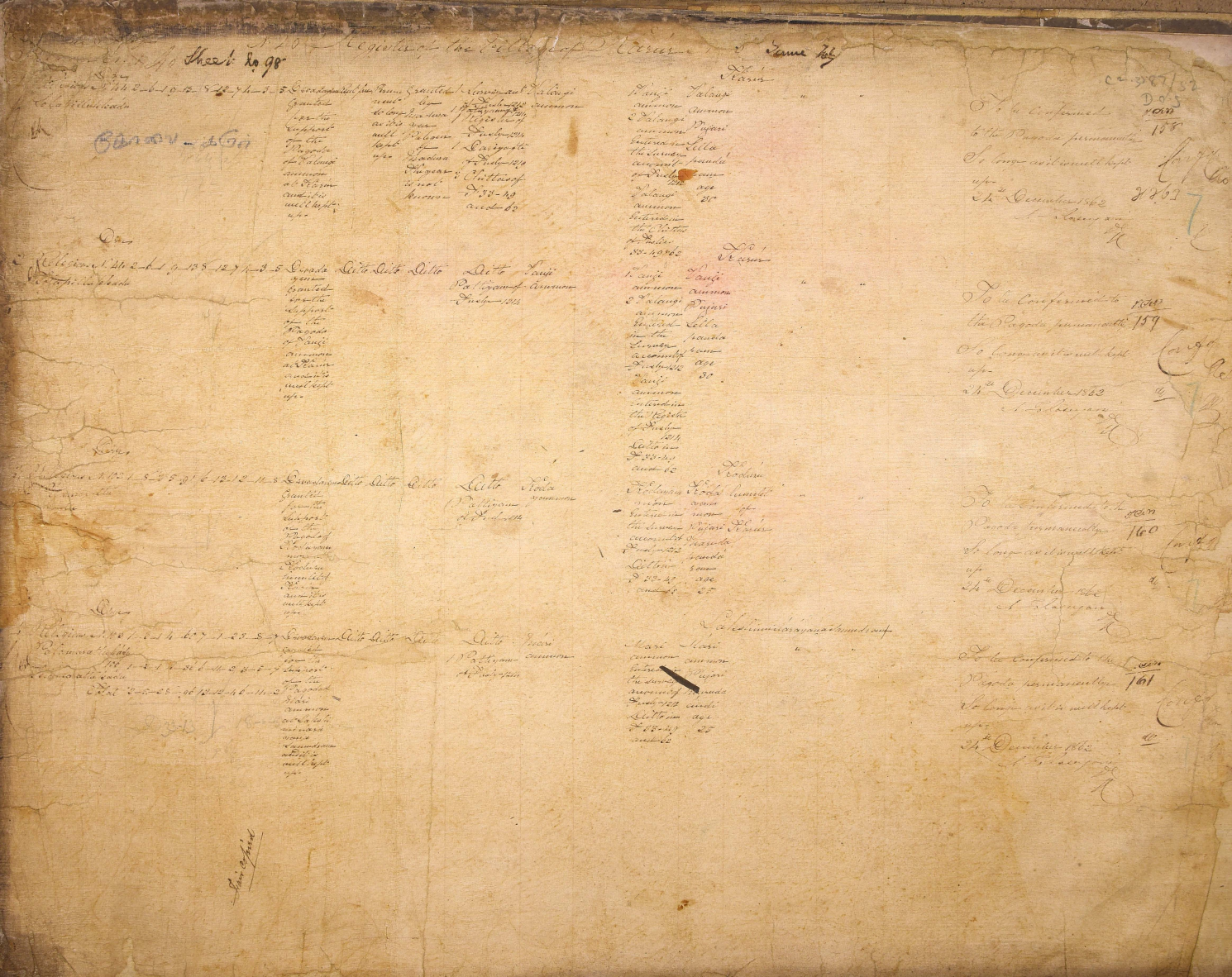
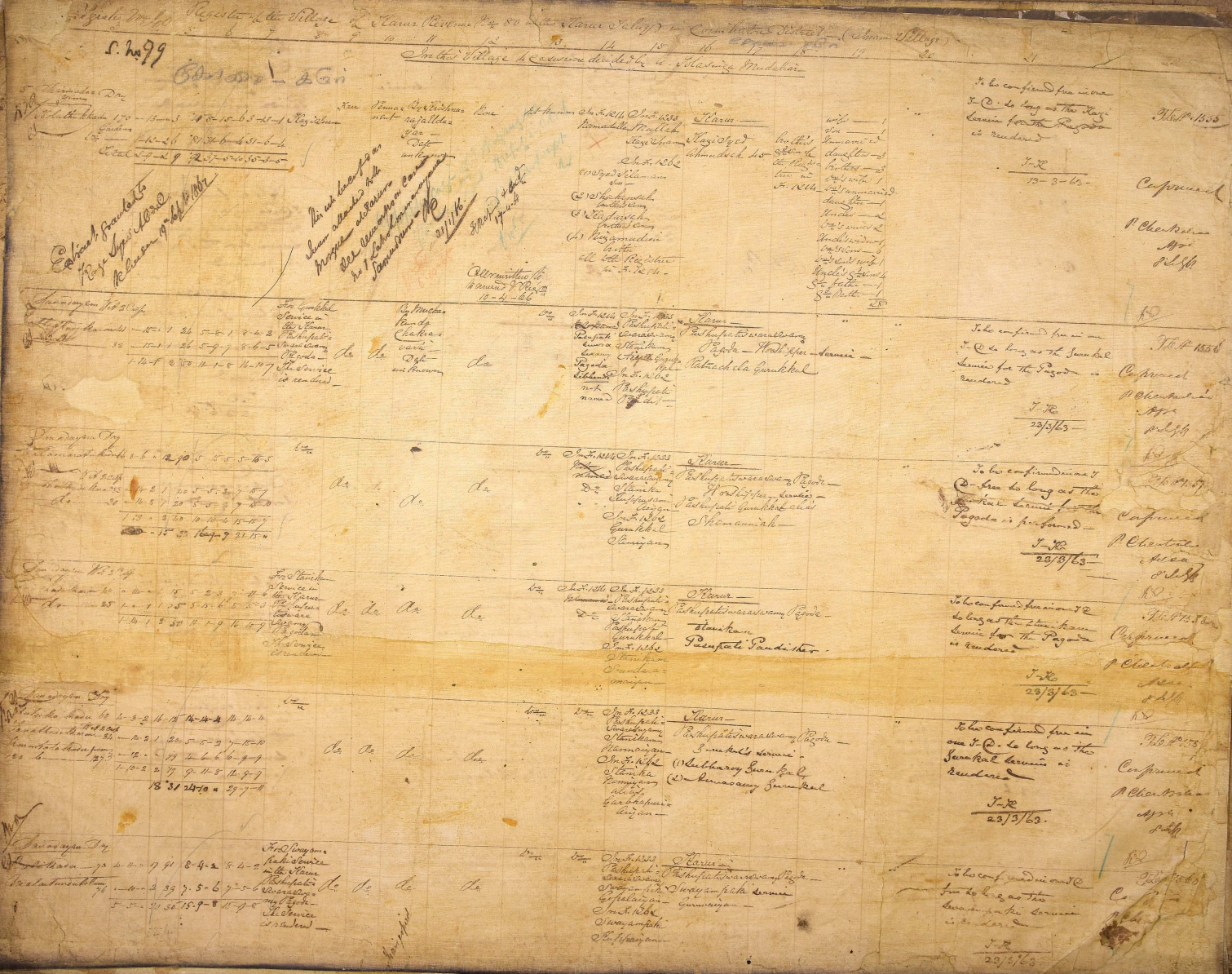
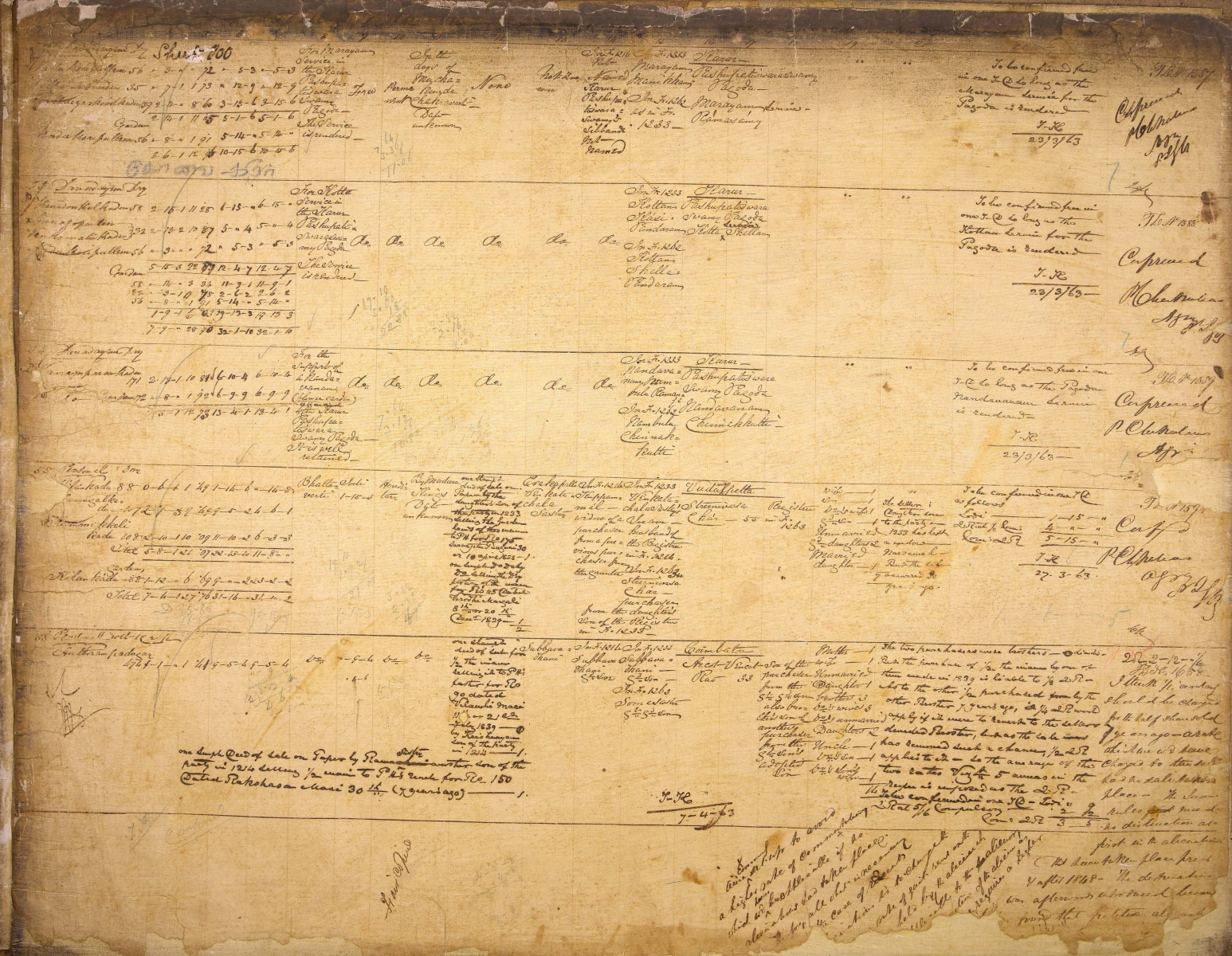
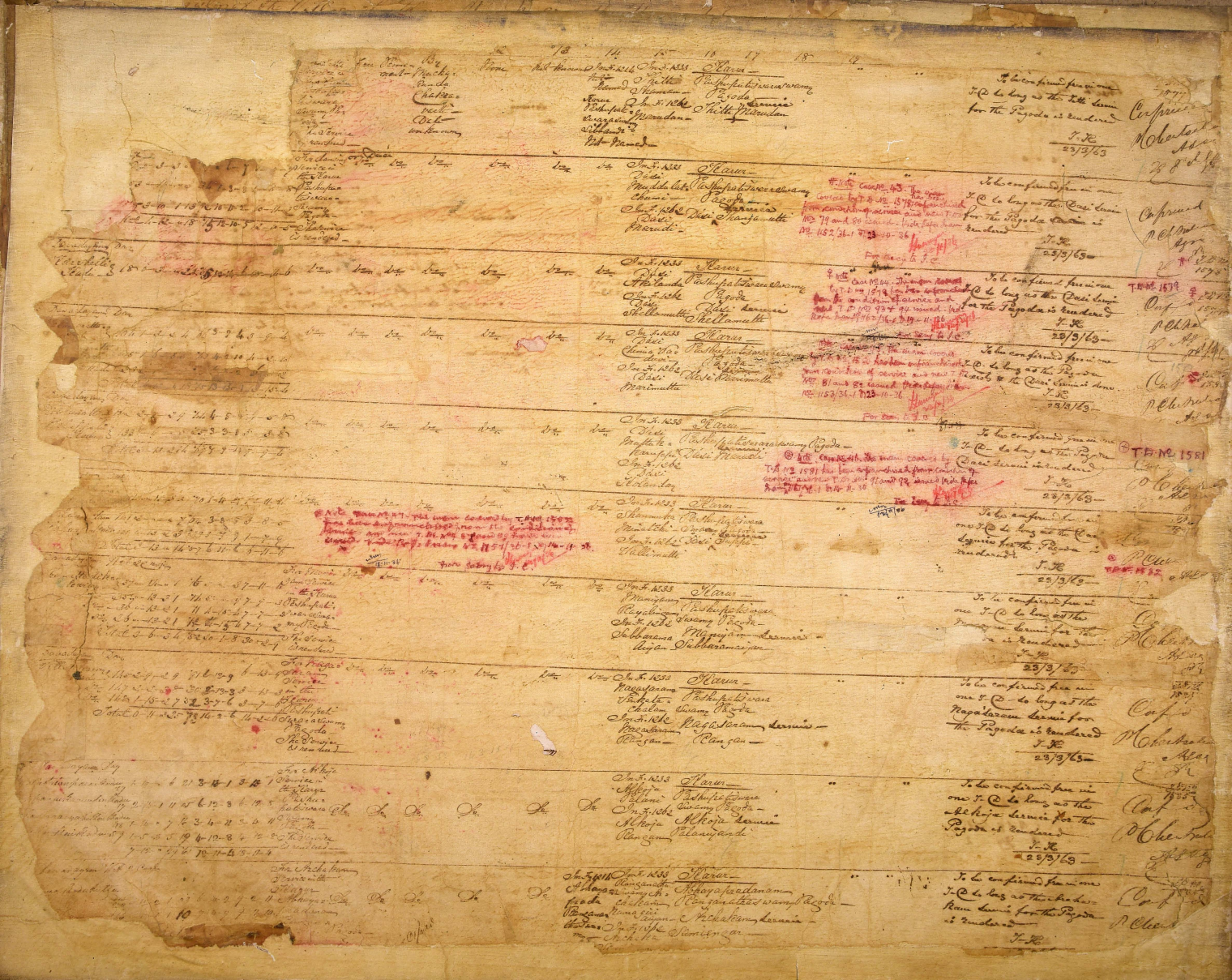




Village of Karur No 80 in the Karur Valaz in the Coimbatore District Collectorate





Sheet No. 102

Under Act. 80 of the Madras Code

Sheet No 109

Karur Taluq Coimbatore District

Ebenezer - 3Cri

R.P.M. 128 of 1865 from the Dharmakarta Complaining that the Collector has given a portion of the Perumpoke land on full assessment

Endorsed Disposed Letter rejected

19 Decr 1865

Contract granted to Perumpalli Pillai 2nd September 1865

Grant granted to Chinnaiyapilli Pillai

under disputed title

* Sir Robert Rumbold desired during Government management of the Pagoda lands from 1800 to 1807 in the settlement of Mr. Hardis, the 1st Collector of the District, and on a Muraamanah of 9th June 1848 which will be noticed hereafter — What was the state of enjoyment of the Pagoda Lands at the British resumption of the District is a matter involved in obscurity. But in Fasli 1210 Mr. Hardis' a/c. of the 3 Pagodas are entered for the two Villages under dispute. The Entries in the Inam Accounts are as follows —

	In F. 1214	In F. 1238	In F. 1262
Caron —	1 Pathapatti Narasiswamy 2 Athappa Padanayaka Ranganatha Swamy 3 Sundara Venkata ramana Swamy	Not Entered	1 Pathapatti Narasiswamy 2 Athappa Padanayaka Ranganatha Swamy 3 Sundara Venkata mana Swamy
Achiranjalam —	Pathapatti Narasiswamy	Pathapatti Narasiswamy	1 Pathapatti Narasiswamy 2 Athappa Padanayaka Ranganatha Swamy 3 Sundara Venkatamana Swamy

From F. 1212 upto F. 1847 the revenues of the two Villages were collected by the Caron and paid to all the 3 Pagodas in the following shares.

1/3 Pagoda Pdt. 1957 — 9 — 7 ; 2/3 Pagoda 3 Pdt — 10 — — ; 2/3 Pagoda 789 — 7 — 3 Total 2,749 — 10 — 10 The dispute in question arose in 1847 in connection with the transfer of the Pagoda Lands to the Trustees which having been in consequences delayed in this case of the two Villages in question the 2nd Collector left the matter to be settled by the Collector and ordered the Trustees of the 3 Pagodas to be at the Cutcherry Office with all the information required. Vide 2nd Collector's order to Tahsildar 27th November 1847 No. 215 - The Collector accordingly took a Muchilika dated 14th February 1848 from one joint trustee of the 3 Pagodas and 4 of the trustees of the Siva Pagoda, which bound them to get the dispute adjusted by a Panchayet of 9 persons and ordered the Tahsildar on receipt of the Muchilika and 1848 to take a similar agreement from all the remaining Trustees of the 3 Pagodas. Vide Collector & Tahsildar 14th February 1848 No. 92 - The Tahsildar in pursuance of the order of the Collector of the 27th November 1847 No. 215 - Vide Agzee No. 50 - of the 8th February 1848 No. 10 - Mr. Wanghton the the Collector got all the trustees brought before him and the matter settled by a Panchayet of 9 persons in the presence of the Collector & Tahsildar & Sheristadar & Renter & Vellaver in the following proportions —

	Caron	Achiranjalam
1st 1/3rd Pagoda —	1/3 —	1/3
2nd 1/3rd do —	1/3 —	1/3
3rd 1/3rd do —	1/3 —	1/3

and the 1/3 Siva Pagoda Division of the Lands into 3 lots was agreed to by the Trustees on the spot with reference to the different qualities of the soil. The Collector finally directed the Tahsildar on the 10th June 1848 & settle the Fieldwar Division as agreed upon and on taking the Signature of all the representatives of the 3 Pagodas to the distributing & their shares of each, deliver the Lands accordingly and take a Cowl thereon. The formal Muchilikas were taken. Vide Joint Collector & 2nd Collector 8th April 1848 No. 131 - Joint Collector & Tahsildar 11th June 1848 No. 87 - Joint Collector & 2nd Collector 16th March 1848 No. 60 -

Matters rested on the 1st August 1848, the Tahsildar having reported in Agzee No. 110 the impossibility of carrying out the Collector's order of the 10th June in consequence of the Trustees of the 3 Pagodas having refused to confirm the Muraamanah of the 9th June and to sign the Fieldwar Patta prepared by arbitrators, the Collector found fault with the Tahsildar's Muraamanah and directed the 2nd Collector in his Yadast of the 24th December 1848 No. 159 & deliver the duty of carrying out his order of the 10th June & his Muraamanah was performed. Velagasi Rama Rao subsequently appointed as Tahsildar for the duty, and when it was found that the differences among the Trustees stood still in the way & its settlement, he took advantage of the Sheristadar Annaji Rao's Residence in Caron and desired him to assist the Tahsildar & settle the matter fully, requiring that the Sheristadar should use his best endeavour to procure from each of the Trustees a Muchilika in respect for due performance of the duty imposed on him and for refraining from any practices that may tend up against the intended settlement being effected - Vide 2nd Collector & Velagasi Rama Rao Tahsildar 1st October 1850 No. 27 - & Sheristadar 14th October 1850 No. 17 - Nothing however, appears to have been done by the Sheristadar in the matter. The Tahsildar entering & discharge the duty, again called on all the Trustees of the 3 Pagodas & sign the lists of the Fieldwar allotments for each Pagoda made by Panchayets & receive the possession of the Caron & in the allotted Shares and to execute the formal Muchilikas in pursuance of the Collector's order of the 10th June 1848 & Vide Collector & Tahsildar 10th June 1848 No. 87 - The Trustees of the Siva Pagoda having refused to do so with one single exception, the Tahsildar took the signatures of the Trustees of the Vedhanna Pagoda & left the Fieldwar lists & and the Muchilikas and reported the matter to the Collector who appointed the 16th October 1850 for the purpose & ordered the Trustees to be present on the spot with their papers & for measurement & division of the Lands. The Tahsildar accordingly appears to have proceeded to the spot on the 16th October 1850 No. 17 - & there met the Trustees of the Siva Pagoda & the Trustees of the Vedhanna Pagoda except above (who was also a Trustee for the Vedhanna Pagoda)

40 Records of the Village of Shiva Revenue No. 80 in the Karai Taluq in Coimbatore

Karur Range Coimbatore Collected

Sept. 28 1854

The people (Hindus) themselves into two factions - one faction removed Ranjappa Mudali from the Vannathipalayam Athimanies and appointed 5 others - Ramasamy officially recognized -

Ranjappa, which the other faction disputed the right of the Athimanies to interfere and go on their motions - Ranjappa Mudali complained to the Tahsildar against the Gurukkal who refused to perform the worship in consequence of which he fasted for 3 days; and the Tahsildar held a regular Enquiry and examined the Pagoda servants & complainants & the Gurukkal - In the meantime the Collector having on the receipt of certain complaints against the interference of certain Public Servants prohibited the Tahsildar from interfering and the Tahsildar stopped further Enquiry - Vide Tahsildar's Proceedings dated 28th September 1854 - Vide Draft Report to the Collector dated in October 1850 with 8 dispositions - Collector's Endorsement 19th October 1850 - Vide the proceedings held in the transfer of these Pagoda Lands to the Trustees detailed above, the Cultivators refused to pay to the Vishnu Pagoda the rents of the Lands which they cultivate and on a Complaint made by them to the Board of Revenue on the subject the matter was referred for the Tahsildar's Enquiry - Vide Sub Collector & Tahsildar dated 18th March 1855 - In the above Enquiry, 13 ryots were examined all of whom stated that they continued to pay the rents to the Shiva Pagoda as usual - Many deposed that they would not pay to the Vishnu Pagoda while a few stated that they would do hereafter if ordered to do so - Vide 15 Depositions on Talaiyp Cloth dated in October 1855 - Here were the Complaints and Petitions preferred to the Collector, Sub Collector and the Board of Revenue between 1848 and this time by the two parties which fill up the Records - It is unnecessary to notice them - Upon a Board's Petition No. 2645 of 1856 from the Vishnuites, the then Sub Collector Mr. Warlinde reported at length in a letter to Collector dated October 1855 - He entered into the details of the case - considered the Encroachments on the Melkarai of the Siva Pagoda the conclusive of its exclusive right to the Villages - Mentioned an exception in one of the Vishnu Pagodas (Ranganathaswamy) lately discovered, as too vague and unintelligible to avail it - and expressed his opinion - marked that the two Vishnu Pagodas had no right - to show that they had any Shares or claim before Mr. Hardie's Settlement - He thought that the right of the disputed Lands could be compelled to pay over to the Vishnu Temples the shares awarded by Mr. Hardie or Wroughton - He finally gave his opinion that the Lands being already in the possession of the Vishnu Pagodas this matter should be left to be decided by the Heirdes themselves or referred to Civil Courts - About this time, the Vishnuites sent an address to the Collector dated in October 1855 threatening him with Legal Proceedings if the matter should be interfered - The Collector accordingly sent the above address in a letter dated 9th November 1855 No. 184 - The Board having in their Proceedings dated 12th December 1855 No. 5275 called for the Report of Mr. Warlinde above referred to by Mr. Warlinde and for full information as to the construction and detailed accounts which were given to the Trustees of the 3 Pagodas relative to the management of the Lands by the Circar was relinquished - The Collector S. R. Thomas Esquire responded the call in a letter dated 11th January 1856 No. 4 and the Board passed order on the assessment of the 9th June 1848 as fixed upon by the Shareholders of the 3 Pagodas before Mr. Wroughton - He stated that the matter had been amicably adjusted on the principle of the Karaimanakh, and that the servants having ceased from all claims, Mr. Wroughton's orders for the distribution of the Lands according to the Karaimanakh should be carried into effect - He reported that the disputed Lands were considered as the joint property of the 3 Pagodas; and that the entry in the Shiva Accounts of Mr. Hardie's and the Statement of Mr. Wroughton before the Board, as well as the actual payments made for upwards of 40 years, without objection on the part of Servants during Government management were conclusive evidences - He stated that Mr. Wroughton's object in causing the dispute that arose in 1848 to be disposed of by amicable adjustment was to show that there was no interference on the part of Government - He gave his opinion that the Karaimanakh in question, may be carried into execution - that a reference to Court was the cause of the misunderstanding - The Board of Revenue expressed in their Proceedings dated 18th March 1856 No. 940 their opinion that the Karaimanakh should be carried into effect by directing the Lands to be divided into 3 equal shares - that the Trustees to elect a joint agent to receive the rents and distribute them according to the agreement and Karaimanakh of the Lands and that the Lands not settled, the Trustees of each Pagoda can levy their rents by the usual process - The Collector in his letter of 24th March 1856 No. 14 desired the Sub Collector that the orders of the Board may be carried into effect - The Lands were not divided but the Sub Collector caused the terms of Mr. Wroughton's opinion to be communicated to the parties concerned - Vide Sub Collector's Tahsildar's Proceedings dated 29th May 1856 No. 60 - But, after all, the state of things was not changed - the dispute still remains - and the 1st three Pagodas are separated from the debt of the Karaimanakh, upto this time nearly (10 years) in the enjoyment of the two Villages with the exception of a small portion of Lands in Cannanore, which is enjoyed by the two Vishnu Pagodas in consequence of the holders of that portion being Vishnuites - Vide particulars of Pagodawar enjoyment marked in the Register - The present state of actual enjoyment is admitted alike by the two parties -

104-Bundle-2 Coir

How far, in the absence of any other good title on the part of the Vishnu Pagodas, the 4 years enjoyment of the two Pagodas under Mr. Hardie's Settlement of a Share in the Endowments in the two Villages during the Government Management of the religious Institutions, could be considered as a prescriptive right in their favor, how far the prescriptive right in question has been affected by the cessation of the enjoyment for only 15 years, How far the Karaimanakh of 1848 is binding on the Trustees of the 4 Pagodas, Should the Lands from, decide its execution - And how far the delivery of the share which will fall to the