

Revenue (189⁸) Department.

MISCELLANEOUS SERIES.

G.O., No. 1978

DATED 6th May

[Despatch Abstract.]

*Declining to alter^{Sanction} the transfer of registry of a tanaji allowance
the names of from Akkamalamma & her four sisters to that of Narasimha Raniappa
the son of ~~the~~ ^{for} Akkamalamma.*

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. 2490.

again No 1042 M. 3. 98
Recd Cn No 2450 P.

From The Acting Collector of
Cuddapah

Order mis. No. 1948 of 6.5.98.

The Govt sees no harm to
allow the registration
of the allowance as
prayed for.

Disposal No. 1268 of 1898
Recd

Despd 26.3.98
Dated 22nd March 1898

Received 28th

Registered 29th

Enclosures 12

Spare copies

1000
6/5/98
To the P. & M. Secy
To the Col. Cuddapah
Despd 7.5.98

SUBJECT,

Reporting on the petition
of Narasimha Ramappa
naidu (minor) by his
mother and guardian
A. K. Ramallamma a Naya
Kuralu of Doddipalle
Poham, Vayalpad 29, regarding
the transfer of registry of
a tarigallawana

BACK PAPERS.

G.O.	No.	Department.	Date.
	1042	11/11	10.1.73
	1713	4/11	7.6.73
	1143 P		16.11.72
	2054 P		29.11.71.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PETITION

3 26

REVENUE DEPT

To

The Secretary

to His Excellency the Governor in Council,

Madras.

(Revenue Department.)

The Humble Petition presented on behalf of minor Narasimha ^{Ramappa} Nayudu by his mother and guardian Akkamallamma Nayakaralu residing in Doddipallay Poliem in Voyalpaud Taluq, Cuddapa District,

/s/ ~~_____~~ S. Gopalaswamy Iyengar,
High Court Vakil, Mylapore,
Madras.

COLLECTOR'S OFFICE
5 MAR 1896
Cuddapa

MOST RESPECTFULLY SHOWETH:—

1. That one Ragavalu Naidu was the last incumbent of the Doddipalli Poliem, Cuddapa District, who was registered as the person entitled in due course of succession to receive the annual Poligar pension of Rs. 941-8-0, G. O. No. 2024, dated 29th November 1871.

2. That the said last incumbent Raghavalu Naidu, died on 25th April 1892 leaving behind him a widow named Mangamma Nayakuralu and five daughters named Akkamallamma, Adilakshamma, Chinnakka, Rajamma and Rungamma and the petitioner, and Narasimappa Naidu, daughter's son (by the eldest daughter Akkamallamma, the petitioner), a minor.

3. That the said minor is the only daughter's son of the deceased Ragavalu Nayudu now in existence.

4. That the petitioner in her own right and her sisters have been now registered as the persons entitled to the pension after the death of the said Ragavalu Naidu. *Vide* order (G. O. 1143, 16th November 1892.

5. That the widow and five daughters of the deceased Ragavalu Nayudu have as a family arrangement agreed upon the said lapsed Poligar pension being transferred to the name of the minor petitioner and have also duly executed a document in his name and the original deed is herewith submitted for kind perusal and return. A true translation is also sent herewith.

6. The petitioner submitted an application to the Collector of Cuddapa District and the petitioner received the endorsement, No. 89, Revenue, dated 12th January 1896, from the Collector of Cuddappa stating that the petitioner's request could not be com-

plied with for the reason that grandson had no right of inheritance under the Hindu Law while the daughters are living, (Endorsement, No. 89, dated 12th January 1896, herewith filed.)

7. That the petitioner submitted another petition to the Collector of the District that the matter might be reconsidered as the previous petition was submitted not on the ground that the daughter's son was a preferential heir, to the daughters, but on the ground of same family arrangement come to between all the persons that were entitled to participate in the pension on the one side and the petitioner's minor son on the other.

8. The Collector declined to interfere. (*Vide* order, No. 4903 dated 23rd September 1896, herewith filed.)

9. The deed evidencing the said family arrangement was solemnly executed after the registry in the name of the daughters on 19th December 1895, between the widow and the five daughters of the last incumbent Ragavalu Naidu in favour of the petitioner's minor son named above.) The petitioner submits that under the said family arrangement all the members have unanimously agreed that the said Poligars pension should be registered in the name of the minor and have the payment made to him.

10. As a matter of fact, the said arrangement is something like a renunciation in favour of the next heir to which all the parties entitled have consented and not even a transfer or assignment in favour of any stranger.

11. Petitioner most humbly prays, that under these circumstances, that his Excellency the Governor-in-Council will be pleased to consider all the aforesaid circumstances and order that the name of the minor son Narasimha Ramappa Naidu, be registered as Poligar Pensioner in lieu of the late Ragavalu Naidu and payments be made to him henceforward with arrears that have already become due, for which kindness the petitioner shall always feel highly obliged, as she is in duty bound.

१-అక్షమ.చైమ.పైవలం

१-అక్షమ.చైమ.పైవలం

Go S. Gopalaswamy Iyengar
High Court Vakil
Mylapore, Madras

G.O.	No.	Department.	Date.

Revenue (1898) Department.

CURRENT No. 1402

From

Marasimha Ramappa Nayudu
(minor) by his mother & guardian,
Akkamallamma Mayekarlu, Doodipalli,
Polisam, Vayalpad Taluk, Cuddapah Dist.
(C/O. S. Gopalaswami Aiyangar,
High Court Vakil, Madras).

Dated

Received 16th February 1898.

Registered 17th "

Enclosures 11

Spare copies.

SUBJECT.

Praying that the name of the
minor Marasimha Ramappa Nayudu be regis-
tered as Poligar Pensioner in lieu of
the late Bagavulu Nayudu.

CUDDAPAH COLLECTOR'S OFFICE,

Disposal No. 1268
Current Recd 25

22nd March 1898.
dep 26.3-98

ENCLOSURES

FROM

E. L. Vaughan Esq.
Collector of CUDDAPAH,

TO

THE SECRETARY TO THE Government

~~COMMUNICATIONS~~

LAND REVENUE, Department

Madras.

SIR,

With reference to the Government Endorse-
ment No. 1042, Misc, dated 1-3-98 on the
petition of Marasimha Ramappa Nayudu (minor)
by his mother and guardian Akkamallamma
-Nayakarulu of Doodipalli, Polisam, Vayalpad
Taluk, I have the honor to report as follows.
2. After the demise of the late Raghavulu
Nayudu on 25.4.92 and on the recommendation
of the Sub Collector Mr. J. N. Atkinson, a
tabular report of a lapsed Poligar pension
was submitted to Government in this office
Ref No. 1400 of 92 dated 14.10.92 with the recom-
-mendation that the minor in question, may be
registered as the poligar pensioner in lieu of
the

Depdnt. Secy.

Order No. 1042 Misc.

Referred to the Collect-
or of Cuddapah for remarks.

Ag. Under Secy. to Govt.

Fort St. George,
1st March 1898.

To the Collector of Cuddapah,
with petition and enclosures
to be returned.

12
21/90

the deceased. Port Government in its order No 1143
dated 16.11.92 declined to register the minor's
name on the principle of the Hindu Law ^{that} fraud-
-sons have no right of inheritance until
all the daughters are dead and registered
the names of the five daughters of the deceased
as the polygar pensioners in the lieu of the
deceased.

3. On 19.12.95 the above five polygar
pensioners, the daughters of the deceased,
and the wife of the deceased executed the
document (Enclosure No 142) in favour
of the minor now in question renouncing all
the right they had to the ^{living} allowance.

On 20.12.95 Akkamellamma Nayakurulu
on behalf of her minor son, now in question,
presented a petition requesting ^{that} the pension
granted to her and her four sisters may be
registered in the name of her minor son
Narasimha Ramappa Nayaka. But in this
G.O. No 89 of 12.1.96 the petitioner's
request was refused on the strength of
G.O. No 1143 dated 16.11.92

4. The petitioner, in question, renewed
her request to this G.O. on 14.9.96. Since then
the

the petitioner's request was refused evidently
having in view the principle laid down in
G.O. No 1143 dated 16.11.92.

5. The principle of Hindu Law that a fraud-
-son has no right of inheritance until all the
daughters are dead need be enforced only
when the right of the grandson to succeed
in preference to other daughters, is disputed.
In this case, all the daughters have joined
together and renounced their claim in
favour of the grandson who is the next heir.
I do not therefore see any objection to the
registry being transferred in the name of the
minor Narasimha Ramappa Nayaka of
Dossipalle paliam.

6. All the enclosures received with the
endorsement are herewith returned.

Yours truly,
Sd/-
Your Most Obedient Son-in-law
G. S. S. S. S.
For S. S. S.

Recd
14/8/98

14/8/98

Dep. Secy. to Govt.

Read letter from the Collector of
Euddapah dated 22 March 1898.
No. 1268.
(Ces 2490 of 98).

Note.

In G. O No 2024 dated
29 November 1871, the Govern-
ment sanctioned the grant to one
Raghava Naidu of a hereditary
poligar pension of ^{twannual value} ~~allowance~~ of Rs 941-8- being
two-fifths of the ~~same~~ allowance
of Rs 2353-11-11 then enjoyed by
one Venkatarama Dasappa Naider
as the great-grandson of the
original grantee.

In April 1892 Raghava
Naidu died and the Collector of
Euddapah thereupon recommended
that as the deceased had left no
male issue, the pension might be
registered in the name of Kara-
simha Ramappa Naider, the
grandson of the Raghava Naider
by his first daughter. The Governor
did not however agree with the
Collector's view in his view and
considered that as the deceased had
left five daughters and as under

flap P

G. O 1143 flap G
16.11.92.

C28/4/98

Hydrabad Law 'grandsons have no right of inheritance until all the daughters are dead, the pension should be registered in the name of the five daughters jointly.

2 From the report of the Collector now received and the records submitted, it appears that on the 19th December 1895 the wife of Raghava Naidu and his five daughters executed a document ^{agreeing to register} ~~authorising the~~

rights to the pension in the name of Karasimha Ramappa Naidu the grandson of the deceased Raghava Naidu by his first daughter. After the execution of the bond, Akkamma

the first daughter presented a petition to the Collector praying that the pension might be registered in the name of her son Karasimha Ramappa Naidu; but the Collector declined to comply with the petitioner's request for the reason stated in G.O. 1143 D.

16.11.92 viz that the grandson had no right of inheritance until ^{all} the daughters were dead. The same prayer was repeated in September 1896 by the wife of Raghava Naidu and the Collector again declined to interfere.

* flap S

* flap E

* flap R

* flap D

G.O. 1042 mis
1.3.98

flap G

3 On receipt of the Collector's orders; the mother and the grand-mother of Karasimha presented a petition to the Government setting forth that the prayer that the pension should be registered in the name of Karasimha was not made on the ground that the grandson had any preferential claim over the daughters but in virtue of the document in which the five daughters and their mother agreed to register the pension in ^{the name} ~~the name~~ of Karasimha Ramappa Naidu. The Collector to whom the petition was referred now gives it as his opinion that as the persons present holders of the pension have consented to its being registered in the name of Karasimha (and as the ^{preferential} right of the daughters of Raghava Naidu to succeed is not disputed) the pension may be registered in the name of Karasimha.

4 From Columns 748 of the tabular statement printed on page 1 of G.O. 1143 D/16.11.92, it will be seen that besides the five daughters of Raghava Naidu and his wife

There were four persons entitled to maintenance from the pension (Nos 8, 9, 10 and 11) in Column 7) and that it was on condition of the proposed grantee maintaining these persons also that the Collector in 1892 recommended that the pension ^{might} be registered in the name of Narasimha Raviappa Naidu. Of these No 8 Chengiah Naidu is the father of Narasimha and so far as he is concerned, there seems no difficulty; No 9 (Lakshminamma) and No 10 (Tirumalamma) had raised objections when the question of registering the pension in the name of Narasimha was under consideration ⁱⁿ 1892.

5 In the circumstances mentioned above it seems better that the Collector's recommendation to register the pension in the name of Narasimha (which seems unobjectionable) should be approved subject to the condition that the registered holder should ^{support} ~~maintain~~ such of the members of the family of the last holder (of the $\frac{2}{3}$ allowance) as have a claim to maintenance.

Narasimha being a minor, his ^{also} father Chengiah Naidu may be authorised to draw the pension on behalf of his son.

Please see paras 6 + 7 of the Sub-Collector's letter printed in F.O. $\frac{1143}{16.11.92}$ (Page 6)

See below

11/5/98

11/5/98

11/5/98

Hu.

I think it is very important that the grantees of these pensions sh^d clearly understand that they have no power of assignment over them. It is very probable moreover that some family pressure is being used to obtain the consent of the five daughters to the regⁿ in this boy's name.

2nd. adhere to the strict hereditary line & regis^r leave the regⁿ, where it has been already ordered, in the name of the five daughters. They are at liberty to make any private arrangements they please but so far as the public regⁿ of the pension is concerned it sh^d follow the terms of the grant.

8.2.18/16/18

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

189 .

READ AGAIN G.O., No.
189 ,

DATED

CURRENT No.

ENCLOSURES TO O. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER, GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILSD UP, BRING MBANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
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