

(1894) 04 PRI CK 0003

In the Privy Council

Bala Gauri Vallaba Tevar

APPELLANT

Vs

Periasami Udayar Tevar and others

RESPONDENT

Date of Decision : 20-04-1894

Acts Referred:

Citation : (1894) 17 ILRPC 384

Hon'ble Judges : Hobhouse, Ashbourne, Macnaghten, Richard Couch, JJ.

Judgement

Hobhouse, J. 1. This case appears to their Lordships to be a very simple one. The appellant contends that by a fraud alleged to have been committed in the years 1802 and 1803 by Gauri Vallaba Tevar, a sanad appointing him zamindar of Sivaganga was granted to him by the Government in 1803, whereas it should have been granted to his elder brother Woya Tevar. But Gauri Vallaba Tevar entered upon the zamindari at that time, and he and his descendants have enjoyed it ever since. 2. It is quite clear that there could have been no secrecy about his appointment to be zamindar. The matter was the subject of public proclamation, and Woya Tevar must have known, and all his descendants must have known, that the sanad granting the zamindari was in the name of Gauri Vallaba Tevar, and that the zamindari was actually occupied and enjoyed by Gauri Vallaba Tevar and his descendants. 3. No suit can be brought forward at the present time to re-open the question, and their Lordships will humbly advise Her Majesty to affirm the decree of the High Court and dismiss the appeal with costs.