



THE

CEYLON GOVERNMENT GAZETTE

No. 8,394 — FRIDAY, SEPTEMBER 16, 1938.

Published by Authority.

PART II.—LEGAL.

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

	PAGE		PAGE
Governor's Ordinances	—	Notifications of Criminal Sessions of the Supreme Court	981
List of Notaries	—	District and Minor Courts Notices	—
Passed Ordinances	—	Notices in Insolvency Cases	981
Draft Ordinances	980	Notices of Fiscals' Sales	982
List of Jurors and Assessors	—	Notices in Testamentary Actions	983
Supreme Court Notices	—	Council of Legal Education Notices	—
		Miscellaneous	—

PRINTED AT THE CEYLON GOVERNMENT PRESS, COLOMBO;

DRAFT ORDINANCES.

MINUTE.

The following Draft of a proposed Ordinance is published for general information :—

L. D.—O 40/38

No. 9 of 1902.

An Ordinance to amend the Ceylon Railways Ordinance, 1902.

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

Short title.

1 This Ordinance may be cited as the Ceylon Railways (Amendment) Ordinance, No. of 1938.

Amendment of section 3 of Ordinance No. 9 of 1902.

2 Section 3 of the Ceylon Railways Ordinance, 1902 (hereinafter referred to as "the principal Ordinance"), is hereby amended by the substitution for the definition of "Railway official" of the following :—

" "Railway official" means any person, officer or clerk appointed by the Governor under section 4 (1) and includes any person for the time being employed to do any act upon the railway."

Substitution of new section for section 4 of the principal Ordinance.

3 Section 4 of the principal Ordinance is hereby repealed and the following new section is substituted therefor :—

Appointment of General Manager and other officers and clerks.

4 (1) The Governor may appoint—

(a) any person by name or by office to be or to act as General Manager; and

(b) such other officers and clerks as may be necessary for the purposes of this Ordinance.

(2) The General Manager may generally or specially authorise any officer appointed under paragraph (b) of sub-section (1) to exercise any power or perform any duty conferred or imposed by this Ordinance on the General Manager.

Amendment of section 17 of the principal Ordinance.

4 Section 17 of the principal Ordinance is hereby amended as follows :—

(1) by the substitution for the words "the General Manager or Locomotive Engineer," of the words "the General Manager,"; and

(2) by the omission of the words "Traffic Superintendent, or station master,".

Objects and Reasons.

Section 4 of the Railways Ordinance, 1902, provides for the appointment by the Governor of a General Manager and one or more "Assistant Managers", who are empowered to exercise and perform the powers and duties assigned by the Ordinance to the General Manager.

As a result of changes in the organization of the Ceylon Government Railway and the consequent re-distribution of work, it is proposed to alter the designations of certain officers.

The object of this Bill is to amend the Railways Ordinance so as to remove references to Assistant Managers and certain other officers, and vest in the Governor the general power to appoint such officers as may be necessary for the purposes of the Ordinance. Any subsequent change made in the designation of any officer can thus be effected without the necessity of amending the Ordinance.

As a result of the amendment effected by Clause 3, the General Manager will be empowered to delegate to the appropriate officer any power or duty conferred or imposed upon him by the Ordinance.

J. L. KOTELAWALA,
Minister for Communications and Works.

Ministry of Communications and Works,
Colombo, September 7, 1938.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a criminal session of the said court for the Western Circuit will be holden at the Court-house at Hulftsdorp, on Monday, October 10, 1938, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Colombo, September 13, 1938.

J. R. TOUSSAINT,
for Fiscal.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a criminal session of the said court for the Districts of Ratnapura and Avissawella, will be holden at the court-house at Colombo, on Monday, October 10, 1938, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Ratnapura, September 12, 1938.

R. S. V. POULIER,
Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,186. In the matter of the insolvency of Maria Gregory Fernando of 210, Chekku street, 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 October 11, 1938, for the grant of a certificate of conformity to the insolvent.

By order of court, A. C. BELING,
September 6, 1938. Secretary.

In the District Court of Colombo.

No. 5,200. In the matter of the insolvency of Nasurdeen Oumar of 32/5, Forbes lane, Maradana, 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 October 18, 1938, for the grant of a certificate of conformity to the insolvent.

By order of court, A. C. BELING,
September 6, 1938. Secretary.

In the District Court of Colombo.

Insolvency In the Matter of the Insolvency of Merennege Jurisdiction. Joseph Fernando of 485, Moratuwella No. 5,234. in Moratuwa.

NOTICE is hereby given that the above-named insolvent having arrived at an amicable settlement with his creditors the Insolvency Proceedings are hereby annulled.

By order of court, A. C. BELING,
September 8, 1938. Secretary.

In the District Court of Colombo.

No. 5,266. In the matter of the insolvency of Abdul Samad Hamidon of Station road, Hunu-pitiya, Wattala.

WHEREAS the above-named A. S. Hamidon has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by H. Z. A. Jaldin of Mahole in Wattala, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said A. S. Hamidon insolvent accordingly; and that two public sittings of the court, to wit, on October 4, 1938, and on October 25, 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, A. C. BELING,
September 3, 1938. Secretary.

In the District Court of Colombo.

No. 5,267. In the matter of the insolvency of Don Robas Amarasinghe of 170, Hulftsdorp street, Colombo.

WHEREAS the above-named D. R. Amarasinghe has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by K. S. Retnam of 632, Alutkawata road, Mutwal, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said D. R. Amarasinghe insolvent accordingly; and that two public sittings of the court, to wit, on October 4, 1938, and on October 25, 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, A. C. BELING,
September 3, 1938. Secretary.

In the District Court of Colombo.

No. 5,268. In the matter of the insolvency of Dodwell Bernard Arnolda of 84, St. Joseph's street, Colombo.

WHEREAS the above-named D. B. Arnolda has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by O. D. H. Perera of Boteju road, Dehiwala, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said D. B. Arnolda insolvent accordingly; and that two public sittings of the court, to wit, on October 4, 1938, and on October 25, 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, A. C. BELING,
September 5, 1938. Secretary.

In the District Court of Colombo.

No. 5,269. In the matter of the insolvency of Deyan Tuan Munsoor Sally of 557, Havelock road, Wellawatta, Colombo.

WHEREAS the above-named D. T. M. Sally has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by A. L. M. Kalideen of Symonds road, Maradana, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said D. T. M. Sally insolvent accordingly; and that two public sittings of the court, to wit, on October 4, 1938, and on October 25, 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, A. C. BELING,
September 5, 1938. Secretary.

In the District Court of Colombo.

No. 5,270. In the matter of the insolvency of Orland Bede Swan of 453, Galle road, Dehiwala.

WHEREAS the above-named O. B. Swan has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by Henry Siriwardene of 126, Price place, Pettah, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said O. B. Swan insolvent accordingly; and that two public sittings of the court, to wit, on October 4, 1938, and on October 25, 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, A. C. BELING,
September 8, 1938. Secretary.

In the District Court of Colombo.

No. 5,271. In the matter of the insolvency of Panakulam Mujem Raju Muttusamy Reddiar of 143, Church street, Slave Island, Colombo.

WHEREAS the above-named P. M. R. Muttusamy Reddiar has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by N. Suppiah of 169, Malay street, Slave Island, Colombo, under the

Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said P. M. R. Muttusamy Reddiar insolvent accordingly ; and that two public sittings of the court, to wit, on October 11, 1938, and on October 25, 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, A. C. BELING,
September 12, 1938. Secretary.

In the District Court of Galle.

No. 710. In the matter of the insolvency of Hendrick Dias Jayasinghe of Etteligoda in Galle.

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 October 6, 1938, for granting a certificate of conformity to the insolvent.

By order of court, M. N. PEIRIS,
August 26, 1938. Secretary.

In the District Court of Galle.

No. 712. In the matter of the insolvency of Abdul Ibrahim Julaya of 99, Main street, Galle.

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 October 17, 1938, to consider the grant of a certificate of conformity to the insolvent.

By order of court, M. N. PEIRIS,
September 6, 1938. Secretary.

In the District Court of Jaffna.

Insolvency In the Matter of the Insolvency of Saravana-
Jurisdiction. muttu Ponnampalam Veerasingam of
No. 170. Vannarponnai East, Jaffna, insolvent.

Ramupillai Thuraiappah of Vannarponnai East,
Jaffna Petitioner.

WHEREAS the above-named Saravanamuttu Ponnampalam Veerasingam has filed a declaration of insolvency and a petition for the sequestration of his estate has been filed by the above-named petitioner under the Ordinance No. 7 of 1853 : Notice is hereby given that the said court has adjudged the said Saravanamuttu Ponnampalam Veerasingam insolvent accordingly, and that two public sittings of the court, to wit, on September 27, 1938, and on November 1, 1938, will take place for the said insolvent to surrender and conform to, agreeably with 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, J. N. CULANTHAIVALU,
Jaffna, September 10, 1938. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the Court of Requests of Colombo.

M. Moosa Bhai of Slave Island, Colombo Plaintiff.
No. 35,037. Vs.

G. D. V. Seneviratne of 213/1, Dematagoda road,
Colombo Defendant.

NOTICE is hereby given that on Tuesday, October 11, 1938, at 4 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 216, with interest on Rs. 200 at 18 per cent. per annum from August 6, 1937, to September 17, 1937, and thereafter legal interest on the aggregate amount till payment in full, and costs taxed at Rs. 26.25, and prospective costs Rs. 11.50, viz. :—

All that land with the buildings bearing assessment No. 479, situated at Second Division, Maradana, within the Municipality and District of Colombo, Western Province ; and bounded on the north by Second Division, Maradana (now assessment No. 69, Dematagoda road), east by No. 139 (now assessment No. 483), south by property of Buddadasa (now main road), and west by No. 135 (now assessment No. 477) ; containing in extent 10 perches.

Prior registration A 241/145.

Fiscal's Office, J. R. TOUSSAINT,
Colombo, September 14, 1938. Deputy Fiscal.

Central Province.

In the District Court of Kandy.

A. James Fernando of Wattegama Plaintiff.
No. M. S. 42. Vs.

W. B. Senaratne of Woodthorpe estate, Katugastota,
and presently of Kandy Defendant.

NOTICE is hereby given that on Saturday, October 15, 1938, at 9 A.M., will be sold by public auction at the premises the right, title, and interest of the said defendant for the recovery of the sum of Rs. 1,000, together with legal interest thereon, from May 9, 1938, till payment in full and costs of suit and poundage in the following property, viz. :—

All that land called Wanduraendukandecopiawatta of 80 acres in extent, situate at Alacolamada *alias* Doragamuwa in Pallegampaha of Lower Dumbara in the District of Kandy, Central Province ; and bounded on the east and south by field and fence, west by Kiri Banda's garden and galletta, and north by Abeyagunaratne Notary's field and Pihalakumbura, together with everything standing thereon within the said boundaries inclusive of all the buildings.

Fiscal's Office, H. C. WIJESINHA,
Kandy, September 13, 1938. Deputy Fiscal.

In the District Court of Kandy.

Vidanepathirana Wickremaratne Appuhamy of
Wegala in Pallispattu of Pata Dumbara Plaintiff.
No. 48,558. Vs.

Ahangama Vithanage James Appuhamy of Uru-
gala Defendant.

NOTICE is hereby given that on Saturday, October 22, 1938, at 2 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 10769 dated February 2, 1929, and attested by R. A. F. Jayasinghe of Teldeniya, 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 August 9, 1938, for the recovery of the sum of Rs. 2,000, with legal interest thereon, from July 20, 1937, till payment in full and poundage, viz. :—

All that middle portion of two nellies kurakkan sowing in extent out of the land called Bogahamulahena *alias* watta of 6 nellies kurakkan sowing extent, situate at Urugala in Medasiya pattu of Uda Dumbara in the District of Kandy, Central Province ; and which said two nellies kurakkan sowing in extent is bounded on the north by the ela and the limit of the remaining portion, east by the stone fence, south by the limit of the remaining portion of this land, west by the high road, together with the buildings, plantations, and everything standing thereon, and registered under F 88/272 at the Kandy Land Registry Office and all the right, title, interest, and claim whatsoever of the said defendant in, to, upon, or out of the said several premises mortgaged by the said defendant.

Fiscal's Office, H. C. WIJESINHA,
Kandy, September 13, 1938. Deputy Fiscal.

Eastern Province.

In the District Court of Batticaloa.

K. Vallipillai of Navatcudah, administratrix of the
estate of the late Palanitambay Canagasabey of
Navatcudah in D. C., Batticaloa, testamentary
case No. 384 Plaintiff.

No. 8,020. Vs.

Mohamadu Mohaideen Seenimohamadu of Kattan-
kudi Division No. 4 Defendant.

NOTICE is hereby given that on Saturday, October 15, 1938, at 4 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs. 1,420, with legal interest thereon from May 13, 1935, till payment in full, and costs Rs. 21.60, less Rs. 482.01 poundage and other charges, viz. :—

The coconut estate composed of the southern half share of lot No. 11456 known as Sunkankernykadu, lot No. 11457, remaining portion of lot No. 1232 after excluding the portion sold and lots No. 11462, 11464, 11465, 11466, 1429, and 1233, situated at Sunkankerny in Korlai pattu, Batticaloa District, Eastern Province ; and bounded on the north by the coconut estate belonging to E. M. Aliyaraveve and others, south by the property belonging to the heirs of Tissaveerasingam, east by the estate belonging to E. M.

Aliyarlevve, and west by the estate belonging to U. P. Uthumalevve; in extent about 20 acres 1 rood and 26½ perches with house, well, coconut trees, produce, and rights.

This is subject to the mortgage to T. Sinnatamby of Arapattai for Rs. 1,000 by deed No. 11,786 of February 13, 1935, attested by S. Kanthappah, Notary Public.

Fiscal's Office, J. W. VALLIAPURAM,
Batticaloa, September 13, 1938. Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

K. M. P. R. Kumarappa Chettiar, (2) ditto Periya Karuppen Chettiar, by their attorney V. R. Balakrishna Rawuth of Kurunegala Plaintiffs.
No. 15,628. Vs.

G. D. John Fernando of Ilukwehera in Hetahaye korale Defendant.

NOTICE is hereby given that on Saturday, October 22, 1938, at 4.30 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 3,413.20 and poundage, viz. :—

An undivided ½ share of Ilukweherakumbura, situate at Ilukwehera in Hetahaye korale of Hiriyala hatpattu in the District of Kurunegala, North-Western Province; and bounded on the north by Kumbukgaha on the limit of Thahanangahawela-oya and Meegaha, east by lands of Punchirala, Ranhamy, Tikka, Mohotta, Kudaya, Dingiriya, and Baiya of Pahalawewa and lands claimed by villagers, south by land claimed by villagers, west by meegaha of the land of Kirihamy, east of the land of the villagers and land of Pedrick Mendis; containing in extent 33 acres and 26 perches. Together with the buildings and plantations thereon. Registered under B 182/113.

This property is under seizure under D. C., Kurunegala, writs Nos. 17,714, 18,275, and 18,947.

Fiscal's Office, CHARLES DE SILVA,
Kurunegala, September 13, 1938. Deputy Fiscal.

In the District Court of Kurunegala.

K. M. P. R. Kumarappa Chettiar and K. M. P. R. Periya Karuppen Chettiar, by their attorney V. R. Balakrishna Rawuth of Kurunegala Plaintiffs.
No. 16,696. Vs.

K. S. T. Silva of Puttalam road, Kurunegala .. Defendant.

NOTICE is hereby given that on Monday, October 10, 1938, at 11.30 in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 746.96, less a sum of Rs. 200, and poundage, viz. :—

An undivided 5/12 share of the high and low lands called Gepallawa of 2 amunams paddy sowing in extent, the high land jungle adjoining Gepallawawela of 2 amunams and 2 pelas kurakkan sowing in extent, situated at Kannelepola in Recopattu korale and the field called Gepallawa of 9 amunams paddy sowing in extent, situated at Gepallawa in Recopattu korale of Dambadeni hatpattu in the District of Kurunegala, North-Western Province, excluding northern 20 acres in extent of this high and low lands of 120 acres, the remaining aforesaid Gepallawawela and high land of 100 acres in extent; and bounded on the north by limit of an allotment of this land sold to Dr. Hoole, east by Maguru-oya, south by Negombo road, and on the west by limitary road and village limit of Gepallawa, together with the buildings, plantations, and everything thereon, and registered in F 292/264.

Fiscal's Office, CHARLES DE SILVA,
Kurunegala, September 13, 1938. Deputy Fiscal.

Province of Uva.

In the District Court of Badulla.

R. V. Don Wijeratna of Gurendawatta, Badulla .. Plaintiff.
No. 6,612. Vs.

(1) W. Don Edwin Perera and (2) Dona E. Martha Perera, both of Gurendawatta in Badulla .. Defendants.

NOTICE is hereby given that on Saturday, October 22, 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 defendants in the following mortgaged property for

the recovery of the sum of Rs. 850 with interest thereon at 10 per cent. per annum from October 27, 1931, till payment in full, together with costs of suit Rs. 138.21, viz. :—

All that allotment of land called Gurendawatta, containing in extent 58 feet in length and 61½ feet in breadth, situate at Aluthwelagama in the town and District of Badulla of the Province of Uva; and bounded on the north by garden belonging to Wasanahamy and live fence, south by the live fence of the garden belonging to Carolishamy, east by the high road, and on the west by the remaining portion of this garden but exclusive of the footpath and jak tree on the northern side of the land together with the buildings and plantations thereon standing.

Fiscal's Office, T. J. MENDIS,
Badulla, September 12, 1938. Deputy Fiscal.

In the District Court of Badulla.

Uduma Lebbe Casila Marikar of Badulla Plaintiff.
No. 6,669. Vs.

Abdul Cader Mali Neina's son Mohamadu Abdulla Sahibo of Udawela, now of Gurendawatta, Badulla Defendant.

NOTICE is hereby given that on Saturday, October 15, 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 defendant in the following mortgaged property for the recovery of the sum of Rs. 650 with interest thereon at 12 per cent. per annum from June 5, 1935, till February 8, 1938, and thereafter with legal interest on the aggregate till payment in full, together with costs of suit, Rs. 130.63, viz. :—

All that and those the contiguous allotments of land called Godamedahenyaya of 1½ amunams of kurakkan sowing in extent, Ittagalaella of 2 amunams of kurakkan sowing in extent, Munhinna of 1½ amunams of kurakkan sowing in extent, all situated at Wedigunegama in Rilpola korale in Yatikinda division in Badulla District of the Province of Uva; and bounded on the east by the boundary of Mapagala estate, on the south by Danduarawekandura and amuna, on the west by Kirinadapitiyakumbura and Ambagasgoda-oya, and on the north by the boundary of Moragolla estate and oya (exclusive of Godamedakumbura and the lands purchased by Mr. Crero), together with the tea plantation standing thereon and bearing registered No. S. W. 899.

This property is registered in B 56/203 at the Badulla Land Registry.

Fiscal's Office, T. J. MENDIS,
Badulla, September 12, 1938. Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament and Five Codicils of Herbert Goode of 19, South Audley street, in the County of London, and of Cottered in the County of Hertford, deceased.
No. 8,554.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on September 3, 1938, in the presence of Patrick Merle Duggan of Colombo, Proctor, on the part of the petitioner, Frederick Claude Rowan of Colombo; and the affidavit of the said petitioner dated September 2, 1938, a certified copy of probate, a certified copy of the last will and testament and codicils of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated August 26, 1938, having been read: It is ordered that the will of the said deceased dated July 12, 1933, and five codicils thereto dated respectively July 12, 1933, June 5, 1934, September 3, 1934, October 31, 1935, and January 10, 1936, of which a certified copy has been produced and is now deposited in this court, be and the same are hereby declared proved; and it is further declared that the said petitioner is the attorney of the executors named in the said will and codicils and that he is entitled to have letters of administration with copies of the said will and codicils annexed issued to him accordingly, unless any person or persons interested shall, on or before September 22, 1938, show sufficient cause to the satisfaction of this court to the contrary.

September 3, 1938. W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Agnes Mary Pittendrigh (wife of James Murray Pittendrigh) of Kingsmead, Gower road, Weybridge, in the County of Surrey, England, deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on September 8, 1938, in the presence of James Frederick van Langenberg, Proctor, on the part of the petitioner, David Ernest Martensz of Colombo, and (1) the affidavit of the said petitioner dated September 5, 1938, (2) the power of attorney dated July 8, 1938, and (3) the order of the Supreme Court dated August 29, 1938, having been read: It is ordered that the will of the said Agnes Mary Pittendrigh, deceased, dated October 10, 1933, a certified copy of which under the seal of the District Probate Registry at Bristol of His Majesty's High Court of Justice in England, 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 said David Ernest Martensz is the attorney in Ceylon of the administrator (with will annexed) of the estate in England of the said deceased, and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before September 22, 1938, show sufficient cause to the satisfaction of this court to the contrary.

September 8, 1938.

W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament (with five codicils) of James Hill, late of 98, Portland place, London W. 1, England, formerly of Lambourne House, Bagshot, Surrey, England, and of the Conservative Club, St. James' street, London, England (Retired Tea Planter), deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on September 8, 1938, in the presence of Messrs F. J. & G. de Saram, Proctors, on the part of the petitioner, Ronald John Wightman Irving of Colombo, and (1) the affidavit of the said petitioner dated September 2, 1938, (2) the power of attorney dated June 22, 1938, and (3) the order of the Supreme Court dated August 26, 1938, having been read: It is ordered that the will of the said James Hill, deceased, dated December 13, 1929, (and five codicils thereto dated March 20, 1930, April 19, 1934, August 10, 1934, January 24, 1936, and August 16, 1936, respectively), a certified copy of which under the seal of His Majesty's High Court of Justice in England 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 said Ronald John Wightman Irving is the attorney in Ceylon of the executors named in the said will, and that he is entitled to have letters of administration (with will and codicils annexed) issued to him accordingly, unless any person or persons interested shall, on or before September 22, 1938, show sufficient cause to the satisfaction of this court to the contrary.

September 8, 1938.

W. SANSONI,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Anna Margaret Major, late of Waterdale, Winter Hill, Cookham Dean, in the County of Berks, England, widow, deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on September 12, 1938, in the presence of James Frederick van Langenberg, Proctor, on the part of the petitioner, David Ernest Martensz of Colombo; and (1) the affidavit of the said petitioner dated September 5, 1938, (2) the power of attorney dated July 21 and 27, 1938, and (3) the order of the Supreme Court dated August 26, 1938, having been read: It is ordered that the will of the said Anna Margaret Major, deceased, dated November 17, 1921, a certified copy of which under the seal of His Majesty's High Court of Justice in England 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 said David Ernest Martensz is the attorney in Ceylon of the executors named in the said will and that he is entitled to have letters of

administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before September 22, 1938, show sufficient cause to the satisfaction of this court to the contrary.

September 12, 1938.

W. SANSONI,
District Judge.

In the District Court of Kalutara.

Order Nisi.

No. 2,796* In the Matter of the Estate of the late (Testamentary). Warnasuriya Patabendige William Fonseka, deceased, of Desastra Kalutara.

THIS matter coming on for disposal before T. F. C. Roberts, Esq., Additional District Judge of Kalutara, on January 18, 1938, in the presence of Mr. A. D. de Fonseka, Proctor, on the part of the petitioner, Pesteruwe Liyanarallage Susana Mary Cooray of Desastra Kalutara; and the affidavit of the said petitioner dated January 17, 1938, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as widow of the above named, to have letters of administration to his estate issued to her, unless the respondents—(1) Warnasuriyapatabendige Clara Evelyne Fonseka, (2) ditto Adirian Lucas Fonseka, the 2nd being a minor by his guardian *ad litem* (3) Warnasuriyapatabendige Teadore Fonseka, all of Desastra Kalutara—or any other person or persons interested shall, on or before September 22, 1938, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 3rd respondent be and he is hereby appointed guardian *ad litem* of the 2nd respondent, who is minor, for all the purposes of this action, unless the respondents shall, on or before September 22, 1938, show sufficient cause to the satisfaction of this court to the contrary.

T. F. C. ROBERTS,
Additional District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of the late Ramasamy's daughter Govindammal, deceased, of Welata, Mulgampola, Kandy.

THIS matter coming on for disposal before Reginald Felix Dias, Esq., District Judge, Kandy, on August 31, 1938, in the presence of Messrs. Liesching & Lee, Proctors, on the part of the petitioners—(1) Charles Alfred White, and (2) Sangaralingam Muttiah Pillai; and the affidavits of the said petitioners dated August 30, 1938, and of the attesting notary dated August 27, 1938, having been read:

It is ordered that the last will of the above-named deceased dated June 30, 1938, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before September 29, 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 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.

August 31, 1938.

R. F. DIAS,
District Judge.

In the District Court of Nuwara Eliya.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Louisa Elizabeth Goonatilleka of Nuwara Eliya.

Eugene Victor Bernard Goonatilleka of Dehiwala. . Petitioner
Vs.

(1) Vincent Cyril Goonatilleka, (2) Joseph Nicanor Goonatilleka, (3) Leonora Evengelina Perera, all of Nuwara Eliya, (4) Bernardine Fernando of 11, Bahirawakanda, Kandy, (5) Mary Anunciata Goonatilleka, and (6) Millicent Genevieve Goonatilleka, both of Nuwara Eliya by their guardian *ad litem* the 1st respondent above named Respondents.

THIS matter coming on for disposal before Herbert S. Roberts, Esq., District Judge of Nuwara Eliya, on July 18, 1938, in the presence of Mr. Victor Tambinayagam, Proctor, on the part of the petitioner above named; and the affidavit and petition of the said petitioner respectively dated July 6 and 16, 1938, having been read:

It is ordered that the will of Louisa Elizabeth Goonatilleka, deceased, dated October 8, 1937, and now deposited in this court, be and the same is hereby declared proved, unless the respondents above named or any other person or persons interested in the said estate shall, on or before August 26, 1938, show sufficient cause to the satisfaction of this court to the contrary. It is also ordered that the 1st respondent above named be and he is hereby appointed guardian *ad litem* over the 5th and 6th respondents, who are minors, for the purpose of representing them in these proceedings, unless the respondents above named or any other person or persons interested in the estate shall, on or before August 26, 1938, show sufficient cause to the satisfaction of this court to the contrary.

HERBERT S. ROBERTS,
District Judge.
July 18, 1938.

This *Order Nisi* is extended for showing cause against it on September 23, 1938.

HERBERT S. ROBERTS,
District Judge.
August 26, 1938.

In the District Court of Galle.

Order Absolute declaring Will proved.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Samarasingha Aratchige Don Sarnelis
No. 7,827. Waidyaratne, Veda Arachchy, deceased,
of Kumbalwella, Galle.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge, Galle, on July 6, 1938, in the presence of Mr. D. A. Wickramasingha, Proctor, Galle, on the part of the petitioner, Nanayakkarawassan Appuge Sopaya of Kumbalwella, Galle; and the affidavits of the said petitioner and of the attesting notary and witnesses both dated June 29, 1938, having been read:

It is ordered that the will of the said Samarasingha Aratchige Don Sarnelis Waidyaratne, deceased, dated October 1, 1937, and now deposited in this court, be and the same is hereby declared proved.

It is further declared that the said petitioner Nanayakkarawassan Appuge Sopaya of Kumbalwella, Galle, is the executrix named in the said will and that she is entitled to have probate of the same issued to her accordingly.

N. M. BHARUCHA,
District Judge.
July 6, 1938.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the
Jurisdiction. late Rammutu Arnolis of Wadumulla,
No. 7,830. Ambalangoda, deceased.

Between

Gonsaluwasan Sarnelis Silva of Wadumulla, Ambalangoda Petitioner.

And

(1) Rammutu Somalia, (2) ditto Omalia, (3) ditto Emalia, (4) ditto Magilin, (5) Gonsaluwasan Somawathie, (6) ditto Gnanawathie, (7) ditto Dayawathie, (8) ditto Gunapala, all of Wadumulla, Ambalangoda Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge, on July 15, 1938, in the presence of Mr. A. T. P. Kurukulasoorya, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated July 10, 1938, having been read:

It is ordered that the said 5th respondent be appointed guardian *ad litem* over the said 7th and 8th respondents, unless the said respondents or any person or persons interested shall, on or before August 30, 1938, show sufficient cause to the contrary.

It is further ordered that the petitioner above named is entitled to have letters of administration to the estate of he said deceased issued to him accordingly, unless the said

respondents or any person or persons shall, on or before August 30, 1938, show sufficient cause to the satisfaction of this court to the contrary.

N. M. BHARUCHA,
District Judge.
August 30, 1938.

The date for showing cause is extended to September 20, 1938.

N. M. BHARUCHA.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Sinnathamby Kathiravelu of Araly, late
No. 56. of Dindings of the Federated Malay
States, deceased.

Muttammah, widow of Sinnathamby Kathiravelu of Araly North Petitioner.

Vs.

(1) Kathiravelu Ethirayagam of ditto, (2) Sinnathamby Thamothersampillai of ditto Respondents.

THIS matter of the petition of the above-named petitioner praying that the above-named 2nd respondent be appointed guardian *ad litem* over the minor 1st respondent, and that letters of administration to the estate of the above-named deceased be granted to petitioner, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on March 7, 1938, in the presence of Mr. C. C. Somasegaram, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner:

It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the minor, the above-named 1st respondent, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, as the widow of the above-named deceased, unless the above-named respondents appear before this court on May 19, 1938, and show sufficient cause to the satisfaction of this court to the contrary.

C. COOMARASWAMY,
District Judge.
April 12, 1938.

Order Nisi extended for September 21, 1938.

C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Veeragathiar Nagalingam of Nallore,
No. 565. deceased.

(1) Vallipuram Ramapillai and wife (2) Manikkam of Nallore Petitioners.

Vs.

(1) Ponnammah, widow of Veeragathiar Nagalingam of Manipay, (2) Mailvaganam Thampu and wife (3) Ponnamma of Alagam estate, Gampola. Respondents.

THIS matter of the petition of the above-named petitioner praying that letters of administration to the estate of the above-named deceased be issued to the petitioner, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on February 28, 1938, in the presence of Mr. C. C. Somasegaram, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner:

It is ordered that letters of administration to the estate of the above-named deceased be issued to the petitioners as the 2nd petitioner is one of the heirs of the said deceased, unless the above-named respondents appear before this court on March 25, 1938, and show sufficient cause to the satisfaction of this court to the contrary.

C. COOMARASWAMY,
District Judge.
March 2, 1938.

Order Nisi extended for September 21, 1938.

C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Subramaniam Eliathamby of Kokkuvil, No. 617. late of Johore Bahru, deceased.

Pavalam, widow of Subramaniam Eliathamby of Kokkuvil East Petitioner.

- (1) Alagamma, daughter of Eliathamby of ditto, (2) Eliathamby Balasubramaniam of ditto, (3) Pakkivathy, daughter of Eliathamby of ditto, (4) Padmavathy, daughter of Eliathamby of ditto, (5) Eliathamby Velauthapillai of ditto, (6) Sanmugam Sabapathy of Meesulai Respondents.

THIS matter of the petition of the above-named petitioner praying that the above-named 6th respondent be appointed guardian *ad litem* over the minors, the above-named 1st to 5th respondents, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on July 1, 1938, in the presence of Mr. C. C. Somasegaram, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner:

It is ordered that the above-named 6th respondent be appointed guardian *ad litem* over the minors, the above-named 1st to 5th respondents, and that letters of administration to the estate of the above-named deceased be issued to the petitioner, as the lawful widow of the above-named deceased, unless the respondents, above named appear before this court on August 17, 1938, and show sufficient cause to the satisfaction of this court to the contrary.

July 9, 1938.

C. COOMARASWAMY,
District Judge.

Extended for September 21, 1938.

C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Karthigesar Saravanamuthu of Vadduk-koddai, deceased. No. 626.

- (1) Sabapathippillai Nadarajah and wife (2) Ponnammah, both of Vaddukkoddai Petitioners.

Vs.

- (1) Saravanamuthu Rasiah of Legong Ulu estate, Kendong, in F. M. S., (2) Saravanamuthu Rasiah of Wellawatta, (3) Saravanamuthu Navaratnam, (4) Saravanamuthu Selvarajah, (5) Saravanamuthu Sabaratnam, (6) Saravanamuthu Ponnurajah, all of Vaddukkoddai, (7) Saravanamuthu Sellammah, and (8) Saravanamuthu Balasingham, both of Seremban in F. M. S., (9) Sellappah Murugesu of Tholpuram, and (10) Nagalingam Vamathevan of Bukit Tembok Seremban in F. M. S. Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge of Jaffna, in the presence of Messrs. Aiyadurai & Thambyrajah, Proctors, on the part of the petitioners on July 21, 1938; and the affidavit and petition of the petitioners dated July 20, 1938, having been read:

It is ordered that the 9th respondent be appointed guardian *ad litem* over the minors above named, and that letters of administration be issued to the petitioners, as the lawful heirs of the deceased, unless the respondents above named or any other person shall appear before this court on September 19, 1938, and show cause to the satisfaction of this court to the contrary.

July 21, 1938.

C. COOMARASWAMY,
District Judge.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Estate and Effects of Jurisdiction. the late John Henry Arasanilai of No. 467. Thandavanvely in Batticaloa, deceased.

Victor Kadiramathamby of Thandavanvely in Batticaloa Petitioner.

And

- (1) Victoria Lily Mand Arasanilai, (2) John Philips Ratnarajah Arasanilai, (3) John Barthelomew Selvarajah Arasanilai, (4) Philamina Arasanilai, all of Thandavanvely in Batticaloa Respondents.

THIS matter coming on for disposal before P. Vythilingam, Esq., District Judge of Batticaloa, on August 17, 1938, in the presence of Mr. K. V. M. Subramaniam, Proctor, on the part of the above-named petitioner; and the affidavit of the petitioner dated August 16, 1938, having been read:

It is ordered that the 1st respondent above named be and she is hereby appointed guardian *ad litem* over the minors 2nd, 3rd, and 4th respondents above named, unless the respondents above named or any other person or persons interested shall, on or before September 27, 1938, 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 entitled, as the brother-in-law of the said deceased, to have letters of administration to his estate issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before September 27, 1938, show sufficient cause to the satisfaction of this court to the contrary.

August 17, 1938.

P. VYTHIALINGAM,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Mihidukulasuriya Manuel Rosamaria No. 2,220. Fernando of Chilaw, deceased.

Harriet Mary Margaret Pinto of Chilaw Petitioner.

Vs.

Letty Pinto of Chilaw Respondent.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Chilaw, on July 22, 1938, in the presence of Mr. C. V. M. Pandittesekere, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated July 19, 1938, having been read:

It is ordered that the petitioner, be and she is hereby declared entitled, as the elder daughter of the above-named deceased, to have letters of administration to the estate of the said deceased issued to her, unless the respondent or any other person or persons interested shall, on or before August 22, 1938, show sufficient cause to the satisfaction of this court to the contrary.

July 22, 1938.

M. A. SAMARAKOON,
District Judge.

Showing cause against the *Order Nisi* is extended to September 19, 1938.

August 22, 1938.

M. A. SAMARAKOON,
District Judge.