



THE

# CEYLON GOVERNMENT GAZETTE

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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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## PASSED ORDINANCES.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof.

## No. 9 of 1937.

**An Ordinance to empower the Lord Bishop of Colombo as Trustee of "The Frederick Dias Abeysinghe Orphanage", to sell the immovable property held by him as such Trustee.**

R. E. STUBBS.

WHEREAS Frederick Dias Abeysinghe Mudaliyar and Johanna de Saram (consorts) late of Galle deceased by their Last Will and Testament dated the third day of January one thousand eight hundred and eighty seven and attested by Edwin Roland Anthonisz of Galle, Notary Public, which was duly proved and admitted to Probate in Testamentary Proceedings No. 3008 of the District Court of Galle, bequeathed to the Right Reverend Father in God, Reginald Stephen, by Divine Permission, Lord Bishop of Colombo, and his successors in the said See for ever, the whole of their real and personal estate whatsoever, wheresoever and of what nature or kind soever In Trust to use the income, issues, rents and profits thereof for the endowment and maintenance of an Orphanage for boys, to be called "The Frederick Dias Abeysinghe Orphanage" to be conducted and maintained in the manner and subject to the conditions in the said Will set out, and directed, inter alia, that the immovable property found in their said estate (except as in the said Will excepted) should for ever remain unsold, the issues, rents and profits thereof being devoted to the maintenance of the said Orphanage.

And whereas presently the Right Reverend Mark is, by Divine Permission, the Lord Bishop of Colombo, in succession to the previous Lord Bishops of Colombo, and holds the said immovable properties, in trust as aforesaid, under and by virtue of the said will.

And whereas the immovable properties subject to the said Trust, which are situated in the Districts of Galle, Matara and Hambantota in the Southern Province of this Island, are numerous and have become inconvenient and difficult to manage, and it is necessary and expedient to sell the same.

Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the State Council thereof, as follows :—

Short title.

1 This Ordinance may be cited as The Frederick Dias Abeysinghe Orphanage Ordinance, No. 9 of 1937.

Power to sell immovable property.

2 It shall be lawful for, and the power is hereby granted to, the said The Right Reverend Mark, Lord Bishop of Colombo, and his successors as such Bishop, as Trustee as aforesaid, at his absolute discretion, to sell all or any of the said immovable property subject to the said Trust created by the said will, and the buildings thereon respectively, if any, together or in parcels, by public auction or private contract, with power to make any special conditions as to title or evidence of title or otherwise, and with power to buy in the premises at any public sale, or to compound any contract, or to resell and to convey and assign the premises respectively so sold to the purchaser or purchasers thereof absolutely, freed and discharged of and from all and every the trusts, terms and conditions in the said Will contained concerning the same, and to apply the proceeds of such sale, or any part thereof, in the purchase of other suitable immovable property, or to invest such proceeds, or any part thereof, in the name, or under the legal control, of the said The Right Reverend Mark, Lord Bishop of Colombo, or of his successors as such Bishop, as Trustee as aforesaid, in any of the securities on which trustees are empowered by the law for the time being in force in this Island to invest trust money, with power for the said The Right Reverend Mark, Lord Bishop of Colombo, or for his successors as such Bishop, at his discretion, from time to time, and whenever and as often as it may be considered expedient, to sell any immovable property purchased as aforesaid, or any part or parts thereof, in the same manner and on the same terms and subject to the same powers and conditions hereby granted, and to apply the proceeds or any part thereof as soon as may be convenient, in the purchase of other suitable immovable property, or to invest the proceeds, or any part thereof, in the manner hereby authorised, and to vary or transpose all or any of the said investments from time to time for or into any other or others

of the nature hereby authorised. Provided that all such other immovable property purchased out of the proceeds of any such sale, and all such investments made out of the proceeds of any such sale, shall be held in trust by The Right Reverend Mark, Lord Bishop of Colombo, and by his successors as such Bishop, for the purposes and subject to the terms and conditions in the said Will declared and contained.

3 It shall be lawful for, and the power is hereby granted to, the said The Right Reverend Mark, Lord Bishop of Colombo, and to his successors as such Bishop, to manage, cultivate and carry on such immovable property that may be purchased as aforesaid, in such manner as the said The Right Reverend Mark, Lord Bishop of Colombo, or his successors as such Bishop, shall in their absolute discretion think fit, and, for that purpose, at any time and from time to time, to employ and pay superintendents, and other agents, agricultural or commercial, and to discharge or to discontinue such superintendents and other agents, to enter into any arrangement or agreement with any person or persons or corporation or company for the cultivation and upkeep of the same and for the curing, transmission and sale of the crops and produce thereof, and for the remuneration of such person or persons or company acting in that behalf, and, for all or any of the purposes aforesaid, to appropriate the income from such immovable property or investments or any part thereof, to raise money on the said immovable property purchased as aforesaid, or the said investments made as aforesaid, by mortgaging, or assigning by way of mortgage or pledge, the same or any part thereof to any person or persons or company, and, out of the rents, issues and profits of the said immovable property purchased as aforesaid, or of any part thereof, or the income from the said investments, or any part thereof, after payment of all necessary outgoings and expenses, to pay or reduce from time to time the mortgage debts due upon the same, and to mortgage and hypothecate such immovable property purchased as aforesaid or any part thereof, or the said investments, or any part thereof, for the purpose of paying off the mortgage debts due thereon respectively.

Management of  
trust properties.

4 Nothing in this Ordinance contained shall affect or be deemed to affect the rights of His Majesty the King, His Heirs and Successors, or of any body politic or corporate or of any other persons except such as are mentioned in this Ordinance and those claiming by, from or under them.

Saving of rights  
of the Crown,  
&c.

Passed in Council the Twenty-third day of February, One thousand Nine hundred and Thirty-seven.

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twenty-fifth day of March, One thousand Nine hundred and Thirty-seven.

E. R. SUDBURY,  
Secretary to the Governor.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof.

906/11 (F.S.O.)

**No. 11 of 1937.**

**An Ordinance further to amend the Income Tax Ordinance, 1932.**

No. 2 of 1932.

R. E. STUBBS.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows:—

1 This Ordinance may be cited as the Income Tax (Amendment) Ordinance, No. 11 of 1937.

Short title.

2 Section 2 of the Income Tax Ordinance, 1932, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows:

Amendment of  
section 2 of  
Ordinance No. 2  
of 1932.

(1) in the definition of "Executor"—

(a) by the substitution for the word "includes" of the word "means"; and

(b) by the substitution for the word "person" at the end thereof of the words "person, and includes a trustee acting under a trust created by the last will of the author of the trust.";

- (2) in the definition of "Profits" or "income", by the substitution for the words "the profits" of the words "the nett profits";
- (3) in the definition of "Trustee",  
by the substitution for the word "person." at the end thereof, of the words "person, but does not include an executor."; and
- (4) in the definition of "Written-down value"—
- (a) by the substitution for the words "plant and machinery" wherever those words occur therein, of the words "plant, machinery or fixtures"; and
- (b) by the omission of the word "its" where that word occurs therein before the word 'purchase'.
- Amendment of section 6 of the principal Ordinance.**      **3** Section 6 of the principal Ordinance is hereby amended in sub-section (1) thereof by the substitution for the words "profits and income" of the words "profits and income" or "profits" or "income".
- Amendment of section 10 of the principal Ordinance.**      **4** Section 10 of the principal Ordinance is hereby amended in paragraph (j) thereof by the substitution for the words "any provident" of the words "any pensions, provident".
- Amendment of section 11 of the principal Ordinance.**      **5** Section 11 of the principal Ordinance is hereby amended as follows:—
- (1) in sub-section (3) thereof by the substitution for the word "profit" of the word "profits"; and
- (2) in sub-section (6) thereof by the addition of the following proviso at the end of that sub-section:—
- Proviso.**      "Provided that where any such person becomes entitled to receive after the date on which such cessation occurs a pension or any sum payable in commutation of pension, such person shall be deemed to have commenced a new employment on the date next succeeding the date of such cessation and such pension or sum payable in commutation of pension shall be deemed to be profits arising from such new employment; and the provisions of this sub-section and of sub-sections (3), (4) and (5) shall apply accordingly. This proviso shall have no application in any case where such cessation occurs on any date in any year of assessment prior to the year of assessment commencing on the first day of April, 1936."
- Amendment of section 17 of the principal Ordinance.**      **6** Section 17 of the principal Ordinance is hereby amended by the addition at the end thereof, of the following:—
- "Provided that the allowance under section 16 (1) (b) shall not exceed the allowance due in respect of the earned income of the resident period: Provided, further, that where the total of the allowances under section 16 exceeds the assessable income of the resident period, the amount of such excess shall not be set off against the assessable income of the non-resident period."
- Amendment of section 20 of the principal Ordinance.**      **7** Section 20 of the principal Ordinance is hereby amended in sub-section (2) by the addition at the end thereof of the following:—
- "Provided, further, that where an individual is resident in Ceylon for a part only of a year of assessment, the provisions of this sub-section shall apply to the income of the resident period."
- Amendment of section 45 of the principal Ordinance.**      **8** Section 45 of the principal Ordinance is hereby amended in sub-section (2) thereof—
- (1) by the substitution for the words "Kingdom shall" where they occur therein, of the words "Kingdom, or in any other part of His Majesty's dominions, or in any British protectorate or protected state, or in any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty, shall"; and
- (2) by the addition at the end thereof of the words "Provided further that no individual resident in any place other than the United Kingdom shall be entitled to relief under this sub-section for any year of assessment preceding the year of assessment commencing on the first day of April, 1937."

9 Section 46 of the principal Ordinance is hereby amended in paragraph (a) of sub-section (2) thereof—

Amendment of section 46 of the principal Ordinance.

- (1) by the substitution for the word "Dominions" of the word "dominions"; and
- (2) by the substitution for the words "or in any place under His Majesty's protection or suzerainty" of the words "or in any British protectorate or protected state, or in any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty".

10 Section 74 of the principal Ordinance is hereby amended in sub-sections (4) and (5) thereof by the substitution for the words "The Supreme Court" wherever they occur in those sub-sections, of the words "Any two or more Judges of the Supreme Court".

Amendment of section 74 of the principal Ordinance.

Passed in Council the Twenty-fourth day of March, One thousand Nine hundred and Thirty-seven.

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Sixteenth day of April, One thousand Nine hundred and Thirty-seven.

E. H. DAVIES,  
Additional Secretary to the Governor.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof.

No. 13 of 1937.

An Ordinance to prohibit the employment of females on underground work in mines.

R. E. STUBBS.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows:—

1 This Ordinance may be cited as the Mines (Prohibition of Female Labour Underground) Ordinance, No. 13 of 1937.

Short title.

- 2 (1) No female, of any age, shall at any time—
  - (a) perform or be employed on any underground work in any mine; or
  - (b) enter or remain in the underground parts of any mine for the performance of any work therein.

Prohibition of employment of females on underground work in mines.

(2) Nothing in sub-section (1) shall apply to any female or any class of females exempted by regulation from the prohibition contained in that sub-section.

Power of Executive Committee to exempt classes of females from operation of section 2 (1).

3 The Executive Committee may, by regulation, exempt from the prohibition contained in section 2 (1) all or any of the following classes of females:—

- (a) females holding positions of management who do not perform manual work;
- (b) females employed in health and welfare services;
- (c) females who in the course of their studies spend a period of training in the underground parts of a mine;
- (d) any other females who may occasionally have to enter the underground parts of a mine for the purpose of a non-manual occupation.

4 (1) The Executive Committee may make regulations for or in respect of all or any of the following matters:—

- (a) the definition or description of any class of females which may be exempted under section 3;
- (b) the issue to females of any class exempted under section 3 of permits to enter, work, or remain in the underground parts of any mine;
- (c) the terms and conditions upon which and the persons by whom such permits shall be issued;
- (d) the inspection of mines for the purpose of giving effect to the provisions of this Ordinance or of any regulation made thereunder; and
- (e) all matters incidental to or connected with the matters or subjects specifically referred to in this sub-section.

(2) Every regulation made by the Executive Committee shall be brought before the State Council by a motion that such regulation shall be approved, and if so approved, shall be submitted to the Governor for ratification. No regulation made by the Executive Committee shall have effect until it has been approved by the State Council and ratified by the Governor. Notification of such approval and ratification shall be published in the Gazette.

(3) A regulation made by the Executive Committee when approved by the State Council and ratified by the Governor shall, upon the notification of such approval and ratification in the Gazette, be as valid and effectual as if it were herein enacted.

**Offences.**

5 (1) Any person who contravenes any of the provisions of this Ordinance or of any regulation made thereunder shall be guilty of an offence.

(2) In the event of the contravention by any person of any of the provisions of this Ordinance or of any regulation made thereunder, the owner, agent and manager of the mine shall each be guilty of an offence unless he proves that he had taken all reasonable means to prevent such contravention, by publishing and to the best of his power enforcing the provisions of this Ordinance and the regulations made thereunder.

**Penalties.**

6 Every person who is guilty of an offence under this Ordinance shall be liable to a fine not exceeding fifty rupees, and if any such person is the owner, agent or manager of a mine, such person shall, on conviction after summary trial before a Police Magistrate, be liable to a fine not exceeding two hundred rupees.

**Interpretation.**

7 In this Ordinance, unless the context otherwise requires—

“Executive Committee” means the Executive Committee of Labour, Industry and Commerce;

“mine” includes any undertaking, whether public or private, for the extraction of any substance from under the surface of the earth;

“regulation” means a regulation made under this Ordinance by the Executive Committee.

**Application of Ordinance.**

8 The provisions of this Ordinance shall be in addition to and not in substitution or derogation of the provisions of any other written law relating to the employment of females in mines in so far as such other written law is not inconsistent with the provisions of this Ordinance.

Passed in Council the Twenty-fourth day of March, One thousand Nine hundred and Thirty-seven.

E. W. KANNANGARA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Sixteenth day of April, One thousand Nine hundred and Thirty-seven.

E. H. DAVIES,  
Additional Secretary to the Governor.

**NOTICES OF INSOLVENCY.**

In the District Court of Colombo.  
No. 4,989. In the matter of the insolvency of Austin Wickremasinghe of 18/73, St. Joseph street, Grandpass, Colombo.

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 May 11, 1937, to approve conditions of sale.

By order of court, GERALD E. DE ALWIS,  
April 22, 1937. Secretary.

In the District Court of Colombo.  
Insolvency No. 5,032. In the matter of the insolvency of Abubacker Hadjar Mohamed Sheriff also known as H. M. Sheriff, presently of 49, Stanley place, Colombo.

NOTICE is hereby given that a special sitting in the above proceedings will be held on April 27, 1937, for the proof of the claim of Ismail Lebbe Marikar Abusa Umma of Kandawatta, Galle, for Rs. 23.46.

By order of court, GERALD E. DE ALWIS,  
April 19, 1937. Secretary.

In the District Court of Colombo.  
No. 5,080. In the matter of the insolvency of Granville Lawson Weinman of Ford place, Old Kolonnawa road, Colombo.

WHEREAS the above-named G. L. Weinman has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by B. E. Mendis of Karagampitiya in Dehiwala, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said G. L. Weinman insolvent accordingly; and that two public sittings of the court, to wit, on May 18, 1937, and on June 1, 1937, 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,  
April 8, 1937. Secretary.

In the District Court of Colombo.  
No. 5,081. In the matter of the insolvency of Kathiravaloopillai Subramaniam Nadarajah of 74, Lower street, Andrew's place, Colombo.

WHEREAS the above-named K. S. Nadarajah has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by R. D. Perera of 27,

Galle road, Colombo, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said K. S. Nadarajah insolvent accordingly ; and that two public sittings of the court, to wit, on May 18, 1937, and on June 22, 1937, 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,  
April 17, 1937. Secretary.

In the District Court of Kandy.

No. 2,132. In the matter of the insolvency of Randeniye Don Walter Perera of Mosville Group, Dolosbage.

WHEREAS Randeniye Don Walter Perera has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Piyanakara John Perera, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said Randeniyege Don Walter Perera insolvent accordingly ; and that two public sittings of the court, to wit, on May 21, 1937, and on June 11, 1937, 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, R. MALALGODA,  
April 20, 1937. Secretary.

In the District Court of Kandy.

No. 2,133. In the matter of the insolvency of A. B. Ratnayake of Mulgampola in Kandy.

WHEREAS A. B. Ratnayake has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Omeru Meera Saibo's son, Omeru Aliyar, under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said A. B. Ratnayake insolvent accordingly ; and that two public sittings of the court, to wit, on May 21, 1937, and on June 11, 1937, 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, R. MALALGODA,  
April 20, 1937. Secretary.

In the District Court of Galle.

No. 706. In the matter of the insolvency of Ahangama Nanayakkara Gamage Henry Cornelis de Silva Gunaratne.

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 June 10, 1937, for the purpose of considering the issue of a certificate to the insolvent.

By order of court, M. G. ARIYASENA,  
April 19, 1937. Acting Secretary.

## NOTICES OF FISCALS' SALES.

### Western Province.

In the District Court of Colombo.

B. B. Fernando of Wellawatta ..... Plaintiff.  
No. 5,811. Vs.

(1) Bentotage Allis Fernando and (2) G. A. Odiris Hamy, both of Wellawatta ..... Defendants.

NOTICE is hereby given that on Friday, May 21, 1937, at 4 P.M., will be sold by public auction at the premises the following property mortgaged with P. Porlentina Peris by bond No. 3,453 dated July 11, 1931, attested by C. V. Wickramasinghe, Notary Public, and assigned to the plaintiff by deed No. 718 dated July 7, 1936, attested by M. E. Wickramasinghe, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated March 1, 1937, for the recovery of the sum of Rs. 787.50, with interest on Rs. 500 at 15 per cent. per annum from August 11, 1936, to the date of decree (January 25, 1937),

and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz. :—

All that allotment of land called Kongahawatta marked lot 251c of lot No. 251 in registration plan No. 2, situated at Wellawatta, within the Municipality and District of Colombo, Western Province, bearing assessment No. 26 (1-2), 33rd lane which said lot 251c is bounded on the north by lot 251A, east by lot 251D, south by a road reservation 20 feet wide (lot 251E), west by lot 250 in ; extent 14.80 perches. Prior registration Well. 29/94.

Fiscal's Office,  
Colombo, April 21, 1937.

C. EMMANUEL,  
Deputy Fiscal.

In the Court of Requests of Colombo.

J. D. Allis of Hulftsdorp, Colombo ..... Plaintiff.

No. 22,082. Vs.

Naris Dharmawickrama Mananadewa of 125, Grandpass, Colombo ..... Defendant.

NOTICE is hereby given that on Saturday, May 22, 1937, at 11 A.M., will be sold by public auction at the premises the following property for the recovery of the sum of Rs. 207.10, with interest on Rs. 200 at 18 per cent. per annum from May 25, 1936, to November 2, 1936, and thereafter legal interest on the aggregate amount till payment in full and costs incurred Rs. 53.25 and prospective costs Rs. 19, less Rs. 120, viz. :—

All that right, title, and interest of the life interest of the defendant in and to all those three contiguous allotments of land, together with the buildings standing thereon bearing assessment Nos. 55 and 57 in Fifth Cross street and assessment No. 54 in Fourth Cross street in Pettah, within the Municipality and District of Colombo, Western Province, and from their situation can be included in one survey ; and are bounded on the north by premises bearing assessment No. 59 in Fifth Cross street, and assessment No. 58 in Fourth Cross street, on the east by Fifth Cross street, on the south by premises No. 53 on Fifth Cross street, and premises No. 52 on Fourth Cross street, and on the west by Fourth Cross street ; and containing in extent 10 perches more or less.

Fiscal's Office,  
Colombo, April 21, 1937.

C. EMMANUEL,  
Deputy Fiscal.

### Central Province.

In the District Court of Kandy.

Punchi Bandara Ellepola of Ellepola in Gampahasiya pattu of Matale South ..... Plaintiff.

No. 46,720. Vs.

Kandaudalokuge Charles Appuhamy of Dambulla in Matale North, administrator of the estate of Malgahagamage Dharmadasa of Dambulla, deceased. Defendant.

NOTICE is hereby given that on Thursday, May 20, 1937, commencing at 1 o'clock in the afternoon, will be sold by public auction at the respective lands the right, title, and interest of the said defendant as administrator in the following property for the recovery of the sum of Rs. 3,620, with further interest on Rs. 2,000 at 12 per cent. per annum from June 20, 1935, till November 27, 1936, and thereafter legal interest on the aggregate amount at 9 per cent. per annum from November 27, 1936, till payment in full and costs of suit, viz. :—

1. All that allotment of land called and known as Kongahamula, situated at Dambulla in Wagapanaha, Pallesiya pattu of Matale North in the District of Matale, Central Province, bearing assessment No. 14, present assessment No. 15 ; bounded on the west and north by reservation along roads, on the east by T. P. 87,076, and on south by ela ; containing in extent about 18½ perches as per figure of survey there of No. 296,833 dated October 1, 1925, and authenticated by R. S. Templeton, Esq., Surveyor-General, together with the buildings and plantations thereon held under deed of transfer No. 97 dated July 21, 1921, attested by W. P. Senaviratna, Notary Public.

2. All that allotment of land called and known as Mee-gahamulawatta, bearing assessment No. 55 ; and bounded on the north by Crown land called Mee-gahamulawatta, east by land described in plan No. 87,076, south by reservation along the water-course, and on the west by reservation along the road ; containing in extent 2 roods and 7 75/100 perches according to survey plan thereof bearing No. 158,405 authenticated by Colonel F. C. H. Clarke, Surveyor-General, together with the buildings and

plantations thereon, situated at Dambulla aforesaid, held under deed of transfer No. 4,389 attested by H. D. Weerasakera, Notary Public, and mortgaged with the plaintiff upon bond No. 120 dated June 20, 1925, attested by S. J. B. Dharmakirti, Notary Public, and decreed to be sold in satisfaction of the judgment entered in the above case.

Deputy Fiscal's Office,  
Matale, April 20, 1937.

A. M. A. AZEEZ,  
Additional Deputy Fiscal.

In the District Court of Kandy.

Rawanna Kana Nana Nawanna Narayanan Chettiar  
by his attorney, Lena Veeyanna Rana Letchimanen  
Pillai of Matale ..... Plaintiff.  
No. 47,595. Vs.

Dassanayake Mudiyanselage Walawwe Punchi Banda  
alias Arambe Walawwe Punchi Banda Alawatte-  
gama ..... Defendant.

NOTICE is hereby given that on Friday, May 21, 1937, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective lands the right, title, and interest of the said defendant in the following property for the recovery of Rs. 1,522 with further interest on Rs. 1,600 at 12½ per cent. per Rs. 16 per month from May 27, 1936, till July 9, 1936, and thereafter on the aggregate amount at the rate of 9 per cent. per annum from July 9, 1936, till payment in full and costs of suit, viz. :—

1. The land called and known as Madamewatta, containing in extent about 1 acre, situated at Ukuwela in Medasiya pattu of Matale South in the District of Matale, Central Province; and bounded on the east by Gansabhawa road, south by the limit of Ukuwela estate, west by the fence of Madamewatta belonging to Tikiribanda Arachchi, and on the north by the fence of Mahawarakawewatta.

2. The land called and known as Madamewatta and the appurtenant land called Weligodewatta, containing in the aggregate extent 1 yelamunam paddy sowing, situated at Ukuwela aforesaid; and bounded in their entirety on the east by Kalubanda's hena and fence of Ukkurula's hena, south by agala of Puwakgahamulawatta, west by field, and on the north by the endaru fence of Tikirimenika's garden, together with the tiled house, plantations, and everything thereon, which said premises forming one property and adjoining each other, in extent about 7 acres; and bounded on the east by Gansabhawa road, south by Ukuwela estate and Marukona estate, west by field, and on the north by the limit of garden belonging to Adikaramwalawwe Punchi Bandar Korala and Punchikumarihamy, together with the tiled house, plantations, and everything thereon.

3. The field called Doramitiyawekumbura, in extent about 12 lahasspaddy sowing, situated at Ukuwela aforesaid; and bounded on the east by ela, south by imaniyara of Kalubanda's field, west by lura, and on the north by the imaniyara of Tikirimenika's field; and registered in B 77/174 and 74/69.

The above properties had been mortgaged with the plaintiff upon bond No. 7,197 dated February 27, 1930, attested by S. W. Wijewatillake, Notary Public, Matale, and decreed to be sold in satisfaction of the judgment entered in the above case.

Deputy Fiscal's Office,  
Matale, April 20, 1937.

A. M. A. AZEEZ,  
Additional Deputy Fiscal.

### Southern Province.

22 In the District Court of Matara.

Saudias Appu Karunasena of Dondra ..... Plaintiff.  
No. 10,831/G 1,859. Vs.

(1) Suriya Patabendige Jonis Appu of Dondra, as legal representative of the estate of W. N. R. Nonnchamy and others ..... Defendants.

NOTICE is hereby given that on Tuesday, May 18, 1937, commencing at 2.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of a sum of Rs. 1,888-15, viz. :—

All those undivided 1,939/7,680 parts or shares of all the plantations and of soil, together with an undivided ¾ share of the 15 cubit tiled house standing thereon of the land called Wappadamulle Galwetawatta, situated at Dondra in Wellaboda pattu of Matara District, Southern Province;

and bounded on the north by Gallewela and Pelakoratuwa, east by Hummanewatta, south by Olokkuwa, and on the west by Pananbalanagewatta; and containing in extent about 1½ acres.

Deputy Fiscal's Office, H. V. F. ABAYAKOON,  
Matara, April 16, 1937. Additional Deputy Fiscal.

In the District Court of Tangalla.

Cassim Ahamath of Hambantota ..... Plaintiff.  
No. 4,044. 25 Vs.

Alottuge Don Porofis Appu of Hambantota ..... Defendant.

NOTICE is hereby given that on Saturday, May 15, 1937, 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 mortgaged property for the recovery of Rs. 1,126-83, with further legal interest on Rs. 1,000 from February 12, 1937, till payment in full and poundage, viz. :—

The divided western half (½) portion of the land bearing assessment No. 303, together with the plantations and the tiled building and all the appurtenances standing thereon, situated at Indiwinna, on the Tangalla road, within the Four Gravets of Hambantota town in Magam pattu of the Hambantota District; and this divided portion is bounded on the north by new road, on the east by the remaining portion of this land, on the south by the Tangalla road, and on the west by the land where Poisinahamy was residing; containing in extent 1 rood and 32 perches.

Valuation Rs. 1,000.

Deputy Fiscal's Office, V. L. WIRASINHA,  
Hambantota, April 16, 1937. Additional Deputy Fiscal.

### Northern Province.

In the District Court of Jaffna.

Arunasalam Thillaiampalam of Vannarponnai  
East ..... Plaintiff.  
No. 5,699. Rs. 16:00 Vs.

(1) Kunapooosaniammal, widow of Kandavanam of Vannarponnai West, (2) Sithamparapillai Sittampalam of ditto, administrator of the estate in case No. 8,313 T., D. C., Jaffna ..... Defendants.

NOTICE is hereby given that on Saturday, May 15, 1937, at 4 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property for the recovery of Rs. 6,328, with legal interest thereon at 9 per cent. per annum from February 15, 1934, till payment in full, less Rs. 4,250 already recovered, and poundage and charges, viz. :—

An undivided 2 lachams varagu culture and 12 kulies, with its appurtenances, situated at Vannarponnai West in Vannarponnai parish, Jaffna division of the Jaffna District, Northern Province, called Elalainilanvalavu and Vellaimuthalivalavu, in extent 5 lachams varagu culture and 6 kulies, with well, palmyras, cultivated and spontaneous plants; and bounded on the east by lane, north by bye-lane, west by Kandar Murugesu and Arumagam Kandar and others, and south by road.

Fiscal's Office,  
Jaffna, April 20, 1937.

S. TERAIYAPPAN,  
for Fiscal.

32 In the District Court of Jaffna.

Sinniah Saravanamuttu of Urelu (F. M. S. Pensioner) ..... Plaintiff.  
No. 8,701. Rs. 16:00 Vs.

(1) S. Sittampalam of Urelu, (2) Cathiresar Senagaratnam of Kalmunai, (3) V. Thuraiyappan of Urelu ..... Defendants.

NOTICE is hereby given that on Thursday, May 13, 1937, 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 mortgaged property for the recovery of Rs. 567-56, with legal interest thereon from September 23, 1935, till payment in full and costs Rs. 130-08, and poundage and charges, viz. :—

1. All that piece of land situated at Elalai in Mallakam parish, Valikamam North division of the Jaffna District, Northern Province, called Vayilappulam, in extent 35 lachams varagu culture, with plantations and share of well



in the north-western boundary; and bounded on the east by the property of the 2nd defendant and others, north by that of Sinnapillai, wife of Nagamuttu, west by that of Ledehumy, wife of Kanagasabai, and south by that of Sivapakkiam, wife of Ariyanayagam.

2. An undivided half share of a piece of land situated at ditto called Avalai, in extent 7 lachams varagu culture, with house and plants and share of el in the south-western side; and bounded on the east by Sithamparapillai Ratnam, north by Nanny, widow of Kandan, west by channel and way and front of lane, and south by Sarasvathy, wife of Nagenthiram.

Fiscal's Office,  
Jaffna, April 19, 1937.

S. TURAIYAPPAH,  
for Fiscal.

In the District Court of Jaffna.

Sinniah Kandasamy of Nallur ..... 31/ ..... Plaintiff.  
No. 10,857. Vs.

(1) Thamu Kandiah and (2) Kandiah Velupillai, both of Nallur ..... 00 ..... Defendants.

NOTICE is hereby given that on Saturday, May 15, 1937, at 10 o'clock in the forenoon, 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. 490, with interest thereon at 9 per cent. per annum from November 20, 1936, till payment in full and poundage and charges, viz. :—

1. A piece of land situated at Nallur in Nallur parish, Jaffna division of the Jaffna District, Northern Province, called Seemavalavu, in extent 9 lachams varagu culture and 6 kulies, with stone-built house, well, and cultivated and spontaneous plants; and bounded on the east by Uthamyammah, widow of Ponniah, north by the heirs of Thamu Ponniah and front of lane and the heirs of S. Sellathurai, west by Kathiresu Kandasamy, and south by the heirs of Kanagammah, wife of Rasaretnam, and others.

2nd Defendant.

2. A piece of land situated at ditto called Seemavalavu, in extent 6 lachams varagu culture and 3 kulies, with well and cultivated and spontaneous plants; and bounded on the east by Uthamyammah, widow of Ponniah, north by Nallathamby Kamasamy, west by lane, and south by the heirs of Thamu Ponniah.

These lands are said to be under mortgage.

Fiscal's Office,  
Jaffna, April 20, 1937.

S. TURAIYAPPAH,  
for Fiscal.

### Eastern Province.

In the District Court of Trincomalee.

Sivasegaram Satchithanantham and wife (2) Puvaneswari of Balangoda ..... 34 ..... Plaintiffs.  
No. 1,630. Vs.

(1) Canapathypillai Vallipurampillai Mudaliyar and (2) Vallipillainayagam, both of Division No. 1, Trincomalee ..... 00 ..... Defendants.

NOTICE is hereby given that on Saturday, May 15, 1937, at 10 o'clock in the forenoon, will be sold by public auction at the spot the following property mortgaged with the plaintiffs by bond No. 5,544 dated October 7, 1929, and attested by Mr. M. M. Subramaniam of Trincomalee, Notary Public, and declared specially bound and executable under the decree entered in the above case and ordered to be sold by order of court dated September 28, 1932, for the recovery of the sum of Rs. 6,200, with interest on Rs. 5,000 at 12 per cent. per annum from February 24, 1932, till March 30, 1932, and thereafter at 9 per cent. per annum and costs of suit, less Rs. 4,786 already recovered, and Fiscal's fees and charges and poundage, viz. :—

An undivided half share of all that allotment of land, with a tiled house called Eraddainatchar-Vidu, outhouses, well, and other appurtenances belonging thereto; bounded or reputed to be bounded on the north-east by the road called Muthaliyar Theru, on the south-east and north-west by the house and ground belonging to M. M. Subramaniam and on the south-west by the land belonging to Vallipillai Nayagam, wife of Mudaliyar Vallipurampillai, and to M. M. Subramaniam; extent 1 rood and 14 6/10 square perches, assessment No. 121 and the tenement is situate in No. 1, Trincomalee, in Trincomalee District, Eastern Province, registered No. A 8/121.

Deputy Fiscal's Office,  
Trincomalee, April 15, 1937.

B. VRASPILLAI,  
Additional Deputy Fiscal.

### North-Western Province.

In the District Court of Negombo.

S. T. K. N. S. A. N. Ramasamy Chettiar of Negombo ..... Plaintiff.  
No. 6,787. Vs.

Wanniaratchige Don Augustino Appuhamy of Daraluwa ..... Defendant.

NOTICE is hereby given that on Saturday, May 15, 1937, commencing from the first land at 9 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,288.87, with interest on Rs. 894.40 at the rate of 13 1/2 per cent. per annum from July 27, 1932, till payment (less Rs. 520) and poundage, viz. :—

1. The land called Thawallewatta in extent about 1 laha of kurakkan sowing ground, situated at Welpothuwwa in Baladora korale in Dewameddi hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by the field of Ihalatawallekumbura, east by the land called Kongahamulawatta, south by Crown jungle, and west by lands of Ali Manachechi and others. D 289/235.

2. The field called Danduhawilakumbura, in extent about 15 lahas of paddy sowing ground, situated at Welpothuwwa aforesaid; and bounded on the north and east by the field of Uduma Lebbe and others, south by the field of Ibura Lebbe and others, west by Godahena. D 204/240.

3. An undivided 1/2 share of the land called Thawalleberuwagawawatta, situated at Welpothuwwa aforesaid; and bounded on the north by Wan-ela and footpath, east by Wekanda and south by ela, and the land of Abbubakar Lebbe, and west by the field of Alimanachechi and others and land of Sehu Umma; containing in extent 2 lahas kurakkan sowing. D 202/105.

4. An undivided 3/4 share of the land called Dangahamulahena, situated at Welpothuwwa aforesaid; and bounded on the north by the Crown forest, east by live fence of Uduma Lebbe and others, south by the fence of the land of Asama Lebbe and others, west by the fence of the land of Omer Lebbe and others; containing in extent 3 lahas kurakkan sowing or about 12 acres, together with an undivided 3/4 share of the plantations and the garden thatched house standing thereon. D 201/101. 36.00

5. An undivided 1/2 share of the field called Ihalatawallekumbura of 3 pelus paddy sowing extent, situated at Welpothuwwa aforesaid; and bounded on the north by land of Segu Umma and others, east by Wekanda, south by the land of Abbubakar Lebbe and others and the water-course (ela), and west by the fence of the garden of Alimanachechi and others. D 206/102. 16.00

6. The land called Daminaghamulachena now garden of 1 1/2 acres in extent, situated at Welpothuwwa aforesaid; and bounded on the north by water-course (ela), east by road, south by the Crown land, west by the land of Meera Lebbe, Arachchi. D 289/234.

7. The field called Ihalawela of 15 lahas of paddy sowing extent, situated at Adampane in Baladora korale aforesaid; and bounded on the north by Helambaghamukulana, east by field of Ahamado Lebbe, Vidane, south by field of Alimanachechi and others, west by the field of Thamby Lebbe. D 204/241.

8. An undivided 1/2 share from and out of an undivided 1/2 share of the land called Godakumbura and Wepath-ebakumbura, situated at Leekolawewa in Baladora korale aforesaid; and bounded on the north by Godakele and Kuda-oya, east by Kuda-oya and Gamuwela, south by Alutwela and Godakele, and west by the land of Ali Thamby and Godakele; containing in extent 6 amunams or 60 parrahs of paddy sowing. D 289/236.

On the same day commencing from the first land at 3 o'clock in the afternoon.

9. An undivided portion in extent 12 1/2 acres from and out of the land called Paluwelahnaya, situated at Makulwewa in Giratalana korale of Dewameddi hatpattu aforesaid; and bounded on the north by Paluwewa, east by village limit of Wadumunne, south by village limit of Galadeniya, and west by Makulwewa; containing in extent 50 acres. D 297/170.

10. The field called Mahawelakumbura, situated at Makulwewa aforesaid; and bounded on the north by the limitary dam of the field Ketetepola of Don Augustino Appuhamy, east by Keleroda, south by limitary dam of the field of Puchi Menika, and west by Wetiroda of Kongahakumbura; containing in extent 2 pelus paddy sowing of which an undivided 1/2 share. D 297/171.

11. The land called Hikgahamulawatta, situated at Makulwewa aforesaid; and bounded on the north and west by wetiroda, east and south by the live fence; containing in extent about 2 lahas kurakkan sowing. D 150/219.

12. The land called Wewapaulawatta, situated at Makulwewa aforesaid; and bounded on the north by the fence of Wewapaulawatta of Augustino Appuhamy, east by wela, south by Wekanda, west by the garden of Funchimenika; containing in extent about 6 seers kurakkan sowing. D 228/192.

On Monday, May 17, 1937, commencing from the first land at 4 o'clock in the afternoon.

13. The eastern portion of the land called Dawatagahawatta, situated at Daraluwa in Pitigal korale of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by the land of Lama Etana and others, east by cart road, south by village limit of Eliwila, west by the remaining portion of this land; containing in extent 3 acres of which an undivided half share. C 227/393.

14. The land called Dawatagahahena, situated at Daraluwa aforesaid; and bounded on the north by company's estate, east and south by the land of Augustino Appuhamy, and west by the garden of Hendrick Appu; containing in extent about 1 acre. C 347/24.

15. An undivided 5/6 share of Delgahamulawatta, situated at Daraluwa aforesaid; and bounded on the north by water-course, east by the garden of Davith Singho, south by the garden of Augustino Appuhamy, west by cart road; containing in extent about 1 pela kurakkan sowing. C 195/56.

16. The land called Delgahawatta, situated at Daraluwa aforesaid; and bounded on the north by a stream, east by wewa-agarewatta of Davith Singho and others, south by Nailagahamulahena of Juwan Naide, west by cart road; containing in extent about 5 lahas of kurakkan sowing. C 190/28.

Fiscal's Office,  
Kurunegala, April 20, 1937.

R. S. GOONESEKERA,  
Deputy Fiscal.

In the District Court of Kurunegala.

Dingiri Banda, Arachchi of Meewewa ..... Plaintiff.

(1) S. P. R. M. Ramanathan Chettyar, (2) S. P. R. M. Subramanian Chettyar, seizing creditors in A. C. R., No. 8,052.

No. 15,044.

Vs.

Pathmepernna Arachchige Don Simon Pathmepernna  
of Harbour Works, Pettah, Colombo ..... Defendant.

NOTICE is hereby given that on Wednesday, May 19, 1937, commencing from the first land at 4 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 540 and poundage, viz. :-

(1) Pokunewatta comprising of following allotments of land, to wit:— $\frac{1}{2}$  share of Pokunagawahena of 3 lahas of kurakkan sowing, registered at F 253/135; Ratmalagahamulahena of 2 lahas of kurakkan sowing, registered at F 177/1;  $\frac{1}{2}$  share of Ratmalagahamulahena of about 2 lahas kurakkan sowing, registered at F 196/51;  $\frac{3}{4}$  of Kandehena of 2 lahas kurakkan sowing, registered at F 205/93;  $\frac{1}{2}$  share of Helagalshena of 4 seers kurakkan sowing, registered at F 187/168;  $\frac{1}{2}$  share of Helagalakandehena now garden of 2 lahas kurakkan sowing, registered at F 187/167; Helagalshena of 5 lahas kurakkan sowing, registered at F 265/41; and bounded on the north by Diggalassehena of Dingiri Banda and Helagalshena of Dingiri Banda and others, east by Watamedawalahena of Dingiri Banda, ex Arachchi, and others, and Mahahena of Sumangala Unnanse and others, south by Ratmalagahamulahena of Herat Banda and others and Kandehena of Awusadahamy, and west by Crown mukalana; containing in extent 11 acres 3 roods and 12 perches, and situated at Meewewa in Dambadeni Udukaha korale, north of Dambadeni hatpattu in the District of Kurunegala, North-Western Province, and registered in F 276/191.

(2) An undivided  $\frac{1}{2}$  share of Nugagahamulahena of 6 lahas kurakkan sowing or 4 acres and 13 perches in extent, situated at Meewewa Patiradamulla in the korale aforesaid; and bounded on the north by the chena of Arachchihala now of Kirimudiyanse and others, east by the chena of Kirimudiyanse now of Ranhamy and others, south by the chena of Undiyarala now of Unga and others, and garden of Sanda, and west by chena of Mudalihamy now of Kirimudiyanse and others and garden of priest, and registered at F 275/232.

Fiscal's Office,  
Kurunegala, April 20, 1937.

R. S. GOONESEKERA,  
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Ahamed Ali Pathumuttu of Dematagoda No. 7,447. in Colombo, deceased.

Y. L. M. Khalid of Dematagoda in Colombo .. Petitioner.

And

Yoosef Labbe, Rakiya Umma of Dawson road, Harbour Town, Colombo ..... Respondent.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on April 21, 1937, in the presence of Mr. A. I. M. Razeen, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 21, 1937, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before April 29, 1937, show sufficient cause to the satisfaction of the court to the contrary.

April 21, 1937.

M. W. H. DE SILVA,  
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Wanasinghe Aratchige Chalo Perera No. 7,896. Hamine of Petiyagoda in Adikari pattu of Siyane korale, deceased.

Don Tickman Andris Suraweera of Petiyagoda aforesaid ..... Petitioner.

(1) Don Dickman Suraweera of Yatihena in Adikari pattu aforesaid, (2) Dona Augustina Charlotte Suraweera, wife of (3) Alton Wilson Suraweera, both of Kotahena in Colombo, (4) Dona Grace Suraweera, wife of (5) D. M. Galhena, both of Nugegoda .. Respondents.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on February 12, 1937, in the presence of Mr. U. L. Perera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 9, 1937, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before April 29 1937, show sufficient cause to the satisfaction of the court to the contrary.

February 12, 1937.

M. W. H. DE SILVA,  
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Kankanigamage Gunawathi No. 7,927. Karunaratna of 35, Hunupitiya road, Colombo, deceased.

Liyanage Sedris Sigera of 35, Hunupitiya road, Colombo ..... Petitioner.

Kankanigamage Martin Karunaratna ..... Respondent.

THIS matter coming on for disposal before M. W. H. de Silva, Esq., District Judge of Colombo, on March 15, 1937, in the presence of Mr. M. D. Goonetilleka, Proctor, on the part of the petitioner above named; and the affidavits (1) of the said petitioner dated March 14, 1937, and (2) of the attesting witnesses also dated March 14, 1937, having been read:

It is ordered that the last will of Kankanigamage Gunawathi Karunaratna, deceased, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner, as the devisee of the testatrix's property, is entitled to have letters of administration with copy of the said will annexed to the estate of the above-named deceased issued to him accordingly, unless the respondent above named or any other person or persons interested shall, on or before May 6, 1937, show sufficient cause to the satisfaction of this court to the contrary.

March 15, 1937.

M. W. H. DE SILVA,  
District Judge.

33. In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Attanayake Eugene Fernando of Mutwal  
No. 7,929. In Colombo, deceased.

Hiddiadura Mikela Mendis Abeynayake of Alutmawata  
road, Mutwal . . . . . Petitioner.

And  
(1) Attanayake Mary. Elsie Fernando, (2) Attanayake  
Winifreda Fernando, (3) Attanayake Francis Nicho-  
las Fernando, (4) Attanayake John Rogus Fernando,  
(5) Attanayake Maria Fernando; the 3rd, 4th, and  
5th respondents are minors appearing by their guar-  
dian *ad litem* (6) Wickreme Thomas Mendis, all of  
Alutmawata road, Mutwal, in Colombo . . . . Respondents.

THIS matter coming on for disposal before M. W. H.  
de Silva, Esq., District Judge of Colombo, on March 16,  
1937, in the presence of Mr. S. M. C. de Soya, Proctor,  
on the part of the petitioner above named; and the affi-  
davit of the said petitioner dated March 12, 1937,  
having been read:

It is ordered (a) that the 6th respondent be and he is  
hereby appointed guardian *ad litem* of the minors, the 3rd,  
4th, and 5th respondents above named, to represent them  
for all purposes of this action, and (b) that the petitioner  
be and she is hereby declared entitled, as widow of the  
above-named deceased, to have letters of administration  
issued to her, unless the respondents above named or any  
other person or persons interested shall, on or before  
April 29, 1937, show sufficient cause to the satisfaction  
of the court to the contrary.

M. W. H. DE SILVA,  
District Judge.

March 16, 1937.

In the District Court of Kandy.

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Appuhamy Kulatunga of Great Western,  
No. 5,467. Talawakele, deceased.

Kulatunga Mudiyansele Kiri Banda Kulatunga of the  
Municipality, Kandy . . . . . Petitioner.

And

(1) Kulatunga Mudiyansele Ukku Banda Tennakoon,  
(2) Kulatunga Mudiyansele Talakattina Tennakoon,  
(3) Kulatunga Mudiyansele Premachandre  
Kulatunga, (4) Kulatunga Mudiyansele Rupatilaka  
Kulatunga, (5) Kulatunga Mudiyansele Leelawathi  
Kulatunga, (6) Kulatunga Mudiyansele Sumana-  
wathi Kulatunga, (7) Kulatunga Mudiyansele  
Karunawathi Kulatunga, (8) Kulatunga Mudiyansele  
Chandresekara Kulatunga, (9) Kulatunga Mudi-  
yansele Goonawardena Kulatunga, (10) Kulatunga  
Mudiyansele Nandawathi Kulatunga, (11)  
Kulatunga Mudiyansele Seelawathi Sugatha Kula-  
tunga, and (12) Ekanayaka Wasala Mudiyansele  
Tikiri Mahatmayo Kulatunga, all of Gunnepana in  
Udagampaha of Pata Dumbara . . . . . Respondents.

THIS matter coming on for disposal before R. F. Dias,  
Esq., District Judge, Kandy, on February 15, 1937, in  
the presence of Mr. P. B. Banaraja, on the part of the petitioner,  
Kulatunga Mudiyansele Kiri Banda Kulatunga; and the affi-  
davit of the said petitioner dated January 9, 1937,  
having been read:

It is ordered that the petitioner be and he is hereby  
declared entitled, as a son of the above-named deceased,  
to have letters of administration to the estate of the  
deceased issued to him, unless the respondents above  
named or any other person or persons interested shall, on or  
before March 15, 1937, show sufficient cause to the  
satisfaction of this court to the contrary.

R. F. DIAS,  
District Judge.

February 15, 1937.

Extended and reissued for May 6, 1937.

R. F. DIAS,  
District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of Fanny Eleanor May Morris,  
No. 5,486. deceased of Beechhills, Nuwara Eliya.

THIS matter coming on for disposal before R. F. Dias,  
Esq., District Judge, Kandy, on April 8, 1937, in the  
presence of Messrs. Lisching & Lee, on the part of the  
petitioners, Beryl Rebecca Madlock and Ethel Florence  
Johnson; and the affidavits of the said petitioners dated  
March 31, 1937, and of the attesting notary dated March 18,  
1937, having been read:

B 3

It is ordered that the last will of the above-named  
deceased dated February 24, 1930, and now deposited in  
this court, be and the same is hereby declared proved, unless  
any person or persons interested shall, on or before May 17,  
1937, show sufficient cause to the satisfaction of this court  
to the contrary.

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

R. F. DIAS,  
District Judge.

April 8, 1937.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Tikiri Henedige Samel de Silva of  
No. 7,707. Unawatma, deceased.

Between

Kottigoda Kankanage Simon Silva of Gintota, Petitioner.

And

(1) Kanakkawage Babunna of Unawatuna, (2) Josy-  
lin de Silva Thenabadu nee Jayasuriya (wife of Cyril  
de Silva Thenabadu of the C. G. R., Kurunegala),  
(3) Amarawathie de Silva nee Jayasuriya (wife of W.  
Julias de Silva of Unawatuna), (4) Banduwathie de  
Silva nee Jayasuriya (wife of Balage Don Pawlis de  
Silva of Weligama), (5) Inter de Silva Jayasuriya of  
Unawatuna, presently of Weligama, (6) Cyril de Silva  
Thenabadu of the C. G. R., Kurunegala . . Respondents.

THIS matter coming on for disposal before G. Furse  
Roberts, Esq., District Judge, Galle, on March 16, 1937,  
in the presence of Mr. C. E. Abeyewickreme, Proctor,  
on the part of the petitioner above named; and the affi-  
davit of the said petitioner dated February 12, 1937,  
having been read:

It is ordered that the said 6th respondent be and he is  
hereby appointed guardian *ad litem* over the said 5th  
respondent, unless the said respondents or any person or  
persons interested shall, on or before April 30, 1937, show  
sufficient cause to the satisfaction of this court to the  
contrary.

It is further declared that the said petitioner is entitled  
to have letters of administration issued to him accordingly;  
unless the said respondents or any person or persons  
interested shall, on or before April 30, 1937, show sufficient  
cause to the satisfaction of this court to the contrary.

C. L. WICKREMESINGHE,

District Judge.

April 10, 1937.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of Baddegama Radage Adrian of  
No. 7,761. Elliott road, Galle.

THIS matter coming on for final disposal before G.  
Furse Roberts, Esq., District Judge of Galle, on March 1,  
1937, in the presence of Mr. W. de Silva, Proctor, Galle,  
on the part of the petitioner, Siddihaluge Ango of Elliott  
road, Galle; and the affidavits of the said petitioner and the  
attesting witnesses dated February 25, 1937, having been  
read:

It is ordered that the will of the above named deceased  
dated December 22, 1936, be and the same is hereby  
declared proved, unless any person or persons interested  
shall, on or before April 27, 1937, show sufficient cause  
to the satisfaction of the court to the contrary.

It is further declared that the said petitioner is the  
executrix of the said last will and that she is entitled  
to have probate of the same issued to her accordingly, unless  
any person or persons interested shall, on or before April  
27, 1937, show sufficient cause to the satisfaction of this  
court to the contrary.

G. FURSE ROBERTS,  
District Judge.

March 1, 1937.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of  
Jurisdiction. Abeyweera Liyana Patabendige Samithi  
No. 7,762. Appu, late of Kottigoda, deceased.

THIS matter coming on for disposal before G. Furse  
Roberts, Esq., District Judge, Galle, on February 26, 1937,  
in the presence of Messrs. D. & R. Amarasuriya, Proctors.

Galle, on the part of the petitioner, Wijeweera Patabendige Nonnohamy of Kottagoda; and the affidavit of the said petitioner dated February 26, 1937, having been read:

It is ordered that Wijeweera Patabendige Carolis Appu, the 6th respondent, be and he is hereby appointed guardian *ad litem* over the 1st to 5th respondents, unless the respondents—(1) Hemawalie Abeyweera, (2) Pathmini Abeyweera, (3) Sanyasa Abeyweera, (4) Malana Abeyweera, (5) Warnapala Abeyweera, (6) Wijeweera Patabendige Carolis Appu—or any person interested shall, on or before April 27, 1937, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the widow of the deceased above named is entitled to have letters of administration issued to her accordingly, unless the above-named respondents or any person or persons interested shall, on or before April 27, 1937, show sufficient cause to the satisfaction of this court to the contrary.

February 26, 1937. G. FURSE ROBERTS,  
District Judge.

36 In the District Court of Matara.  
Order Nisi.

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Mr. Joseph Solomon Wirasinghe, No. 3,952. Proctor, Matara.

Claude Stanley Wirasinghe of Hatton A. . . . . Petitioner.  
Vs.

- (1) Mrs. Katherine Alexandra Wirasinghe of Matara, (2) Mrs. Muriel Gladys Weerasooria of Kurumegala, (3) Mrs. Kathleen Doris Weerasooria of 5th lane, Colpetty, (4) Miss Edith Minnie Wirasinghe of Matara, (5) Mr. Cuthbert Vivian Wirasinghe of Morawaka, (6) Miss Edith Doreen Wirasinghe of Matara, (7) Miss Vita Lynette Clara Wirasinghe of Matara (minor) by her guardian *ad litem* the 1st respondent. . Respondents.

THIS matter coming on for disposal before Cyril Ernst de Pinto, Esq., District Judge of Matara, on February 26, 1937, in the presence of Messrs. E. Y. D. & T. F. D. Abeygunawardena, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 31, 1937, having been read:

It is ordered that the 1st respondent above named be and she is hereby appointed guardian *ad litem* over the 7th respondent above named, her minor child, unless the respondents above named or any other person or persons interested shall, on or before May 13, 1937, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the petitioner above named be and he is hereby declared entitled, as son of the deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents above named or any other person or persons interested shall, on or before May 13, 1937, show sufficient cause to the satisfaction of this court to the contrary.

February 26, 1937. C. E. DE PINTO,  
District Judge.

27 In the District Court of Jaffna.  
Order Nisi.

Testamentary In the Matter of the Estate of Ledchumy- Jurisdiction. ammal *alias* Saraswatiye Ammal, wife of Sathasivakurukkal of Vannarponnai West, deceased.

Sathasivakurukkal Samikkurukkal of Averan- gal . . . . . Petitioner.

- (1) Samikkurukkal Naagasabapathy Aiyer, (2) Pichchukkurukkal Ramaswamykarakkall, and wife, (3) Rasammah, all of Vannarponnai West . . . . . Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on October 21, 1935, in the presence of Mr. P. K. Somasundram, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated August 17, 1935, having been read:

It is ordered that letters of administration in respect of the estate of the above-named deceased be granted to the petitioner, unless the above-named respondents shall appear before this court on November 21, 1935, and show sufficient cause to the satisfaction of this court to the contrary.

October 31, 1935. C. COOMARASWAMY,  
District Judge.

Extended for May 10, 1937.

C. COOMARASWAMY,  
District Judge.

27 In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Annapooranam, wife of Ramalingam No. 183. Sinnathamby Vettivelu of Vannarponnai East, deceased.

Ramalingam Sinnathamby Vettivelu of Vaddukoddai West . . . . . Petitioner.

- Rs. 16. 29 Vs.  
(1) Vettivelu Krishnappathy of Vannarponnai East, (2) Vettivelu Sanmugachari of ditto, (3) Varaladchumy, daughter of Vettivelu of ditto, (4) Rasammah, widow of Arunachalam Ammal of ditto . . . . . Respondents.

THIS matter of the petition of the above-named petitioner, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on February 13, 1936, in the presence of Mr. V. Nagalingam, Proctor for petitioner; and the petition of the said petitioner having been read: It is ordered that the petitioner, as the husband of the deceased, is entitled to have letters of administration to the estate of the said deceased issued to him, unless the said respondents or any other person shall, on or before April 23, 1936, show sufficient cause to the satisfaction of the court to the contrary.

February 21, 1936. C. COOMARASWAMY,  
District Judge.

Extended to April 28, 1937.

16 In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Chinna-tangachy, wife of N. Ponnambalam of Chandiruppay, deceased.

THIS matter of the petition of Negappan Ponnambalam of Chandiruppay in respect of the estate of the late Chinna-tangachy of ditto, coming on for disposal before C. Coomaraswamy, Esq., District Judge, in the presence of Proctor Mr. C. R. . . . .

It is ordered that the 2nd respondent be appointed guardian *ad litem* over the 1st and that letters do issue to the petitioner, unless cause is shown on or before April 26, 1937.

March 15, 1937. C. COOMARASWAMY,  
District Judge.

28 In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Ledchumippillai, wife of Thampippillai No. 368. of Myliddy South, deceased.

Veluppillai Thampippillai of Myliddy South . . . . . Petitioner.

- Rs. 16. 29 Vs.  
(1) Thampippillai Rajenthiram, (2) Thampippillai Turairetnam, (3) Thampippillai Ramachanthiran, (4) Thampippillai Narayana, (5) Thampippillai Reinagopal, (6) Thampippillai Rajahvel (minors), and (7) Ponnarupalam Paramanathan—all of Myliddy South. The 1st-6th respondents are minors appearing by their guardian *ad litem* the 7th. . Respondents.

THIS matter of the petition of the petitioner, praying for letters of administration to the estate of the above-named deceased, coming on for disposal before C. Coomaraswamy, Esq., District Judge, on March 8, 1937, in the presence of Mr. R. R. Nalliah, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated August 15, 1936, having been read: It is declared that the petitioner is the lawful husband of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before April 26, 1937, show sufficient cause to the satisfaction of this court to the contrary.

March 19, 1937.

C. COOMARASWAMY,  
District Judge.

31 In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late  
Jurisdiction. Thyalnayagy, widow of Sinnathambya-  
No. 8,508. pillai Thamotherampillai of Changanai  
West, deceased.

Thambipillai Kulasegarampillai of Changanai  
West..... Petitioner.

Vs.

(1) Pakavathyammah, daughter of Thambipillai  
Kulasegarampillai, (2) Marimuttu Mootathamby, all  
of Changanai West; the 1st respondent is a minor  
appearing by her guardian *ad litem* the 2nd re-  
spondent..... Respondents.

THIS matter of the petition of the above-named  
petitioner, praying for letters of administration to the estate  
of the above-named deceased, Thyalnayagy, coming on  
for disposal before C. Coomaraswamy, Esq., District Judge,  
Jaffna, on May 19, 1936, in the presence of Mr. K. Ethir-  
nayagam, Proctor, on the part of the petitioner; and the  
affidavit of the petitioner dated February 9, 1934, having  
been read:

It is declared that the petitioner is the next of kin of the  
said intestate and is entitled to have letters of administration  
to the estate of the said intestate issued to him, unless the  
respondents or any other person shall, on or before June 23,  
1936, show sufficient cause to the satisfaction of this court  
to the contrary.

May 22, 1936. C. COOMARASWAMY,  
District Judge.

*Order Nisi* extended for April 30, 1937.

in the presence of Mr. N. S. Rasiah, Proctor, on the part of  
the petitioner; and the affidavit of the said petitioner dated  
March 23, 1937, and of the attesting notary and witnesses  
to the last will dated March 23, 1937, having been read:

It was ordered that the will of Kanapathippillai Vanna-  
samy of Koddaimunai, deceased, dated September 12, 1936,  
and now deposited in this court, be and same is hereby  
declared proved, unless the respondents above named or  
any other person or persons interested shall, on or before  
April 29, 1937, show sufficient cause to the satisfaction of  
this court to the contrary.

It is further ordered that the said petitioner be and he is  
hereby declared the executor of the said will and that he is  
entitled to have letters of administration with the copy of  
the will annexed issued to him, unless the respondents  
above named or any other person or persons interested shall,  
on or before April 29, 1937, show sufficient cause to the  
satisfaction of this court to the contrary.

It is further ordered that the 1st respondent above named  
be and she is hereby appointed guardian *ad litem* of the  
minors, the 2nd, 3rd, and 4th respondents, and that the 6th  
respondent above named be and he is hereby appointed  
guardian *ad litem* of the minors, the 9th, 10th, 11th, and  
12th respondents, unless the respondents above named  
or any other person or persons interested shall, on or before  
April 29, 1937, show sufficient cause to the satisfaction of  
this court to the contrary.

March 23, 1937. P. VYTHIALINGAM,  
District Judge.

In the District Court of Batticaloa.

*Order Nisi* declaring Will proved.

Testamentary In the Matter of the Last Will and Testa-  
Jurisdiction. ment of the late Kanapathippillai Vanna-  
No. 450. samy of Koddaimunai in Batticaloa,  
deceased.

Between

Kanapathippillai Muthulingam of Koddai-  
munai..... Petitioner.

And

(1) Sinnappu Rasamany, (2) Vannasamy Thevathasau,  
(3) Vannasamy Paskarathas, (4) Vannasamy Balam-  
pikai, (5) Kalidattay Savundarapillai, (6) Kanapathip-  
pillai Vinayagamoorthy, (7) Vinayagamoorthy  
Gevuramma, (8) Vinayagamoorthy Parasathy, (9)  
Vinayagamoorthy Esparathas, (10) Vinayagamoor-  
thy Narayanathas, (11) Muthulingam Sangarathas,  
(12) Muttulingam Anantha Sangara Narayanamoort-  
thy, all of Koddaimunai, (13) A. Veerakoomaran and  
(14) Karthikesu Vetharaniyam of Koddaimunai,  
trustees of the Sri Maha Mariamman Alayam of  
Koddaimunai,..... Respondents.

THIS matter coming on for disposal before P. Vythialin-  
gam, Esq., District Judge of Batticaloa, on March 23, 1937,

24 In the District Court of Batticaloa.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate and  
Jurisdiction. Effects of the late Sinnathamby Thanga-  
No. 451. muttu of Arepattai, deceased.

Vyramuttu Thambipillai of Arepattai..... Petitioner.

And

(1) Vyramuttu Rasamany, (2) Vyramuttu Eliyatamby,  
(3) Vyramuttu Nannamah, all of Arepattai, (4)  
Vyramuttu Thevathasau of Navetcudah..... Respondents.

THIS matter coming on for disposal before P. Vythialin-  
gam, Esq., District Judge of Batticaloa, on March 24, 1937,  
in the presence of Mr. Charles S. Poopalaratnam, Proctor,  
on the part of the petitioner; and the affidavit of the  
petitioner dated February 25, 1937, having been read:

It is ordered that the said petitioner be and he is hereby  
declared entitled, as the eldest son of the said deceased, to  
have letters of administration to her estate issued to him  
accordingly, unless the respondents above named or any  
other person or persons interested shall, on or before April  
29, 1937, show sufficient cause to the satisfaction of this  
court to the contrary.

March 24, 1937. P. VYTHIALINGAM,  
District Judge.