
(1897) 09 MAD CK 0017
In the Madras High Court

Durgamma

APPELLANT

Vs

Kadambari Virrazu and Others

RESPONDENT

Date of Decision : 01-09-1897

Acts Referred:

Citation : (1898) ILR (Mad) 47 : (1897) 7 MLJ 233

Judgement

1. It is contended for the appellant that the decision of the Lower Appellate Court is opposed to the ruling in Narayana v. Chengalamma ILR 10

M. 1.

2. It may, perhaps, be that the contention is well founded, but it is not necessary for us to consider the question, as it is clear that the decision is in

accordance with the decision of the Full Bench in the case of Venkata v. Rama ILR 8 M. 249 This decision of the Full Bench was not referred to

in the case on which the appellant now relies, and we are bound to follow the ruling of the Full Bench. Under that ruling the widow must be held to

have acquired the land under the inam titled deed as her own absolute property by grant from Government. That decision proceeded on the broad

ground that the plaintiff did not hold the office of karnam at the time of the enfranchisement, and, therefore, had no title to sue for the lands, and

that the land when enfranchised was at the disposal of Government and alienable to whomsoever the Government pleased. It regarded the inam

title-deed as evidence of a grant of the land personally to the grantee, and that was the view followed in the case on which the Sub-Judge relies.

Hayagreeva v. Saml 15 M. 286.

3. Following, then, the principle of the Full Bench case, we are of opinion that there was an absolute grant by Government to the widow and that

the appellant cannot question her alienations. There was, no reason why Government should grant her only a widow's estate, rather than an absolute estate.

4. We confirm the decree of the Lower Appellate Court and dismiss this second appeal with costs.