

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 3889

Confidential 1069

Dated 30. 9. 98

[Despatch Abstract.]

Forwarding to the Collector of Kurnool
the Advocate General's draft written an-
swer in connexion with the Dornala suit
and requesting the Collector to apply for an
adjournment

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
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18 2,000-30-3-98.

Revenue (1898) Department.

CURRENT No. 6731
conf no 77

From the Govt Solicitor
Madras

Order

No. 414

Dated 27
Received 30
Registered 30 } Sept 1898

Enclosures

Spare copies

SUBJECT.

Forwarding the written
statement drawn up by
the Advocate General for
being filed in the Dornala
Suit.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Memorial of 1882
Trans. of 1882 at end

His Excellency the Governor in Council, Fort Saint George.

The Memorial of Rajah SAYAPANAYANI SOOBBA NAIDOO
GARU, Bahadur Ex-zemindar of Dornala, Markapur
Talug, Kurnool District.

RESPECTFULLY SHEWETH.

That your Memorialist begs to place before your Excellency in Council how the Zemindary has been unjustly taken away from the possession of his family by the Government of East India Company, how the present Government putting a wrong construction on the nature of facts, decided in a manner quite unfavorable to your Memorialist, with a view that your Excellency in Council will not fail to investigate fully into his case and do him the justice due.

2. That the Zemindary of Dornala, which formerly formed a part of the Cuddapah District and which has subsequently been included in the Kurnool District, was enjoyed as such by your Memorialist's ancestors for more than 300 years until fusly 1210 paying a peshkush of 1615 Contaroy Pagodas to the Nizam's Government as may be seen from the marginally noted sunnads granted by the Nizam's Government to the ancestors of your Memorialist. The sunnad may also be found in the records of Rajah Indrajit Bahadar of Nizam's Government and a reference, if necessary, be made to the same.

3. That in fusly 1210 Cuddapah and other Districts were made over by the Nizam Government to the British Government and in the next fusly Colonel Munro, the Commissioner, gave the marginally noted kowl to the grandfather of your Memorialist fixing a peshkush of 1845

Contaroy Pagodas. In fusly 1215 the said Commissioner sent the marginally noted letter forwarding the Isthimiar Milkiat sunnad of the British Government in conformity with the aforesaid Kowl. A reference, if necessary, may be made to the records.

4. That up to fusly 1215 your Memorialist's grandfather enjoyed the Zemindary, paying the peshkush fixed at by the said Commissioner, as may be seen from the Treasury Receipts of which a few only are now forthcoming.

5. That in fusly 1215 your Memorialist's grandfather was taken seriously ill, and consequently being unable to manage the affairs of the Zemindary, proposed to the said Commissioner to lease out the zemindary till his recovery, on payment of $\frac{1}{3}$ of the annual collections.

In reply to which, the Commissioner wrote that the management of the affairs of zemindary villages would entail much expenditure, but that he would, however, accept the proposal and would pay 850 Contaroy Pagodas, the amount deducted as zemindar's share in the kowl granted in 1211, plus 10 per cent on excess of the revenue of fusly 1211 that might be realized in the ensuing fuslies. (Vide marginally noted letter from the Commissioner to your Memorialist's grandfather)

6. That your Memorialist's grandfather agreed to the said proposals and made over the zemindary to the said Commissioner and used to receive payments annually up to the fusly 1224.

7. That in fusly 1224 your Memorialist's grandfather was again informed by Mr. C. R. Ross the Collector that as it would be very inconvenient and expensive to settle the accounts annually with the men deputed by your Memorialist's grandfather to find out the amount collected as agreed upon, only 830 and odd Star Pagodas would annually be paid to him, which can be seen as per marginally noted letter.

8. That your Memorialist's grandfather agreed to the said proposal and received 830 and odd Star Pagodas till fusly 1253, when he died of the illness from which he had been suffering leaving behind him, his widow Raja Soobamma and his adopted son Sashachellapathy Naidu (then a minor) the father of your Memorialist.

9. That while reporting the death of the late Zemindar to the Board of Revenue, the Collector of Cuddapah recommended in November 1828 that 2/3 of the amount that was paid to the late Zemindar be continued to his widow Raja Soobamma and to his adopted son Seshachellapathy Naidoo, the father of your Memorialist, establishing the legality and validity of the adoption of the latter.

10. That the Board of Revenue submitted the recommendation of the Collector of Cuddapah to the favorable consideration of the Government, but the Government taking no notice of the adopted son ruled unjustly that 2/3 of the amount should be continued to the late Zemindar's widow, who petitioned the Government from time to time representing the injustice done to her.

11. That while in minority and on attaining his majority the father of your Memorialist petitioned the Government many a time that either the zemindary should be given back to him or the amount continued to his father should also be continued to him and to his heirs. On which the Government endorsed in 1851 to the effect that no alteration would be made during the life time of his mother, Raja Soobamma.

12. That shortly after the father of your Memorialist died in 1861, Raja Soobamma the grandmother of your Memorialist breathed her last.

13. That while reporting the death of Raja Soobamma, the Collector of Kur-nool recommended to the Board of Revenue in 1862 that the amount of grant paid to the late Memorialist, be continued to your Memorialist.

The Board of Revenue submitted the recommendation of the Collector to the favorable consideration of Government upholding the Collector's recommendation. Your memorialist also petitioned the Government.

14. That on 24th June 1862 the Government endorsed on the said petition as follows:—

"The allowance in question was here hereditary only to strictly lineal descendants and cannot therefore be continued to the petitioner who claims through an adopted son."

15. That since that time your Memorialist petitioned the Government several times without any results.

16. That with the exception of those memorials or unfavorable passed by the Government regarding the petitions of your Memorialist, have ever been brought to the knowledge of your Memorialist. If reports unfavorable to your Memorialist.

memorialist's claims have at any time been made and orders have accordingly been issued, your Memorialist begs to submit that since they have not been made on proper inquiry of the nature of the ancient history of your Memorialist's zemindary and on explanation from any member of your Memorialist's family, they cannot, in any way affect the claims of your Memorialist.

17. That from the endorsement of 24th June 1862 it may safely be inferred as noted below that the Government have not rightly construed the whole matter regarding the zemindary of Dornala.

18. That they are under the impression that

1st. The estate in question is not an ancient zemindary.

2nd. The estate is one which the Government have resumed.

3rd. The allowance continued to the family of your Memorialist is pension.

4th. Such pension cannot be claimed by the descendants of an adopted son.

19. That in regard to the 1st, i. e., That the Estate in question is not an ancient zemindary.

Your memorialist begs to submit that from the documents A. B. C. D. E. and F. noted in the above paras there is not a shadow of doubt to say that the estate in question is an ancient zemindary. Had it not been an ancient zemindary as it seems to have been wrongly construed by the Government, Isthimirar Milkiath Sunnad would never have been issued.

20. That with reference to the 2nd, i. e., That the Estate is one which the Government have resumed.

Your Memorialist begs to submit that it has not been ever brought to the knowledge of your Memorialist's family that the estate in question was ever resumed by the Government. Zemindaries are generally resumed on account of arrears of peshkush or on account of want of loyalty on the part of their owner. None of these reasons have ever been alleged against the Zemindar of Dornala. The zemindary was made over to the possession of the Government only in accordance with the agreement entered into by the late Raja Soobba Naidoo Gauru with the Government. The said agreement entitles the Government to the retention of the zemindary only for a limited period on payment of a certain sum as agreed upon, and confers no better title on the Government.

21. That permanently taking possession of the zemindary when it was intended that it should be only till recovery from illness, is not only contrary to justice and to the agreement entered into with the British Government by the Nizam's Government, when the Ceded Districts were made over to the British Government, in 1800, it is also contrary to para 15 of the Isthimirar Milkiath Sunnad. Hence it is manifest that the Government have not resumed the zemindary nor have they right to do so.

22. That with reference to the 3rd, i. e., That the allowance continued to the family of your Memorialist is pension.

As it is obvious from the causes enumerated at length in regard to the 2nd, it is but just and equitable to presume that the annual payment continued to the time of Raja Soobamma, the widow of the grandfather of your Memorialist, is not a pension and that the Government should only in the relation of trustees to the Zemindar.

23. *With regard to the 4th, i. e., That such pensions cannot be claimed by the descendants of an adopted son.*

That had not the late Rajah Soobba Naidoo Gauru entered into the aforesaid agreement with the Government or had the Government of East India Company, given back the possession of the Zemindary at the death of Rajah Soobba Naidu Gauru as they ought to have done, the Zemindary would not have failed to pass uninterruptedly into the possession of your Memorialist or of his father. Hence it is but unjust to say that either your Memorialist or his father had no claims to the zemindary or to the amount paid on account of the zemindary.

24. That under the above circumstances the estate in question being an ancient Zemindary the orders of 1830 of the Board of Revenue and of 1851 of the Bengal Government have no bearing upon the Zemindary in question.

25. That the definition of Mr. Ross and the Government, with regard to lineal descendants so as to exclude adopted sons from the line of heirs, was the construction then held by authorities when your Memorialist's case was dealt by them and before 1871, when it was finally ruled by the Government of India that allowances granted in lieu of lands or other property given up to Government were inheritable by heirs both natural and adopted without limitation and in perpetuity. Many allowances up to then considered and decided as not inheritable by adopted sons were subsequently continued to adopted sons and their heirs on the strength of the ruling, your humble Memorialist bases his claim chiefly on this ruling which is the admittedly right construction of the Hindoo and other laws of inheritance.

26. That the 27th para of the Minute No. 43 A of the Governor General of India dated 30th April 1860 manifesting the impropriety of the orders issued by the East India Company regarding the adoptions in the case of Zemindars submitted to the Secretary of State for India, and the reply dated 27th July 1860 of the latter to the same conveying the promise of the Empress of India evidently upholds the adoption made by Zemindars.

27. That it is clear that the East India Company being a body of traders, issued orders that were conducive to their own benefit without considering the welfare of the subjects and the consequences of their selfish and unjust orders.

28. That taking into consideration the injustice and irregularities committed by the East India Company during their administration, Her Majesty, the Empress of India, assumed the direct management of the affairs of India and redressed the grievances of many that suffered under the selfish policy of the East India Company.

29. That Your Excellency in Council can plainly see how sinful it is that your Memorialist should thus suffer under the benign and just British Government, being deprived of his Zemindary which is justly his own.

30. That since the Government have deprived your Memorialist of his Zemindary, the sufferings of your Memorialist are more easy to be conceived than described.

31. That the Revenue collected at the Jamabundy of fusly 1290 is Rs. 17,799-14-7. That this small sum, insignificant as it is, and bears no greater comparison than a drop in the ocean should unjustly be added to the Treasury of Her Majesty's, is quite inconsistent with British justice.

32. That in conclusion your Memorialist humbly prays that either the Zemindary should be given back receiving the peshkush as heretofore done by the late Zemindar, or the grant of 830 and odd star pagodas with arrears that were given to your Memorialist's grandfather be continued to him.

33. That for this act of justice and generosity your Memorialist ever prays for the prosperity and continuance of Her Majesty's Government.

34. That the copies of documents A. A. B. C. D. E. & F. reserving the originals are herewith submitted.

NIZAM'S

MOHUR

SHAHA ALUM
BHADOOR, BADSHAHA,
GAUZEE, SILLAMAN, EKTADAR
KISHWARSITHUN, NIZAMOO
MOOLK, NIZAMADDOWLA, AUSUB
JA, MEER NIZAMALLY KHAN,
BAHADOOR, FATHAHUZUNG
TIPHA SALAR, YARA
OPATHAR, ROOSTOOMA
DOWRA.

A

Kowlnama, Mooshpuk Maharban, Moothalia, Rajah Sayapanayani Mullikarjoona Naidoo Bahadoor Sir Dasamook Taluq Doranala Paragana Doopaud Sircar Cumbum Sooba Cuddapah of Hyderabad Deccan.

Kowlnama for the (60) sixty taxable and untaxable Villages to the fixed peshkush of pagodas 2,571 is granted. The actual peshkush and the Nazar, &c., should be remitted to the Sircar Taluq Treasury cash chest every year without fail.

1144 Hizry, }
27th Shawal. }

(True translation from Farasy.)

KOWLNAME BYSMAY.

A

To

Raja Sayapanayani Sashachellapathy Nayadu Garu, Maharban, Dostan, Moothalia Zemindar of Doranala Thimmapuram, &c., Paragana Doopaud Sircar.

Cumbum.

Having come to understanding that in Fusly 1209 the ryots in the villages of your Taluq scattered abroad without paying the arrears of the revenue, and that their villages have in consequence demolished, care must be taken in the welfare and the improvement of the villages. From the 1st year 1675, Cuntaroy Pagodas peshkush was fixed and Kowl was granted accordingly. Therefore, new and old ryots should easily be collected and the villages should be brought into a good condition. The peshkush of every year should be remitted to the Treasury.

1,601 0 0 Doranala, Thimmapuram, &c., Taluqs.
74 0 0 Sathakodoo

1,675 0 0 Total one thousand and six hundred and seventy five only.

1205 Hizry, }
15th November. }

True translation from Farasy.

NIZAM'S

MOHUR

SHAH ALUM
BHADOOR, BADSHAH,
GAUZEE, SILLAMAN, EKTADAR
KISHWARSITHUN, NIZAMOO
MOOLK, NIZAMADDOWLA, AUSUB
JA, MEER NIZAMALLY KHAN,
BAHADOOR, FATHAHUZUNG
TIPHA SALAR, YARA
OPATHAR, ROOSTOOMA
DOWRA.

A

Kowlnama, Mooshpuk Maharban, Moothalia, Rajah Sayapanayani Mullikarjoona Naidoo Bahadoor Sir Dasamook Taluq Doranala Paragana Doopaud Sircar Cumbum Socba Cuddapah of Hyderabad Deccan.

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27th Shawal. }

(True translation from Farasy.)

KOWLNAME BYSMAY.

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Raja Sayapanayani Sashachellapathy Nayadu Garu, Maharban, Dostan, Moothalia Zemindar of Doranala Thimmapuram, &c., Paragana Doopaud Sircar.

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1205 Hizry, }
15th November. }

True translation from Farasy.

B

Mr. COLONEL SIR THOS. MUNRO,

Commissioner, Sooba Cuddapah, &c.

To

Saheb Maharban, Dostan Moothalia Raja Sayapanayany Soobia Naidoo Garu Bahadoor
Zemindar Taluq Doranala.

TAXABLE.

1. Doranala.
2. Thimmapuram.
3. Iyanamookala.
4. Jammidornala.
5. Hassanbad.
6. Cuddaparazpully.
7. Edavally.
8. Guntavanipully.
9. Cherlopully.
10. Chilakacherla.
11. Peddabomalapuram.
12. Thambadapully.
13. Sanikavaram.
14. Muddalakutta.
15. Chinnadoranala.
16. Gudipaudoo.
17. Ramachendroonikota.
18. Kakanipully.
19. Kristnapuram.
20. Chintalamoodipi.
21. Tripoorantakam.
22. Rajoopolem.
23. Mittapolem.
24. Lallapully.
25. Gollavidipi.
26. Visvanadapuram.
27. Doovaly.
28. Somapully.
29. Miramapully.
30. Vengapolem.
31. Wooddoopolem.
32. Berinenipully.
33. Yerragondoopolem.
34. Sathakodoo.
34. Total.

UNTAXABLE.

1. Ruchavamoola.
2. Irookoodoopully.
3. Korapoloo.
4. Musticunta.
5. Naralapaya.
6. Boothavada.
7. Salavanipully.
8. Balijapully.
9. Chinnabomalapuram.
10. Venkatapuram.
11. Davaloodoo.
12. Murripolem.
13. Wontimarry.
14. Mullavany Chintala.
15. Chinnachama.
16. Peddachama.
17. Veloogoonta.
18. Ragoonanipully.
19. Allavanipolem.
20. Peddaboodada.
21. Doddanala.
22. Komarokpully.
23. Lingavanipully.
24. Gungapollem.
25. Roodravaram.
26. Wooppuralapully.
26. Untaxable.
34. Taxable.
60. Total Sixty.

The total amount of present year for the total number of 60 villages as follows :
 1,802 9 4 The total amount of 34 villages of Doranala estate (Taxable.)
 892 0 12 Total amount of 26 villages (untaxable.)

2,695 0 0 Total both.
 850 0 0 Deduct for Zemindary share.

1,845 0 0
 1,700 0 0 As per land Revenue.
 145 0 0 As per mothurfa, Vessabady, Ghaut Tax, Abkarry assessment,
 &c.

1,845 0 0 Total Cuntaroy pagodas one thousand eight hundred and
 forty-five only fixed as peshkush and issued kowl.

From the commencement of fusly 1211 the said peshkush Cuntaroy Pagodas accord-
 ing to the instalments of kists mentioned in the Kaboliethnama executed by you to the
 Government should be remitted to the Taluq Treasury every year. There should be no delay
 or objection on your part in remitting the peshkush.

You should look after in repairing the village tanks and keeping the villages of your
 Taluq in good order, in aiding the ryots and in collecting the assessment. Also you are
 at liberty of collecting yourself the Roosam of Dasa sayer, abkarry assessment, and Ghaut
 tax, &c. The Government will neither increase nor decrease the peshkush of your Taluq.
 You are at liberty to exact services from possessors of charitable service Inams. And also
 you are at liberty to enquire and punish the robbery, &c., cases. The murder cases should be
 charged and sent to Government for justice and punishment. Hereafter the orders of Go-
 vernment should be obeyed and due effect should be given to them.

Camp Cumbam
 18th March,
 1211 Fusly.

(Signed) T. MUNRO.

True translation from Telugu.

C

To

M. R. Ry.

Mooshpuk, Maharban, Doston, Moothalia Raja Sayapannyani Soobba Naidu Bahadoor
 Zemindar Paragana Doopaud Taluq, Doranala.

Aztharaf Mr. Munro,

Commissioner, Sooba Cuddapah, &c., with salams.

Forwards herewith the Milkiath Isthamarar sunned which was received from Govern-
 ment and requests an acknowledgement for the receipt of the same.

8th January,
 Fusly 1212.

(Signed) T. MUNRO.

(True Translation from Marata.)

D

COPIES OF TREASURY RECEIPTS.

1211 FUSLY.

No. 1.

Yadast received Anukay amount Cuntaroy Pagodas 35-2-4 from Zemindar of
 Doranala Raja Sayapanayani Soobba Naidoo Garu Taluq Dopaud the amount of Peshkush of
 3rd instalment of the kisty for the present fusly 1211 of 25th by Bollapully Chellamappa to
 the Taluq Treasury cash chest as follows :

23 7 5 Karaks 18
 9 1 0 Sanna karaks 7
 2 3 15 Copper coins
 23 1/2 Takas.
 35 2 4 Total thirty-five Pagodas, two rookas and four Veesams.

(Signed) DUFTHUR KRISTNA ROW, Sheristadar.

No. 2.

Yadast received Anukay amount of Cuntaroy Pagodas 239-0-8 from the Raja Sayapa
 nayany Soobba Naidoo Garu Zemindar of Doranala the amount of Peshkush to the 3rd kisty of
 the 1211 fusly on the 23rd April by Haram Mahommed Saib to the Taluq Treasury cash chest
 as follows:

121 5 4 Kark Pagodas 92 @ the rate Pagodas 1-3-3.
 20 8 0 Sanna karaks 16 @ the rate Pagodas 1-3-0.
 92 4 0 Chellamany 308 @ the rate 0-3-0.
 4 5 4 Copper coins Takas 45 1/2.
 239 0 8 Total two hundred and thirty-nine Pagodas and eight veesams only.

(Signed) DUFTHUR KRISTNA ROW, Sheristadar.

No 3.

Yadast received Anukay the sum of Cuntaroy Pagodas 247-3-2 from Zemindar of Doranala Sayapanayani Soobba Naidoo Garu the amount of Peshkush of the present fusly 1211 on the 14th December or Doormathinama year Margasara sootha 9th somavaram by the Zemindar himself to the Taluq Treasury cash chest.

247 3 2 Total two hundred and forty-seven pagodas, three rukas and two Veesams.

(Signed) DUFTHUR KRISTNA ROW, *Sheristadar*.

No 4.

Yadast received Anukay amount Cuntaroy Pagodas 184-4-12 from the Zemindar of Doranala Raja Sayapanayani Subba Naidoo Garu Taluq Doopaud the amount of peshkush for the fusly 1211 in the month of January or the month of Margasaram to the 1st instalment of the kisty by the Zemindar himself to the Taluq Treasury cash chest.

104 1 13 Karuk mittas 79
58 5 0 Sanna Karks 45

162 6 3 { Chellamany rupees 27
8 1 0 { @ the rate of pagodas 0 3 0
13 6 5 { Copper coins 136½ @ the rate
of Takas 10 per Pagoda.

184 4 12 Total one hundred & eighty-four pagodas, four rukas & twelve veesams.

(Signed) DUFTHUR KRISTNA ROW, *Sheristadar*.

No 5.

Yadast received Anukay amount of Cuntaroy Pagodas 306 4 12 from the Zemindar of Doranala Raja Sayapanayani Soobba Naidoo Garu the amount of Peshkush to the present year 2 Kisty of 1211 fusly on the 8th February or Margasara Sootha 6th Monday by Sooratpully Romanappa to the Taluq Treasury cash chest as follows :

125 2 13 { Karak Mittahs 95 @
the rate of Pagodas 1 3 3
161 2 0 { Sanna kark Soolak 124 @
Do do of do 1 3 3
7 8 0 { Chellamany Rs. 26 @
Do do of do 0 3 0
12 1 15 { Copper Tukas 121 @
Do Tukas 10 per pagoda.

306 4 12 Total three hundred and six pagodas, four rukas and twelve veesams.

(Signed) DUFTHUR KRISTNA ROW, *Sheristadar*.

1212 FUSLY.

No 1.

Yadast received Anukay the sum of Cuntaroy Pagodas 116-0-11 of Doranala from Zemindar Raja Sayapanayani Soobba Naidoo Garu for the present year of 1st Kisty of peshkush of 1212 fusly on the 17th January or Poosha Bahoola 10 Somavaram by Haram Mahomed Saheb to the Taluq Treasury Cash chest as follows :

115 5 0 { To Chellamany Rs. 385 @ the rate of
3 Rs. per Pagoda.
0 5 11 { Copper Coins Takas 5

116 0 11 One hundred and sixteen and eleven Veesams only.

(Signed) DUFTHUR KRISTNA ROW, *Sheristadar*.

5

No. 2.

Yadast received Anukay the sum of Cuntaroy Pagodas 130-6-12 of Doranala from Zemindar Raja Sayapanayani Soobba Naidoo Garu the 1st Kisty of the present year 1212 Fusly on the February 15th or Magha Bahoola 9 Thursday by Arab Mahomed Saheb to the Taluq Treasury cash chest as follows :

118 8 0	To Chellamany	Rs. 396
1 3 0	„ Sanna Karaks	1
8 7 12	„ Government	26
0 8 0	„ Copper coins Takas	8
1 0 0	„ Baginis	1 8 0 mozara.
	Deduct...	0 8 0
		1 0 0 due.

130 6 12 Total one hundred & thirty-six rookas and twelve veesams.

(Signed) DUFTHUR KRISTNA ROW, *Sheristadar*.

No. 3

Yadast received Anukay the sum of Cuntaroy Pagodas 221-4-13 of Doranala from Zemindar Raja Sayapanayani Soobba Naidoo Garu of Doopaud Taluq for the 1st and 2nd instalments of Kistys of the present year 1212 fusly on the 25th February or Palgoona sootha 3 Friday by Goomastah Kistna Row and peon Syed Moolvar to the Taluq Treasury cash chest as follows :

214 5 1 The 1st Kisty.
6 9 12 The 2nd Kisty.
221 4 13

COINS AS FOLLOWS.

61 9 13 To Karaks 7.
124 5 0 „ Sama Do 96.
31 5 0 „ Chellamany 105.
3 5 0 „ Copper coins.

221 4 13 Total Two hundred and twenty-one, four rookas and thirteen veesams.

(Signed) DUFTHUR KRISTNA ROW, *Sheristadar*.

No. 4.

Yadast received Anukay the sum of Cuntaroy Pagodas 118-2-8 of Doranala from Raja Sayapanayani Soobba Naidoo Garu Zemindar of Doopaud Taluq the 2nd Kisty of the present year 1212 fusly on the 13th March by Silar Mohommed to the Taluq Treasury cash chest as follows :

118 2 8	To	
	Mitta Pagodas ..	41
	Deduct	6
		35 45 6 0

To Taraks 8 }	
„ Sanna 27 }	
To Chellamany ...	205½
To Deduct to horsekeeper	23½
	242 @
the rate of 3 rukas per pagoda...	72 6 0
	118 2 8

One hundred and eighteen, two rukas and eight veesams,
(Signed) DUFTHUR KRISTNA ROW, *Sheristadar*.

No. 5

Yadast received Anukay, the sum of Cuntaroy Pagodas 491-9-4 of Doranala Estate, from Zemindar Raja Sayapanayani Soobba Naidoo Garu, the 2nd kisty of the Peshkush of the present year 1212 fusly on the 2nd April or Chitra Soottha 11th Saturday by the Vakeel Kristna Row to the Taluq Treasury cash chest as follows :

336 0 2 of the 2nd kist.
155 9 0 of the 3rd kist.

79 1 4 To Karaks—60.
202 8 0 „ Sanna—160.
207 9 0 „ Chellamany 693.
2 1 0 „ Copper coins 21 Tukas.

491 9 4 Total four hundred and ninety-one, nine rukas and four veesams.

(Signed) DUFTHUR KRISTNA ROW, Sheristadar.

No. 6.

Yadast received the sum of Cuntaroy Pagodas 57-8-5 of Doranala from Zemindar Raja Sayapanayani Soobba Naidoo Garu of Doopaud Taluq the 3rd instalment of the kisty of present year 1212 fusly on the 22nd April or Vaisaka Soottha 1 Friday by the Arab Mohamed Saheb to the Taluq Treasury cash chest as follows :

57 8 5.

51 9 0 To Chellamany 173.
3 3 12 „ Government Rupees 10.
2 5 9 „ Copper Coins Takas.

57 8 5 Total fifty-seven Pagodas, eight rukas and five Veesams.

(Signed) DUFTHUR KRISTNA ROW, Sheristadar.

No. 7.

Yadast received Anukay the sum of Cuntaroy Pagodas 131-8-12 of Doranala Estate from Zemindar Raja Sayapanayani Soobba Naidoo Garu of Doopaud Taluq the due amount of 3rd instalment of kist of 1212 fusly on the 12th by Arab Mohamed Sahib to the Taluq Treasury cash chest.

131 8 12

AS PER COINS.

61 9 13 To Karks 47
36 4 0 „ Sanna Karaks 28
30 0 0 „ Chellamany 100
3 4 15 „ Copper coins Takas

131 8 12 Total one hundred and thirty-one, eight rukas & twelve veesams.

(Signed) DUFTHUR KRISTNA ROW, Sheristadar.

1213 FUSLY.

No. 1.

Yadast received Anukay the sum of Cuntaroy Pagodas 409-8-0 of Doranala from Raja Sayapanayani Soobba Naidoo Garu Taluq Doopaud of first and second kists of peshkush for fusly 1213 by Molpoory Polumraz on the January 20th to the Taluq Treasury cash chest.

205 3 0 of 1st kisty.
204 5 0 of 2nd kisty.

409 8 0

7

Particulars.

397 5 0 To Sanna karaks 300.
7 5 0 „ 1/4 star pagodas 25.
4 8 0 „ 1/2 star pagodas 8.

409 8 0 Total four hundred and nine rukas eight only.

(Signed) DUFTHUR KRISTNA ROW, Sheristadar.

No. 2.

Yadast received Anukay the sum of Cuntaroy Pagodas 254-8-5 of Doranala from Raja Sayapanayani Soobba Naidoo Garu Taluq Doopaud of the 1213 fusly the 4th instalment of the kist from peshkush dated 15th July by Ravella Sashappa to the Taluq Treasury Cash chest.

254 8 5

Particulars.

215 5 5 To Sanna karks 165
19 2 0 „ star pagodas 32.
20 1 0 „ 1/4 do do 67.

254 8 5 Total two hundred and fifty-four, eight rukas and five veesams.

(Signed) DUFTHUR KRISTNA ROW, Sheristadar.

1214 FUSLY.

No. 1.

Yadast received Anukay the sum of Cuntaroy Pagodas 427-1-5 of Doranala from Raja Sayapanayani Soobba Naidoo Garu, Taluq Doopaud the 2nd instalment of kisty from Peshkush for fusly 1214 on the April 13th by Soorapully Gooroomoorthy to the Taluq Treasury cash chest.

184 8 1 of 2nd kisty.
427 3 4 „ 3rd do.

427 1 5

Particulars.

366 2 5 To sannakarks 218.
48 0 0 1/2 star pagodas 30.
12 9 0 1/2 do do 43.

427 1 5 Total four hundred and twenty-seven, one ruka & five veesams.

(Signed) DUFTHUR KRISTNA ROW, Sheristadar.

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25th August

DOVE

E

True Translation from Marata.

To

M. R. Ry.

Mooshpuck, Maharban Dostan Mothalia Raja Sayapanayani Soobba Naidoo Bahadoor
Zemindar Paragana Doopaud Taluq Doranala.

Aztharaf Colonel Munro, Commissioner, with many salams. Soobba.

CUDDAPAH, &c.

Read letter reporting your ill-health and requesting the Commissioner to take into his management the Zemindary Villages till your recovery and to pay to you one-third of the assessment every year.

The Commissioner would entail much expenditure in managing the affairs of the Zemindary Villages, but, however, accepts the above request and makes the following order.

While settling the assessment of the Zemindary estate in fusly 1211 and the peshkush to be paid by you a kowl was granted that 850 Cuntaroy Pagodas were deducted for your share from your sunnad and the Zemindars beareez was to be paid as pesheush every year. Accordingly during the time that the Zemindary villages are placed in the Commissioner's management, the said sum will be paid to you every year plus any further sum that may accrue at 10 per cent on the increase of beareez of every fusly over the fusly 1211.

Fusly 1215, }
15th August. }

(Signed) T. MUNRO.

F

True Translation from Marata.

To

M. R. Ry.

Muspak, Maharban, Dostan Mothalia Rajah Sayapanayani Sooba Naidoo Bahadoor
Zemindar Garu.

Aztharaf Charles Robert Ross, Collector of Cuddapah with salams.

You have sent your Vakeel and also made a written representation praying for orders to give over to your share of beareez amount of your villages as was fixed by Colonel Munro in Fusly 1215.

II. Government Peshkush and your share being 850 pagodas, have been fixed on the beareez of fusly 1211. Your share which was given at 10 pagodas per 100 on the beareez of the said fusly did not at any time exceed the said amount. Government expenses have been increasing. When the cultivation and other accounts are gone through and confirmed at the Jamabundy of each year, to render you an account will only entail labour but would not benefit you much. I have, therefore, fixed at 830 and add star pagodas from the current year. So long as the villages remain under the Government management you have to send your Vakeel every year to the Taluq Cutcherry at Doopaud and obtain the amount.

Dated 9th January, }

Fusly 1223. }

(Signed) C. R. ROSS,

Collector.

List of Documents accompanying
D.O. No. 122 dated 23rd September 1898.

1. Original + 2 English translations
of a Mahuatti letter to Subha Naidu
Bahadur, Zamindar, purporting to be
signed by Mr Charles Ross, Collector and
dated 6th January 1224.

Exhibit F of Memorial of 1882 - dated in hand
in Memorial 9th Jan 1224

2. Original + English translation of
a Delegu letter addressed to Subha Naidu
Bahadur, Zamindar, purporting to be signed
by Sir Thomas Munro, and dated 13th March
Fasli 1211. Exhibit B of ditto

3. Original + 2 English translations
of a Mahuatti letter addressed to the
same person and purporting to be signed
by Sir Thomas Munro, dated 8th January
Fasli 1212. Exhibit C of ditto

4. Original + English translation of
a Mahuatti letter addressed to the same
person and purporting to be signed
by Sir Thomas Munro dated 25th August
Fasli 1215. Exhibit E of ditto

Two documents
5. (1) Original + English translation

of Persian bowlenamah dated
27th Shawal 1204 Hejira: V(2) and "Cowl nama Bismay"
(given as 27 Shawal 1204 in translation appended to Memorial)
at 15th Muharram
6. Original Hakuliyat for Dornala (given as 1205
Hejri 15th Hejri
translation of
appendix to
Memorial)
dated 15th February 1803.

Both are marked
A A in the
appendix to
the Memorial

Confidential

MEMORANDUM.

1. The principles of Major Munro's settlement of the paliams of the Ceded districts are explained in para 14 of his letter to Board of Revenue dated 20th March 1802 (vide No. 2 of papers-list III enclosed with Board's Proceedings dated 15th June 1898).

The service on which the palia were held was dispensed with, and the tenure resumed; an allowance or pension being paid to the excoligars for their maintenance. In certain cases the management of the resumed villages was left with the excoliga to the extent of collecting the land revenue assessed thereon, receiving for this duty an extra allowance of ten per cent (a dikhes) upon future increases of the revenue.

2. The Dornalapalian was one of those thus dealt with. Its history is given in the Memorandum which accompanied Major Munro's letter, and which will be found in print on pages 505-6 of the Fifth Report to the House of Commons from the Select Committee on the affairs of the India Company (Madras Vol.

Extracts accompany the current Board's Proceedings.

of Persian bowlenamah dated

27th Shawal 1204 Hejira: 4(2) and "Cowl nama Bismay"
(given as 27 Shawal 1204 in translation appended to Memorial) at 15th Muharam 1205

6. Original Tahsilat for Dornala (given as 1205 Hejri 15th for translation of

dated 15th February 1803.

presented to
Memorial)

Both are marked

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brm

Both are marked
 A A in the
 appendix to
 the Memorial

No. 5 in list III of enclosures to
 Board's Proceedings.

No. 6. ibid.

No. 7 ibid.

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 out in the Tabular Statement, accom-
 panying the same letter, which will
 be found printed at the end of the
 Fifth Report. Dornala is No. 13 on
 the list and is there shown as a
palam consisting, from 1800 - 1802,
 of 40 villages yielding a net beriz
 of Canteroy pagodas 2,222-9-6, Sesh-
 chalapati Naidu, the son of the pre-
 vious poligar, being in receipt of a
 allowance from the rents of 850 can-
 teroy pagodas and continuing in the
 management of the palam village.

3. In 1813, Mr. Ross, the Collector
 of Cuddapah, in a letter dated 2nd
 October 1813, proposed that these po-
 -gar allowances or pensions should
 regularly shown as such in the re-
 turns. In para 13 of the letter he
 refers to a detailed statement in
 which no doubt Dornala appears. It
 is not forthcoming, but the Board had
 telegraphed that the Collector of
 Kurnool has been wired to forward a
 copy if in the records.

4. Mr. Ross' recommendation was ap-
 proved by the Board of Revenue (Pro-
 2, Novr. 1813) who asked him to su-
 mit proposals for fixing the pensi-
 that were liable to fluctuation.

5. Mr. Ross accordingly with
 letter of 21st Feby. 1814

details of the settlement are set out in the Tabular Statement, accompanying the same letter, which will be found printed at the end of the Fifth Report. Dornala is No. 13 on the list and is there shown as a palam consisting, from 1800 - 1802, of 40 villages yielding a net beriz of Canteroy pagodas 2,222-9-6. Seshachalapati Naidu, the son of the previous poligar, being in receipt of an allowance from the rents of 850 canteroy pagodas and continuing in the management of ~~the~~ the palam villages.

3. In 1813, Mr. Ross, the Collector of Cuddapah, in a letter dated 2nd October 1813, proposed that these poligar allowances or pensions should regularly shown as such in the returns. In para 13 of the letter he refers to a detailed statement in which no doubt Dornala appears. It is not forthcoming, but the Board had telegraphed that the Collector of Kurnool has been wired to forward a copy if in the records.

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5. Mr. Ross accordingly with a letter of 21st Feby. 1814

No. 5 in list III of enclosures to Board's Proceedings.

No. 6. ibid.

No. 7 ibid.

amended registers.

In these Dornala Subba Naidu is entered as in receipt of allowances in lieu of resumed offices and privileges just as all the other ex-poligars whose service tenures had been extinguished.

The grant in respect of which the allowance is shown is entered "Dornala &c. 39 villages". In column 104 of Munro's Tabular Statement of 1802 the number is given as 40. The variation is not explained, but in the course of years, many causes for this slight difference may be imagined.

In the remark column of the register Subba Naidu is shown as "security for 4 of the villages" i.e. he had been allowed to remain responsible for the land revenue collections of four.

6. In 1828 Subba Naidu died leaving a widow and an adopted son and his family were treated precisely as the family of a pensioned poligar (vide Board's Proceedings, 26th April 1830, No. 12 in list ibid) two-thirds of the allowance being continued to the widow whose request for the registration in the adopted son's repeatedly refused.

7. In 1861 the widow died

From the extract of Register of Poligars or who have an allowance of Govt. &c. - accompanying Mr Ross' letter, of which a copy has since been ~~to~~ procured by the Board - vide paper marked X, the entry sh^d. apparently be "Dornala and 39 vil'ages." This wd be right. S.H.

No. 16 in list ibid.

4.
adopted son claimed the pension (G.O. 12th June 1862, No. 1295): but Government negatived it on the ground that he was not a lineal descendant and that there was no pledge that the pension would be hereditary.
8. In 1862 Subba Naidu submitted a memorial dated 20th October 1862 addressed to the Secretary of State against the above decision of the Government of Madras.

In this petition no copy of which is forthcoming there was evidently some claim put forward on the ground that the original grant was of lands in "private property", but apparently not a word of any Zamin-dari claim.

Whether the copy has been surreptitiously removed from the record is not known; but it is possible that a copy was forwarded to the Government in India, and application will be made to that Government to transmit it here, if it was.

The tenor of the memorial is, however, abundantly clear from the minute of Sir Thomas Pycroft, Member of Council, which very fully criticizes it; and it is impossible to believe that so important an allegation if made would have been passed over.

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above

The Government forwarded this memorial to the Secretary of State (G.O. 27th Jan'y 1863, No. 179).

9. Meantime, six months later, Subha Naidu presented with his petition of 15th March 1863 what he called a supplementary petition addressed to the Secretary of State.

In this for the first time any allegation of a Zamindary claim is put forward; it being ingeniously suggested that the original possession of the family consisted of a Zamindary of 38 villages and a jagi or service tenure of 18 villages.

But his allegations did not yet go so far as to assert the ^{existence} of Zamindari by the British Government.

In para 3 he says "both these estates were resumed by Sir Thomas Munro who, on such resumption, granted the pension which is the subject of your memorialist's present claim"
" * * * Both estates were private property which Subha Naidu consented to cede to the Government of the late East India Company".

See also para 11 of the memo.

The whole argument in this memorial is ad misericordiam to the Government to reverse the decision refusing the petitioner as

above

son, ~~the~~ the pension in view of the ancient greatness of the family and of the fact that if the estates had not been resumed the petitioner would not now be destitute.

There is no assertion of the creation of a Zamindari by the British Government, or any claim for restoration, or any demand for an account.

10. The Secretary of State rejects both memorials (vide G.O. 9th Sept. 1863, No. 1683 and 24th Decr. 1863 No. 2368).

11. Matters remained thus for nearly 20 years, until 1882 when, Naidu for the first time put forward a definite claim to Dornala as a Zamindari confirmed to petitioner's grand-father by a regular Sanad i-m -kiat. i-istimarar transmitted to him by ~~Col~~ Munro in Fasli 1212 (1802); that the Zamindari was duly enjoyed and the peshkush paid till Fasli 1215 when the Zaminder falling ill the management of the estate was taken over by the Government, Col Munro arranging that he should receive an annual payment of 850 G. pagodas plus 10 per cent of excess revenue. In other words that the payments which appear in the registers of the were not an allowance in re

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a resumed paliam, but a trust arrangement.

12. With his memorial he forwarded a number of documents purporting to be of ancient date and confirmatory of his claim.

In para 3 of the memorial he suggested a reference to the records. During the course of the inquiry which was instituted, a quabuliyat, or counterpart of the sanad signed by the grantee, was produced from the record room.

13. The Government was completely misled and in G.O. 8th Decr 1883, No. 1540 it acknowledged itself convinced of the genuineness of the memorialist's claims, and they accordingly recommended to the Govt. of India the continuance to him of a hereditary pension of Rs. 2906 a year.

14. Some correspondence ensued with the Government of India, in the course of which the memorialist's case was further considered with the result that Government in G.O. 10th Septr. 1884, No. 1022 R., directed further inquiry to be prosecuted.

15. The result of this inquiry is recorded in G.O. dated 3rd June 1885, No. 1608. The memorialist's documents were pronounced to be impudent forgeries. The recommendation of the Govt of India was withdrawn.

above

No. 5 in List IV of enclosures
To the Board's Process-

No. 6 of list ibid.

No. 7 ibid.

Vide also Record Keeper's Memoranda dated 14th Octr. 1884, and 15th June 1885.

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No. 7 ibid.

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memorialist's application finally and absolutely rejected.

16. There is one point about the original documents referred to in the petition of 1882, which I have just discovered. It appears to put beyond dispute the fraudulent character of the evidence on which the claim is founded.

Document marked B purports to be written by "Mister Colonel Sir Thomas Munro Sahab" and it is dated Fasli 1211 which is A.D. 1802.

Now in 1802 Munro was a simple Major he did not attain the rank of Lieutenant Colonel till 1804 (See Arbuthnot's Munro Vol. I p. cxvi) nor was he promoted to be a K.C.B. till 1819 (ibid p. clxvi)!

17. With reference to the answer to be filed in the present suit, the proposed by the Board of Revenue see to meet the case.

If necessary it may be added with reference to para 24 of the plaint that it is true that Subha Naidu appealed to the Govt. of India and the Secretary of State against the orders of this Government and that those authorities declined to interfere.

dat 1
J. P. Dove
Secretary to Govt

20th Sept. 1898.

to be

List of papers forwarded to the Honourable the Advocate-General, regarding Dornala Poliem.

- Originals retained for the present will be forwarded separately*
- I. Petition from Rajah Sayapanayani Subba Naidoo Garu Bahadur, Ex Zamindar of Dornala, dated 14th January 1882 with
- (a) two original Persian documents, dated 27th Shawal 1204 and 15th Muharam 1214 respectively.
 - (b) Exhibit B. being a letter alleged to have been from ~~Sti~~ Thomas Munro, dated 13th March. Fasli 1211,
 - (c) Exhibit C being another letter from the same Officer dated 8th January. Fasli 1212,
 - (d) Exhibit E being another letter from the same officer dated 25th August, 1215, and
 - (e) Exhibit F being a letter from Mr. Ross, dated 6th January Fasli 1224.

II. "Rajah Subba Naidoo's Kabuliat dated 15th February 1803.

III. One file containing

- (1) Letter from Major Munro, dated 18th March 1802, transmitting a report on the poligars of the Ceded Districts (Copy)
- (2) Extract from Major Munro's report on the poligars of the Ceded Districts, dated 20th March 1802.
- (3) Extract from the ^{order} memorials of poligars referred to in para 3 of the above report,
- (4) Extract from statement No. I referred to in para 2 of the same report (sent separately)
- (5) Letter from Mr. Ross dated 2nd October 1813 (Copy)
- (6) B. P. on the above letter dated 2nd November 1813 (Copy)
- (7) Letter from Mr. Ross dated 21st February 1814 (Copy)
- (8) Extract from the Register of allowances submitted with the above letter (called Register X of 1814).
- (9) Extract from the statement showing fixed pensions &c paid to Poligars which was submitted with the same letter
- (10) Board's Proceedings, dated 13th March 1815 (Copy)
- (11) E. M. C. dated 29th March 1815 (Copy).
- (12) Board's Proceedings, dated 26th April 1830 (Copy).
- (13) Extract from the Statement ^{submitted} to Government with the above Proceedings.

- (14) E. M. C. dated 14th May 1830 (Copy)
 (15) B. P. No. 2075, dated 31st March 1862 (Copy).
 (16) G. O. No. 1295, dated 12th June 1862 (Copy).

IV One file containing

- (1) G. O. d/27th January 1863, No. 179 (Copy).
 (2) G. O. d/25th August 1863, No. 1563 (Copy)
 (3) G. O. d/9th September 1863, No. 1663 (Copy).
 (4) G. O. d/24th December 1863, No. 2368 (Copy).
 (5) G. O. d/8th December 1883, No. 1540 (Copy). *with BP 12/10/83*
 (6) G. O. d/10th September 1884, No. 1022 (Copy). *203054*

- (7) G. O. d/16th July 1885, No. 830 (Copy)

V Supplementary Memorial of Nank (1863 with G.O. 25 Aug 1863 no 1563)
VI Record Keepers Memoranda of 15/6/85 & 14/10/84
Advocate General's opinion dated 13th March 1884.
Advocate General's opinion dated 1st August 1884.

VII G. O. d/6th February 1892, Nos. 747-748 (Original).

VIII G. O. d/17th March 1892, No. 1470 (Original).

IX G. O. d/23rd November 1892, No. 5097 (Original).

X G. O. d/6th December 1892, No. 2479 with petition to Madras Government dated 14th January 1892 and Memorials to the Govt. of India and the Secretary of State.

XI G. O. 8th March 1895, No. 964 (Original).

XII Notice of suit dated 26th February 1894.

XIII Arnool Collector's letter dated 11th March 1898.

XIV Copy of the Plaint.

XV Copy of statement relating to ... prepared in 1802 and submitted by the Collector of Bellary

XVI B. P. Ref. No. 656, dated 15th June 1898.

XVII B.P. Ref no 849 dated 29 July 1898

27

(14) E. M. C. dated 14th May 1830 (Copy)

(15) B. P. No. 2075, dated 31st March 1862 (Copy).

(16) G. O. No. 1295, dated 12th June 1862 (Copy).

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(3) G. O. d/9th September 1863, No. 1663 (Copy).

(4) G. O. d/24th December 1863, No. 2368 (Copy).

(5) G. O. d/8th December 1883, No. 1540 (Copy). *with B.P. 12/10/83*

(6) G. O. d/10th September 1884, No. 1022 (Copy). *203054*

(7) G. O. d/16th July 1885, No. 830 (Copy).

V Supplementary Memorial of Manth (1863 with G.O. 25 Aug 1863 no 1563)

VI Record Keepers Memorandum of 15/6/85 & 14/10/84

~~VII G. O. d/6th February 1892, Nos. 747-748 (Original).~~

~~VIII G. O. d/17th March 1892, No. 1470 (Original).~~

~~IX G. O. d/23rd November 1892, No. 5097 (Original).~~

~~X G. O. d/8th December 1892, No. 2472 with petition to Madras~~

~~Government dated 14th January 1892 and Memorials to the Govt. of India and the Secretary of State.~~

~~XI G. O. 8th March 1893, No. 961 (Original).~~

~~XII Notice of suit dated 26th February 1894.~~

~~XIII Dornal Collector's letter dated 11th March 1898.~~

~~XIV Copy of the Plaint.~~

~~XV Copy of statement relating to Dornal prepared in 1802 and submitted by the Collector of Bellary~~

~~XVI B. P. Ref. No. 656, dated 15th June 1898.~~

XVII B.P. Ref no 849 dated 29 July 1898

27

In the District Court of Kansas
to be

Tyke
at Law
8/14

Written Statement

1. The Defendant denies that the property referred to in para 1 of the Plaintiff and more particularly described in the Schedule thereto annexed, (hereinafter referred to as the plaintiff property) is an ancient Zemindary. The defendant does not admit that the plaintiff property was granted to an ancestor of the Plaintiff as alleged in the said para, or that the said property was uninterruptedly enjoyed by the Plaintiff's ancestor as therein alleged.

2. The defendant does not admit any of the allegations contained in paras 2 to 9 of the Plaintiff both inclusive.

~~And~~

3. The plaintiff property in part consists of certain villages which formerly constituted a Poliem known as the Dornala Poliem. The tenure of the said Poliem together with that ^{in the} _{said}

In the District Court of Kansas
to be

Type
alance
SP

Written Statement

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~~Plaintiff~~

3. The plaintiff property in part consists of certain villages which formerly constitute this Poliem known as the Dornala Police paya tenure of the said Poliem together fixed at say

tain other Poliems in the Ceded Districts was resumed by the ~~British~~ Government in or about the year 1801. The said Dornala Poliem was ~~incor-~~ ^{incorporated} incorporated with Government villages in fustli 1211 (1801-2) together with other Poliems in the said districts, and one Subba Naidu was, like the other ex poligars, allowed to manage the villages as a renter. At or about the same time ^{H.B.} Government granted to the said Subba Naidu an annual allowance or pension of 850 canter of pagodas or thereabouts in the form of a deduction from the rental. Like the other ex Poligars, the said Subba Naidu was also allowed 10 per cent of the excess rental realised in subsequent fustis as compared with fustli 1211 on the basis of which the said allowance or pension was fixed. At the time of the resumption by the ~~British~~ Government above referred to, the said Dornala ⁱⁿ consisted of only 40 villages, whereas the number of villages mentioned in the Schedule is 60.

ent of the annual allowance or
to in the last preceding

paragraph together with the 10 per cent allowance ^{then} referred to in the said paragraph was made to the said Subba Naidu out of the collections of rent in the Poliem villages until 1813- (fustli 1223). The said payment was not made in pursuance of any subsisting right which the said Subba Naidu then had to the Poliem, or in pursuance of any such undertaking as is referred to in paras 4 to 6 of the plaint, but as a compassionate or maintenance allowance paid in consideration of the resumption of the tenure of the villages previously in the possession of the said Subba Naidu as Poligar.

5. As the additional 10 per cent allowance referred to in para 3 fluctuated from year to year, the said additional allowance was in or about the year 1814 (fustli 1225) permanently fixed with reference to the allowances paid in previous years and to the excess of the decennial rents then newly introduced in the Ceded districts over the rents of fustli 1211. According to this arrangement the additional allowance payable to the said Subba Naidu was fixed at ⁱⁿ says

ar pagodas which, together with the original allowance or pension of 850 canteroy pagodas, amounted to a total allowance or pension of 930 star pagodas or Muddants.

6. The allowance or pension payable to the said Subba Naidu was, in the same way as the allowances or pensions payable to the other Poligars, included in the Register of Allowances granted in lieu of resumed offices and privileges which was prepared in 1814 because it was thought desirable to discontinue the system of paying the amounts due to the ex poligars by deductions from the Kistbundi, or rents realized, and to bring such payments into the public accounts of expenditure by disbursing them from the Treasury.

7. In or about the year 1828 the said Subba Naidu died leaving a widow, one Subbamma, an adopted son, one Seschalapathi, but no natural son. The Government sanctioned the annual payment of $\frac{2}{3}$ of the said allowance or pension to the said widow during her life time, and if the said allowance or pension was paid widow until her death. The Government to maintain the continuance of the payment to the said widow.

8. As to para 10 of the Plaintiff the defendant denies that the entry in the list or schedule therein referred to was in accordance with the actual facts; that the payment referred to in para 3 hereof was a pension or annual allowance.

9. The defendant denies that either the officer in charge of the Collector's office or the Government ^(or either of them) were in fact misled, or that they or either of them acted under any erroneous belief as alleged in paragraphs 11 & 12 of the Plaintiff.

10. The defendant denies that the said Seschalapathi ^(on the ground of being the adopted son of the said Subba Naidu or otherwise) had any right or title to the said allowance or pension.

11. The defendant denies that the ^{Subba Naidu} referred to in para 10 of the plaintiff had any right or title to the plaintiff property.

12. The defendant denies that the Government acted on or were in fact under any erroneous belief during the period mentioned in para. 17 of the plaintiff as alleged in the said para.

13. The defendant denies that the ^{document} referred to in para. 19 of the plaintiff ^{in fact} says original documents of title. The defendant the

go that the said documents were in fact forged and fictitious documents.

As to paras 20 + 21 of the plaint, the defendant does not admit that the report and order therein respectively mentioned were made in the terms therein set out. The defendant further says that the report and order respectively mentioned in the said paras were based upon, and were made on the faith of certain documents put forward by the said Subba Naidu which the Government then believed to be genuine documents, but which the Government afterwards discovered to be, and which were in fact, forged and fictitious documents.

15. The defendant does not admit that the Plaintiff is the eldest son or heir of the Subba Naidu ~~referred to in para 25 of the plaint~~ and the defendant denies that the plaintiff has any right or title to the plaint property.

16. The defendant denies that the plaintiff party was in fact ever taken possession of

of by the Government as trustees, or that the said property was ever in fact held by the Government as trustees on behalf of the persons mentioned in paragraph 28 of the plaint or at all.

17. The defendant says that the Plaintiff's claim for possession of the plaint property and his claims incidental thereto are barred by the law of limitation.

18. The mesne profits asked for are exaggerated.

19. The defendant denies that the plaintiff is entitled to any payment from the Government in the nature of an allowance or pension.

20. The defendant says that the Plaintiff's claim to any such payment is barred by the law of limitation.

21. The defendant further says that the Plaintiff's claim to an allowance or pension is unsustainable by reason of the non-production of a certificate under Section 6 of the Pensions Act (Act XXIII of 1871).

22. The defendant does not admit that

requirements of Section 424 of the Code of Civil Procedure have been complied with.

23. The defendant denies that the plaintiff is entitled to any of the relief claimed in para 31 of the Plaint.

24. The defendant therefore prays that the suit may be dismissed with costs.

(Am. St. White)
Advocate General

Madras
26th September
1898

Recd Dept
Telegram to Collector
at Kurnool

State
urgent

Has written statement
Donnala suit been
received and filed
if not procure
adjournment few
days written
statement being
posted tonight.

He
30/9/98

W 30

Id.
15/10/98
20/9/98

State
urgent

Telegram to C. Barclay Esq.
Govt Solicitor, Madras
yours 27th just received.
Donnala suit has copy
written statement been
sent to Board or Collector.

State
urgent

Telegram to the Secretary,
B^d of Rev. (A.R.), Madras
Has copy written
statement Donnala suit
been sent you by Gov
Solicitor. Draft

to mention the circumstances in which the suit was filed.

just received here
and being posted Kurnool
Collector. Do you propose
instructing English
Counsel.

Confidential

Registered for Acknowledgment

No. 414

Madras, 27th September 1893.

From,

Ernest Barclay

Government Solicitor

M A D R A S

To,

The Secretary to Government

Revenue Department

O O T A C A M U N D

Sir,

W i t h reference to the Order of Government, Revenue Depart-
-ment dated 21st instant No 3801 Mis. I return herewith the file of
papers which accompanied that order together with draft Written -
Statement prepared by the Advocate General. I also return the -
documents which accompanied your D.O. No. 122 of 22nd instant. which
I may mention, only reached me yesterday

I have the honor to be,

Sir,

Your Obedient Servant,

Ernest Barclay

Government Solicitor

m

30/9/98
C. B. para a hda
H. B. para a hda

To C^o Karnool
Bd of Revenue. } recd
30/9/98

Unfiled

Read again for 21 Sept
98 as 380/111

Read letter from the
Sgt Sol^r no 414 D
27 Sept 98.

C. G. Muri: 11. 3889 of 30th Sept. 1898.

The draft written
prepared by the ~~author~~ ^{author}:
answer, will be
forwarded to the Jole:
of Kurnool to be filed
in the case suit, if he
has not already received
a copy direct from the
Sgt Sol^r. ^{done so} He sh^d apply
for any necessary ad-
journment. S. R.

30/9/98
~~as this para had~~
~~been sent~~

To Mr Kurnool {
Asst of Revenue. } 30/9/98

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

189 .

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAGES NOT FILED UP, BRING MOUNT FOR DESPATCH
IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.