

(1901) 10 MAD CK 0008
In the Madras High Court

Subba Naidu

APPELLANT

Vs

Nagayya and Others

RESPONDENT

Date of Decision : 10-10-1901

Acts Referred:

Citation : (1902) ILR (Mad) 424 : (1902) 12 MLJ 89

Hon'ble Judges : Davies, J;Benson, J

Bench : Division Bench

Judgement

1. The plaintiff sues to recover land in the possession of the defendants on the strength of his purchase from the reversioners of a Hindu widow in

whose favour the land was enfranchised as a personal inam. The District Judge dismissed the suit on the authority of Dharanipragada Durgamma v.

Kadambari Virrazu ILR 21 Mad. 47 considering that the same principle would apply to a personal inam as to a service inam. We do not think,

however, that the cases are parallel. When a service inam is enfranchised the reversionary interest of Government is given up, but when a personal

inam is enfranchised the reversionary right of Government is expressly reserved under the rules of the Inam Settlement. The plaintiff does not

produce the inam title-deed or show that the grant in this case was made on terms other than those sanctioned by the general rules, the reason no

doubt being that there is no variation. The plaintiff in fact comes into Court without any title, his vendor the reversioner, having none.

2. The second appeal therefore fails and it is dismissed with costs.