



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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NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,212. In the matter of the insolvency of Atukoralage Don Charles Perera of 121, Malay street, Slave Island, Colombo.

WHEREAS the above-named A. D. C. Perera has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by D. Kodagoda of Slave Island, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. D. C. Perera insolvent accordingly; and that two public sittings of the court, to wit, on June 7, 1938, and on July 5, 1938, 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 29, 1938. Secretary.

In the District Court of Colombo.

No. 5,213. In the matter of the insolvency of Victor Ernest Nugara of Kelaniya in the Palle pattu of Salpiti korale.

WHEREAS the above-named Victor Ernest Nugara has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by T. Don Anthony of Hendala, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Victor Ernest Nugara, insolvent accordingly; and that two public sittings of the court, to wit, on June 7, 1938, and on July 5, 1938, 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,
May 2, 1938. Secretary.

In the District Court of Colombo.

No. 5,214. In the matter of the insolvency of Kalada Kunjiaiyappan Kungappu of 123, Kew road, Slave Island, Colombo.

WHEREAS the above-named K. K. Kungappu has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by V. M. Subramaniam of Kew road, Slave Island, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said K. K. Kungappu, insolvent accordingly; and that two public sittings of the court, to wit, on June 7, 1938, and on July 5, 1938, 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,
May 2, 1938. Secretary.

In the District Court of Kalutara.

No. 298. In the matter of the insolvency of O. P. F. Goonewardane of Panadure.

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 30, 1938, for the purpose of issuing a certificate of conformity.

By order of court, B. J. ARASARATNAM,
April 28, 1938. Secretary.

In the District Court of Kandy.

No. I. 6. In the matter of the insolvency of Danuwattage Don Paul of 62, Colombo street, Kandy.

WHEREAS Danuwattage Don Paul has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by A. G. J. Jayawardana, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Danuwattage Don Paul, insolvent accordingly; and that two public sittings of the court, to wit, on May 27, 1938, and on June 17, 1938, 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.

May 3, 1938. By order of court, R. MALALGODA,
Secretary.

In the District Court of Kandy.

No. I. 7. In the matter of the insolvency of Gnam Navam David of Ambalamana estate, Galaha.

WHEREAS Gnam Navam David has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Andy Veeramalai, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Gnam Navam David insolvent accordingly; and that two public sittings of the court, to wit, on June 3, 1938, and on June 24, 1938, 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.

May 3, 1938. By order of court, R. MALALGODA,
Secretary.

In the District Court of Kandy.

No. 2,070. In the matter of the insolvency of Kana Pena Ayanna Ponnasamy Pillai of Hartfield estate, Gampola.

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 3, 1938, to consider the granting of a certificate of conformity to the above-named insolvent.

April 29, 1938. By order of court, R. MALALGODA,
Secretary.

In the District Court of Kandy.

No. 2,104. In the matter of the insolvency of A. B. Talgodapitiya of Ampitiya, Kandy.

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 20, 1938, to appoint an assignee.

April 29, 1938. By order of court, R. MALALGODA,
Secretary.

In the District Court of Kandy.

No. 2,126. In the matter of the insolvency of Edward Thomas Tennakone of Peradeniya road, Kandy.

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 3, 1938, to consider the granting of a certificate of conformity to the above-named insolvent.

April 29, 1938. By order of court, R. MALALGODA,
Secretary.

In the District Court of Nuwara Eliya holden at Hatton.

No. 30. In the matter of the insolvency of Kana Runa Muthucarpen Kangany of Coreen estate, Talawakelle.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place on May 31, 1938, for proving further claims, if any, and appointment of an assignee.

May 3, 1938. By order of court, E. DE S. GUNAWARDENE,
Secretary.

In the District Court of Jaffna.

Insolvency In the matter of the insolvency of Vinasi-Jurisdiction. tamby Appudurai of Tellipalai East, No. 165. insolvent.

Ponnammah, widow of Sinnatamby Tambiah of Tellipalai East Petitioning Creditor.

NOTICE is hereby given, that this court has adjudged Vinasitamby Appudurai, insolvent, and that two public sittings of court, to wit:—May 26, 1938, and June 30, 1938, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of Ordinance No. 7 of 1853, of which the creditors are hereby required to take notice.

May 2, 1938. By order of court, J. N. CULANTHAIVELU,
Secretary.

NOTICES OF FISCALS' SALES.

In the Court of Requests of Colombo.

Western Province. 35

In the District Court of Colombo.

A. N. A. Sinniah Konar of 270, Sea street, Colombo Plaintiff.

No. S/2,332. Vs.

(1) M. S. Naina Mohamad and (2) S. Mohamed Aboosaly, both of 31, 2nd Cross street, Colombo Defendants.

NOTICE is hereby given that on Tuesday, May 31, 1938, at 3 p.m., will be sold by public auction at the premises the following property for the recovery of the sum of Rs. 357.90, with interest of Rs. 3.34 at 18 per cent. per annum from January 17, 1938, to March 4, 1938, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs Rs. 207.40, viz. :—

The right, title, and interest of the 1st defendant in and to the indenture of lease No. 766 dated June 25, 1936, and attested by C. M. Kumaravethpillai, Notary Public, in and to the following property, to wit :—

All that house and ground bearing assessment No. 61 presently bearing assessment Nos. 29 and 31, situated at 2nd Cross street in Pettah, within the Municipality of Colombo, Western Province; bounded on the north by the house and ground No. 62 formerly belonging to Wickerman, and now said to belong to Usubu Lebbe, on the east by the 2nd Cross street, on the south by the house No. 60 formerly belonging to Sinne Ayah, now said to belong to Mr. Sampayo, and on the west by the property formerly belonging to Tobias and now said to belong to Mr. Godlieb; containing in extent according to the title plan thereof dated April 4, 1827, authenticated by G. Schneider, Land Surveyor-General, 5 47/100 square perches, but according to the figure of survey thereof No. 213 dated January 8, 1894, authenticated by Mr. George de Saram, Licensed Surveyor, 5 52/100 square perches, and registered in A 219/119.

Fiscal's Office,
Colombo, May 4, 1938.J. R. TOUSSAINT,
Deputy Fiscal.

A. N. A. Sinniah Konar of 270, Sea street, Colombo Plaintiff.

No. 38,938. 41 Vs.

M. S. Naina Mohamad of 31, 2nd Cross street, Pettah, Colombo Defendant.

NOTICE is hereby given that on Tuesday, May 31, 1938, at 4 p.m. will be sold by public auction at the premises the following property for the recovery of the sum of Rs. 124, with interest thereon at 18 per cent. per annum from January 18, 1938, till February 3, 1938, and thereafter legal interest on the aggregate amount till payment in full and costs of suit, Rs. 37.75, being incurred costs and Rs. 7.50 being prospective costs, less Rs. 30, viz. :—

The right, title, and interest of the defendant in and to the unexpired term of the lease created by the indenture of lease No. 825 dated June 21, 1937, attested by C. M. Kumaravethpillai, Notary Public, in respect of the following property, to wit :—

All that house and ground presently bearing assessment No. 160, situated and lying in Great Moor street now called New Moor street in Moor's Quarters, within the gravets of Colombo, Western Province; bounded on the north by Great Moor street now called New Moor street, on the east by the house of Meera Pulle Sesma Lebbe, on the south by the house of Odouma Lebbe, and on the west by the house of Ahamad Lebbe Kopa Tamby; containing in extent 8 19/100 square perches, but according to the figure of survey dated October 11, 1911, made by James W. Amarasekera, Licensed Surveyor, the said premises is described as an allotment of land with the buildings thereon bearing assessment No. 101, situated along New Moor street within the Municipality of Colombo; and bounded on the north by New Moor street, on the east by premises No. 100 of Sinne Lebbe Marikar, on the south by premises of Sinne Lebbe Marikar, and on the west by premises bearing assessment No. 102 of Avalu Marikar Hadjar; and containing in extent 9 20/100 square perches, prior registration A 219/120.

Fiscal's Office,
Colombo, May 4, 1938.J. R. TOUSSAINT,
Deputy Fiscal.

In the Court of Requests of Colombo.

A. N. Habeebu Mohamed of 48, Baillie street, Fort, Colombo Plaintiff.

No. 30,130. Vs.

M. L. M. Ismail of 18/8, Stewart street, Slave Island, Colombo, executor of the estate of the late A. G. Khan, deceased Defendant.

NOTICE is hereby given that on Wednesday, June 1, 1938, at 4 p.m., will be sold by public auction at the premises the following property for the recovery of the sum of Rs. 116, with interest thereon at 9 per cent. per annum from March 4, 1937, to July 6, 1937, and thereafter at the same rate on the aggregate amount of the decree till payment in full and costs of suit taxed at Rs. 46.25 incurred and Rs. 7.50 prospective costs, viz. :—

The right, title, and interest of the defendant as executor in and to the following property belonging to the estate of the late A. G. Khan, deceased, to wit :—

All that lot marked A being a divided half part or share of the premises formerly bearing assessment Nos. 1510 and 1511, Maradana, and now bearing assessment Nos. 36c (1-3), situated at 2nd Maligakanda lane, Maradana, presently bearing assessment No. 72 (previously) No. 36b, situated at 2nd Maligakanda lane, Maradana, within the Municipality and District of Colombo, Western Province; which said lot marked A is bounded on the north by Maligakanda lane, on the east by premises bearing assessment No. 38 presently said to be of Assen Tamby, on the south by premises bearing assessment No. 58 presently said to be of Khan, and on the west by the other half part of the same premises marked B bearing assessment No. 36c (3); containing in extent 3 36/100 perches according to plan No. 594 dated August 14, 1927, made by P. B. Weerasinghe, Surveyor.

Prior registration A 186/132.

Fiscal's Office,
Colombo, May 4, 1938.J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Kalutara.

Wijetungapatabandige Stephen Silva of Diyala-goda Plaintiff.

No. 20,277. Vs.

Kalutara patabandige Don Paulu Appu of Diyala-goda Defendant.

NOTICE is hereby given that on Tuesday, June 7, 1938, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the following property mortgaged by the defendant with the plaintiff and declared bound and ordered to be sold by the decree, entered in the said case for the recovery of Rs. 2,000, with interest thereon at 9 per cent. per annum from March 1, 1937, till payment in full, and costs Rs. 119.77, viz. :—

1. At 2 p.m. on June 7, 1938.—An undivided 4/5 share of the soil and trees towards the southern side together with the entirety of the buildings standing thereon of the land called Magurubodalanda, situated at Dodangoda in Iddagoda pattu of Pasdun korale west in the District of Kalutara, Western Province; and bounded on the north by Crown land, east by Crown land and lot 4171 in P. P. 15,141, south by Crown land, T. P. 184,334 and land claimed by villagers, and on the west by T. P. 245,136; and containing in extent 9 acres 2 roods and 7 perches.

2. At 4 p.m. on June 7, 1938.—An undivided 1/5 share of the soil and trees of the land called Ambagahawatta together with the entirety of the tiled house built by the defendant and in which he now resides and standing thereon, situated at Diyala-goda in Maggon badda of the Kalutara totamune, in the District of Kalutara, Western Province; and bounded on the north by Bandiawatta alias Delgahawatta, east by Teberumewatta, south by Compinnawatta and Gelerawatta, and on the west by Mahawatta; and containing in extent 1 rood and 28 1/2 perches.

Deputy Fiscal's Office,
Kalutara, May 2, 1938.H. SAMERESINGHA,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

- (1) Rev. James Gregory Newsam Seneviratne,
 (2) Oliver Shelton Agar, and (3) Ernest Gholdstein
 Jonklaas, all of Gampola, Trustees of St. Andrew's
 Church Building Fund..... Plaintiffs.

No. 41,978.

- (1) Mohamado Lebbe Hadjiar (Badoordeen), (2) Moha-
 mado Lebbe Hadjiar Habeeb, (3) A. R. P. R.
 Arumugam Pillai, (4) A. R. M. A. Dorasamy
 Pillai and M. P. M. Mutu Carpa Chettiya, all of
 Gampola..... Defendants.
 (1) M. P. M. Ranasamy Chettiya and M. P. M. Naraya-
 nan Chettiya, both of Gampola. Substituted defendants.

NOTICE is hereby given that on Saturday, May 28, 1938, commencing at 2 P.M. will be sold by public auction at the respective premises the following property mortgaged with the plaintiffs by deed No. 16 dated March 23, 1924, and attested by Mr. G. Schokman, Notary Public, of Gampola, 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 9, 1938, for the recovery of a balance sum of Rs. 8,837-25, with further interest on the said sum at and after the rate of 6 per cent. per annum from October 1, 1935, till payment in full still due (less a sum of Rs. 250) and costs and poundage, viz. :-

All those lands and premises, plantations with the buildings, factories, machinery and all live and dead stock thereon which said several lands, premises, plantations adjoin each other and form one property called and known as Rosehill estate and are situated and bounded as follows; and registered in D 95/193 in the Kandy District, Land Registry Office.

1. All that allotment of land called Mahawelikanda formerly known as Kudawelikanda and called and described as such in Crown Grant situate at Niyangama in Kandukarapahala korale Udapalata, Kandy District, Central, Province; and bounded on the north by the property of Kudalandeniya Suduhakurugedera and others, east by the property of Wadugederahena Inguruwatta Waduwa and others, south by the property of Ratnayake Mudiyanselege Rannahy and others, and west by the water-course, Galkotuwe-ella; containing in extent 12 acres 3 roods and 31 perches.

2. All that piece of land called Welikandehena, situate at Niyangama aforesaid; bounded on the north by Yatchigedera Upasekeya's hena, east by Bohappe paddy field, south by Wadugedera Menika's hena, and west by Welikandehena; containing in extent 3 acres 1 rood and 21 perches.

3. All that piece of land called Welikandehena, situate at Niyangama aforesaid; bounded on the east by demada or boundary drain and Yatchigedera Upaseke's hena, south by Bohappekumbure-ella, west by Sirimala's, and north by Oliyamullegedera Gunamala's hena; containing in extent 3 acres and 20 perches.

4. All that land called Galkotuwehena of about 3 amunams paddy sowing extent, situate at Niyangama aforesaid; and bounded on the east ella or stream of Welikandewatta, south by ella or stream of Meregahadeniyewatta, west by a water-course, and north by Heenihulaha or rising ground; containing in extent 3 acres 2 roods and 33 perches.

5. All that land called Welikandehena *alias* Hawadiyadeniya, situate at Wewatenna in Kandukarapahala aforesaid; bounded on the east by Gangiriyahena, south by an ela or stream, west by Kande Duraya's chena, and north by limit of Welikandewatta, in extent 1 acre 3 roods and 32 perches.

6. All that piece of chena land called Bohappewadugederahena, situate at Niyangama aforesaid; bounded on the north by Welikandehena, east by Bohappe-ella, south by Bohappe Habolaagederahena, and west by Welikande Palukopiewatta, in extent 1 acre and 23 perches.

7. All that piece of land called Bohappehalugederahena, situate at Niyangama aforesaid; bounded on the north by Bohappewadugederahena, east by Bohappe-ela, and west by Welitrandedennehena, in extent 2 acres 3 roods and 26 perches.

8. All that piece of chena land called Galkotuwa, situate at Niyangama aforesaid; bounded on the north by Kukulandeniya-ela, south by Moragahadeniyewatta, east by Moragahadeniyewatte-ella, and west by Kuda Moragahadeniye-ela, in extent 1 acre and 28 perches.

9. All that piece of land called Welikandehena, situate at Niyangama aforesaid; bounded on the north by Kande-gerahena, east by Welikande abandoned coffee estate, south by Welikandettenehena, and west by Waduwa-gerahena, in extent 1 acre 2 roods and 28 perches.

10. All that piece of chena land called Galkotuwehena, situate at Niyangama aforesaid; bounded on the north by Kuda Moragahadeniya, east by Galkotuwehena and Mahamoragahadeniye-ela, south by Kuda Moragahadeniya, and west by Moragahadeniye-ela, in extent 1 acre 2 roods and 10 perches.

11. All that land called Welikandehena, situate at Niyangama aforesaid; and bounded on the north-east by Oliyamullehena, south-east by Appallagodahena, south-west by an abandoned coffee estate, and north-west by Udawelagederahena *alias* Ganmyarahena, in extent 1 acre and 12 perches.

12. An undivided 1/5th part or share of Welikandehena of 3 amunams paddy sowing in extent, situate at Inguruwatta in Kandukarapahala korale aforesaid; and bounded on the north and east by Dampelagederahena, south by Yakdehigederahena and Orion estate, and west by Pallepitiyehena.

13. An undivided 1/5th share or part of Baduwetiya Arambehena of 1 amunam and 2 pelas paddy sowing extent, situate at Inguruwatta aforesaid; and bounded on the north by Muduneheriya, east by Dampelagederahena, south by Kandura, and west by Meewaturagederahena.

14. An undivided 1/5th part or share of all that land called Wewekandehena, situate at Inguruwatta aforesaid, in extent 1 acre and 20 perches; bounded on the east by Thampelegederahena and ant-hill, south by Bohappe estate, west by Pilapitiyehena, and north by Ukkuwage Thampelehena.

15. All that land called Welikandehena of one and half amunams paddy sowing extent, situate at Inguruwatta aforesaid; and bounded on the north by Udagedera Welikandehena belonging to Murugesu, east by Bohappekumbura, south by Orion estate, and west by Dampelagederahena. (b) All that land called Kadimullehena of one and half amunams paddy sowing situate at Inguruwatta aforesaid; and bounded on the north by Meewaturegederahena and Puruwayawatta, east by a large rock, south by Orion estate, and west by Meewaturegederahena.

16. The south-eastern moiety of 2½ acres in extent of all that land called Bohappehena, situate at Inguruwatta aforesaid; and bounded on the north and west by the remaining portion of the land which belongs to Kitulpedigedera Dantuwa and sold by heirs to Murugahadeniya Kaluwa, south by Naranwita Welela, and east by Elkandura.

17. All that land called Hompalapitiyehena, situate at Wewatenna aforesaid; bounded on the east by the tree on the ant-hill standing on the property of Pinaduraya, south by ditch, west by Kirihenaya's land and water-course, in extent 2 acres 1 rood and 2 perches.

18. All that land called Welikandehena of about 4 acres in extent, situate at Inguruwatta aforesaid; and bounded on the north by Dampelagederahena, east by Bohappe-ela, south by land belonging to Murugesu Mudalali, and west by Muduneheriya.

19. All that field called Bohappekumbura of 6 lahas in extent, situate at Inguruwatta aforesaid; and bounded on the north by Rosehill estate, east by Muttetuwa-ela, south by Pilmullehena and Meewaturegedera Bohappehena, and west by Eriyagahamulahena.

20. All that land called Kande-gerahena, situate at Inguruwatta aforesaid; bounded on the north and east by Dampelagederahena, south by Rosehill estate, and west by Gangehena, in extent 2 roods and 32 perches.

21. All that land called Pansaledeniyehena of 2 pelas in extent, situate at Niyangama aforesaid; and bounded on the east by the boundary of Uguressa tree of Crown land, south by ela, and west by the demada of Niyangama Durayalegerahena, and north by Pansaledeniyakumbura.

22. (a) All that land called Attessehena of about ¾ acre in extent, situate at Niyangama aforesaid; and bounded on the east by Rosehill estate, south by Kande-gerahena, west by Tisnakahena, and north by a kandura.

(b) All that land called Kiriwanehena of about 1 acre in extent, situate at Niyangama aforesaid; and bounded on the north by Palpelegederahena, east by hena belonging to Naida Duraya, west by deniya, and south by land belonging to Maduwegedera Handuwa.

23. All that land called Bodegiriye-hena of about 1 amunam paddy sowing extent, situate at Naranwita in Kandukarapahala korale aforesaid; and bounded on the east by Kodige, south by Thellepegedera land, west by Crown land, and north by a water-course.

24. All that land called Batawature Ambehena of about 1 amunam paddy sowing in extent, situate at Inguruwatta aforesaid; and bounded on the north and east by Meewaturehena, south by the property of Leon de Espagnac, and west by a ditch.

25. (a) All that land called Kalugohattenne-hena of 1 pela in extent, situate at Niyangama aforesaid; and bounded north by a demada, east by Tosnakawehena,

south by Dilavuhena, and west by a demada and Pellepegederahena and (b) all that land called Katukitulgoda-hena of 1 amunam paddy sowing, situate at Niyangama aforesaid; and bounded on the north and east by the demada, south by Ambalapitiyehena and a ridge of rocks, and west by Deltotagedera Upasakehena.

26. All that land called Badawetiya-arambehena, situate at Inguruwatta aforesaid; and bounded on the north by the chena belonging to Oliyamulla Gunamala, east by Rosehill estate, south by Niyangamahena, and west by Kandupitiyehena in extent 1 acre 2 roods and 39 perches.

27. (a) The garden called Baddewatta of about 12 lahas in extent in the whole; bounded on the east by stone fence, and south-west and north by the ditch, and (b) the field called Kukulandenyekumbura of 7 lahas in extent; and bounded on the east by Kandegederahena, south by the paddy field of Kiriwatuwa, and west and north by the ela, both the said garden and the said field within the said boundaries situate at Niyangama aforesaid.

28. All that land called Ganimahena of about 5 amunams in extent situate at Inguruwatta aforesaid; and bounded on the north by the demada of and ditch of Meewaturegederahena, east by the Demada Kandegederahena, south by the land belonging to Lean De Espagnac, and west by gan ima and land belonging to Lean De Espagnac.

29. All that land called Badawature Ambehena of about 5 amunams in extent, situate at Inguruwatta aforesaid; bounded on the north by an ela, east by Dampelgederahena, south by Kandegederahena and Pallepitiyehena, and west by Heenhulaha of Kandegederahena.

30. All that land called Henegederatte Watagodahena, in extent 2 pelas of paddy sowing, situate at Niyangama aforesaid; and bounded on the east by the limit of the chena belonging to Suduhakurugedera Sirimalie, south by Kitulgammama, west by Bogete-ela, and north by the ditch of the Chena of Kirimahaduraya.

31. All that divided portion of the high land in extent 5 lahas paddy sowing out of all that land called Kukulandenyekumbura, situate at Niyangama aforesaid; and which said divided portion is bounded on the east by Welikande Kopiewatta, south and west by ela, and north by the remaining portion of this field.

32. All that land called Kukulandenyehena of 1 amunam paddy sowing extent, situate at Niyangama aforesaid; and bounded on the east by the limit of Meewaturegederahena, west by Kukulandenyekumbura, and north by the ridge of Lamorakpuliyaehena.

33. All that divided northern portion of 5 lahas paddy sowing in extent out of all that land called Kukulandenyekumbura of 1 pela paddy sowing extent, situate at Niyangama aforesaid; and which said northern portion is bounded on the east by Kandegederahena, south by tea estate and by the remaining portion, west by Pihilladeniyehela, and north by land called Kukulandenyekumbura belonging to Lean de Espagnac.

34. All that divided southern portion in extent 1 pela paddy sowing out of all that land called Badawature Arambehena, in extent 1½ acres, situate at Inguruwatta in Kandukarapahala korale aforesaid; which said southern portion is bounded on the north by the remaining portion, east by ella and Badawaturambekumbura, south by the limit of the chena belonging to Baduwaturambe Gunamala, and west by village boundary.

35. All that divided northern portion in extent 1 pela paddy sowing or ½ an acre in extent out of all that land called Badawattiya-arambehena of 1½ acres in extent, situate at Inguruwatta aforesaid; and which said northern portion is bounded on the north by the chena belonging to Kitulpegedera Dingiri, east by ella of Badawetiya-arambekumbura, south by the remaining portion of this land belonging to Lean De Espagnac, and west by the village boundary and all the right, title, interest and claim whatsoever of the 1st and 2nd defendants in, to, upon, or out of the said several premises mortgaged by the 1st and 2nd defendants.

Fiscal's Office,
Kandy, April 20, 1938.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Kandy.

Jesupathan Manuel Gnanamoni Samuel of
Colombo Plaintiff.

No. 44, 1938.

(1) Grace Abeysinghe, (2) Don John Albert Abeysinghe,
wife and husband, both of Peradeniya Defendants.

NOTICE is hereby given that on Saturday, June 11, 1938, at 2 P.M., will be sold by public auction at the premises

the following property mortgaged with the plaintiff by bond No. 99 dated December 13, 1929, and attested by K. Vijayaratnam of Kandy, 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 April 29, 1934, for the recovery of balance sum of Rs. 984.31, with interest on Rs. 1,399.55 at the rate of 9 per cent. per annum from December 7, 1933, till payment in full and costs of this action which were taxed at Rs. 129.20 and poundage, viz. :—

The northern ½ portion of land called and known as Wagollehena, now a garden in extent about ½ an acre, situate at Eriyagama in Peradeniya in Gangapalata of Yatinuwara in the District of Kandy, Central Province; and which said northern half portion is bounded on the north by land belonging to Mr. V. Ranatunga, Station Master, south by the remaining half portion of this land, east by the road to Gampola, and west by the land belonging to Mr. Ranatunga, together with the newly built tiled house and everything thereon. Registered in B 97/8 Kandy, and all the right, title, interest, and claim whatsoever of the said defendants in, to, upon, or out of the said several premises mortgaged by the defendants.

Fiscal's Office,
Kandy, April 30, 1938.

H. C. WIJESINHA,
Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

Subasinghe Mudiya Selage Jokinu Appu of Dodanpotta, deceased.

No. 4,029 T.

Vs.

Subasinghe Mudiya Selage Peduru Appu of Nedurupitiya, Kandana Administrator.

NOTICE is hereby given that on Saturday, May 28, 1938, at 2 o'clock in the afternoon will be sold by public auction at the premises the right, title, and interest of the said deceased, in the following property for the recovery of the sum of Rs. 127, and poundage, viz. :—

The land called Keenagollehelambaghamulahena of 7 acres 2 roods and 12 perches in extent, situated at Handurullabala in Medapattu korale east of Katugampola hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by maimpara of the land in possession of S. K. Thambiah, formerly of Ludowyk Silva, east by wire fence of the land belonging to Siyatuhamy and Mudalihamy, south by wire fence of the land belonging to Siyatuhamy and others, and west by wire fence of the land of the late Mr. J. W. P. Samarasekera, Notary Public, together with everything thereon.

Fiscal's Office,
Kurunegala, May 3, 1938.

CHARLES DE SILVA,
Deputy Fiscal.

In the District Court of Chilaw.

The Secretary, District Court, Chilaw. Administrator.

No. 1,995 T.

Vs.

(1) Nallawairan Muttu Kadalia and (2) Aiyamperumal Muttu Baaku, both of Udappu Respondents.

NOTICE is hereby given that on Saturday, May 28, 1938, at 9 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said respondents in the following property for the recovery of Rs. 145.62, with stamp duty Rs. 12.60, Gazette charges and costs of execution, viz. :—

An undivided 11/18 share of the land called Anairakkam bearing Nos. 5,337 and 5,338, situate at Udappu in Anaiwilundan pattu of Pitigal korale, in the District of Chilaw North-Western Province; and bounded on the north by lake and mouth of the river which is closed up, east by the lake called Kurumankali, south by the tree called thalaimaram and the bush called peenchi paththai, and west by the seabeach; containing in extent 9 acres, and all things appertaining thereto.

Deputy Fiscal's Office,
Chilaw, April 26, 1938.

I. L. M. SHERIFF,
Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

31

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Wesley Aresaratnam of Hill street in
No. 8,378. Colombo, deceased.

Christopher Alexander of Hill street in
Colombo Petitioner.

And

(1) Mercy Parimalam, (2) Joseph Ariyanayagam, and
(3) Rose Nesamany, all of Hill street in Colombo;
the 1st, 2nd, and 3rd respondents are minors appearing
by their guardian *ad litem* (4) Francis Xavier
Alexander of Wilson place, Wellawatta, in
Colombo Respondents.

THIS matter coming on for disposal before M. W. H. de
Silva, Esq., District Judge of Colombo, on March 28, 1938,
in presence of Mr. J. Tambyah Bartlett, Proctor, on the
part of the petitioner above named; and the affidavit of
the said petitioner dated March 22, 1938, having been read:

It is ordered (a) that the 4th respondent be and he is
hereby appointed guardian *ad litem* of the minors, the 1st,
2nd, and 3rd respondents above named, to represent them
for all the purposes of this action, and (b) that the petitioner
be and he is hereby declared, entitled, as uncle of the above-
named deceased, to have letters of administration to his
estate issued to him, unless the respondents above named
or any other person or persons interested shall, on
or before May 26, 1938, show sufficient cause to the
satisfaction of the court to the contrary.

March 28, 1938.

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

22

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and
Jurisdiction. Effects of the late John William Mendis of
No. 8,382. West Cliffe, Madampitiya road, Colombo,
deceased.

John Melville Victor Adalbert Mendis of Vanderwert
place, Dehiwala Petitioner.

THIS matter coming on for disposal before M. W. H. de
Silva, Esq., District Judge of Colombo, on April 1, 1938,
in the presence of Mr. J. de S. Wijeyaratne, Proctor, on
the part of the petitioner above named; and the affidavit
of the said petitioner dated February 14, 1938, 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 his estate issued to him,
unless any other person or persons interested shall, on or
before May 19, 1938, show sufficient cause to the
satisfaction of the court to the contrary.

April 1, 1938.

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

35

In the District Court of Kalutara.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Jayanettikoralalage Don Pileck Vaidya-
No. 2,743. tilleke Jayawardana, Veda Arachchi,
deceased, of Kapiwatta in Welipenna.

Liyanage John Victor Perera, Chena Mohandiram, of
Agalawatta, executor Petitioner.

Illimbevidanage Dona Pabiliona Wijesekera Haminey
of Kapiwatta in Welipenna Respondent.

THIS matter coming on for disposal before Waldo
Sansoni, Esq., District Judge of Kalutara, on June 4, 1937,
in the presence of Messrs. Perera & Walter, Proctors, on
the part of the petitioner; and the affidavit of the petitioner
dated November 4, 1936, having been read:

It is ordered that the will of Jayanettikoralalage Don
Pileck Vaidyatilleke Jayawardana, Veda Arachchi, of
Kapiwatta, Welipenna, deceased, dated June 10, 1938,
and bearing No. 922, and now deposited in this court, be
and the same is hereby declared proved, unless the re-
spondent or any person or persons interested shall, on or
before July 15, 1937, show sufficient cause to the
satisfaction of this court to the contrary.

It is further declared that the said Liyanage John Victor
Perera, Chena Mohandiram of Agalawatta, is the executor
named in the said will, and that he is entitled to have
probate of the same issued to him accordingly, unless the
respondents or any other person or persons interested shall,
on or before July 15, 1937, show sufficient cause to the
satisfaction of this court to the contrary.

June 4, 1937.

W. SANSONI,
District Judge.

The date for showing cause is extended to June 2, 1938.

W. SANSONI,
District Judge.

33

In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late,
Jurisdiction. Kalapuge Don Manis Gunewardena,
No. 2,809. deceased, of Kalapugama.

Dona Alice Abeysinghe of Kalapugama Petitioner.

Vs.

(1) Kalapuge Don Sathadasa Gunewardena, (2) ditto
Don James Victor Gunewardena, (3) ditto Don Irwin
Wilson Gunewardena, (4) ditto Dona Nimalawathie
Piyasiri Gunewardena, (5) ditto Don Dayaratne
Gunewardena, all of Kalapugama; 2nd to 5th are
minors by their guardian *ad litem* the 1st respond-
ent Respondents.

THIS matter coming on for disposal before Waldo
Sansoni, Esq., District Judge of Kalutara on March 21,
1938, in the presence of Mr. A. H. Gunetilleke, Proctor, on
the part of the petitioner, Dona Alice Abeysinghe of Kala-
pugama; and the affidavit of the said petitioner dated
March 18, 1938, having been read: It is ordered that the
petitioner be and she is hereby declared entitled, as widow
of the deceased above named, to have letters of administra-
tion to his estate issued to her, unless the respondents or
any other person or persons interested shall, on or before
May 19, 1938, show sufficient cause to the satisfaction of
this court to the contrary: It is further declared that the
said 1st respondent be and he is hereby appointed guardian
ad litem over the said 2nd to 5th respondents, who are
minors, for all the purposes of this action, unless the
respondents shall, on or before May 19, 1938, show sufficient
cause to the satisfaction of this court to the contrary.

March 21, 1938.

W. SANSONI,
District Judge.

32

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. the late Jayasundara Mudiyansele of
No. T. 24. Mutu Menika, deceased, of Tispane.

Siriwardene Mudiyansele Punchi Banda Siriwardene
of Wataddara Petitioner.

And

(1) Siriwardene Mudiyansele Kiri Banda, (2) ditto
Ukku Banda, (3) ditto Heen Menike, (4) ditto Dingiri
Banda, (5) ditto Ran Banda, (6) ditto Punchi Mahat-
mayo, (7) ditto Dingiri Mahatmayo, (8) ditto Heen
Ammu, (9) ditto Heen Menike, all of Wataddara; the
2nd to 9th respondents by their guardian *ad litem*
the 1st respondent Respondents.

THIS matter coming on for disposal before Reginald
Felix Dias, Esq., District Judge, Kandy, on March 17,
1938, in the presence of Mr. B. H. Dunuwille, Proctor, on
the part of the petitioner, Siriwardene Mudiyansele
Punchi Banda of Tispane; and the affidavit of the said
petitioner dated February 5, 1938, having been read: It
is ordered that the petitioner be and he is hereby declared
entitled, as the son of the deceased, to have letters of
administration to the estate of the deceased issued to him,
unless the respondents or any other persons interested
shall, on or before April 11, 1938, show sufficient cause to
the satisfaction of this court to the contrary.

March 17, 1938.

R. F. DIAS,
District Judge.

Date for showing cause is extended to May 16, 1938.

April 11, 1938.

R. F. DIAS,
District Judge.

In the District Court of Kandy. ³⁴

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testa-
Case No. T. 27. ment of Henry Robert Dullewe, deceased,
of Houke Walauwa in Galaboda Kinigoda
korale.

THIS matter coming on for disposal before Reginald
Felix Dias, Esq., District Judge, Kandy, on April 7, 1938,
in the presence of Mr. P. B. Panabokka, Proctor, on the
part of the petitioner, Timia Dullewe Marapone of Mee-
dume Walauwa, Rambuwana, and Dudley Dullewe of
Kandy; and the affidavit of the said parties dated Feb-
ruary 19, 1938, and of the attesting notary dated March 8,
1938, having been read:

It is ordered that the last will of the above-named
deceased dated October 8, 1934, and now deposited in this
court, be and the same is hereby declared proved, unless
the respondents—(1) Badura Ratwatte Dullewe Marapone
Kumarihamy, (2) Navaratne Samuel Dullewe Marapone,
(3) Seemawathie Dullewe Marapone Kumarihamy, (4)
Mantri Asline Dullewe Marapone Kumarihamy, (5) Joyce
Badura Dullewe Marapone Kumarihamy, (6) Suja Dullewe
Marapone Keppetipola Kumarihamy, (7) Harris Leuke
Ratwatte—or any person or persons interested shall, on or
before May 19, 1938, 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 authorized
to have probate thereof issued to them accordingly, unless
the said respondents or any other person or persons interested
shall, on or before the said date show sufficient cause to the
satisfaction of this court to the contrary.

April 7, 1938.

R. F. DIAS,
District Judge.

²⁹In the District Court of Kandy.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and
Jurisdiction. Testament of Jayasooriya Aratchige
No. T. 31. Dona Selestina Gonesekera Hamine,
deceased, of 73 Trincomalee street,
Kandy.

THIS matter coming on for disposal before Reginald
Felix Dias, Esq., District Judge, Kandy, on March 28,
1938, in the presence of Mr. M. J. Taylor, Proctor, on the
part of the petitioners, Cyril Joseph Noel Perera and
Walter Noel Perera; and the affidavits of the said
petitioners dated February 5, 1938, and of the attesting
notary dated March 12, 1938, having been read:

It is ordered that the last will of the above-named
deceased dated November 29, 1934, and the two codicils to
the said last will 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 16, 1935, show
sufficient cause to the satisfaction of the 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 the person or persons interested shall, on or before
the said date show sufficient cause to the satisfaction of
this court to the contrary.

March 28, 1938.

R. F. DIAS,
District Judge.

In the District Court of Nuwara Eliya.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testa-
Jurisdiction. ment of the late Punchi Bandara Andra-
No. 315. wewa of Uda Hewahetta, deceased.

Abeykoon Attanayake Panditha Wasala Mudiyansele
Anula Kumarihamy of Andrawewa Waluwa in Uda
Hewahetta, presently of Badulla Petitioner.

(1) Somawathie Andrawewa Kumarihamy of Uda
Hewahetta, (2) Leelawathie Andrawewa Tikiri Ku-
marihamy of Badulla, (3) Bertram Ran Banda Andra-
wewa of Uda Hewahetta Respondents.

THIS matter coming on for disposal before A. R. Mac
Donald, Esq., District Judge of Nuwara Eliya, on February

2, 1938, in the presence of Mr. C. M. L. de Silva, Proctor,
on the part of the petitioner above named; and the
affidavits (1) of the said petitioner dated January 13, 1938,
and (2) of the attesting notary dated January 10, 1938,
having been read.

It is ordered that the last will of Punchi Bandara Andra-
wewa (deceased) of which the original has been produced
and is now deposited in this court is hereby declared
proved; and it is further declared that the petitioner is the
executrix named in the said will and that she is entitled to
have probate thereof issued to her accordingly, unless
the respondents above named or any other person or persons
interested shall, on or before March 18, 1938, show sufficient
cause to the satisfaction of this court to the contrary.

February 2, 1938.

A. R. MACDONALD,
District Judge.

This Order Nisi is extended for April 22, 1938, for showing
cause against it if any.

March 1, 1938.

V. C. MODDER,
District Judge.

This Order Nisi is extended for May 20, 1938, for showing
cause against it if any.

April 22, 1938.

H. S. ROBERTS,
District Judge.

In the District Court of Tangalla.

Order Nisi. ³⁹

Testamentary In the Matter of the Intestate Estate of
Case No. 1,271. Don Davith Karunaratna Wickrama-
singha, late of Walasmulla Hospital,
deceased.

Jalath Gunasekara Ekanahamine of Kohom-
poruwa Petitioner.

(1) Siripala Karunaratna Wickramasingha, (2) Lila-
wathie Karunaratna Wickramasingha, (3) Isa-
wathie Karunaratna Wickramasingha, (4) Sirisena
Karunaratna Wickramasingha, (5) Gunapala Karu-
naratna Wickramasingha, (6) Pemawathie Karuna-
ratna Wickramasingha (minors), all of Kohomporuwa,
(7) Don Thomas Jalath Gunasekara of Ritigaba-
yaya Respondents.

THIS matter coming on for disposal before W. Olegasa-
gram, Esq., District Judge of Tangalla, on March 1, 1938,
in the presence of Mr. G. P. Sirisena, Proctor, on the part
of the petitioner above named; and the affidavit of the
above-named petitioner dated December 22, 1937, having
been read:

It is ordered and adjudged that the 7th respondent
above named be appointed guardian *ad litem* over the
minors, 1st to 6th respondents above named, unless any
person or persons interested shall, on or before April 11,
1938, show sufficient cause to the contrary.

It is further ordered that the petitioner above named be
and she is hereby declared entitled, as widow of the said
deceased, to have letters of administration of the said
estate issued to her, unless any person or persons interested
shall, on or before April 11, 1938, show sufficient cause to
the contrary.

March 1, 1938.

R. R. SELVADURAI,
District Judge.

This Order Nisi is extended to May 16, 1938.

April 11, 1938.

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Ramupillai Kandiah of Vaddukoddai, late of Jaffna in the Federated Malay States, deceased.

Nagumnam, widow of Ramupillai Kandiah of Araly North Petitioner.

Vs.

- (1) Saraswathy daughter of Kandiah, (2) Parasathy daughter of Kandiah, (3) Kandiah Thiruchelvam and (4) Appacuddy Arumugam, all of Araly North Respondents.

THIS matter of the petition of the petitioner above named praying that the above-named 4th respondent be appointed guardian *ad litem* over the minors, the 1st to 3rd respondents, for the purpose of representing them in these Testamentary Proceedings and that letters of administration to the estate of the above named be granted to the petitioner, coming on for disposal before C. Coomaraswamy,

Esq., on March 21, 1938, in the presence of Mr. J. F. Ponnambalam, Proctor, on the part of the petitioner; and the affidavit of the petitioner and her petition and the Supreme Court order dated March 16, 1938, conferring sole and exclusive testamentary jurisdiction of this court in respect of the property left behind by the deceased within the jurisdiction of this court having been read: It is ordered that the above-named 4th respondent be appointed guardian *ad litem* over the minors, the above-named 1st to 3rd respondents, for the purpose aforesaid and that the letters of administration to the estate of the said deceased be granted to the petitioner, as his widow, unless the respondents shall appear before this court on April 27, 1938, and show sufficient cause to the satisfaction of this court to the contrary.

C. COOMARASWAMY,
District Judge.

March 21, 1938.

This Order Nisi is extended to June 3, 1938.

C. COOMARASWAMY,
District Judge.