Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 2812

DATED 2nd Jan 98

[Despatch Abstract.]

Recording Proc. of the Bd of Rev: (Abs.) informing the Govr. Madras that a daughter's son is a direct lineal heir within the meaning of Clause 2nd, Rule V of the Inam Rules & consider that mortgage of an unenfranchised personal should be treated as an alienation.

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 (189 8) Department.

CURRENT No. 4454.

Sp-2-98

From Board of Revenue
Land Revenue

Order (Civil) No. 2812 dy 22nd Jun 98.

Recorded.

No. 137

Dated 7.6.98

Received 23 "

Registered 21 "

Enclosures

Spare copies

29/6/98.

SUBJECT.

Informing the Collr of Godavari that his daughter's son is a direct lineal heir within the meaning of Clause I, Rule V of the main rules and considering that mortgage of pan unenfranchised personal inam should be treated as an alienation.

BACK PAPERS.

G.O.	No.	Department.	Date.
BP 156 24-4-96			
O 2-72 h 9-7-96			

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

READ—the following letter from V. A. BRODIE, Esq., Collector of Gódávari, to the Secretary to the Commissioners of Land Revenue, dated Camp, Ellore, 20th April 1898, Ref. No. 2949-Ver. of 1896:—

Adverting to Board's Proceedings, No. 156, dated 24th April 1896, I have the honour to request the Board's orders as to whether "daughters' sons" can be treated as direct lineal heirs of the grantees of unenfranchised personal inams. In paragraph 4 of Standing Order No. 117, it is laid down that unenfranchised personal inams are not transferable by alienation and that succession in such cases is limited to the undivided brothers and to the direct lineal heirs of the last incumbent and failing them to the direct lineal heirs of the original grantee. But the nature of the relationship which constitutes direct lineal heirship has not been defined. Under the Hindu Law the claims of a daughter's son are superior to those of a divided collateral, but an undivided collateral who may not be a lineal descendant succeeds in preference to him. Is then a daughter's son a direct lineal heir within the meaning of the rule of his maternal as well as of his paternal grandfather?.

2. In this connection, I also solicit the Board's instructions as to whether "Mortgage with or without possession" for a specified period of an unenfranchised personal inam can be treated as an alienation. I think that in such cases the alienation is not complete and that the inams mortgaged are not liable to resumption.

RESOLUTION—No. 137, dated 7th June 1898.

The Collector will be informed that a daughter's son is a direct lineal heir within the meaning of clause (1), Rule V of the Inam rules.

2. With reference to the query raised in paragraph 2 of the Collector's letter, the Board considers that alienation includes "mortgage." A mortgaged inam should, however, not as a rule be resumed without giving the mortgagor a reasonable opportunity of redeeming the mortgage.

(True Copy and Extract.) Lionel Davidson

Acting Secretary.

To the Collector of Gódávari.
Copy to other Collectors.
" the Inam Commissioner.
" the Secretary to Government, Revenue Department.

Exd. P. Seetharam.

REVENUE DEPARTMENT.

1898.

Board of Revenue

(Land Revenue),

MADRAS.

Printed June 20th.

Proceedings, No. 137, 7th June 1898.

JUNE.

Informing the Collector of Gódávari that a daughter's son is a direct lineal heir within the meaning of clause 1, Rule V of the inam rules, and considering that mortgage of an unenfranchised personal inam should be treated as an alienation.

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When examined ____ } 189 .
When signed ____

READ AGAIN G.O., No. DATED
189 ,

P

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT .. .. .. A A A A A A A

LETTER OF GOVERNMENT.

1

STATEMENT WITH DITTO.

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