

*Judgment of the Lords of the Judicial Committee
of the Privy Council on the Appeal of Bala
Gouri Vallaba Tevar v. Periasamy alias
Udayana Tevar and Others, from the High
Court of Judicature at Madras; delivered
20th April 1894.*

Present :

LORD HOBHOUSE.

LORD ASHBOURNE.

LORD MACNAGHTEN.

SIR RICHARD COUCH.

[*Delivered by Lord Hobhouse.*]

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 Gouri Vallaba Tevar, a sunnud appointing him Zemindar of Shivaganga was granted to him by the Government in 1803, whereas it should have been granted to his elder brother Woya Tevar. But Gouri Vallaba Tevar entered upon the Zemindari at that time, and he and his descendants have enjoyed it ever since.

It is quite clear that there could have been no secrecy about his appointment to be Zemindar. The matter was the subject of public proclamation, and Woya Tevar must have known, and all his descendants must have known, that the sunnud granting the Zemindari was in the name of Gouri Vallaba Tevar, and that the Zemindari was actually occupied and enjoyed by Gouri Vallaba Tevar and his descendants.

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.

