

(1890) 09 MAD CK 0002
In the Madras High Court

Subbaraya

APPELLANT

Vs

Nataraja and Others

RESPONDENT

Date of Decision : 26-09-1890

Acts Referred:

Citation : (1890) 09 MAD CK 0002

Hon'ble Judges : Best, J; Arthur J.H. Collins, J

Bench : Division Bench

Judgement

Appellant's own Exhibit I the paimash account describes Kaliathan's and his father's tenure as kasavargam, which, as appears from Wilson's

Glossary, gives no right to the land on which the house stands; and, as stated by the Sudder Udalut in Culleyana Ramien v. Soobramaneya Chetty

(Sudder Decisions of 1858; 145) means a tenant liable to be ejected by the mirasidars. The lower Appellate Court has also found on the oral

evidence that Kaliathan's family merely held as licensees of the mirasidars on condition of their doing blacksmiths' work.

2. As to notice to quit, we agree with the lower Courts in finding that the appellant was not entitled to the same, he being, as stated by himself, not

a tenant, but a purchaser from the 8th defendant.

3. The appeal fails and is dismissed with costs.