14-8-2006 RHSS

3437/2006
RH

O/9 5,000—17-13-98.

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 393

DATED 26th January 99

[Despatch Abstract.]

Stating that the Govt sees no reason to interfere against the Orders of the Colly. of Timevelly directing the issue of ~~Pat~~ pattas for certain lands to the C.M.S.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cus.	1653/99						

OR
Issued
Read 18/1

Revenue (189 8) Department.

CURRENT No. 8488

Read again f.o. 3851/28.9.98. P
" " f.o. 4324/4-11-98 P. P.
" " B.P. 211 (Pet) Ref. (Cur. 8488)
10.12.98

Order vide No 393 of 26th Jan 1899

The Govt sees no reason to interfere on the petitioners' behalf. The appeal is accordingly rejected. (from orders)

26.1.99

Endt to the Petn (with encs 3 & 9)
Copy to the Board of Rev: L. R. (with encs Nos 1 & 2)

24-1-99
25-1-99

From

The Board of Revenue,
Land Revenue,
Madras.

No. 211 (Pet)Ref.

Dated 10th December 1898.

Received 12 JAN 1899

Registered

Enclosures 10

Spare copies.

out in fair 31-1-99

SUBJECT.

Forwarding to Govt. the report called for from the Collector of Tinnevelly on the petition from Abraham Nadar and others of Sebagnanapuram in the Srivaikuntham Taluk, Tinnevelly District, praying for the cancellation of the order directing the issue of a patta for certain lands to the Church Missionary Society.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

OFFICE OF THE BOARD OF REVENUE
(LAND REVENUE),
Madras, 10th December 1898 ~~189~~ .

READ— letter from (A.W.B.Higgens, Esquire), Collector of Tinnevelly, to the Secretary to Government, Revenue Department, through the Secretary to the Commissioners of Land Revenue, Madras, Dis.No.2201/genl. of 1898, dated 22nd November 1898.

-------:0:-------

Reference No. 211(Pet.) dated 10th December 1898.

In its Endorsement No.3851 Misc., dated 28th September 1898, Government called upon the Collector of Tinnevelly to submit a full report on the petition from Abraham Nadar and others of Sebagnanapuram in the Srivaikuntham Taluk who appealed against an order of Mr.Higgens dated the 16th March 1896 directing the issue of a patta to the Church Missionary Society for certain lands which were classed as Natham poramboke. The Collector has accordingly submitted the report read above and it will be forwarded to Government.

2. The appeal which the petitioners preferred to the Board in June last was not considered on its merits but was rejected as long out of time, as the petitioners gave no explanation of the delay of over two years which had elapsed since the date of the Collector's order. The Board now considers that, even on the merits of the case, there are no grounds for interference as the present report shows that the two pieces of land in question were not natham lands registered as such at the ayakat i.e. in 1803* but dry lands held on patta which the society acquired by purchase and which were erroneously classed as natham first under Mr.Puckle's order issued in 1868 and subsequently at the Settlement in 1873.

p.3 of Mr Walker's petition.

3. The arbitrary classification of patta lands as

natham poramboke was brought to the Board's notice in 1878 by Mr. Pennington, and the Board then held that where ordinary patta lands had been registered as village-site, without the consent of the owners, the pattas should be restored.

R.Ps. 2466 5-9-78 & 654 12-3-78

Lionel Davidson

Ag. Secretary.

To

The Secretary to Government, Revenue Department, With petition and Collector's letters and enclosures.

Md.R.H.

Jsila

PETITION

0489

REVENUE DEPT.

To,

His Excellency the Honourable
Sir Arthur Havelock
Governor of Fort Saint George
MADRAS

CHIEF SECRETARY GOVERNMENT OF MADRAS 13 AUG 1898

The humble memorivl of the inhabituants of Sebagnanapuram, Satankulam Saraham Srivaikuntam Taluq, Tinnevelly District.

RESPECTFULLY SHOWETH:—

1. That the nattam plot of the above said Satankulam (covering 49 acres and 50 cents in Survey No. 574) are occupied by the inhabitants of Satankulam Pondaransettivilai Tachamoli, Karayalonkudiyirupu and Sebagnanapuram.

2. That petitioners who are the inhabitants of the said Sebagnanapuram which is purely a Christian village, occupy 18 houses, covering 3 acres and 33 cents in the eastern most part of the said Survey No. which is not separately Sub-divided and lettered.

3. The petitioners and their ancestors have been living in the said Sebagnanapurm for the last 75 years. The trees, in the backyards of their houses, some of them40 years old, have been planted by them. Petitioners have Sunk wells for the cultivation of their backyards which have ever been in their enjoyment. Petitioners also pay Union tax for the 18 houses.

REV. DEPT. 15 NOV 98

4. The Church Missionary Society, with a view to have some secular power over petitioners, tried again and again in the time of Messrs Forbes and Macleod to obtain pattah for the 3 acres and 58 cents of Sebagnanapuram, who, however, refused to grant pattah to Nattam lands.

5. Petitioners are now given to understand that, after the arrival of the present Collector, Mr. A. W. B. Higgens the Superintending Missionary got an order from Mr. Higgens for the issue of pattah to the C. M. Society.

6. The Superintending Missionary's application and the Collector's Order have been made behind petitioner's back. Petitioners were not given an opportunity to be heard. When petitioners came to know this, they applied for copies of Collector's Order and the documents referred to therein. They were granted only the copy of the Collectors order, and copies of the documents were not granted. Petitioners were given to understand that the Superintending Missionary had given an agreement to the Collector, copy of which has been refused to petitioners, although they applied for it.

7. Petitioners, then, applied to the Tahsildar to delay the issue of pattah till petitioners get the Collector's Order cancelled. Petitioners got an endorsement from the Tahsildar dated 7—5—98 that the pattah had already been made, and that petitioners might appeal to the Revenue Board.

8. Petitioners, then, appealed to the Revenue Board on 3rd June 1898, but the Board "rejected the application as it was long out of time".

9. The secret movements of the Superintending Missionary of Palamcottah as to the issue of pattah for the said village to the District Collector whose Head-quarter is the same town, were not known by the inhabitants of the village as they live at a distance of about 25 miles from the Head-quarter.

10 Petitioners beg to submit that they knew nothing about the order of the Collector until long after it was passed, that they were not made parties to the proceedings, that the order was obtained behind petitioners' back, and therefore no time can run as against petitioners and no limitation can bar their appeal.

11. It is not true that the petitioners have given their consent to the issue of pattah to the Society as is said in the Collector's order. But it is true that some of their signatures were obtained by a native Mission agent on a pure mis-representation that the signatures of Christians were required to ascertain their number.

12. Granting for the sake of argument, that the Church Missionary Society has made out satisfactorily that it held pattah for the said nattam lands before the time of settlement, petitioners don't see any reason why the Missionaries should be specially favoured with the issue of pattah, when several similar applications for the issue of pattah by persons who really held pattah for lands made nattam at Settlement, have been rejected by the same Collector.

Pray your excellency may be pleased to cancel the order of the Collector and the issue of pattah to the Church Missionary Society.

9-8-98

BACK PAPERS.

G O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

D/18 2,000-30-3-98.

Revenue (1898) Department.

CURRENT No. 5750

3 OCT 1898

Endorsement No: 3851, Mis.

~~Order~~

Referred to the Collector of Tinnevelly for a full report which should be submitted through the Board of Revenue. The nature of the land in question should be clearly indicated.

For Secretary to Government.

Ootacamund, 28th September 1898.

1858 REVENUE DEPT. Encl. to No. 10 8488

To the Collector of Tinnevelly. with petn: & encls. Copy to the Board of Rev: L.R.

From

Abraham Nadar and other inhabitants of Sebagnanapuram, Satankulam Saraham, Srivaikuntam Tk, Tinnevelly Dt.

No.

Dated 9th Aug:'98

Received 16th Aug:'98

Registered 17th Aug:'98

Enclosures seven

Spare copies

SUBJECT.

Praying for the cancellation of the order of the Collector directing the issue of puttah to the Church Missionary Society for certain lands

Revenue (1898) Department.

BOARD'S CONSULTATION No. 1791 OF 1898 LAND REVENUE.

14 NOV. 1898

~~Order~~ Endt. No. 4324 Mis:

Forwarded to the Collector of Tinnevelly in continuation of Endt. No. 3851 dated 28th Sept. 1898.

/By Order/

Assistant Secretary to Govt.

Fort St. George 4th Nov. 1898

Forwarded.

Lucie Davidson ag secretary 11-11-98.

The Collector of Tinnevelly with petition thro' the Board of Rev (L.R.)

10/11/98

CURRENT No. 7474.

7 NOV. 98 BOARD OF REVENUE MADRAS.

From

Abraham Nattar and other Inhabitants of Sebagnanapuram, Sattankulam Village, Srivaikuntam Tq Tinnevelly

No.

Dated 26th Oct 98.

Received 31 — .

Registered / Nov. —

Enclosures

Spare copies

SUBJECT.

Praying that their interests in certain land granted on pattah to the Church Missionary Society by the Collector may be protected and the pattah be cancelled.

BACK PAPERS.

G O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

COLLECTION OF BOOKS & PAPERS
TINNEVELLY

0749 0607

REVENUE DEPT REVENUE DEPT

CHIEF SECRETARY
28 OCT 1899
GOVERNMENT OF MADRAS

His Excellency the Right Honorable the Governo
of Fort St. George in Council.
Madras.

The humble memorial of the inhabitants
of Sabagnanaporam, Sathenkulam Village,
Sreevaikuntam Taluq, Tinnevelly District

Submitted to Supplement to their pe-
tition dated 9-8-98

Most Respectfully Sheweth:—

That the Collector admits in his order for
the issue of patta to the Cm. Society that th
have been the inhabitants of the place
from time immemorial, living in house
built by themselves at their own cost.
This admission, it is submitted, merely go
to support the petitioners statement.

2. The Connection of the Cm. Society that th
held patta for a portion of the land in q
tion, Survey No. 574 before the time of Sett
ment is not supported by the old Adan
No. given in the Settlement Register aga
S. No. 574. The Settlement Register does
contain any separate Adangal No. or
showing any Extent in S. No. 574 (natt
peramboke) as having been given for
patta; if that were the case any ref

portion of S. No. 574 as having been at
times previously held on patta would have
been made in the Settlement Register.
The Settlement Register, on the other hand,
shows that S. No. 574 was previously to
demarkation represented by only one
adangal number, which was registered
against Nattam

3. The Chn. Society's allegation that the
piece of land in question is being occu-
pied by Hindus as well as Christians
is false, it being occupied as a matter
of fact, exclusively by Christians.
G. S. Dorken Esqre and B. Macleod Esqre,
former Collectors of Tinnevelly on the pre-
vious applications of the Chn. Society
for the grant of patta refused to grant
patta on the ground that the village is
purely a Christian one

4. It is not true that the petitioners fore-
fathers sold the land occupied by the pe
to the Mission at any time. Two sale dee
are said to be in possession of the Missio
now, one for (A) Puttanthundam and the
other for (B) Allakanvillay, (being portio
comprised in S. No. 574)

(A.) It is urged by the Chn Society th
the piece of land called Puttanthundam
was bought, for the Chn Society under
sale deed, by the late Revd C. T. Rhen
on 20-1-1838, but the inscription o
tomb and history of Christianity in

Instead of servants
occupied - but
they are servants
of the Mission

is quite untrue
facts

by H. Bowen D.D. page 120 & 121, and the Annual Report of the Catechists' Widows Funds for 1897, agree in stating that the Revd. C. T. Rhenius left off on 1834 his connection with the C.M. Society, owing to the ill feeling that Existed betwe him and the C.M.S Home Committee, and went away to Tanjore and Madras and that he died broken hearted at Palamcottah on 5-6-1838, quite an alien to the C.M. Society

produced & is genuine.

(B.). The piece of land called Allacan Valley which is said to have been bought by the Revd. Stephen Hobbs under a Sale deed dated 9-9-1845 does not include the portion of land occupied by the petitioners but it covers some area entirely occupied by Hindus to the north of the land in question. Again the statement of the missionaries that the portion of S. No. 5/4 occupied by petitioners was settled only after the sale deed of Revd. Stephen Hobbs dated 9-9-1845 is quite unfounded as petitioners have documents with them to prove that they have been settled in the place in question many years before the sale deed

not now produced.

5. The assertion of the C.M.S. missionaries that they are receiving house tax from the inhabitants of the land at issue

is quite untrue [illegible] asserted by [illegible] facts

The memorialists therefore pray that their interests in the land in question be protected and that the grant of the land on patta made by the Collector be cancelled, after having before hand the facts of the case from all the original records of both the parties.

26-10-98.

Ayakattu

What is
meant nature
of Immovable property
Pannakkaran
or village site
G.
4/1/95

To Kis.

According to Wilson's Glossary,

Ayakattu (Ayakat) = Settlement; An account
of the total land belonging to a
village, including houses, wells &
and particulars of its distribution
and conditions [illegible] by
[illegible] ancestors [illegible]

be built.

am. = the part of the village
lands on which the houses
of the ryots are built:
the site of the dwellings of the
villagers, as distinct from
the lands attached to the village.

2. Ayakat nattam appears
to represent the lands entered as
house-sites at the old settle-

ment [illegible] or classification of lands (in 1803).
no definite authority is traceable that this
classification of the lands in the village
concerned took place in 1803; it is however
stated at p. 71 of the Tinnevelly Dt Manual
that "in 1801 Mr. Lushington took charge
"of the district on behalf of the East-India
"Company and commenced operations with
"the measurement of all the lands, both wet
"and dry, and an attempt at classification
"of the dry lands." The Board's statement in
para 2 that the ayakat was in 1803
~~is apparently~~ appears to ~~have been~~ be found
on the statement contained in para 3
of the Rev. Mr. Walker's petition of 3.7.95

x vide para 2 of B.P.
(current).

K

D
1 1,000 -7-9-98.

REVENUE DEPARTMENT.

Read again C. Os. Nos. 385-1 28.9.98 & 4324 4.11.98.

.. also Board's Reference No. 211, Petn, d/10.12.98
(C. No. 8488).

From the Board of Rev: L. R.

Dated 10. 12 1898.

~~FOR ORDERS.~~

To the Undersecretary.

A Please see note under
C. Os. No. 385-1, Rev, d/ 28. 9. 98.

The Christian in-
habitants of Sebagnavapuram,
a hamlet of Sattankulam
village, Srivaikuntam taluk,
Tinnevelly Dt, appealed to
Govt against the order of the
Collector of Tinnevelly (Mr. A.W.B. Higgins)
directing the issue of patta to
the Church Missionary Society
in respect of certain lands occu-
pied by the houses of these
inhabitants. The Board of Rev:
rejected their appeal as being
long out of time; and in their
appeal to Govt the petitioners
urged that the lands were
ayakat nattam lands which
had been in the possession
of their ancestors dur[illegible]

last 75 years, and that as the Collector's order was passed without prior notice having been given them and as they became aware of the order only until long after it was passed, no limitation can run against them. The appeal to Govt, as also a further petition on the subject were referred to the Collector of Tinnevelly for full report through the Board of Rw.

2. The Board of Revenue now submits the collector's report in the matter. From paras 2, 3, and 4 of this report, it appears that the lands were originally patta lands which were acquired by purchase by the C.M.S. and that they were wrongly classed as nattam under the orders of Mr Nuckle in 1868, and subsequently entered as such at the settlement in 1873. The Collector further states that Mr Frobes' order refusing to grant patta for the lands was due to an impression that they were ayakat nattam and not the private property of the Society. The Board of Rw, in submitting the Collector's report expresses the opinion that, even on the merits of the case, there are no grounds for interference on behalf of the petitioners, and in support of the Coll'rs action observes:- "The arbitrary classification of patta "lands as nattam por amboke "was brought to the Board's "notice in 1878 by Mr Pen- "nington, and the Board then "held that where ordinary "patta lands had been "registered as village site "without the consent of the "owners, the pattas should "be restored".

3. Orders are requested. The petitioners may, it is thought, be left to establish their claims if any, against the C.M.S, by resort to the Civil Courts.

Mad 2.1.99 RS 3-1-99

Secy

The Collector's report as to C.M.S's petition for the

vide. G.Os. A 3851 28.9.98 & B 4324 4.11.98

dy 22.11.98

* B.Ps 2466 5.9.78 & 65-4 12.3.78

N.C. Volumes put up.

must presumably be accepted. Perhaps the Collector should be asked to satisfy himself that there is sufficient suitable vacant village site in the hamlet for assignment to the petitioners if necessary & if they desire to clear the C.L.S. land which so long was regarded as "nattam".

HM 26/1/98

The Object of the C.M.S. is to assure their hold over the inhabitants of the villages: so that they may be able to prohibit the opening of liquor shops, to evict bad characters &c. If the land was really purchased by the Society, they wd. have prima facie the right to dictate the conditions of the tenancy. It is proved that this hamlet was not "nattam" before the Society acquired the lands within which it is situated; & that the site is really on assessed lands acquired by the Society & is not on land which was originally "ayakat nattam".

The appeal may be rejected.

S.R 15/1/99

4/o H.S. 21-1-99

to Cls

Please see draft on docket.

HS 24.1.99

RS 25-1-99

Jmc

C 17/1/99