No. 43

Sheet No. 270

Total Azakat recorded to Mr Barwardi Parshad Fr 1182	Bhata vritti	Jodi 2431	Nirchita 12	By Krishna Deva Rajan (Caiper Regt of F. 1224)	No docts Mr Barwardi Parshad of Fr 1182 Daulacat of Fr 1210 Registered Fr 1224	Raja Chandra Chari Caiper Regt of F. 1224	Bhuchet hat Azakat Extent Dry 131 wet 69 200	Trivenka tathariyan Recorded his brother Sivan Bhachyan in Fr 1224 Great Great grandson	Mujur Pomeri Fr (1) Bhashyatan ayengar 70 Bhuchet hat (2) Shrinivasayengar 45 ~~Cajenga~~ (3) Trivenka dammal 50 Cajenga (4) Eunha Mahata Charyar 60	(1) Great Great Great Great Grandson (2) ~~[illegible]~~ (3) Great Great Great Grandson's wife (4) Daulat of the peat peat peat Grandson of the grantee	(1) 2 son (2) 2 sons 3 [illegible] (1 [illegible] 1 [illegible] 1 [illegible]) (3) none (4) 1 m			
Dry 431 wet 69 200														
Deduct Pommalitha Dry 56-4 wet 22-4 58-8														
Remainder Dry 94-12 wet 46-12 141-8														
Deduct Liamsa Ganeral Shrove Registered Dry 4-12 wet 2-6 14-2														
Remainder Shrotriyem Dry 90 wet 37-6 127-6														
Sought Dry 58 wet 57-6 75-14														
Amount Dry 51-8														
Remain received at the date of the Deed														
Total Dry 92 Shrotriyem wet 37-14 131-14														

Sources of Irrigation

Sheet of Cultivation and amount of Beriz from Fr 1260 to 69

Ht	Dry Extent	Dry Apart	Extent	Wet Apart	Extent	Total Apart
1260	96-6-12	286-2-4	62-2	392-8	158-8-12	676-3
61	82-12-12	281-4	62-2	489-6-8	144-14-12	770-6-8
62	96-6-12	261-7	62-2	575-3-2	156-8-12	736-10-2
63	72-13-2	134-3-3	48-11-8	484-11-2	116-8-10	618-14-5
64	89-4-14	182-7-4	62-2-4	674-15-4	154-6-14	857-6-11
65	106-14-6	218-13-5	62-2	320-2	168-14-6	728-15-4
66	128-1-6	239-10-5	62-2	512-15-14	196-3-6	758-10-4
67	114-16-14	242-3-4	62-2-4	578-8-2	175-13-2	780-12
68	128-8-14	236-6-7	62-2	730-13-2	192-10-14	1527-3-7
69	102-13-14	216-12-11	62-2	655-14-8	164-15-14	861-3-7
70	118-8-2	192-7-7	601-12-6	5620-10-7	1630-11	7916-15-2
71	101-14-2	219-10-1	60-2-14	662-1-1	162-1	1011-11-2
						21-11-2
						802-11-2

Deduct Charges { Repairs — 17-8-
Wheelchit — 54-
71-8-
Paid 731-3-

This Shrotriyem is in the possession of the particulars (1 to 3) but the mode of acquisition by No. (2) is questioned by [illegible] a descendant of the family in the female line. The claims of No. 4 have been overlooked by the Judicial officers on the ground that they were affected by the statute of limitations but the question of title to the property not having been entered into by the Courts simply because of the neglect, thro' gross ignorance ~~of the rules~~ of a Shareholder of the rules, it behoves that such claims should be set forth in their true light for the consideration of the Commissioner, in order that some decision may be arrived at, during our present investigation. The Shrotriyem was held successively by the son, grandson & great grandson of the grantee. The last mentioned party left 2 sons Trimalachariyar & Trivengadachariyar who held the Village jointly. About the year Kevilambi A.D. 1777 a division took place between the 2 sons of the former & the only son of the latter; the Share held by each being a moiety of the whole. This moiety again was subdivided between each of the 2 grandsons of the former in the elder branch, while the remaining half descended to one Shrinivasachariyar, the only son of Trivengadachariyar. The enjoyment of 1/4 share by No. (1) one of the sons of Trimalachariyar the grandson above alluded to, is not disputed by any of the other parties. The other moiety descended last of all to one Chinna Trimalacharyar, last incumbent in the junior branch of the family who having had no issue made over on the 10th August 1806 the same with other property to one Trivengadachariar, the father-in-law of No. (3) and the maternal uncle (Mother's brother) of No. (4). The deed shewing by No. (4) in support of this alienation is drawn out in the shape of a will by the said Chinna Trimalachariyar. In this document the Testator states that the property should be enjoyed by the said Trivengadachariyar till his death, and be subsequently divided among his children, as at the date of its execution, there was only son Pommaliviyengar, husband of No. (3) and who could not in consequence be taken into adoption by the testator, altho' the natural father was prepared to give him. No. 2 puts in a document (in which several parts are worm-eaten and therefore not entire) dated 15th August 1806, purporting to be a letter written by Chinna Trimalachariyar to his disciples, to the effect that the husband of No. 3 was taken into adoption (altho he was the only son of Trivengadachariyar at the time). This letter dates 5 days subsequent to that of the original will in favor of Trivengadachariyar himself. The adoption being opposed to law as well as to a previous document. It so happened [illegible] Pommaliengar, the son died before his father Trivengadachariar leaving a child less widow [illegible] Trivengadachariyar executed a ~~bill~~ will in favor of No. 4, his father's daughter [illegible] him with the protection of his [illegible] daughter in law [illegible]

[illegible] of that date Chinnayadasaragoo Iyen. His widow Chinganmal executes a deed of gift in favor of No 2, purporting that she has taken him in to adoption, under instructions of her husband, assumes the management over the estate. This document commences in the joint names of the said Chinganmala Ammal & her daughter in law No 2, but is signed by the former only, while it is attested as a witness by the latter. This deed is at first at variance with the will executed in favor of himself - and the fact of No 3 having signed it again, after she had once relinquished her right by giving her part to the former document by her father-in-law. Chinganmala Ammal not contented with this, executes another document in the shape of a will in favor of No 4 dated 1829, in which she states that No 4 should enjoy all her husband's property inclusive of the share in the Sirkary, according to Tamul and that he should protect her and finally perform her funeral rites, just as he had done those of her late husband. Various documents inclusive of decrees of Courts were put in both by Nos 3 & 4, each trying to substantiate the will executed by Chinganmala Ammal & by Sevengada Chetty respectively in favor of himself. The first decree which adverts to the right of No 4 to the sole right of 3/4 share of the village was one passed by the Sudder Ameen of Chingalpat in O. S. No 5 of 1843 in which the inclusive title of Nos 3 & 3 to 3/4 share had been questioned by No 4 the late brother. This decree upholds the adoption of Ponnaluviengar husband of No 3 by Chinna Trimalachariyar and the subsequent adoption of No 2 by Chinganmala Ammal the Mother-in-law of No 3, setting aside the will (31st January 1833) executed in behalf of No 4 on several grounds, the first of which is said to be the attestation of the documents by 2 Sudras witnesses although it is presumed that on the occasion of its execution several brahmins would have been present. This statement is opposed to fact as on a perusal of the document itself, it appears that out of 6 witnesses 3 are brahmins, and 3 Sudras. Whatever may be the cause it appears that on a Petition presented by No 4 to the very Court, presumed on the subject shortly after the declaration of the decree; he was directed to bring a fresh suit to substantiate his claims, irrespective of the remarks of the court in a decree in a suit to which he was no party. No 4 obtained the permission of Government (18th October 1856) for bringing in a fresh action. The suit bears No 1108 of 1856 on the files of the Moonsiff of Tripassore. The Court adjudged 1/4 share to No 4, setting aside the claim of No 3, recognized in the decree in O. S. No 5 of the files of Sudder Ameen of Chingalpat confirming 1/2 share to No 3. No 4 not satisfied with what was confirmed to him by the former brought an appeal before the Sudder Ameen of Chingalpat (Appeal Suit No 49 of 1860 dated 27th September 1860) which proved fatal to both the interests & upset the former decree of the District Moonsiff on the main ground of the suit being debarred by the statute of limitation. This last decree of the appellate Court was upheld by the Sudder in a Special Appeal preferred by No 4 (S. A. S. No 658 of 1861 dated 30th October 1861) The arguments principally used by the District Moonsiff in his decree in O. S. No 1108 of 1856 in favor of No 4 for his failure to bring the suit within the actionable time are forcible, the very document in which the suit has to be brought was in possession of other parties from whom No 4 had to recover by an appeal to the Police, which he did and got in 1833. I am not attempting by entering into details to discuss the merits of the decision passed by each judicial authority, a task quite uncalled for on the present occasion, but my only object is to show how adverse circumstances operated against No 4 succeeding to the timely possession of the property which he was fully entitled to by his both right as the daughter of Vira Perumalayyar the great great grandson of the plaintiff the father-in-law of No 3. Had the commissioner not recognized his claim, he would have no other alternative to regain what has been affected to a serious degree, the his gross neglect and utter ignorance of the rules of Government. Under these circumstances I beg to propose the joint registry of the name of No 4, for 1/4 share of the Shrotriem the remaining 3/4 being continued in the names of the three Nos 1 to 3, in equal proportions. The Collector in his Letter of the 5th February 1852, when registering 1/2 share in the name of A. Sowrow states that she being a childless widow, her share was liable to resumption on her death, and in consequence a report should be made on the occurrence of a lapse. Under our present rules, the right of the Coheirs in a collateral branch ought to be respected and in view of the case at least the joint registry of the name of No 4 will, I hope, not be objected to.

The validity of the Shrotriem is proved. The Meraasi belongs to the Shrotriemdars to be enjoyed one Settla Dry 1/8 Quit Rent Rs (61 - -) Combined Quit Rent Rupees (304 - -) Three hundred and four Rupees agreed to.

8/4/62

A. Venkatasubba Rao

D. J.

From the Collr of Chingleput forwarding the petition of Chinnayadasaragoo Iyen praying that he may be allowed to produce certain documents filed by him in support of his claim to the Shrotriem village of Vellore

Dy to Collr 8/4/62

D. J.

A.R. No 2377 of 1862 from No 1 claiming moiety of Tirumalayyar deceased

Endorsed referred to Court 14 March 1865

W.M.

Dy No 507, 1865 from No 1 claiming the share of Innayadasa deceased decided & former endorsement 2 March 65

(Fair Copied)