CHAPTER - VI

SUCCESSION DISPUTES
The continuous interaction between the Inams and the Government policy from 1801 to 1871 has features of both local and comparative interest. In the first place, it reveals the process by which the Inamdars appropriated an alien policy to their own purposes. More important, it reveals the transformation of earlier social categories into actual social organization, of previous ritually constructed privileges into bureaucratically defined ones and of a relatively fluid system of alliances into a relatively rigid and antagonistic set of interest groups. These three processes which are discussed in a highly specific cultural and historical milieu, might constitute the key features of colonial regime to assess how it affected indigenous political and cultural systems.

The present chapter discusses about the impact of British policies on the Inamdars in the South Indian context. The core of the arguments move around the succession disputes over the Inam property. This would help to locate the general issues raised in the earlier chapters in a specific context.

Before going to analyze the impact of the British policy on Inam property, the nature of royal arbitration of disputes in the pre-British period need to be highlighted. The actions of the king, in the earlier period, in authoritatively solving the succession disputes, resembled those of an
administrator, not a legislator. Thus, decisions were made to suit contexts and did not either strictly follow or generate a body of general rules. Thus, although the Dharmasastras (Hindu law) were subject to historical change, it was not considered to be either the direct source or the logical outcome of decisions in particular cases. British policies, on the other hand, followed a mixture of legislation (i.e., a series of acts, codes and regulations) and precedent generated by earlier Government or judicial decisions. In both respects, the earlier royal arbitration of the disputes over Inam property towards the specific and the context upon which the particular cases generated the disputes, was changed. The general rules as well as the decisions made by the Government had unanticipated effects on Inamders and these effects form the subject for the discussion and analysis of this chapter.

British Policy and the Colonial context:

In spite of the similarities between the pre-colonial Government attitude and the colonial policy towards Inam settlements, there were certain basic contrasts in the policy formulated by the British Government. First, Inams were no more, a fundamental base for the establishment or expansion of British authority in Madras Presidency. Thus the exchange of honours between the king and the Inamdar as a basis for the extension of political authority has largely ceased to exist. The grant of Inams were made only when the Government felt

---

that it was necessary to do so for the expansion of their political authority.\(^2\)

The expansion of new bureaucratic apparatus in the nineteenth century, made the Government to depend more on it rather than on the pre-colonial structure of administration. Consequently, Inam which was pivotal in the building of administrative structure in pre-colonial period became unimportant to the colonial Government.\(^3\)

Secondly, in dealing with the Inams, the British reversed the emphasis of the "native kings," who had left day-to-day management of local affairs to the local leaders supported by the grant of Inams. These local leaders had acted as the extension of king’s authority in their respective areas and maintained peace and order. The British, after 1801 A.D., gradually expanded its day-to-day involvement in the local affairs through the expansion of its bureaucracy. At the same time they were reluctant to interfere in the disputes of religious issues. Thirdly, the structure of colonial institutions as well as their ideology regarding land provided an inherent dichotomy which expressed in the formation of executive and the judicial arms of the state. This division was yet another contrast compared to the pre-colonial king, who combined both the powers in himself and acted as the ultimate judge as well as the administrator.\(^4\)

These departures from the pre-colonial indigenous structure of relationships created disputes and pressurized the colonial Government for the establishment of Inam Commission and subsequently, formulate a clear policy towards the settlements of Inams.


The Government and the Judiciary:

The British Government policy in the realm of law - as in other aspects of the policy formulations, viz., social, economic and political - took into consideration of the pragmatic and ideological needs of its rule and largely overcame any intention of preserving the traditional institutions of Indians. As the British revenue policies oscillated between laissez-faire and utilitarian or reformist goals, British policies in respect of law and judicial system in India oscillated between the idea to leave Indian customs and usage intact and the idea to create rationality and uniformity in indigenous law. The cumulative effect of these ambivalent motives was the massive, though often covert, importation of British ideas and mechanisms into the legal system in India. Consequently, there was a serious, though unintended, alteration of key features of Indian society and culture.

There are contradictory views over the British Policy. One view suggest that the British followed the accommodative policy and continued the traditional institutions. Such arguments are presented in the writings of R.E. Frykenberg, "Company Circari in the Carnatic, c.1799-1859: The Inner logic of Political systems in India," in G. Richard Fox ed., Realm and Region in Traditional India, New Delhi, 1977, Pp, 177-164, and David Washbrook, "Law, State and Agrarian Society in Colonial India," MAS, 1981, Pp.649-721. For Bengal, refer Ratnalekha Ray Change in Bengal Agrarian Society: 1790-1850, Delhi, 1979.


struggle of the colonial state was often for "an implementation, reform and redefinition of existing laws." Under such indecisive policies of the Government, many Inamdars got victimized and their sufferings could not be heard properly by the Government. One such area where unclear policy of Government made many persons involved in the disputes over the succession to the property right was Inam land. In this particular analysis of disputes, the relationships between various individuals provided the background. This analysis was the outcome of the details of episodes or cases and the key principles of tensions within a changing social structure. The approach taken here which follow the general thrust of the study, involves an emphasis on the relationship between the British policy and the Inamdars in the changing social structure.

Disputes among Inamdars - Personal Inam grants:

The disputes over Inam property under the personal or subsistence grants occurred when the heir of the original incumbent faced problems of renewal of his possession. Disputes also occurred when the collateral brothers of the

---

8 The British attempt to base its rule on a framework of colonial laws had contradictory results, for a while it sought to provide a certain legitimacy to domination and exploitation, it created in the every process a struggle around state laws and policies. For more details refer Neeladri Bhattacharya, "Colonial State and Agrarian Society," in Burton Stein ed., The Making of Agrarian Policy in British India, 1770-1900, 1992, p.147.

9 Personal grants were those held by individuals or communities for their subsistence and personal benefit. They were known as Brahmadayams, and Khairati Inams, being generally grants made to Brahmans, Fakirs or Muslim ascetics. They were either hereditary in their tenure or limited for one or more lives. See A.N. Row, The Revenue Refresher, Madras, 1877, p.93. The
last incumbent simultaneously claimed the Inam. Besides, some of the persons who were related to the deceased Inamdar could claim legal rights on the tenure. Generally this happened with the connivance of the Government officials and the manipulation of records which allowed them to fight for the possession of Inam property. The Government, according to the rules, only confirmed to the holder according to its actual nature.²⁰

The case discussed below affected an important transition in the succession disputes of the Inam property. In course of meeting their demands of shares, different persons represented their claims over an Inam village in North Arcot district namely Yellum. The solving of this case as well as the final decision given by the Government represent an extremely important transition in the position of Inamdars and their relationship with the Government.

The immediate stimulus for the dispute over the Inam property was the vacancy created by the death of the Inamdar. The Inam village, Yellum, was granted to Maulvi Anwar khan, qazi of Arcot by Nawab Omdut-ul-omrah, Nawab of Arcot. After his death, the Inamdar desired to divide the Inam property among the surviving kins i.e. his two wives, one son and two daughters equally.²¹ Accordingly, the shares were decided by the Government among the five members of the family ignoring the lineal succession law which transferred the property

details of various kinds of personal Inams are mentioned in the next chapter.


to the son of the deceased Inamdar. But the Inam property was not inherited by any person as per the Government rules. On the other hand, differences were crept in among the surviving family members of the deceased Inamdar, in 1809. One of the wives of the last incumbent requested the Government to allot separately the shares belonged to her and her daughter.

The dispute over Inam property was intensified further when Imam Bee Bee, who declared herself as one of the wives of the deceased Inamdar, has claimed a share of the Inam property. It was stated that she was not a wife but a concubine and took advantage of the inability of the yet to penetrate colonial bureaucracy into the interiors of Madras Presidency. The claimant, however, could not produce any proof in support of her demand. The matter was referred to the provincial court. The dispute was settled in accordance with the wishes of the deceased Inamdar and the whole property was divided among the five members of the family. Imam Bee Bee did not get any share as she could not produce the evidence of her marriage with the deceased Inamdar.

---

12 According to the rules set by the Government the Inam would be continued to the direct descendant of the original grantee, if there was any of them, unless it was wished otherwise. Inam Rules, V, in CPRIS., p.71.


14 The Inam property was shared among the five members of the family till 1809, when one of the wives, Matha Begum, of the deceased Inamdar had misunderstanding with other shareholders and wanted the Government to deliver her and her daughter's share separately. Matha Begum gave evidence of her marriage with the deceased Inamdar, whereas Imam Bee Bee who claimed herself as
The above case of dispute over the Inam property brought out the contradictions between the formulation and execution of the policy by the British. Generally the Inam was to be succeeded by the next heir in accordance with the rules formulated by the Government, and a similar system existed during the pre-colonial period. The colonial policy appears also in the precarious position in which the Inamdar was kept. He was made subordinate to the Government after being robbed of all privileges enjoyed in the pre-British period. The existence of Inamdars indicate the continuation of the old tradition but the new rules formulated by the British made them bereft of the privileges enjoyed by them.

The changed relations between the Government and the Inamdar during the British rule had two aspects to be cited. It exercised the right to extract tax, though nominal, in response to its policy. It also gave the support to the traditional institutions to continue their existence when their Inams were regularized. Thus it established a two way relationship with the Inamdars and made their rule secure, since these traditional institutions would support them politically and to a lesser extent economically also.

the wife did not produce any evidence in support of her claim. She requested the Government to admit her claim and allot a share in the deceased Inamdar’s property. However, the inquiries revealed that Imam Bee Bee was not the wife of the Inamdar, but a servant of his family. Thus the district collector divided the property into five shares and distributed them among the five members of the family as earlier. Imam Bee Bee did not get any share of the property. For details refer, Board’s Consultations, 2 May, 1811, Pp.3422-3426.

15 The preservation of such privileged elites of the South India, Frykenberg argued, perhaps explain in some measure how the Company authority became so firmly established. He further says that these leaders felt very much satisfied and this could be the case for maintaining the security and status-quo silently. Frykenberg further states, that one can understand why the Rebellion of 1857 had little effect in the South. For details see
In the subsequent case, the Government found itself to oblige the rules it formulated for resolving the disputes over the Inam property. The case was a dispute among the cousin-brothers over the inheritance of the property. The dispute involved the large tract of land granted by the Nawab of Arcot to Kumara Veerama Raz, which consisted of the villages of Oottavaukkum, Pudupaukkum (including a hamlet of Kattanpally) and Sattankuppum in Terupur taluk of Chingleput district. In the middle of nineteenth century a dispute arose between Chingleput Raz and Ram Raz, the descendants of the Inamdar but not the sons of the same father, over the revenue from the Inam land.

The petitioner, Chingleput Raz requested the Government to divide the Inam property into two parts, the one half to be belonged to his family members and the other half to be given to Ram Raz family. Thus Chingleput Raz pleaded that he was entitled to 1/6 share of the melvaram and of the mirassi right of the 3 villages for five years period i.e., from 1822 to 1828. He also claimed the value of Melvaram Grain of two years, 1821 and 1822, realized from the village Pudupaukkam, which according to Chingleput Raz, was taken away by Ram Raz illegally.

The defendant, on the other hand, mentioned that the Inam was granted to


16 Board’s Consultations, 12 April, 1838, Vol.1603, P.4218.


18 Ibid., p.4219.
his ancestors in 1760 and it was legally enjoyed by his fore fathers and hence he was the real owner of the Inam property. He further stated that he employed the petitioner, Chingleput Raz, and his father, as they were related to them and granted a piece of land. But after knowing that they were plotting against him, with the help of village karnam, the Inamdar took away the land granted.

According to Ram Raz, the property was attached because it belonged to him. Later he mentioned that Chingleput Raz after enjoying the confidence of the Government, as he repaired the tank of the Inam village which the Inamdar was supposed to do, he mortgaged and disposed the land he held whenever the situation demanded. But Chingleput Raz was not the legal owner of the property, and hence he had no right to either mortgage the land or to dispose it. Thus, the property was attached by Ram Raz, according to his statement.

All the information was given in the complaint to the collector, Mr. Smalley, when the details were demanded by him. The investigation, later held by the district collector, revealed that Chingleput Raz has submitted an incorrect information and hence was fined a sum of Rs 77/- . The collector directed the Chingleput Raz not to interfere in the village affairs.

The disputed Inam property actually belonged to Palegar's assets. The British after the assumption, removed most of the Palegars. Some of them, who were loyal, were continued without the privileges that they once enjoyed. The present Inamdar was one among those Palegars and was given a Taqueed by the British after the assumption, removed most of the Palegars. Some of them, who were loyal, were continued without the privileges that they once enjoyed. The present Inamdar was one among those Palegars and was given a Taqueed by the

---

19 According to the rules framed by the Government, Inams granted for the construction and repair of tanks and channels will not be interfered with so long as the terms of the grants were fulfilled, and the works were kept in good order. Inam Rules, III, 2, in CPRIS, p.71.
Government on 30th June, 1802.²⁰ The Inam property consisted of Devastanam and kanungo lands which yielded an annual revenue of 59-13-75 pagodas. However, there was no separate Parvanah with regard to the proprietorship of these lands.²¹

The complaints of both the parties thoroughly went through by the collector and came to the conclusion that since both belonged to a common ancestor, he stated that "there can be no doubt of their (both the contending parties) right to the whole of the village of Pudupaukam," which was taken away by Ram Raz.²² Such decision was in contrary to the rule according to which the Inam should be inherited by the direct descendent and undivided brothers.²³

A suit was instituted by Chingleput Raz in the Zillah court over the claim of 75 cawnies of land in Pudupaukam village. The court, in contravention of the custom of the area and the framed rules of Government asserted the right of Chingleput Raz and passed a decree in favour of him. However, the Provincial Court recognized Ram Raz as legal owner of the Inam property according to the Hindu law, but, allotted the 75 cawnies of land to Chingleput Raz.


²¹ Ibid., p. 4238.


²³ The Government formulated certain rules according to which it has to settle the disputes with regard to the Inam property. But, very often, the Government broke the rules which were formulated by itself. According to the rules, if "the present incumbent is a descendent of the original grantee or of the original registered holder, the Inam will be continued to him hereditarily. The alienation of the Inam was prohibited." For details, see Inam Rules, V, in CPRIS, p. 71.
The court arrived at the decision after reading the statements of facts, proposals, affidavits, Tauqeed and considering the earlier decisions of the Government. This decision represented an interesting transitional form, from the particularistic, administrative and authoritative style of earlier kings in relation to Inam disputes to the generalizing, legislative and reluctant style of the Government. The case proceedings and the decision has raised many questions to which there was an immediate solution, but it did not answer the general question of succession disputes.

In one more case the disputed Inam land was situated in the village of Petta in Chellumbrum taluk of South Arcot District. It was entered in pymash accounts on Raghunatha Pandit, granted during the rule of the Nawabs of Arcot. The Inam was granted for the service rendered by Raghunatha Pandit to the Nawab of Arcot and also as medical aid to him. The extent of Inam was 7 1/2 cawnies of nunjah land yielding an annual income of Rs. 71-2-4. After the death of the original grantor, the Inam was inherited by his son Gopal Pundit, but the Inam was continued in the name of Raghunatha in the register. Gopal Pundit died in 1806 and succeeded by his wife Guruvammal. But the Inam was continued to be on Raghunatha's name until 1813 in which year it was entered in the register on Ramaswamy, the nephew of Raghunatha Pundit and Guruvammal, the daughter-in-law of Raghunatha Pundit. Both enjoyed the property till 1816 when a dispute arose between the two Inamdars. Ramaswamy and his brother


Subbaiah instituted a suit and requested the Government to divide the Inam into two equal shares. The Inamdis shared the Inam property until 1829 when Ramaswamy disturbed the arrangement. Again in 1833 one more attempt was made by Ramaswamy to disturb the possession of Guruvammal. However, Ramaswamy was unable to dislodge Guruvammal from the possession of her share of Inam property. At this time an enquiry was ordered regarding the appropriation of funds allotted for the purpose of affording medical aid for the Inamdis. The Inamdar, Guruvammal, during this time, requested the principal collector to transfer her share to her son-in-law. This was objected by the other Inamdar, Ramaswamy, on the plea that Guruvammal being a woman and devoid of male issue did not possess the right to alienate her property, but entitled only to maintenance during her life time. In 1831, the whole of Inam property was transferred to Ramaswamy on the pretext that he was rendering the service and in accordance to the Regulation VI of 1831, the entire Inam was entered in the register on his name. This was objected by Guruvammal and she was supported by the principal collector. The principal collector I. Dent requested the Board of Revenue that Guruvammal could not be disturbed from her possession because her claim was recognized by the civil court and accordingly a Razeenamah was made with Ramaswamy for the joint ownership of the Inam

26 Ibid., p.14,949.
27 Ibid., p.14,950.
28 Ibid., p.14,950.
29 Ibid., p.14,951.
property. The principal collector further mentioned that Guruvammal was enjoying the property for thirty years and because of these reasons she should be permitted to enjoy her half share during her life time. Later, if the Board was willing, the principal collector stated, the Inam could be transferred to the son-in-law of Guruvammal or else, he would consider the case of her daughter who was entitled for maintenance.

Thus several factors had emerged that remained central to Inam settlements in the nineteenth century. First the continuation of Inams gave rise to disputes that were not manageable within the arbitration of district bureaucracy and consequently required the involvement of the state. Second the involvement of state in the dispute over Inam property was uneven. It was quick enough to act in the settlement of rate of rent and other economic matters. But in resolving the disputes and other related issues, its role, though crucial, was not active. Such involvement in the settlements of Inam was not done according to the definite principles and thus it lacked a systematic policy and ideology over the Inam settlements. The rules framed were followed rarely and the exigencies of colonial Government, implicitly or explicitly, expressed in its activities. The role of state, although marked by several features that were in conscious accord with the policies of previous rulers towards Inams, was nevertheless, not coherent. This was not only the ad hoc style of English administrators but also primary distinction between early

---


31 Ibid., p. 14,952.
colonial rule and its native predecessors, namely, the desire to separate the executive arm of the Government from the judicial arm.

The involvement of judiciary and its institutional separation from the executive power had two interrelated consequences. First, it meant that the executive arm of the colonial state had no special legitimacy for the extension or consolidation of its control over South Indian institutions. Thus its actions were open to challenge by the natives. Second, the judiciary was available to the natives as an institutional forum where the actualization of the challenge to the effectiveness of British political control over their institutions could take place.

Disputes between Inamdar and Government:

The challenge to the Government arose when it tried to extend its control over the land wherever it was possible. It reveals the conflict between various levels of British administration, the complexity of succession disputes, and the interaction of these two sets of conflicts as a direct challenge to Government control on the Inams. If there was failure to challenge the power of colonial control, then it gave a chance for it to penetrate into the interiors, from where it provided a fresh stimulus to disputes over the property right. Such disputes arose between the Government and the Inamdar also. It occurred when the Government grew so powerful from where it was impossible for it even to respect its own law. Even when there was legal heir to the Inamdar, the government refused to recognize him as the successor. The claimant, a legal heir, had to request the Board of revenue to...
regrant the same Inam in favour of him. Above all, such disputes arose because of the hasty decisions of the bureaucracy. The disputed property in this case belonged to Pattam and Poruppu Inam lands in Tinnevelly district.  

The Pattam and Poruppu Inams as a long standing possession were left unsettled for a longer time. The Government stated that they were not mentioned in the Inam accounts but some mamool Inam holders claimed the rights continuously which caused the dispute between the Government and the Indamars. The Government on its part maintained that these Inams were not supported by Sanad. However, the Board of Revenue considering the long possession of the Inamdars had settled them after a thorough investigation into the title-deeds.

There was one more incident of dispute between the Nattamaigars and the Government. Nattamai were the land grants made for the service of headman of a village. The colonial government, as a part of its policy, attached the Inam lands of these people, on the pretext that they were involved in debts. These Inam lands, like other grants, were given to the head of the villages in Tirunelvelly by the Nawab of Arcot, Chanda Saheb in 1751 as mamool. The Inamdars enjoyed this property continuously till 1834 by paying the quit-rent to the Government. The British sequestrated the Inams when the arrears of the quit-rent mounted up to a certain amount. The Nattamaigars of thirteen villages in Perioor Zamindari made a joint petition to the collector of Tirunelvelly to

---

32 Pattam and Poruppu were generally the wet and dry lands held on favourable assessment. These lands were existed in the southern parts of Tamil region of the erstwhile Madras Presidency. In the former case, the rent was paid in kind and in the latter case it was paid in money.

33 A descriptive list of the Inam tenures of the Madras Presidency, (DLITMP) in CPRIS, p.349.

34 Board of Revenue Proceedings, 13 November, 1834, Pp.12,264 - 12,265.
reinstate their Inams in 1834. The collector, R. Eden, directed the Ameen of the Zamindari to report the real value of the lands alluded. Later, after a thorough enquiry, the Board of Revenue modified the amount of quit-rent to be paid by the Inamdar to the Government. The petitioners request was considered by the Board but confirmed the lands on the condition of the regular payment of quit-rent.\(^\text{35}\)

In the fight between the Government and the Inamdar on the control of Inam property, the Government in many cases resumed the Inams stating that the right of resumption was rested with it as the ruler of this country. The resumption of an Inam meant to take back of things granted. If the Inam consisted of land revenue or the \textit{melvaram} alone, the resumption was only with respect to such land revenue or \textit{melvaram}. On the other hand, if the Inam consisted both of the land and the land revenue, the resumption was with respect to the land or the land revenue alone or with respect to both. Sometimes, the policy of the Government, even in cases where the grant consisted of both the \textit{warams}, was to resume the land revenue by levying the full assessment, leaving the land as it was to the Inamdar. The Government left the land with those Inamdar who were willing to pay the full assessment.

The question of partial or total resumption becomes important because of the legal consequences that flow from it. For instance, if in the case of an Inam consisted of both the \textit{warams}, granted in favour of a religious or charitable institution, the \textit{melvaram} alone is resumed and regranted in favour of a particular individual. This particular individual received only the

\(^{35}\) Board of Revenue, \textit{Op.Cit.}, P.12,265.
melvaram right and the kudivaram right continued to be held by the institution. Such unclear policies of the Government instigated many disputes over the succession to the Inam property. The following case is an ample example of the ambivalent attitude of the Government towards the Inam.

The village Pamboondy, a Dehat Inam, in South Arcot district was held by the Inamdar, Syed Tippu until the Government resumed it in 1801, as soon as the East India Company took the charges of the administration of Madras Presidency. But the Government, since its resumption, paid the proceeds of the Inam land to the actual owner, Syed Tippu, which was due to him. The case pointed out the ambiguous policy of the colonial Government with regard to the rights on Inam property. It has taken over the kudivaram right and the melvaram was granted to the Inamdar. The actual Inamdar enjoyed this right till his death in 1805. Later this right was regranted to two claimants, Fackira Bee and Emma Bee Bee, the former as the sister and the latter as the daughter of the deceased Inamdar. According to the Government, Fackira Bee was the widow of the brother of Syed Tippu's wife and Emma Bee Bee was his cousin. The Government recognized the claims of these two incumbents and stated that the right was given only to the present holder. In 1830, a petition was forwarded by one Irfan claiming the share of the melvaram right. But it was not granted as he was unable to prove his claim. Later, the district collector recommended that after the death of these two Inamdars the Government could

---

36 Board's Consultations, 10 July, 1837, p. 7809.
37 Ibid., p.7810.
resume the melvaram right also. Accordingly, the Board of Revenue also passed the resolution.

A similar case has occurred in the same district. The Government wanted to resume the Inam land in the village and taluk of Villupuram in South Arcot district. The Inam property belonged to Shabad Shah who received the grant from Nawab Omdut-ul-mulk.

The Inam land consisted of cawnies 13-10-3/4 of nunjah and punjah land of which the teerwa amounted to 157-8-10. This was entered in the pymash account on his name and afterwards in the name of his eldest son, Lal Subah Shah from 1815 to 1819. From 1820 it was enjoyed by Abdul Khadir, the fourth son of Shabad Shah. The last transaction was made without the authority of the collector.

When the Government wanted to resume the Inam land, the holder produced the copy of a sanad in support of his claim. After examining the evidence the collector recommended that the Inam during his life time and further stated that it would be resumable after his death. The result of these two cases was the threat posed by the Government to Inam through the weapon of resumption, wherever it was possible to do so.

---

39 Board’s Consultations, 24 September, 1840, p.12,052.
40 Ibid., p.12,052.
Discontinuation of Inam grants:

The policy towards Inams had been changed gradually by the Government. The necessity of revenue had invited the state to involve in the settlement of Inams. By 1829, Inams lost much of its earlier privilege and the state, in turn, had considerably expanded its control over the land. This control was defined in systematic, rule governed and self conscious terms. It is interesting to know as to what made the Government to change its policy towards Inams.

The earlier analysis of disputes over the Inam property suggests the following explanation. The developments were important in different aspects: (1) the alteration and exacerbation of disputes resulting from the discontinuation of the grant of Inam, which eventually led to the control of land in one more way, (2) the sanction of money payment, yeomiah (Pension), which replaces the grant of land had resulted in the rise of more disputes over the privileged lands and (3) the beginning of a new policy which fundamentally changed the character of the Inam during the colonial rule. The case of the Jagir of Sankarapuram in South Arcot was the example to cite with regard to changed policy pursued by the Government.

The Jagir of Sankarapuram was granted to Syed Mohammad Azim Khan Bahadur,

41 Through experiments in land settlements and other policy measures the Government expanded its authority over Madras Presidency in the earlier decades of the nineteenth century.
who was the minister of Nawab of North Arcot, Py Nawab Mohammed Ali in 1789. The Jagir consisted of 182 villages which was divided into four estates around Sankarapuram, Chekkadi, Palaiyamkottai and Kollamalai. The Jagirdar and his son enjoyed the Inam property for a longer time. In the first half of the nineteenth century a dispute arose among the family members over the amount of their shares in the property. A suit was filed in the court which went to the Supreme Court. The case was kept in pending for sometime and during 1828-1829, the management was transferred to the district collector. Taking the advantage of the dispute among the members of the family the Government ordered the resumption of Jagir and the members were given pension in accordance with the new policy.

Religious Inam grants:

The disputes of succession over the Inam property with regard to temple Inams or Devadayams, emerged when there were different claimants to it. The institution, as such, was not involved in the disputes, but the persons who rendered services to these institutions fought for the right in the property. The Government did not involve "so long as the buildings or institutions are

---

44 Religious Inams were those held for the support of religious institutions such as Hindu temples, mosques, Idgahs, Dargas, Christian churches and for the performance of services in them. They were called Devadayam Inams, being assigned to Gods, and were continued so long as those institutions or services were kept up. Refer A.N. Row, The Revenue Refresher, Madras, 1877, p.93.
maintained in an efficient manner and the services continued to be performed according to the conditions of the grant." But the different policies pursued by the colonial Government, in practice, allowed the people to exploit them for their own benefit. Sometimes, the bureaucracy, with or without its knowledge, helped such persons to enjoy the Inam property, as they would be loyal to them (the British). Thus there were claims from different persons which generated the disputes. Examples of such disputes are cited below.

The contestants to the Inam property of 25 cawnies of land in the village of Sydapet were Hyder Hussain, who allegedly claimed himself as the successor to the Inam property, and Mohammad Shariff Khan. The Inam property was held on behalf of the Sydapet Mosque. The religious service Inam, according to the rule propounded by the Government, would be "confined to the present holders and their successors."

The property was registered in the name of Muhammad Haneef Hussain Khan through a Board's order dated 11 May, 1835. The Inamdar granted half a cawni of land to Hyder Hussain for the purpose of brick making and utilized the amount thus raised for the upkeep of mosque.

The matter of dispute was not the 1/2 cawni land but the 47/8 cawnies of


46 Inam rules, III.1. in CPRIS, p.71. If the religious grants were abandoned or left in a ruined condition for twelve years and above they would be resumable by the Government, without according them any special treatment. The amount and circumstances of such resumption would be notified in the annual report. It was also stated that an opportunity should be given to the holders to renew the service, if the cession of it has been recent. See A.N. Row, Op.Cit., p.101.

Varapat land, suitable for brick making which existed adjacent to the Mosque. This land, according to the petitioner Hyder Hussain, was formerly held by him along with the whole Inam property consisting of 25 Cawnies of land. He registered his name fraudulently and thus produced an evidence in support of his claim. The disputed land (i.e., 47/8 cawnies land) was assessed but not used for cultivation, instead, it was used for brick making. The false evidence shown by Hyder Hussain allowed him to enjoy the property for six years. The moment the Government came to know about this, immediately canceled the right of Hyder Hussain to enjoy the property. But the claimant moved the court on the ground that he was the real owner and enjoyed the property formerly, and hence, it should be transferred to him. He also complained and sued the Board of Revenue as well as the Government for acting against him.

The real character of Hussain was revealed from a petition which he submitted to the Government in 1837. This petition consisted of a reference to the decree of the Provincial Court passed in 1818. The decree was passed over a suit filed in the court between Bauker Hussain (brother of Mohammad Shariff Hussain) and his father's concubine. The matter of dispute was the ownership of House. Through the above reference, Hyder Hussain wanted to prove that Bauker Hussain was the father of Muhammad Shariff Khan. He also mentioned that Mohammed Shariff Khan acquired the property through illegal methods. In the meantime, Government, after a thorough investigation established that Mohammad Shariff Khan was the legal successor and it was proved by the document obtained

---

from the Qazi of the Sudr Court. The oral evidence provided by the ancestors of his own relatives also supported the case of Mohammad Shariff Khan. Thus the 25 cawnies of land was given over to him as he was the legitimate son of the deceased Inamdar.

There was yet another example of religious service Inam which involved a dispute over the right to enjoy the property. The Inam land mentioned in this case was connected to Ganoomiah mosque, situated in Tirunelvelly. The grant of this Inam was made in 1712 by Viswanatha Nayaka to Vijayaranga and Chokkanatha, who were the sons of the tributary chief of Madurai. In addition to the above Inam, the Nayakas granted Panagudi and Keelpathu, two Inam villages in support of the Mosque. The religious and other connected services of the Mosque were performed by the income accrued from the Inam property. The property yielded an yearly income of Rs.1,240.00. In addition to that, the mosque was provided with the revenue from the Palmyra trees and Moturpha. The latter tax was collected from the weavers and other self employed who inhabited the villages which the mosque held as Inam. The Moturpha and Palmyra groves granted as Sarvamanyam or rent free to the mosque "so long as the sun and moon exist," as mentioned in the copper plate. But it was not supported by any sanad with regard to the annual allowance or yeomiah (pension) of 359-5-4. Until the assumption of charges of administration by the British, the allowance of Rs

359-5-4, per annum was disbursed to the mosque as a mamool.

Dispute regarding the Inam of the mosque arose when the original grantee Ganoomiah died. He was succeeded to the Inam property by his son Ibrahimpani, who rendered services to the mosque from 1818 to 1824. But the Collector of Tirunelvelly, Cotton, was not satisfied with the services of Ibrahimpani, and immediately transferred the Inam property to Gassen Khan. When the information was known to Ibrahimpani, he claimed the property and mentioned that he was the legal successor to it.\textsuperscript{51} At about this time, Ibrahimpani died and left no male issue to succeed him. He left his two wives, Daulatu and Rahmatu and a widowed daughter called Gani Bee Bee.\textsuperscript{52} Since they were women, the Government transferred the property to Gassen Khan and permitted him to conduct the religious services, in violation of the rule that the property could be succeeded by male or female heirs of the Inamdar.\textsuperscript{53} Later the Government found the character of Gassen Khan undesirable and transferred the management to Ajmad Khan. The dissatisfaction of the Government over the functions of these Inamdars forced it to replace them in 1833 by Mir Ibrahim and later he was replaced by the Ameen. Such quick replacement of different persons to the Inam property brought a serious disruption in the religious services to be conducted


\textsuperscript{52} \textit{Ibid.}, Pp. 2657-59.

\textsuperscript{53} "If the present holder of an Inam has, or if, as in the case of youth, there is a reasonable presumption that he will hereafter have competent heirs, that is to say, heirs, male or female, who are capable of continuing the family, and by whom the Inam will be inheritable; the prospect of reversion to Government being in this case remote." Hence the Government cannot disturb the right of the Inamdar. Inam rules, V,3, in \textit{CPRIS}, p.71.
in the mosque. At this confused situation, the three aspirants (Daulatu, Rahmatu and Gani Bee Bee) of the Inam property jointly requested the Government for the transfer of Inam property to them. Immediately after this request, the two wives of the deceased Inamdar died and Gani Bee Bee became the sole claimant to the property. In 1836, a complaint was effectively made to the Board of Revenue regarding the services rendered to the mosque. Accordingly, the Government suspended the allowances, which was then increased to Rs 2,335-10-8, connected with the mosque.54

In the meantime, a complaint was given to the Government by Gani Bee Bee in which she claimed as the legal successor to the Inam property, since, there was no male issue left by her father. Her request was accepted by the Government and it asked Gani Bee Bee to conduct the services to the mosque for a temporary period. However, she appointed a person called Sivagurunatha Pillai for the management of Inam property and left Tirunelvelly. Meanwhile, the district collector, served a letter through which he rejected the claim of Gani Bee Bee on the grounds of neglecting the services to be conducted to the mosque. Consequently, the allowances supposed to be enjoyed by the Inamdar, were ceased to be allotted to her. The uncertain circumstances prevailed over the religious activities to be conducted and the dispute over Inam property necessitated the involvement of the Board of Revenue, which immediately ordered for a general investigation about the condition of mosque. The enquiry revealed that the mosque was placed under good condition. Since it was maintained properly by Gani Bee Bee the Board of Revenue asked her to continue

54 Board of Revenue, 23 April, 1849, Vol. 2189, Pp. 5686-5688.
the service properly and granted the property to her. She was allowed to enjoy the property as long as the institution was "maintained in an efficient stage, and the services continue to be performed according to the conditions of the grant." There were different dimensions of disputes over Inam property. In the following case the dispute arose between the Zamindar and the Inamdar.

Disputes between Zamindar and Inamdar:

The Zamindars, prior to and from the beginning of the permanent settlement, did make extensive grants of land as Inams to their relatives, dependents, followers, servants and to religious and charitable institutions.

The grant of Inams by the Zamindars were considered by the Government as illegal and contrary to Regulation XXV of 1802. Since these Inams situated in the areas which were permanently settled, it had to adopt a liberal policy towards them. The Government had to recognize them because they were inextricably attached to the culture and the prestige of the patrons. To know the status of the Inams in the Zamindari or Jagir areas it is necessary to analyze fully the various implications of the policy which has been from time to time adopted towards them: (1) in estates which permanently reverted to the


56 Inam rules, III .1. in CPRIS, p.71

57 Inam Rules, XVII, in CPRIS, p.75. According to Section 12 of Regulation xxv, the Inams granted by the Zamindars were strictly invalid. Section 12 says, "it shall not be competent to proprietors of land to appropriate any part of a landed estate permanently assessed to religious or charitable, or to any other purposes by which it may be intended to exempt such lands from bearing their portion of the public tax." Refer Section 12, Permanent Settlement act in T.S. Coomarasami, The Revenue Code, Madras, 1877,p.5.
Government, (2) in the estates which were temporarily attached for arrears and (3) in the estates which were placed under the court of wards.

The Government from the beginning adopted such a policy that whenever there was a lapse in succession to the Inam it tried to resume that property. There were numerous examples of such kind. Similarly, when a lapse occurred in the succession to the Inam property in the Zamindari or Jagir areas, the Zamindar or Jagirdar tried to resume such Inams. The dispute, in such areas, was between the Zamindar or Jagirdar and Inamdar. If the Inam property was not succeeded because of the lapses or minority of the successors at the time of the death of the then incumbent, then the property was attached by the Jagirdar or Zamindar. An example, of such lapse has occurred in the village Corbullokuree of the Denkencotta taluk in Salem District.

The Inam property belonged to Singarachary, after whose death, it was attached to the Jagir of Mudugundhuly by the Jagirdar. The son of the deceased Inamdar, Seeravassachary, who was a minor at that time requested the Board of Revenue for the restoration of the property to him. The property consisted of 3939 acres in extent and yielded a beriz of Rs 11-8-3.

The district collector called the Jagirdar and asked him to explain the conditions under which the Inam land was attached to his Jagir. The Jagirdar stated that as he held a sanad entitling him to all Zufted Bhattavarthy Inams,

---

58 Board’s Consultations, 16 July, 1840, p. 8429.
59 Ibid., p.8429.
he thought the land as his own property and hence attached it to his Jagir.  

The main cause which prompted the Jagirdar to annex the property was the death of the Inamdar. The heir was minor and hence unable to approach the court or the Government. But when he attained the age of sixteen years he wrote a letter to the Board of Revenue and requested it to return his Inam property.

The Board of Revenue asked the Jagirdar to present his case before it. The Jagirdar presented a deposition to the Board which gave the details about the ownership of the Inam property. It consisted of the answers to the questions posed to the Jagirdar. The answers given proved that the Inamdar alone had the right to possession and that the Inam land was not included in the average amount to be paid by the Jagirdar to the Government. This deposition established that the Jagirdar was exploiting the inability of the minor heir. He was even cheating the Government as he did not include the Inam property to his assets which decided the tax he has to pay to the Government, and thus escaped the quit-rent supposed to be imposed on the property. The partial attitude of the Government towards landholders, without knowing the details about the Inam property, made it to sanction a sanad which entitled the Jagirdar to attach the property to his jagir. Based on the details of the petition and the deposition, the Board ordered the Government to restore the property to the Inamdar.

60 Ibid., p. 8430.

In the following case the concern of the contestants moved around the issue of Carpenter's office that created conflict over Inam land situated in the Zamindari. The dispute can be considered as the result of the following three distinct, but interrelated, things i.e., carpenter's office, Inam property and the material gain.

The argument of Jangamaya of Chumbacoor village in the Punganur Zamindari was that he was a descendent from the original grantee but was turned out by the Zamindar unjustly. This led to the dispute which dragged the Zamindar into it and questioned his authority over the Inam property by the Government. The claimant complained of the abuse and fraud perpetrated by the Zamindar and invited the Government to interfere in the matter and to stop Chinnappa, the present Inamdar, to enjoy the Inam property. On behalf of the Government the collector investigated the details of dispute and reported the matter to the Board of Revenue. The collector has given the details about the origin of the Inam based on the enquiries made by the sub-magistrate.

The Inam originally granted to Jangapathadu was proved by the survey accounts. He had two sons, Siddappa and Ramalingappa, who inherited the Inam property after the death of their father. It was first inherited by Siddappa, but has died after sixteen years of enjoyment and left no issue to succeed to the Inam property. The office was late passed to Ramalingappa, who enjoyed it for fifty years. He also did not have any issue and hence the Inam was given over to his nephew, Chinnappa in 1867, who performed the funeral rites after

62 Board of Revenue Proceedings, 6 October, 1871, p.7269.
his death. 63 The transfer of property to Chinnappa was made by the Zamindar. However, the claimant, Jangamaya was also allowed to enjoy the property along with Chinnappa. But Jangamaya neglected his work and became so unpopular that the ryots of the village demanded his removal from the Carpenter's office. After the removal of Jangamaya, Chinnappa became the sole holder of the Carpenter's office and emoluments.

This act of Zamindar sparked the dispute and the matter was taken to the Government by Jangamaya. The collector, on the evidence given by Karnam and Monigar of the village, established that the claimant was not a legitimate son of Siddappa, but was enjoying the property from the days of Ramalingappa who succeeded to the Inam property after Siddappa's death. It was proved that Jangamaya has no right to claim the Inam property. All the evidences suggested that the Inamdar, Chinnappa could enjoy the property as he was effectively organizing the Carpenter's service and had the consent of Zamindar to continue it. The Government, on its part, should recognize the succession to the Inam property. Instead, it gave support to Jangamaya, undermining the authority of the Zamindar and asked him to sue the Zamindar under the Regulation VI of 1831. According to the Regulation the Zamindar had no power regarding the appointment and dismissal of village servants, but such power was rested with the collector. The district collector, Whiteside, stated that in all such cases the "Zamindar should conform to the requirements of the law," and should not

interfere in the matters of succession on his own. The attempts of the collector to the established control was contrary to the custom of South India. The motive was to proclaim the overall superiority of the colonial Government. Finally, based on the reports of the collector, the Board observed that "the proceedings of the Zamindar being absolutely invalid in the case of the order given by him four years ago on the death of Ramalingappa, the collector will give notice that the village is vacant and that all claimants thereto were to appear before him, when he will adjudicate on their claims in accordance with the Regulations."65

The above dispute over the Inam property suggest not only the complexity of the authority of the concerns that were expressed through the Zamindar as well as the Government, but also the different claimants who fought to control the Inam property itself. What follows from this dispute is the analysis of the power of the grantor which no doubt, dismantled by the colonial rule. The dispute between the Government and the Zamindar over the question of patronage resulted in the emergence of the superiority of the British.

In another case, the dispute has taken a different turn. It arose between the Government and the purchaser of the Inam property in Ramnad Zamindari. The dispute was regarding Ambalam mirassi of a head of village in the Zamindari.66 The Inam was held for village office of Revenue and according to the Inam rules

65 Ibid., p.7269.
it should be continued to the holder of the office.\textsuperscript{67}

The Inamdar has sold his property in contrary to the regulation VI of 1831. However, the sale was made prior to the passage of the above regulation. But the dispute arose after the passing of this regulation. Hence the Collector quoted the regulation and stated that the alienation of the Inam land was contrary to the Regulation VI of 1831. The subordinate court directed the Government, in violation of the law encoded, and said that the purchaser has right to enjoy Inam property.

The Government according to the instructions received from the court made the transfer of property right to the purchaser and made him the owner of the Inam land. It further enquired from the court whether the purchaser has the right to sell the Inam property, since the alienation was contrary to the Regulation VI of 1831.\textsuperscript{68} The transfer of property indicated the positional change of the Inamdars and also the emergence of new elite in the social structure.

The order of the court gave wrong signals to the people and made them to believe that colonial Government did not have definite policy towards the social institutions and it could abuse its own laws. The shortcoming of the policy threw other such Inams into controversy.

When the Government submitted a report over the applicability of the

\textsuperscript{67} Inams held for village offices of Revenue or Police, the duties of which still require to be performed, will be continued to the holders of the office. \textit{Inam Rules,XXI}, in \textit{CPRIS}, p.76.

Regulation VI of 1831 in this particular case, the Sudr Adawlat stated that the regulation could not have a retrospective effect and hence it was not applicable to the above case.69

The outcome of all the disputes over the Inam property indicate the precarious position of the Inamdras under the British rule. The conscious attempt by the Colonial Government to control the Inam property was given a concrete expression in the policies adopted by it. A series of disputes among the Inamdras, Inamdar and Government, Inamdras and Zamindars as well as the Jagirdars and others were stimulated by the Government attitude towards Inams.

The consequences of the policy was largely unexpected. If so how should they be explained? The answer is available in the opinion expressed by the Government over the Inams. From the beginning the Government viewed the Inams as being a loss to the Government since it paid less amount as tax to it. This implied a fundamental misunderstanding of the role of Inam in the pre-colonial period, which as a part of the extended authority of the king, played a significant role. Every dispute over the Inam property in nineteenth century was not safeguarding the role it had played once but indicated the degeneration of the privileges it enjoyed. The policies adopted in different times were actually exacerbated such disputes. The willingness of the Government to settle the Inams of different kinds in all districts, after the formulation of a general policy, was in effect gave rise to other disputes in one place or the other.

The disputes that arose would not have consequences of serious nature if

the policy, in general, has not the orientation of the Anglo-Indian features. This subordination of disputes over Inam property to a set of a general rules, which were constantly modified, encouraged the natives to utilize them for their own concern.

Thus the disputes over Inam property indicate the changes in the social structure, changes in the social equilibrium through the success and failures of a host of Inamdhars. The change in the nature of the control of Inam can be attributed to some factors. Among them the foremost one was the incapacity of resolving the disputes which arose between the claimants according to the traditional methods. The other factor was the emerging tension in the British rule which appeared between its administrative arm and its judicial arm. The various disputes discussed above also pointed out to the extended contradictions in the British ideology of continuation and discontinuation of Inam. The policy adopted in 1829 was apparently interpreted as the discontinuation of granting Inam for rendering service to the state. The regulation IV of 1831 crippled the powers of the judiciary. These factors resulted in the emergence of the increase of the powers of the state. Whatever be the type of Inam, whether religious or personal or charitable, they were subordinated to the authority of Government. All the disputes were finally decided as per the rules prescribed by the Government disregarding the traditions and customs of South India. Thus Inams which had played such an important role in the formation and sustenance of the State in the pre-colonial period not only became obsolete in the nineteenth century but were considered by the British to be both needless and a loss to the revenues of the Government.