

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 1933

DATED 31st May. 99

[Despatch Abstract.]

Accepting, with remarks, the
recommendation of the Collector
of S. Canara that a sum of Rs
5000 may be advanced from
the funds of the Honde estate
for meeting the expenses of the marriage
of the late Honde Marjappa Shetti's
son.

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 (189₉) Department.

CURRENT No. 2784.

Order (min) No. 1933 of 31st May '99

The Collector's recommendation is accepted subject to the conditions indicated in para 4 of the Board's Reference read above.
(From orders)

From

The Board of Revenue
Land Revenue, Madras.

A No. 119 Ref.

Dated 24th April 1899

Received 26th

Registered - do -

Enclosures 1.

Spare copies

SUBJECT.

Recommending that a sum of Rs. 5000 may be advanced from the funds of the Konde estate, South Canara, for meeting the expenses of the marriage of the late Konde Manjappa Shetti's son.

To The Board of Rev (L.A.) with an enclosure 2.6.99

30.5.99

Recd by 005-1/5-
Current No put up to 6-99

BACK PAPERS.

G.O.	No.	Department.	Date.
Go	872	Rev	18-7-83
Co	107	Rev	29-1-92
W	817	Rev	7-8-92
W	724-5	Rev	15-8-93
	962		7-11-93
+ connected by			

FURTHER PAPERS.

G.O.	No.	Department.	Date.

OFFICE OF THE BOARD OF REVENUE
(LAND REVENUE).

Madras, 24th April 1899. 189

READ— letter from A.F. Rinhey Esquire, Acting Collector of South Canara, to the Secretary to the Commissioners of Land Revenue, Madras, Ref. on P.R.No.850/var of 1898 dated 9th March 1899.

Reference No. 119 dated 24th April 1899

In ^{his} ~~this~~ letter read above, the Collector of South Canara submits for the orders of the Board and Government a petition addressed to him by the widow of the late Konde Manjappa Shetti praying for a grant of Rs.15000 to her out of the funds of the escheated Konde estate to enable her to construct a house to accommodate herself and her children and to meet the expenses of marriage of her son.

2. Konde Manjappa Shetti died in 1882 leaving Puttamma, a member of his family, Padmaraja Shetti a son by his first wife, a widow and a son and a daughter by her. As under the Alya Santana law by which the family was governed the widow and children of Manjappa Shetti could not succeed to his ancestral property he bequeathed it to ~~him~~ them by a will and directed Padmaraja Shetti to take care of Puttamma who had been a lunatic for ^{several} ~~some~~ years past. Puttamma's lunacy not having been congenital she was entitled to succeed to the family property and the bequest was therefore invalid under the Alya Santana law. As on her death the estate would thus escheat to Government, she was taken under the care of the Court of Wards and the property left by Manjappa Shetti was recovered from his widow and children by instituting a suit on her behalf. When decreeing the estate ^{to} ~~for~~ Puttamma, the Subjudge of Mangalore expressed hope that when the Government took the property as escheat it

Go 872 K
18-7-83

side R.P. under
Go 107 L
29-1-92
paras 3, & 7

would treat the widow of Manjappa Shetti and her children in a liberal spirit and give them a house and some property. On the death of Puttamma in 1892 the Konde estate escheated to Government. The Collector then reported that the circumstances of Manjappa Shetti's widow and children were such as to merit some consideration at the hands of Government and that if the sum of Rs. 46,501 due from them to the Konde estate under the Subjudge's decrees were to be recovered by proceeding against their separate property they would have nothing left for their maintenance for the payment of the debts contracted by them or for the education and marriage of the young children, and proposed that the amount payable to the escheated estate might be foregone and that

one quarter of the landed property belonging to the estate might also be assigned to them for maintenance, one-eighth to Padmaraja Shetti and his branch and one-eighth to the widow and her children. In submitting the proposal for the orders of Government the Board observed that in view of the possible appearance of claimants to the estate at any time within 12 years from the date of Puttamma's death it was necessary to keep the properties intact and that though the grant of one-fourth of the entire properties belonging to the estate, both moveable and immoveable, which the Collector's proposal virtually amounted to was in itself reasonable it was desirable to obtain from the widow and children a mortgage-bond on the security of their properties for the debt payable by them to the estate which might be discharged in due course if no claimants appeared, to ^{defer} the assignment of one-fourth of the lands to them until the expiration of 12 years from 1892 and meanwhile to pay them one-fourth of the receipts of the estate from land. The proposal as thus modified was accepted by the Local Government and the Government of India. A mortgage-bond has accordingly been executed in favour of Government and the executants have been paid an allowance of one-fourth of the receipts from the landed portion of the estate (about Rs. 1600 per annum) with effect from fasli 1303.

3. In the circumstances stated in the preceding para the widow of Manjappa Shetti has no claim either on the Konde estate or on Government for funds to meet expenses of the kind mentioned by her. But in her petition to the Collector, she states that she is unable to obtain any loans from private creditors presumably because of her entire property having been mortgaged to Government under the bond referred to above and that the share of the receipts from the landed property of

the Konde estate paid to herself and her children is hardly sufficient for their maintenance. As marriages in the family of the widow and children cannot wait until they get their share of property to be made over to them, the Collector recommends that a sum of Rs. 5000 which is in his opinion, sufficient for the purposes specified in the petition may be advanced from the funds of the Konde estate on the condition of the amount being recovered from the Petitioner or her representative in interest or set off against the sum due to her and her children when the time comes for making over $\frac{1}{4}$ th of the landed property to them. In making this recommendation Mr. Pinhey enquires whether any document should be obtained from the Petitioner in evidence of the payment of the amount.

4. The Board supports the Collector's recommendation. It considers that a fresh mortgage-bond for the sum to be now advanced should be obtained from the Petitioner and her two children on the security of their separate property and that it should contain an express undertaking to allow the Rs. 5000 to be set off against the value of the property to be made over to them if no claimants to the Konde estate come forward and establish their title thereto until 1904. A stipulation for the payment of interest at the rate of $6\frac{1}{4}$ per cent per annum should be embodied in the proposed bond, as has been done in the mortgage bond already executed. The Board also permits the set off of a portion of the interest at the rate of 4 per cent against the annual allowance payable to them, the remaining interest being written off by Government in the event of no claimants appearing until 1904.

5. The balance to the credit of the estate at the end of March 1899 was over $1\frac{1}{4}$ lakhs.

Lonel Davidson

Acting Secretary.

To

The Secretary to Government, Revenue Department with translation of a Petition to be returned.

Md. R. V.

Cur No. 2784

From the Board of Rev. (2R)

Ans 119 Ref Dated 24th April 1899.

FOR ORDERS

As to whether the
Collector's recommendation,
which is supported by the
Board of Rev. may be accept-
ed. Submitted that there
seems to be no objection to
~~and~~ the sum of Rs 5,000
~~being~~ being advanced to the
Lady on the terms indicated
in para 4 of the Bd's Ref.

VKM
17.5.99.

Secy

The only question seems
to be whether 5000 Rs is not
too much to lend to these
people to waste. Their
ultimate income is to be
only about 1000 Rs per annum.
But the Collector seems to
have satisfied himself that
it is not too much. 19.5.99

420 HW
27-5-99-

HW
27.5.99

Under Secretary.

FOR ORDERS.

Please see draft order on the

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When given for copying _____
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AD AGAIN G.O., No. _____, DATED
189 .

SENT No.

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OF GOVERNMENT

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IN ORIGINAL.

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