

ORDER No. 581 M. Dis., dated 15th March 1898.

The Government agrees with the Collector in considering that the plot of land in question does not vest in the Municipal Council under section 23 of the Act.

2. Mr. Fischer's request in the penultimate paragraph of his letter will be considered in the Revenue Department.

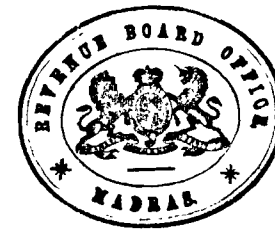
(True Extract).

S. G. Roberts
for Ag. Secretary to Government.

17.3.98

To

The Chairman, Municipal Council, Madura,
thru' the Collector.
,, Revenue Department.



Proceedings of the Board of Revenue
(Land Revenue).

N^o 1004 mis. dated 13 April 1898.

Read endorsement of the Acting Under
Secretary to Government, ^{Revenue Dept.} No. 1511 dated
29th March 1898 on Government Order,
Local and Municipal Departments,
No. 581 M. Mis. dated 15th March 1898.

Resolution

The Board sees no objection to Mr Frischer being permitted to use the open space in question for a public garden and fountain, as proposed by the Collector. The question of alienating Government land does not arise in this case.

(True Extract)

Wm L. Harrison
Ag Secretary.

7.

The Secretary to Govt. Rev: Dept^y.
with G. O. returned.

2. (m)

When given for copying _____
When copied _____
When examined _____
When signed _____

189 .

READ AGAIN G.O., No.
189 .

DATED

CURRENT No.
1

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

.. A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—

A = Copy in full.
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