



THE

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PART II.—LEGAL.

(Separate paging is given to each Part in order that it may be filed separately.)

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NOTIFICATION OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Badulla, will be holden at the Court-house at Badulla, on Monday, February 11, 1935, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above-mentioned, and not to depart without leave asked and granted.

Fiscal's Office,
Badulla, December 21, 1934.

T. J. MENDIS,
for Fiscal.

the recovery of a sum of Rs. 1,050.25, and legal interest thereon from June 2, 1932, till payment in full, and cost of suit, Rs. 73.62, less Rs. 300 paid, viz. :—

All that lot marked M of the land called Muthettuwa-watta, situated at Denepitiya in the Weligam korale of the Matara District, Southern Province; and bounded on the north by lot N, east by road, south by lot L, and on the west by Okanda; and containing in extent 1 rood and 25 perches, with the buildings and plantations standing thereon; registered in the Matara Land Registry in D 361/116.

Deputy Fiscal's Office,
Matara, December 20, 1934.

E. T. GOONEWARDENE,
Deputy Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 4,820. In the matter of the insolvency of C. E. David of 276, Dematagoda, in Colombo.

WHEREAS the above-named C. E. David has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by C. W. Van Dort of Minder Villa, Dematagoda, in Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said C. E. David insolvent accordingly; and that two public sittings of the court, to wit, on February 5, 1935, and on February 19, 1935, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, GERALD E. DE ALWIS,
December 18, 1934. Secretary.

In the District Court of Kalutara.

No. 292/I. In the matter of the insolvency of Henry William de Silva of Kalutara North.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 12, 1935, to examine the insolvent.

By order of court, A. W. LUDEKENS,
December 19, 1934. Secretary.

In the District Court of Galle.

No. 695. In the matter of the insolvency of W. S. W. Weerasinghe of Ginimellagaha.

NOTICE is hereby given that the examination of the above-named insolvent has been fixed for January 31, 1935.

By order of court, L. B. CASPERSZ,
December 20, 1934. Secretary.

In the District Court of Badulla.

No. 23. In the matter of the insolvency of Abdul Sathar Abdul Moomin Khan of Passara.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 25, 1935, to receive the assignee's report.

By order of court, J. N. CULANTHAIVALU,
December 18, 1934. Secretary.

NOTICES OF FISCALS' SALES.

Southern Province.

In the District Court of Galle.

K. S. P. S. Kadiresan Chettiar, presently in India..Plaintiff.
No. 30,496. Vs.

D. J. O. Weerasingha of Denepitiya..... Defendant

NOTICE is hereby given that on Saturday, January 26, 1935, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for

Northern Province.

In the District Court of Jaffna.

Kanapathippillai Kanthappu of Karaitivu West..Plaintiff.

No. 109. 31 Vs.

Kanthapper Vaithilingam of Karaitivu East..Defendant.

NOTICE is hereby given that on Wednesday, January 30, 1935, at 10 o'clock in the forenoon, will be sold by public auction at the spots the right, title, and interest of the said defendant in the following property for the recovery of Rs. 38,179, poundage and charges, viz. :—

1. A piece of land situated at Valanthalai in Karaitivu East, Karaitivu parish, Islands Division of the Jaffna District, Northern Province, called Kilavankardu; containing in extent 7 lachams varagu culture with palmyras, houses, and well; and bounded on the east by by-lane, north by Mutti widow of Kanther, west by Eladchumi wife of Vinasithamby Nallathamby, and another, and south by lane.

2. A piece of land situated at ditto called Thanakampiddy, containing in extent 12 lachams varagu culture with palmyras; and bounded on the east by seashore (waste land), north by waste land, west by road, and south by channel.

3. A piece of land with the superstructure of the boutique shed built by the defendant (but exclusive of the ground) situated at ditto called Sakala Oddai, containing in extent 3½ lachams varagu culture with boutique shed; and bounded on the east and north by lane, west by Vaithilingam, and south by road.

The 1st and 2nd lands are said to be under mortgage.

Fiscal's Office,
Jaffna, December 22, 1934.

S. TURAIYAPPAH,
Deputy Fiscal.

In the District Court of Jaffna.

Mootatamby Kandavanam by his attorney Sinna-thamby Ambavanar of Chunnakam.....Plaintiff.

No. 3,962. Vs.

A. V. Suppiramaniam of Alvai, Point Pedro, presently of Puloly.....Defendant.

NOTICE is hereby given that on Saturday, January 26, 1935, at 12 noon, will be sold by public auction at the spots the right, title, and interest of the said defendant in the following property for the recovery of Rs. 816 with legal interest thereon from April 4, 1933, and costs Rs. 131.05, poundage and charges, viz. :—

1. An undivided ½ share of a divided 19 lachams varagu culture and 9½ kulies of a piece of land situated at Alvai Malavarayakuruchi in Kaddaively parish, Vadamaradchi division of the Jaffna District, Northern Province, called Vaddatheni; containing in extent 71½ lachams varagu culture thoddam 5. The said 19 lachams varagu culture and 9½ kulies being ¼ share on the northern side with palmyras, vadalies, and well; and bounded on the east by Kathirasipillai, wife of Vallipuram, and others, north by lane, west by road, and south by Alvar Vallipuram and others.

2. An undivided 3 lachams varagu culture and 4½ kulies with its appurtenances of a divided 33 lachams varagu culture and 4½ kulies (but exclusive of the house, huts, and mango trees) of a piece of land situated at ditto Vaddatheni; containing in extent 78 lachams varagu culture and 3 kulies. The said 33 lachams varagu culture and 4½ kulies according to possession in the centre with palmyras, vadalies, wells, mango trees, huts,

and houses; and bounded on the east by Eladchumi wife of Ramalingam, and others, north by A. V. Supramaniam and others, west by road and A. V. Supramaniam and others, and south by Vallipillai widow of Kathirkamar, and others.

Fiscal's Office,
Jaffna, December 21, 1934.

S. TURAIYAPPAH,
Deputy Fiscal.

In the District Court of Jaffna.

Ilayatchy, widow of Sivagurunather of Imayanankuruchi Plaintiff.

No. 4,268.

Vs.

Kanagasabai Muttukumar of Puttur Defendant.

NOTICE is hereby given that on Tuesday, January 29, 1935, at 10 o'clock in the forenoon, will be sold by public auction at the spots the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,503, with interest on Rs. 1,000 at the rate of 12 per cent. per annum from June 13, 1933, till October 24, 1933, and thereafter on the aggregate amount at the rate of 9 per cent. per annum and costs Rs. 145.68, poundage and charges, viz. :—

1. 2. A piece of land situated at Siruppiddy in Puttur parish, Valigamam East division of the Jaffna District, Northern Province, called Maryvayal; containing in extent 30 lachams varagu culture and p.c. with its appurtenances; and bounded on the east by Sivakki widow of Velan, and others, north by Naganather Kanniah and others, west by the property belonging to Siruppiddy Kirukappai Amman Kovil, and south by Sinnathamby Sinniah.

2. 3. A piece of land situated at Puttur ditto, called Thalaisydy; containing in extent 12 lachams p.c. with its appurtenances and share of the well with way and water-course; and bounded on the east by Kanagasabai Muttukumar and others, north by the heirs of Sethunga Mappanar Thamotherampillai, west by Sinnathamby Arunasalam and others, and south by Visuvalingam Ponniah.

3. 4. A piece of land situated at Puttur South ditto, called Pullanthithoddam; containing in extent 18 lachams p.c.; and bounded on the east by the property belonging to Sithamparam Ampalavanaswamy temple and Sinnappillai, daughter of Visuvalingam, north by Narayanapillai Kanagasabai, west by Sinnan, wife of Sangaran, and others, and south by Murugan Kathiran and others.

4. 7. An undivided $\frac{1}{4}$ share of a piece of land situated at Puttur North ditto, called Manatpathi; containing in extent 24 lachams varagu culture, with well; and bounded on the east by Malavarayar Kandiah, north by lane, west by lane and Muttupillai, wife of Kasinather, and others, and south by Vallipillai, wife of Ramalingam, and others.

5. 10. A piece of land situated at Averankal ditto, called Arulavaththai; containing in extent 5 lachams varagu culture; and bounded on the east by lane, north by Subramaniam Arunasalam and others, west and south by Kathirasy, daughter of Arunasalam.

6. 11. A piece of land situated at Puttur North ditto, called Ulaikulam; containing in extent 23 lachams p.c. ditto 7 lachams p.c. Total extent 30 lachams p.c.; and bounded on the east by Kanthan Suppan, north by Kanapathy Sinnathamby and tank, west by Muttukumar Subramaniam and others, and south by Subramaniam Sathasivam, and lane.

7. 13. A piece of land situated at Puttur North ditto, called Alladivayal; containing in extent 12 lachams varagu culture; and bounded on the east by Meenadchipillai, wife of Kanagasabai, north by Kathirasipillai, wife of Vaithilingam, west by Valliammai, wife of Sankarapillai, and south by Arumugam Poothathamby.

The 2nd land is also seized under writ No. 2,504, D. C., Jaffna.

Fiscal's Office,
Jaffna, December 21, 1934.

S. TURAIYAPPAH,
Deputy Fiscal.

In the District Court of Jaffna.

Sinnathamby Ponnuthurai of Nallur Plaintiff.

No. 5,083.

Vs.

(1) Cathiravelu Thambimuttu and (2) Paramu Vaitilingham, both of Chiviateru Defendants.

NOTICE is hereby given that on Saturday, January 26, 1935, at 3 o'clock in the afternoon, will be sold by public auction at the spot, the right, title, and interest of the said 1st defendant in the following property for the recovery of Rs. 750, with legal interest thereon at the rate of 9 per cent. per annum from October 24, 1933, and costs Rs. 22.10, poundage, and charges, viz. :—

A piece of land situated at Nallur in Nallur Jaffna division of the Jaffna District, Northern Province, called Nirupathunka Arachchivalavu; containing in

extent 5 lachams varagu culture, with small bungalow, well cultivated and spontaneous plantations; and bounded on the east by Sinnapillai, widow of Velu, north by Sathiapama, wife of Sevvanthipillai, west by Nagaratnam, wife of Ponnuthurai, and south by road.

The land is said to be under mortgage.

Fiscal's Office,
Jaffna, December 20, 1934.

S. TURAIYAPPAH,
Deputy Fiscal.

Eastern Province.

In the District Court of Trincomalee.

Gopalapillai Kathirgamatamby of Paddimedu .. Plaintiff.

No. 1,574.

Vs.

H. S. Hassan Mohamed of Mariammai Koviltheru of Tanjore in India, legal representative of the estate of Assan Saibu Seiyathu Muhammathu Saibu through his agent, T. M. Dawoodsaibu of Division No. 10, Trincomalee Defendants.

NOTICE is hereby given that on Saturday, January 26, 1935, commencing at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the defendant in the under-mentioned properties for the recovery of a sum of Rs. 7,005, with interest on Rs. 4,500 at 12 per cent. per annum from May 3, 1933, till September 21, 1933, and thereafter at 9 per cent. per annum on the aggregate amount till payment in full and costs Rs. 388.52 $\frac{1}{2}$, poundage, Fiscal's fees, and charges :—

1. A piece of land bearing assessment No. 14, situated at Division No. 10, Trincomalee, with a tiled bankshall of one room standing thereon, share of well and all other rights relating thereto; boundaries of which are north-east by seashore, south-east by bankshall and land belonging to A. Sithiravelu and others, south-west by road, and north-west by bankshall and ground belonging to A. Sithiravelu and others. Extent, length 22 fathoms, breadth 2 $\frac{1}{2}$ fathoms. Registered A 10/145.

2. A piece of land bearing assessment No. 16, situated at Division No. 10, Trincomalee, with a tiled bankshall of one room, one-third share in the well standing in the adjoining land belonging to A. Sithiravelu and others and all other rights relating thereto; boundaries are on the east by bankshall and land belonging to A. Sithiravelu and others, south by road, west by bankshall and ground belonging to the heirs of P. V. Chinniah Vannipam, and north by seashore. Extent 8 $\frac{6}{100}$ square perches. Registered A 10/259.

Deputy Fiscal's Office, W. T. Loos,
Trincomalee, December 22, 1934. Additional Deputy Fiscal.

North-Western Province.

In the District Court of Chilaw.

Navanna Ana Runa Cheena Thana Sidambaram Chettiar of Madampe Plaintiff.

No. 10,101.

Vs.

Ravanna Mana Muna Vena Somasunderam Chettiar of Madampe, presently of Karaikkudi in Ramnad District, South India Defendant.

NOTICE is hereby given that on Friday, February 2, 1935, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 230.16, with legal interest thereon at the rate of 9 per cent. per annum from April 30, 1934, till payment in full, costs of suit, and poundage, viz. :—

The several contiguous allotments of land now forming one property, called Thambagalla estate, situate at Thambagalla in Munnessaram pattu in the District of Chilaw, North-Western Province; and bounded on the north by Lunuwilawatta, wewa, Crown land, and a road, east by Kadawalakeidama and lands of S. M. Babappuhamy and others, and R. R. M. Peter Singho, south by field of R. R. M. Menikhamy and others and land of R. R. M. Kandappu, west by land of R. R. M. Kandappu, R. R. M. Menikhamy, and W. Aloysius Fernando, the temple land, and a field; containing in extent 47 acres 3 roods and 8 perches.

Deputy Fiscal's Office,
Chilaw, December 19, 1934.

L. F. ROSA,
Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Kalutara.

Absolute or Discharging Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Estate of the late Widanelage Peter de Mel, deceased, of Pattiya North, in Panadura. No. 2,570.

THIS matter coming on for final defermination before N. M. Bharucha, Esq., District Judge of Kalutara, on February 8, 1934, in the presence of Mr. H. Leo Perera, Proctor, and the affidavit of Warusahennedige Rosline Emaliya Fernando of Pattiya North, having been read :

It is ordered that probate of the will of Widanelage Peter de Mel be issued to Warusahennedige Rosline Emaliya Fernando, that the same be declared proved, and that the said petitioner be and she is hereby declared entitled to have probate of the said will accordingly.

February 8, 1934.

N. M. BHARUCHA,
District Judge.

The date for showing cause is extended to January 17, 1935.

November 15, 1934.

N. M. BHARUCHA,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Don Carolis Wijesinghe Appuhamy, deceased, of Welipenna. No. 2,621.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge of Kalutara, on November 20, 1934, in the presence of Mr. H. O. W. Obeyesekere, Proctor, on the part of the petitioner, Jayanettikoralalagey Dona Lora Wijesinghe Hamine of Welipenna ; and the affidavit of the said petitioner dated November 16, 1934, having been read :

It is ordered that the said petitioner be and she is hereby declared entitled, as widow, to have letters of administration to the estate issued to her, unless the respondents—(1) Grace de Alwis Wijesinghe, (2) Tittie Margaret Wijesinghe, (3) Don Tiddy Wijesinghe, (4) Birdie Eva Wijesinghe, (5) Don Sammie Wijesinghe, (6) Don Edwin Wijesinghe, (7) Don Billy Wijesinghe, all of Welipenna ; 5th to 7th minors, by guardian *ad litem* the 3rd respondent—or any other person or persons interested shall, on or before January 25, 1935, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 3rd respondent be and he is hereby appointed guardian *ad litem* over the 5th to 7th minor respondents for all the purposes of this action, unless the respondents or any other person or persons interested shall, on or before January 25, 1935, show sufficient cause to the satisfaction of this court to the contrary.

November 26, 1934.

N. M. BHARUCHA,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Vidane Pathirana Cornelis, deceased, of Opatha. No. 7,610.

THIS matter coming on for final disposal before T. W. Roberts, Esq., District Judge of Galle, on October 3, 1934, in the presence of Mr. A. E. P. Jayatilaka, Proctor, on the

part of the petitioners (1) Panangala Liyanage Carlinahamy and (2) Vidane Pathirana Charles Waidyaratne, both of Opatha ; and the affidavit of the 2nd petitioners dated September 26, 1934, having been read :

It is declared that the said petitioners are jointly entitled to have letters of administration issued on them accordingly, unless the said respondents, viz. :—(1) Vidane Pathirana Pichoris, (2) Vidane Pathirana Surasena, (3) Vidane Pathirana Senevira, (4) Vidane Pathirana Premawathie, wife of (5) H. L. A. Gunawardena, Police Officer, Hiniduma, (6) Vidane Pathirana Jinadasa, (7) Vidane Pathirana Seelawathie of Opatha—shall, on or before October 14, 1934, show sufficient cause to the satisfaction of this court to the contrary.

T. W. ROBERTS,
District Judge.

October 3, 1934.

The foregoing *Order Nisi* is hereby extended to November 14, 1934.

T. W. ROBERTS,
District Judge.

October 14, 1934.

The foregoing *Order Nisi* is hereby extended to December 12, 1934.

T. W. ROBERTS,
District Judge.

November 14, 1934.

The foregoing *Order Nisi* is hereby extended to January 23, 1935.

A. D. JAYASUNDERA,
Acting District Judge.

December 12, 1934.

In the District Court of Ratnapura.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of John William Robertson of No. 1,015. Balawinna estate, Godakewela, deceased.

(1) Edward James Jenkins of Madampe estate, (2) Hector William Robertson of Balawinna estate, presently of Colombo Petitioners.

And

(1) Joyee Hellen Direckze presently of Matale, and her husband (2) G. A. G. Direckze, Government Surveyor, Nalanda, (3) Norman William Robertson of Balawinna estate, (4) Collin William Robertson of Balawinna estate, the 3rd and 4th respondents are minors by their guardian *ad litem* (5) E. G. Koch of Cumber-land place, Bambalapitiya Respondents.

THIS matter coming on for disposal before S. Rodrigo, Esq., District Judge of Ratnapura, on October 23, 1934, in the presence of Mr. C. F. Dharmaratne, Proctor, on the part of the petitioners above named, and the affidavit of the said petitioners dated June 21, 1934, and the affidavits of the witnesses to the last will dated June 24 and July 15, 1934, having been read :

It is ordered that the last will of the above-named deceased dated May 9, 1932, and now deposited in this court, be and the same is hereby declared proved, unless the above-named respondents or any other person or persons interested shall, on or before November 29, 1934, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioners above named are the executors named in the said will and that they are entitled to have probate of the same issued to them accordingly, unless the respondents above named or any other person or persons interested shall, on or before November 29, 1934, show sufficient cause to the satisfaction of this court to the contrary.

S. RODRIGO,
District Judge.

October 23, 1934.

This *Order Nisi* is extended for January 9, 1935.

S. RODRIGO,
District Judge.

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