

Privy Council Appeal No. 60 of 1923.

Sreemanthu Rajah Yarlagadda Mallikarjuna Prasada Nayudu
Bahadur Zamindar, since deceased (now represented by
Sreemanthu Rajah Yarlagadda Ankineedu Prasada Bahadur
Zamindar Garu) - - - - - *Appellants*

v.

Renduchintala Subbayya and others - - - - - *Respondents*

FROM

THE HIGH COURT OF JUDICATURE AT MADRAS.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF
THE PRIVY COUNCIL DELIVERED THE 20TH FEBRUARY, 1925.

Present at the Hearing :

LORD SHAW.
LORD CARSON.
SIR JOHN EDGE.
MR. AMEER ALI.

[*Delivered by* LORD SHAW.]

The question that arises in this appeal has reference to the rights of permanent occupancy of certain ryots who possess lands in the village of Majeru.

Under the Madras Act I of 1908 the right of ryots to such permanent occupancy of ryoti land is declared. And ryoti land "means cultivable land in an estate other than private land." "Private land means the domain or home farm land of a landholder."

The Zemindar, the appellant, attempted to show in both of the Courts below that the lands in suit were "private lands" within the meaning of the Act and that he accordingly was entitled to eject the occupants therefrom.

The question thus raised was one of fact. There are concurrent judgments in the Courts below to the effect that the lands were not private. It follows as a matter of law that the permanent occupancy of the ryots was affirmed by those Courts. This right is also affirmed by this Board. They proceed upon the settled principle that this Board does not interfere with concurrent findings of fact in the Courts below. The appeal will accordingly, under the recommendation of their Lordships to His Majesty, be dismissed.

No one appears for the respondents. so there will be no costs of this appeal.

In the Privy Council.

SREEMANTHU RAJAH VARLAGADDA MALLI-
KARJUNA PRASADA NAYUDU BAHADUR
ZAMINDAR, SINCE DECEASED (NOW RE-
PRESENTED BY SREEMANTHU RAJAH
VARLAGADDA ANKINEEDU PRASADA
BAHADUR ZAMINDAR GARU)

vs.

RENDUCHINTALA SUBBAYYA AND OTHERS.

DELIVERED BY LORD SHAW.

Printed by
Harrison & Sons, Ltd., St. Martin's Lane, W.C.
1925.