

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 1323

DATED

6<sup>th</sup> April 99

[Despatch Abstract.]

Referring to the Advocate-General  
for favour of remarks advice, letter from the  
Collector of the Vizianagaram Zamindari  
submitting for the instructions of Govt. with  
regard to the applicability of app<sup>l</sup>. order of the  
Sd. Court, Vizianagaram appointing Mr. Wilson  
the Cols of the Vizianagaram Zamindari under Act III  
of 1890 as per report of the Union Raj  
of Vizianagaram

# BACK PAPERS.

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*C. No. 2640 of 99*  
*Min 1506 Rev 24.4.99.*

*Revenue (1899) 546 10-2-98.*  
*Current No 2312*

*From,*  
*The Collector & Guardian*  
*Vosianagaram*  
*Lamin diary*

*27/2/99*  
*3P*  
*Ende mis No 1323 of 6th April 1899.*

*Referred to the*  
*Honble the Advocate -*  
*General for favor of*  
*very early advice.*

*J. J. Jones*

*Secretary to Govt.*

*To,*  
*The Secretary to Government*  
*Revenue Department.*

*Dated: 30.3.99*  
*Despatched: 31.3.99*  
*Received: 5.4.99*  
*Registered: 5.4.99*

*Letter to the A.G.*  
*thru 'Govt Solicitor*  
*with enclosure*  
*& copy of notice No. 166*  
*27-2-99*  
*and of telegram from the*  
*SAU 5/4/99. This is a copy of the*  
*25.1.98 under No. 166 of 98*

*No 4*  
*Co*



*KO*  
*6-4-99*

## Subject:

*Subm. for the instructions*  
*of the Government with regard*  
*to the applicability of appointment*  
*order of the Dt. Commr. Vosianagaram*  
*appointing Mr. Willocks the*  
*Collector of Vosianagaram*  
*Lamin diary under Act VIII of 1890*  
*as guardian of the property of the minor.*  
*Rajah of Vosianagaram*

*8*

*11/5/99*

Vosianagar  
Vosianagar

Dated: 30. 3. 99

The Secretary to Government-  
Revenue department

Sir, I beg to inform Government  
that, in a suit filed by me as next  
friend & Guardian of the minor  
Rajah of Vosianagar, objection  
has been taken by the defendant  
being power to sue for want of an  
appointment & that the same an  
objection is threatened in another  
important suit:

2 Mr. Willock was appointed by the  
District Judge as Guardian of the  
property of the minor by virtue  
of his office as Collector of Vosianagar.  
Copy of the D. Judge's order is  
enclosed:

3 There can be no doubt that, so long  
as Mr. Willock held the office of  
Collector of Vosianagar, the order  
of the Court authorized and required  
me, as his locum tenens, to act as  
Guardian: See 18 of the 'Guardian  
& Wards Act (VIII of 1890) is clear  
on this point: And even after the

Mr. Willock's retirement & consequent  
relinquishment of the Collector's  
office, I would clearly still be an  
Guardian, if the Court's order could  
be construed as securing the  
Guardianship to the Collector of  
Vosianagar, so long as that

officer holding it may be. Had  
the order run "the Collector of Vizianagaram  
is appointed Guardian by virtue  
of his office" it would have been  
more in consonance with Sec 18  
which provides "where a Collector  
is appointed &c" & there would have  
been no doubt as to its general application.

The mention  
of Mr. Willock by name, from  
which it may possibly be inferred  
that the order covers his appointment  
alone, & the fact that he has  
not applied to the Court for his  
discharge from the Guardians  
office under Sec 20, Clause 2 of the  
Act give some color to the objection  
raised by the defendant in the suit.  
I may say that I intend to reply  
to the objection that the Court has  
in effect constituted the Collector of  
Vizianagaram as the Guardian  
of the property, but the question  
may be raised in other suits & different  
Courts may take different views of it.  
I have therefore thought it necessary  
to ask Government to instruct  
me whether the Court order satisfactorily  
establishes my position as Guardian,  
or whether Mr. Willock should apply  
to resign his Guardians office & I  
be appointed in his place. In the  
latter case I beg that the necessary  
instructions may be issued to Mr. Willock.

I have the honor to be

Sir  
Yours most obediently

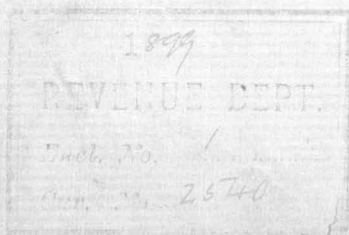
~~W. H. M. M.~~  
Collector & Guardian.

Copy of Port St. George Notification No. 166, dated 27<sup>th</sup>

February 1899.

No. 166. With reference to section 4(6) of the Guardians  
and Wards Act, 1890 (India), and for the purposes only of that  
Act, Mr. H. F. W. Gillman, I.C.S., is appointed Collector of the Vizianagaram  
Zamindari with effect from 16th December 1898.

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# Revenue (1897) Department.

CURRENT No. 23/2.

From

The Collector & Guardian  
Vizianagram  
Zamindari.

No. 4.  
21

Dated 30-3-99

Received } 5th April 1899.  
Registered }

Enclosures

Spare copies.

## SUBJECT.

Submitting for the consideration of the Govt with regard to the applicability of appointment order of the Dist. Court Vizagapatam appointing Mr. Willock the Collector of Vizianagram Zamindari under Act VIII of 1890 as guardian of the property of the minor Rajah of Vizianagram.

Encl. No. 1323 of 29.  
Order

Referred to the Advocate-  
General for favour of very early  
advice.

(Sd) J. S. Forbes  
Secretary to Govt.

Fort St. George.  
6th April 1899

To.

The Ady. thro' Govt. Solicitor  
with enclosure & copy of  
notice No 166 of 27-2-99.

1899  
REVENUE DEPT.  
No. 3  
2546

Collector

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READ AGAIN G.O., No.  
189

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CURRENT No.

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LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

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Collector