



THE
**CEYLON GOVERNMENT
 GAZETTE**

No. 8,407 — FRIDAY, OCTOBER 21, 1938.

Published by Authority.

PART II.—LEGAL.

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

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PRINTED AT THE CEYLON GOVERNMENT PRESS, COLOMBO.

PASSED ORDINANCES.

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

No. 46 of 1938.

L. D.—O 52/38

**An Ordinance further to amend the Food Control
Ordinance, No. 22 of 1937.**

G. S. WODEMAN.

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 Food Control (Amendment) Ordinance, No. 46 of 1938.

Amendment of
Section 2A of
Ordinance
No. 22 of 1937.

2 Section 2A of the Food Control Ordinance, No. 22 of 1937, (hereinafter referred to as the "principal Ordinance"), is hereby amended by the addition at the end of that section of the following :—

"Every such Deputy may, subject to such direction and control, exercise all or any of the powers conferred on the Food Controller under this Ordinance; and every such Assistant may, subject to such direction and control, exercise all or any of the powers conferred on the Food Controller or a Deputy Food Controller under this Ordinance."

Amendment of
section 3 of the
principal
Ordinance.

3 Section 3 of the principal Ordinance is hereby amended as follows :—

(1) in sub-section (1), by the addition at the end thereof of the following new paragraph :—

"(h) prescribe the maximum price, both wholesale and retail, above which any cattle, food or article of food shall not be sold in the Island or in any part thereof."

(2) in sub-section (2) by the substitution, for the words "commencing on that date," of the following :—

"commencing on that date: Provided, however, that in any case where an Order is made under sub-section (1) (e) in respect of any granary, warehouse, or store, the Minister may by writing under his hand authorise the Food Controller or any Deputy Food Controller, pending the publication of the Order in the Gazette, to enter such granary, warehouse or store and to take such steps as may be necessary to prevent or regulate the removal therefrom of any cattle, food or article of food; and any act done by the Food Controller, or by any Deputy Food Controller, or by any Assistant Food Controller, acting on behalf of the Food Controller or a Deputy Food Controller, in pursuance of any such written authority shall be as valid and lawful as if the Order had been in operation at the time such authority was granted."

Insertion of new
section 6A in
the principal
Ordinance.

4 The following section shall be inserted immediately after section 6 of the principal Ordinance and shall have effect as section 6A of that Ordinance :—

Protection of
officers.

6A No civil action or criminal prosecution shall be instituted or maintained against the Food Controller or any Deputy or Assistant Food Controller or any other officer of Government in respect of any act *bona fide* done or omitted to be done in pursuance of any power or authority conferred or granted by or under this Ordinance or any regulation made thereunder.

Passed in Council the Twenty-ninth day of September, One thousand Nine hundred and Thirty-eight.

E. W. KANNANGARA,
Clerk of the Council.

Assented to by His Excellency the Officer Administering
the Government the Eighth day of October, One thousand
Nine hundred and Thirty-eight.

E. R. SUDBURY,
Secretary to the Governor.

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

No. 47 of 1938.

An Ordinance to amend the Criminal Procedure Code, 1898. No. 15 of 1898.

[Assented to by His Majesty the King: See Proclamation dated October 19, 1938, published in Government Gazette No. 8,407 of October 21, 1938.]

G. S. WODEMAN.

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

1 This Ordinance may be cited as the Criminal Procedure Code Amendment Ordinance, No. 47 of 1938, and shall come into operation on a date to be appointed by the Governor by Proclamation in the Gazette.

Short title and date of operation.

2 The Criminal Procedure Code, 1898, (hereinafter referred to as "the principal Ordinance"), is hereby amended by the insertion, immediately after section 15 thereof, of the two following new sections which shall have effect as sections 15A and 15B, respectively, of the principal Ordinance:—

Insertion of new sections 15A and 15B in Ordinance No. 15 of 1898.

15A. Notwithstanding anything in this Code, the Ceylon Penal Code, or any other written law to the contrary, no court shall sentence any person to imprisonment, whether in default of payment of a fine or not, for a term which is less than seven days.

No sentence of imprisonment for a term of less than seven days.

15B. Any court may, in any circumstances in which it is empowered by any written or other law to sentence an offender to imprisonment, whether in default of payment of a fine or not, in lieu of imposing a sentence of imprisonment order that the offender be detained either—

Sentences of detention in court or in Fiscal's cell in lieu of imprisonment.

(a) in the precincts of the court until such hour on the day on which the order is made, not being later than the hour at which the court adjourns for the day, as the court may direct; or

(b) in a Fiscal's cell established under the provisions of section 440C until the hour of ten in the morning on the day following that on which the order is made.

3 Chapter VII of the principal Ordinance is hereby amended as follows:—

Amendment of Chapter VII of the principal Ordinance.

(1) by the substitution, for the sub-heading "C.—Proceedings in all cases subsequent to order to furnish Security," occurring immediately after section 89, of the following new sub-heading:—

"C.—Provisions applicable to all Orders to furnish Security.";

(2) by the insertion immediately after the new sub-heading referred to in paragraph (1), of the two following new sections which shall have effect as sections 89A and 89B, respectively, of the principal Ordinance:—

89A. At the time of making an order requiring security under this chapter, the court shall direct that in default of giving the security the person in respect of whom the order is made shall be imprisoned for such term as the court may think fit, not exceeding two years where the court is the Supreme Court, or one year where the court is a District Court or six months where the court is a Police Court.

Imposition of term of imprisonment in default of security.

89B. (1) At the time of making an order requiring security under this chapter, the court may, if it thinks fit so to do, allow time not exceeding one month for furnishing the security:

Allowance of time to give security.

Provided that a Police Court shall allow time in every such case unless for any special reason (to be recorded by the court) it is of opinion that time should not be allowed.

(2) The provisions of this section shall not apply to an order made in respect of a person who is, at the time the order is made, sentenced to or undergoing a sentence of imprisonment.

- (3) by the substitution for section 90 of the principal Ordinance of the following new section :—

Commencement of period for which security is required.

90. The period for which security is required by an order made under this chapter shall commence—

- (a) where time has not been allowed under section 89B, on the date of such order ;
 (b) where time has been allowed under that section, on the date on which the time so allowed expires ;
 (c) where the order is in respect of a person who is, at the time the order is made, sentenced to or undergoing a sentence of imprisonment, on the date on which such sentence expires.

and,

- (4) by the substitution for section 93 of the principal Ordinance of the following new section :—

Commitment to prison for default in giving security.

93. If any person ordered to give security under this chapter does not give such security on or before the date on which the period for which such security is to be given commences, he shall be committed to prison to undergo the term of imprisonment imposed under section 89A, or, if he is already in prison, be detained in prison until such term expires, or until, before the expiration of such term, he gives the security to the court which made the order requiring it, or to the superintendent or jailor of the prison in which he is detained.

Amendment of section 312 (1) of the principal Ordinance.

4 Section 312 of the principal Ordinance is hereby amended in sub-section (1) thereof as follows :—

- (1) by the insertion immediately after paragraph (b) of the following new paragraph :—

“(bb) Notwithstanding the provisions of paragraph (b), where the fine to which the offender is sentenced does not exceed four rupees, the court shall not impose a term of imprisonment in default of payment of the fine, but may make order as provided in section 15B.” ;

- (2) in paragraph (e), by the substitution, for all the words from “ for any term not exceeding two months ” to the end of the paragraph, of the following :—

“ for a term of seven days where the amount of the fine exceeds four rupees but does not exceed seven rupees and fifty cents, for any term not exceeding fourteen days where the amount of the fine exceeds seven rupees and fifty cents but does not exceed fifteen rupees, for any term not exceeding twenty-one days where the amount of the fine exceeds fifteen rupees but does not exceed twenty-five rupees, for any term not exceeding forty-two days where the amount of the fine exceeds twenty-five rupees but does not exceed fifty rupees, for any term not exceeding three months where the amount of the fine exceeds fifty rupees but does not exceed one hundred rupees, and for any term not exceeding six months in any other case.”.

Insertion of new section 440C in the principal Ordinance.

5 The following new section is hereby inserted immediately after section 440B of the principal Ordinance and shall have effect as section 440C of that Ordinance :—

Establishment of Fiscal's cells.

440C. The Governor may by Proclamation published in the Gazette establish at places to be appointed by him in such Proclamation such number of Fiscal's cells as he may deem necessary for the detention of offenders sentenced to detention under the provisions of section 15B.

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

E. W. KANNANGARA,
 Clerk of the Council.

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

No. 48 of 1938.

An Ordinance to amend the Irrigation Ordinance, No. 45 of 1917.

[Assented to by His Majesty the King: See Proclamation dated October 19, 1938, published in Government Gazette No. 8,407 of October 21, 1938.]

G. S. WODEMAN.

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

1 This Ordinance may be cited as the Irrigation Amendment Ordinance, No. 48 of 1938, and shall come into operation on a date to be appointed by the Governor by Proclamation in the Gazette. Short title and date of operation.

2 Section 35 of the Irrigation Ordinance, No. 45 of 1917, is hereby amended as follows:— Amendment of section 35 of Ordinance No. 45 of 1917.

(1) by the substitution for all the words from “may, unless the same be paid” to “unless confirmed by the Government Agent.”, of the following:—

“may, if the same is not paid in accordance with the provisions of sub-section (2), either order the amount of the penalty to be recovered in manner provided by Chapter VIII of this Ordinance, or, subject to the provisions of sub-section (2), sentence the defaulter to simple or rigorous imprisonment for any period not exceeding one month.”;

(2) by re-numbering the section, as so amended, as section 35 (1); and

(3) by the addition immediately after re-numbered section 35 (1) of the following which shall have effect as sub-section (2) of that section:—

“(2) The following provisions shall apply to every case in which any person has been adjudged to pay a penalty as aforesaid:—

(a) Time not being less than seven clear days shall be allowed for payment of the penalty.

(b) Such further time as the Government Agent or authorized officer may think expedient may, in addition to the time allowed under paragraph (a), be allowed for payment of the penalty.

(c) An order for payment of the penalty by such instalments payable at such times as the Government Agent or authorized officer may determine may be made when time or further time is allowed under paragraph (a) or paragraph (b).

(d) The term of imprisonment imposed on any person in default of payment of any penalty shall be in accordance with the provisions of section 312 (1) (e) of the Criminal Procedure Code: No. 15 of 1898.

Provided, however, that—

(i) no person shall be sentenced to imprisonment for a term which is less than seven days, or in default of payment of any penalty which does not exceed four rupees;

(ii) nothing in this paragraph shall be construed to confer on the President of the Council, the Government Agent or authorized officer any power to impose a sentence of imprisonment for a period exceeding one month; and

(iii) no sentence of imprisonment shall be carried into execution unless it has been confirmed by the Government Agent.”.

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

E. W. KANNANGARA,
Clerk of the Council.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,022. In the matter of the insolvency of K. Sel-Insolvency. (Mural of 180, New Chetty street, Colombo.

NOTICE is hereby given that a meeting of creditors of the above-named insolvent will take place at a sitting of this court fixed for November 18, 1938, for the declaration of dividend in this case.

By order of court, A. C. BELING,
November 18, 1938. Secretary.

In the District Court of Colombo.

No. 5,178. In the matter of the insolvency of Wijeratne Mudiyansele Don Carolis Appuhamy of Mulleriyawa.

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 December 6, 1938, for the grant of a certificate of conformity to the insolvent.

By order of court, A. C. BELING,
October 11, 1938. Secretary.

In the District Court of Colombo.

No. 5,227. In the matter of the insolvency of Joseph Collin Jansen of 126/9, St. Joseph's street, Grandpass, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on November 15, 1938, for the grant of a certificate of conformity to the insolvent.

By order of court, A. C. BELING,
October 11, 1938. Secretary.

In the District Court of Colombo.

No. 5,237. In the matter of the insolvency of Vistrini Alexes Baldsing of 26/3, Silversmith lane, 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 November 15, 1938, for the grant of a certificate of conformity to the insolvent.

By order of court, A. C. BELING,
October 11, 1938. Secretary.

In the District Court of Colombo.

No. 5,286. In the matter of the insolvency of John Gabriel Perera of 161, Thimbrigasyaya road, Colombo.

WHEREAS the above-named J. G. Perera has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by S. R. D. P. Nanayakkare of Stanley place, Colombo, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said J. G. Perera insolvent accordingly; and that two public sittings of the court, to wit, on November 15, 1938, and on November 29, 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,
October 13, 1938. Secretary.

In the District Court of Colombo.

No. 5,287. In the matter of the insolvency of Kandasamy Palle Visvanathan of 166, Sea street, Colombo.

WHEREAS the above-named K. P. Visvanathan has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by K. Martin

Perera of Debiwala, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said K. P. Visvanathan insolvent accordingly; and that two public sittings of the court, to wit, on November 15, 1938, and on November 29, 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,
October 14, 1938. Secretary.

In the District Court of Kegalla.

Insolvency In the matter of the insolvency of T. D. Jurisdiction. Marsaleenu Appuhamy of Kegalla. No. 73.

NOTICE is hereby given that a sitting of this court on the above matter will be held on November 30, 1938, for the allowance of the certificate of conformity to the insolvent.

By order of court, R. B. RATNAIKE,
District Court, Secretary.
Kegalla, October 14, 1938.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Wanniachchige Wilfred Sadiris Fonseka of Kalubowila, in the Palle pattu of Salpiti korale Plaintiff.

No. 1,490/7,129 M. Vs.

Weliwitage Reginald Catharina Hamine of Kalubowila aforesaid, the legal representative over the estate of the late Wanniachchige Emanis Fonseka of Kalubowila Defendant.

NOTICE is hereby given that on Tuesday, November 15, 1938, at 10.30 a.m. will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 4,403 dated December 18, 1932, attested by D. R. de S. Abhanayake, 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 September 16, 1938, for the recovery of the sum of Rs. 2,359, with interest on Rs. 1,350 at 16½ per cent. per annum from June 30, 1937, to October 15, 1937, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full, and costs of suit, Rs. 173.25, viz. :—

All that undivided ¾ part or share of all that defined portion of the land called and known as Ketakelagahawatta fully depicted in plan No. 170, dated January 21, 1923, made by Walter V. Lucas, Licensed Surveyor, together with the entirety of the new plantations on the southern side and the entirety of the new tiled house and also a ¾ share of the old tiled house and of all the other trees and plantations together with all any other right, title or interest in the said land of the said W. Emanis Fonseka either by right of purchase, gift, inheritance or otherwise even though the said deeds are not specially referred to herein and of the buildings, trees, and plantations standing thereon bearing assessment No. 448, situated at Kalubowila, in the Palle pattu of Salpiti korale, in the District of Colombo, Western Province; and which said defined portion is bounded on the north by the properties of Saparamadu Merennage Dona Mariana, Weliwattage Catherina Hamy and Ruberu Fonseka and others and Pattiyage Helenis Pieris, east by portion of same land, south by properties of Narahenpitage Cornelis de Costa and Paulis de Costa and others, and on the west by properties of Merennage Gabriel de Costa and others and heirs of the late Welikadage Geeris Boteju; containing in extent 2 roods and 27½ perches together with the rights to the road leading to the said portion from the lower canal road, and shown in the said plan.

Prior registration M 237/2.

Fiscal's Office,
Colombo, October 19, 1938.

L. B. CASPERSZ,
Deputy Fiscal.

In the District Court of Kalutara.

Adikarige Podi Mahatmaya of Kalutara Plaintiff.
No. 13,992. Vs.

The Secretary, District Court, Kalutara, official administrator of the estate of the late B. Romanis Fernando Defendant.

NOTICE is hereby given that on Monday, November 14, 1938, at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said estate of the late B. Romanis Fernando in the following property for the recovery of Rs. 460.65, with interest at Rs. 450 at 12 per cent. per annum from April 7, 1927, till August 6, 1928, and thereafter at 9 per cent. per annum on the aggregate till payment in full, and costs Rs. 14.45, viz.:

1. An undivided $\frac{1}{2}$ share of the land called Bakini-gahaowita alias Yakbakinnakumbura, situated at Massalwela in Beruwal badda of the Kalutara totamune in the District of Kalutara, Western Province; and bounded on the north by Dorakadaliyadda and Maragahaliyadda or road, east by Kankanamageliyadda, Ambagahaowita, and Watuliyadda, south by Podiliyadda alias Bogahaowita, and on the west by Bogallekumbura; and containing in extent 1 acre.

2. An undivided $\frac{2}{3}$ share of the land called Akuressewatta, situated at Pinhena in Alutgam badda of the Kalutara totamune aforesaid; and bounded on the north by Walhentuduwegoiyadda and river, east by Walhentuduwekurunduwatta and a portion of Alubogahalanda in the name of Kankanama, south by Alubogahalanda and Miriswatta, and on the west by wela and river; and containing in extent 9 acres. (This land has been mortgaged as security for administration in testamentary case No. 2,476 D. C., Kalutara.)

3. An undivided $\frac{1}{2}$ share of the land called Ibiwala-kumbura, situated at Walatara in Beruwal badda aforesaid; and bounded on the north by Paiyagalayawatta, east by a portion of this field, south by the road, and on the west by Walatarawela; and containing in extent 6 acres.

4. An undivided $\frac{1}{2}$ share of the land called Dodangahawatta, situated at Bandanagoda in Beruwal badda aforesaid; and bounded on the north by the river, east by Lindalangawela and field belonging to Omeru Lebbe Marikkar, south by the Crown forest, and on the west by Madakumbura; and containing in extent 5 acres.

Deputy Fiscal's Office, H. SAMERESINGHA,
Kalutara, October 17, 1938. Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Awanna Veena Rawanna Mana Shuna Pana Ramasamy Chettiyar by his attorney Sena Sidambaram Pillai of Ambegamuwa road, Gampola Plaintiff.
No. 47,879. Vs.

Alutdurayalegedara Setuwa Vidane of Alugolla, in Ganga Ihala korale of Uda Palata Defendant.

NOTICE is hereby given that on Friday, November 11, 1938, commencing at the time and places mentioned below will be sold by public auction the following property mortgaged with the plaintiff by bond No. 1,815, dated August 5 1930, and attested by M. W. R. de Silva of Gampola, Notary Public, and No. 2,041, dated May 17, 1931, attested by M. W. R. de Silva of Gampola, 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 July 14, 1937, for the recovery of the sum of Rs. 2,868.50, with further interest on Rs. 1,000 and Rs. 500 at 18 per cent. per annum from August 5 and August 17, 1936, respectively, till date of decree, and thereafter legal interest on the aggregate amount till payment in full and poundage, viz.:

Friday, November 4, 1938, commencing at 12 noon at the spot.

(1) All that land called Pallepitiyegodamada said to contain about 2 pelas or 1 acre and 36 perches by survey together with the buildings and everything thereon, situate at Galpaya, in Dolosbage Ganga Ihala korale of Udapalata, in the District of Kandy, Central Province; and bounded on the east by stone fence, south by the stone fence and mala-ela, west by high road, and north by kumbure-ela.

(2) All that land called Nugenulawatta said to contain 2 kurunies in paddy sowing extent or 16 $\frac{1}{2}$ perches in extent by survey together with the buildings and everything thereon, situate at Galpaya aforesaid; and bounded on

the east by the high road, south by kaju tree and loku-gala, west by live fence, and north by kumbure-ela; and registered in D 118/157 and 158.

(4) All that eastern 1 laha of paddy sowing extent adjoining the high road together with the buildings and everything thereon from and out of all that field called Elweedeniya of about 16 lahas in paddy sowing extent, in the whole, situate at Polmalagama, in Dolosbage, Ganga Ihala korale aforesaid; and which said eastern portion of 1 laha in paddy sowing extent is bounded on the north by the wall of the house belonging to Siyadoris Silva, east by high road, south by the well and stone, and west by below the wela of Elweedeniyakumbura; and registered in D 118/157, 118/158, 94/157, 59/382, 59/384, and 120/300.

Friday, November 11, 1938, at 3 p.m. at the Fiscal's Office, Gampola.

(3) The right, title, and interest of the defendant in and to the mortgage bond No. 5,977 dated August 29, 1924, attested by A. J. F. Jayatillake, Notary Public, affecting the following property, to wit:—

(a) An undivided $\frac{1}{2}$ share from and out of all that land called ~~Alugolla~~ ^{Alugolla} containing in extent 1 amunam in paddy sowing together with a like share of the building, plantations, and everything standing thereon from and out of all that land called ~~Alugolla~~ ^{Alugolla} of about 5 pelas in paddy sowing extent in the whole, situate at Alugolla in Dolosbage, Ganga Ihala korale of Uda Palata aforesaid; and which said divided portion containing in extent about 1 amunam in paddy sowing is bounded on the north by ela which separates ~~the remaining portion~~ ^{the remaining portion} of 1 pela in paddy sowing extent, east by Alugollakumbura, south by mala-ela which separates the remaining portion of this land, and west by Galperiya.

(b) All that undivided portion of about 8 lahas in paddy sowing extent from and out of the divided northern half share of 8 lahas in paddy sowing extent and the adjoining high land of 1 nellie in kurakkan sowing (excluding an undivided portion of 1 nellie in kurakkan sowing) from and out of all that land called Alugollekumbura of 16 lahas in paddy sowing and the adjoining high lands of 2 nellies in kurakkan sowing, situate at Polmalagama in Dolosbage aforesaid; which said divided northern half share is bounded on the north by the stone fence of the land belonging to Balaya, west by the field belonging to Karunapedi Hatana, south by remaining portion of this land, and west by the limit of Welikandekopiwatta and by Edagala.

(c) An undivided half share from and out of all that divided southern half share of 8 lahas in paddy sowing extent and the adjoining high land of 1 nellie in kurakkan sowing extent from and out of all that land called Alugollekumbura of 16 lahas in paddy sowing extent and the adjoining high land of 2 nellies in kurakkan sowing extent, situate at Polmalagama aforesaid; and which said divided southern half share is bounded on the north by the remaining portion of this land, east by Karunapedi Hatana's field, south by the limit of Welikandekopiwatta, west by the limit of the said Kopiwatta and by Edagala, 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 defendant.

Fiscal's Office, H. C. WIJESINHA,
Kandy, October 10, 1938. Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Mailvaganam Periyathamby of Vaddukoddai East..Plaintiff.
No. 11,104. Vs.

(1) Kandasamy Somasundaram of Manipay, administrator in testamentary case No. 8,644, D. C., Jaffna, (2) Thambapillai Anulingam, and (3) wife Pavalammah of Manipay, (4) Thambipillai, and (5) wife Chellammah of Vannarponnai East. . . Defendants.

NOTICE is hereby given that on Friday, November 11, 1938, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said 3rd defendant in the following property, for the recovery of Rs. 3,810, with interest thereon at 9 per cent. per annum from January 21, 1937, till payment in full, and costs Rs. 267.05, less a sum of Rs. 3,090, and poundage and charges, viz.:

An undivided $\frac{1}{2}$ share of a piece of land situated at Mallakam in Mallakam parish, Valikamam North division of the Jaffna District, Northern Province, called Koddianai and Urulaithoddam, in extent 20 $\frac{1}{2}$ lachams varagu culture

with share of the stone-built houses and share of well lying therein, cultivated and spontaneous plantations; and bounded on the east by Kandiah Sivasithamparam, and wife Amminipillai, and Nagalingam Ranganathan, north by lane, west by the heirs of Vairavanather Thillaiampalam, and south by Annapillai, widow of Ponnampalam.

This land is said to be under mortgage.

Fiscal's Office, S. TURAIYAPPAH,
Jaffna, October 11, 1938. for Fiscal.

In the District Court of Jaffna.

Sinnathamby Arumugam of Urumpirai Plaintiff.
No. 13,445. Vs.

(1) Sinnathamby Valarasam of Achchelu, now Head Master, Muhamadiah Mixed School, Moor street, Jaffna, (2) Saravanamuttu Rajaratnam of Achchelu Defendants.

NOTICE is hereby given that on Saturday, November 12, 1938, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said 1st defendant for the recovery of Rs. 1,013, with interest on Rs. 1,000 at the rate of 9 per cent. per annum from September 5, 1938, until payment in full, and poundage and charges, in the following property, viz. :—

All that piece of land, exclusive of the ground taken for the road that passes through, situated at Achchelu in Puttur parish, Valikamam East division of the Jaffna District, Northern Province, called Payaththankaladdy, in extent 5 lachams varagu culture, Kalavodaimetkukkadu and Iraguvan, in extent 2 lachams varagu culture and 3 kulies, aggregating to an extent of 7 lachams varagu culture and 3 kulies with well, house, and cultivated and spontaneous plantations; and bounded on the east by Thankammah, wife of Ponniah and by others, north by Elaiyathamby Ponniah and others, west by Sithamparapillai Elaiyathamby, and south by Kasinather Sinnathamby and others.

The land is said to be under mortgage.

Fiscal's Office, S. TURAIYAPPAH,
Jaffna, October 11, 1938. for Fiscal.

In the Court of Requests of Point Pedro.

Veeragathiar Chelliah of Thondamanar Plaintiff.
No. 28,809. Vs.

(1) Sivapragasam Sabanayagam of Valvettiturai, (2) Sivapragasam Velupillai of ditto, (3) Annapoorani, daughter of Sivapragasam of ditto as heirs in possession of the estate of the late Kathiripillai Sivapragasam; the 2nd and 3rd defendants are minors appearing by their guardian *ad litem* the 1st defendant Defendants.

NOTICE is hereby given that on Saturday, November 12, 1938, at 12 noon, will be sold by public auction at the premises the right, title, and interest of the said defendants for the recovery of Rs. 164.25, with interest thereon at the rate of 9 per cent. per annum from September 29, 1936, until payment in full, and costs Rs. 26.33, and poundage and charges in the following property, viz. :—

A piece of land situated at Valvettiturai in Uduppiddy parish, Vadamaradechey West division of the Jaffna District, Northern Province, called Vadakkuchchathiranthai, in extent 4½ lachams varagu culture. Of this ¾ share on the western side, in extent 3 lachams varagu culture, is bounded on the east by Kathirippillai Sivapragasam, north by road, west by Aiyamuttu Arunasalam and others, and south by Theivanaipillai, widow of Sithamparapillai, and by others. The whole hereof with the stone-built house exclusive of the eastern verandah, the kitchen, half share of the well and other appurtenances.

Fiscal's Office, S. TURAIYAPPAH,
Jaffna, October 11, 1938. for Fiscal.

Eastern Province.

In the District Court of Trincomalee.

(1) Velupillai Chitrappopalapillai, and (2) wife Apiramipillai of Division No. 8, Trincomalee .. Plaintiffs.
No. 1,980. Vs.

Uduma Levvai Hadjar Mohamad Carim of Periakiniya Defendant.

NOTICE is hereby given that on Saturday, November 12, 1938, at 10 o'clock in the forenoon, will be sold by

public auction at the spot the following property mortgaged with the plaintiff by bond No. 188 dated December 4, 1931, attested by Mr. P. Viswalingam of Trincomalee, Notary Public, and declared specially bound and executable under the decree entered in the above case and ordered to be sold by order of court dated May 16, 1938, for the recovery of the sum of Rs. 1,221.52½, with interest on Rs. 785 at 18 per cent. per annum from July 31, 1935, till August 19, 1935, and thereafter at 9 per cent. per annum till payment in full, and costs Rs. 170.62½, Fiscal's fees and charges and poundage, less Rs. 200, viz. :—

An undivided ¼ share of a piece of land called Ramlanpillaivalavu, situated at Kinyia in Tanglegam pattu, Trincomalee District, Eastern Province, together with a tiled house of two rooms built thereon portico, well built with stones and all other rights relating thereto; boundaries of the whole land are on the east by the land of the heirs of A. Udumalevvai Maracair Hadjar, on the south by the land of M. Kuppai Packeer, on the west by road, and on the north by the land of Udumalevvai Ismail, in extent 1 acre and 15 perches. Registered D 9/71.

Deputy Fiscal's Office, B. VRASPILLAI,
Trincomalee, October 13, 1938. Additional Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

Waulpenage Anadahamy of Godakawela Plaintiff.
No. 6,516. Vs.

Katharagamathamby Ramalingam Murugesu Pillai of Godakawela Defendant.

NOTICE is hereby given that on Tuesday, November 15, 1938, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,000, with interest thereon at 12 per cent. per annum from November 6, 1936, to November 25, 1937, and thereafter at 9 per cent. on the aggregate till payment in full, and costs of suit Rs. 161.32½ and poundage, less Rs. 650 already paid, viz. :—

1. An undivided ¼ part or share of the land called Kebellagaha-ira Pahalakella, situate at Godakawela in the Meda pattu of Atakalan korale in the District of Ratnapura; bounded on the north by high road, east by Pansalewatta, south by ela, and on the west by Enderuweta; and containing in extent 1 rood and 30 perches, together with the entirety of the tiled house standing thereon; bounded on the north by road leading to Hambantota, east by house belonging to Idonchi, south by dola, and on the west by the house belonging to D. N. Welun Silva; in extent about 25 feet wide along the road, and 40 feet long, which said land is registered in F 54/207.

2. An undivided 1/12 share of the land called and known as Rattanaggegodawalpita panguwa appertaining to Pallebedda Nindagama, situate at Pallebedda in Thambagam pattu of Atakalan korale aforesaid, excluding therefrom however an undivided portion of the same land called Rattanaggegodawa Walpita panguwa, in extent 2 amunams of kurakkan sowing including high and low lands in Thambagam pattu aforesaid; and bounded on the north by Raminikotha, Kudumiliye Kothwetiya Gallinda, Hawarinuge and Kumbuk-ara, east by Parandolpotawa and Bolawane Keme Galweta, south by Thambagamuganga *alias* Rakwane-ganga, and on the west by Kumbuk-ara; and containing in extent thirty thousand acres, and registered under F 94/209.

Fiscal's Office, N. SWAMINATHA AYER,
Ratnapura, October 17, 1938. Additional Deputy Fiscal.

I, Reginald Young Daniel, Fiscal for the North-Western Province, do hereby appoint Y. J. Samarakkody to be Marshal for the Puttalam District from October 1, 1938, under the provisions of the Fiscal's Ordinance, No. 4 of 1867, and authorize him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Given under my hand at Kurunegala, this 17th day of October, 1938.

R. Y. DANIEL,
Fiscal.

the presence of Mr. James F. van Langenberg, Proctor, on the part of the petitioner, David Ernest Martensz of Colombo; and (1) the affidavit of the said petitioner dated October 15, 1938, (2) the power of attorney dated July 13 and August 15, 1938, (3) the order of the Supreme Court dated October 3, 1938, and (4) the death certificate of Edward Mihill Slaughter, having been read: It is ordered that the will of the said Charles Edward Duff deceased, dated September 27, 1913 (with a codicil thereto dated November 16, 1923), a certified copy of which under the seal of the District Probate Registry at Blandford 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 surviving executor named in the said will and that he is entitled to have letters of administration (with will and codicil annexed) issued to him accordingly, unless any person or persons interested shall, on or before October 27, 1938, show sufficient cause to the satisfaction of this court to the contrary.

October 17, 1938.

W. SANSONI,
District Judge.

33 In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament (with codicil) of Frederick William Duff of Fornham House Bury St. Edmunds in the County of Suffolk, England, formerly of Balgreen, Hamilton, Scotland, a Major on the retired list of His Majesty's Army, deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on October 17, 1938, in the presence of Mr. James F. van Langenberg, Proctor, on the part of the petitioner, David Ernest Martensz of Colombo; and (1) the affidavit of the said petitioner dated October 15, 1938, (2) the power of attorney dated June 14 and August 16, 1938, and (3) the order of the Supreme Court dated September 30, 1938, having been read: It is ordered that the will of the said Frederick William Duff, deceased, dated November 25, 1896 (with a codicil thereto dated June 16, 1932) a certified copy of which under the seal of the District Probate Registry at Ipswich 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 and codicil annexed) issued to him accordingly, unless any person or persons interested shall, on or before October 27, 1938, show sufficient cause to the satisfaction of this court to the contrary.

October 17, 1938.

W. SANSONI,
District Judge.

33 In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Holograph Last Will and Testament of William Alfred Watson, M.B. Ch.B. Retired Medical Practitioner, sometime residing at 45, Duke street, Huntly, Aberdeenshire, Scotland, thereafter at 7, The Wynne Worthing, Sussex, England, thereafter at "Huntly", Richmond road, Worthing aforesaid, and latterly at "Alveston," Manor road, Worthing aforesaid, deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., District Judge of Colombo, on October 17, 1938, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Duncan Archibald Buchanan of Colombo; and (1) the affidavit of the said petitioner dated October 14, 1938, (2) the power of attorney dated August 3, 1938, and (3) the order of the Supreme Court dated October 11, 1938, having been read: It is ordered that the will of the said William Alfred Watson, deceased, dated September 14, 1937, a certified copy of which under the seal of the Commissariat of Edinburgh, 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 Duncan Archibald Buchanan is the attorney in Ceylon of the sole executrix 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 October 27, 1938, show sufficient cause to the satisfaction of this court to the contrary.

October 17, 1938.

W. SANSONI,
District Judge.

B 3

36 In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Merennage Joronis Salgado, deceased, of No. 2,588. Panadure.

Merennage Abraham Salgado of Pattiya South, Panadure Petitioner.

(1) Merennage Selestina Salgado of Maggona, (2) ditto Carlina Salgado, (3) Palamandadige Selestina Fernando, (4) Merennage Jeremias Salgado, (5) Sellapperumage Selestina Fernando, (6) Merennage Mathes Salgado, (7) ditto Jeremias Salgado, (8) Don Domingo Aratchige Don John, (9) ditto Don Gilbert (a minor appearing by his guardian *ad litem* the 8th respondent), (10) Dombagahapathirage Isabella Peiris, (11) Merennage Cecilin Salgado, (12) ditto Ebert Salgado, (13) ditto Emalin Salgado *alias* Sumithawathie Upasika, all of Pattiya South, Panadure Respondents.

THIS matter coming on for disposal before E. O. C. Vander Gert, Esq., District Judge of Kalutara, on September 22, 1938, in the presence of Mr. T. Terence Fernando, Proctor, on the part of the petitioner, Merennage Abraham Salgado of Pattiya South in Panadure; and the affidavit of the said petitioner dated September 21, 1938, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled to have letters of administration *de bonis non*, issued to him to the estate of the above-named deceased, unless the respondents or any other person or persons interested shall, on or before November 7, 1938, show sufficient cause to the satisfaction of this court to the contrary.

September 22, 1938.

E. O. C. VANDER GERT,
District Judge.

38 In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jaya-Jurisdiction. latharatchigey Dona Adlin Millina No. 2,825. Jayawardane Haminey, deceased, of Paiyagala.

THIS matter coming on for disposal before E. O. C. Vendergert, Esq., District Judge of Kalutara, on July 19, 1938, in the presence of Mr. L. O. K. Goonetilleke, Proctor, on the part of the petitioner, Don Johanes Jayawardane of Maha Paiyagala; and the affidavit of the said petitioner dated July 19, 1938, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as husband of the deceased above named, to have letters of administration, unless the respondents or any other person or persons interested shall, on or before September 1, 1938, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 4th respondent be and he is hereby appointed guardian *ad litem* over the said 1st to 3rd respondents, who are minors, for all the purposes of this action unless the respondents—(1) Anula Subhaddrawathi Jayawardane, (2) Ananda Wolington Jayawardane, (3) Srimathi Mallika Jayawardane, all of Maha Paiyagala, (4) D. B. Wijesinghe of Kalutara—shall, on or before September 1, 1938, show sufficient cause to the satisfaction of this court to the contrary.

July 19, 1938.

T. F. C. ROBERTS,
District Judge.

The date for showing cause against the above *Order Nisi* is extended to October 10, 1938.

September 1, 1938.

E. O. C. VANDERGERT,
District Judge.

The date for showing cause against the above *Order Nisi* is extended to October 31, 1938.

October 10, 1938.

E. O. C. VANDERGERT,
District Judge.

31/ In the District Court of Avissawella.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. the late Nadurana Pathirennehelage
No. 272. Siriwardana of Atulugama, deceased.

Between

Nadurana Pathirennehelage Somapala of Atulugama,
Dehiowita Petitioner.

And

(1) K. G. Emy Nona of Atulugama, (2) Nadurana
Pathirennehelage Micho Nona of Pannala, Ruaw-
wella, (3) Nadurana Pathirennehelage Jeewasumana
of Atulugama, (4) Nadurana Pathirennehelage
Leelawathie of Koshinna in Gampaha, (5) Nadurana
Pathirennehelage Pemawathie of Atulu-
gama Respondents.

THIS matter coming on for disposal before S. S. J. Goonesekera, Esq., District Judge of Avissawella, on October 6, 1938, in the presence of Mr. B. L. Drieberg, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner above named dated October 4, 1938, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the eldest son 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 October 27, 1938, show sufficient cause to the satisfaction of this court to the contrary.

S. S. J. GOONESEKERA,
District Judge.

October 6, 1938.

32/ In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Mali-
Jurisdiction. gaspe Koralege Siyadoris de Silva of
No. 7,839. Maligaspe, Galle.

Between

Meepa Bajjamage Elsie de Silva of Maligaspe,
Galle Petitioner.

(1) Maligaspe Koralege Maginoda, (2) ditto Podinona,
(3) ditto Ludinona, (4) ditto Saranapala, all of Mali-
gaspe, (5) Meepa Bajjamage Hendry de Silva of
Bope, Galle Respondents.

THIS matter coming on for disposal before N. M. Bharucha, Esq., District Judge, Galle, on September 29, 1938, in the presence of Messrs. Saheed & Thahir, Proctors, on the part of the said petitioner; and the affidavit of the said petitioner dated July 25, 1938, having been read:

It is ordered that the said 5th respondent be appointed guardian *ad litem* over the said 1st to 4th minor respondents, unless the said respondents or any person or persons interested shall, on or before November 30, 1938, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the petitioner above named is entitled to have letters of administration to the estate of the said deceased issued to her accordingly, unless the said respondents or any person or persons interested shall, on or before November 30, 1938, show sufficient cause to the satisfaction of this court to the contrary.

N. M. BHARUCHA,
District Judge.

September 29, 1938.

21/ In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Ipitakaduwe Gamage Don Carolis,
No. 4,014. deceased, of Karagoda, Uyangoda.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Matara, on September 12, 1938, in the presence of Mr. S. Samarakkody, Proctor, on the part of the petitioner Ipitakaduwe Gamage Don Deonis of Karagoda Uyangoda; and the affidavit of the said petitioner dated August 25, 1938, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled as son, to have letters of administration issued to him, unless the respondents—(1) Dona Susana Siriwardana, and (2) Ipitakaduwe Gamage Dona Gimara, both of Karagoda Uyangoda or any other person or persons interested shall, on or before October 31, 1938, show sufficient cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,
District Judge.

September 12, 1938.

24/ In the District Court of Jaffna.

Order Nisi.

No. 167. In the Matter of the Estate of the late
Testy. Sinnathamby Sanmugam of Vannar-
ponnai West, late of Eluthumadduwal,
deceased.

Vijayaledehony, widow of S. Sanmugam of ditto..Petitioner.
Vs.

(1) Sinnathamby Kamthasingam of Manipay, (2) San-
mugam Manikaram, (3) Maheswary, daughter of
Sanmugam of Vannarponnai; the 2nd and 3rd respond-
ents are minors by their guardian *ad litem* the 1st
respondent Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on June 3, 1937, in the presence of Mr. S. Patanjali, Proctor, on the part of the petitioner; and the affidavit of the petitioner, having been read: It is ordered that the petitioner be declared entitled to have letters of administration to the estate of the said intestate as his widow, unless sufficient cause be shown to the contrary on October 26, 1938, and state objection or show cause to the contrary.

October 18, 1938.

C. COOMARASWAMY,
District Judge.

22/ In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. the late Vaithilingam Ponnukkumaru of
No. 471. Majliddy South, deceased.

Vaithilingam Ramalingam of ditto Petitioner.

(1) Kanapathupillai Kandah, and wife (2) Puthu-
nayagam, (3) Vaithilingam Perampalam, (4)
Kailashpillai Arulananda, and wife (5) Nallammah,
and (6) Vaithilingam Kumaravelu, all of
ditto Respondents.

THIS matter coming on for disposal before K. Kanagasabai, Esq., District Judge, Jaffna, on May 20, 1938, in the presence of Messrs. Aiyadurai & Thambirajah, Proctors, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the 3rd respondent be appointed guardian *ad litem* over the 6th respondent and the petitioner be declared entitled to have letters of administration to the estate, unless sufficient cause be shown to the contrary on July 28, 1938, by the respondents or any other person or persons interested in this behalf.

C. E. A. SAMARAKKODY,
District Judge.

Time extended to show cause for October 24, 1938.

C. C.
District Judge.

31/ In the District Court of Jaffna.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Murugesu Kandavanam of Vannarpon-
nai East, deceased.

Sinnachéppillai, widow of Kandavanam of Vannar-
ponnai East Petitioner.

(1) Kassipillai Ponniah, and wife (2) Ledchumippillai,
(3) Kandavanam Somasundaram, (4) Kanmany,
daughter of Kandavanam, (5) Laikia Sunthari, all
of Vannarponnai East Respondents.

THIS matter of the petition of the above-named petitioner, coming on for disposal before C. Coomaraswamy, Esq., District Judge, on May 2, 1938, in the presence of Messrs. Aiyadurai & Thambirajah, Proctors, on the part of the petitioner; and the petition and affidavit of the petitioner having been read: It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the minors, the above-named 3rd, 4th, and 5th respondents, for the purpose of protecting their interests in the matter of this application for letters, and that the letters of administration to the estate of the above-named deceased be granted to the petitioner, unless the respondents or any other person or persons shall, appear before this court on June 22, 1938, and show cause to the satisfaction of this court to the contrary.

May 20, 1938.

C. COOMARASWAMY,
District Judge.

Time to show cause is extended to October 24, 1938.

C. C.
District Judge.

In the District Court of Jaffna.

Testamentary In the Matter of the Intestate Estate of
Jurisdiction. Saravanamuttu Arumugam of Chan-
No. 628. ganai, deceased.

Poikody, widow of Saravanamuttu Arumugam of
Changanai Petitioner.

Rs. 16.00
Vs. 29
(1) Arumugam Saraswathy, (2) Arumugam Nadarajah,
(3) Arumugam Muttiah, (4) Arumugam Thana-
letchumy, (5) Arumugam Kandassamy, (6) Aru-
mugam Annaledchumy, (7) Arumugam Parama-
swamy, (8) Ramalingam Thambiyaiyah, all of
Changanai Respondents.

THIS matter coming on for disposal before C. Coomara-
swamy, Esq., District Judge of Jaffna, on July 25, 1938,
in the presence of Mr. V. Navaratna Rajah, Proctor, on
the part of the petitioner above named; and the affidavit
of the said petitioner dated July 18, 1938, having been
read :

It is ordered that the 8th respondent be and he is hereby
appointed guardian *ad litem* over the 1st to 7th minor
respondents to represent their interest in the testamentary
proceedings, (b) that the petitioner be and she is hereby
declared entitled, as widow of the above-named deceased
to have letters of administration issued to her, unless the
respondents above named or any other person or persons
interested shall, on or before September 7, 1938, show
sufficient cause to the satisfaction of this court to the
contrary.

August 4, 1938.

E. A. SAMARAKODY.
Acting District Judge.

Time to show cause extended to November 2, 1938.

Intd. C. C.
District Judge.

26
26
In the District Court of Jaffna.

Muttuvelu Murugesu of Vannarponnai West Petitioner.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Murugesu of Vannarponnai West, deceased.
No. 648. *Rs. 16.00*
Vs. 29

(1) Murugesu Thanaledchumy of Vannarponnai West,
(2) Murugesu Navarathnam of ditto, (3) Vairamuttu
Sivasampo of Vannarponnai East Respondents.

THIS matter coming on for disposal before C. Coomara-
swamy, Esq., District Judge of Jaffna, on September 19,

1938, in the presence of Mr. V. Navaratna Rajah, Proctor,
on the part of the petitioner above named; and the affidavit
of the said petitioner dated September 12, 1938, having
been read :

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

October 12, 1938.

C. COOMARASWAMY,
District Judge.

30
In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late
Jurisdiction. Sellappah Thambiyaiyah of Kaithady,
No. 649. deceased.

Sethuppillai, widow of Sellappah Thambiyaiyah of
Kaithady Petitioner.

Rs. 16.00
Vs. 29
(1) Thambiyaiyah Selvaratnam, (2) Thambiyaiyah
Rajaratnam, (3) Thambiyaiyah Canagaratnam, (4)
Ledchumyammal, (daughter of Thambiyaiyah, all of
Kaithady, and (5) Chelappah Subramaniam of
ditto presently of C. C. R., Cheddikulam. . . Respondents.

THIS matter coming on for disposal before C. Coomara-
swamy, Esq., District Judge, Jaffna, on September 27,
1938, in the presence of Mr. R. Sivagurunather, Proctor,
for the petitioner; and an affidavit of the petitioner dated
September 26, 1938, having been read :

It is ordered that the above-named 5th respondent be
appointed guardian *ad litem* over the minors, the 1st, 2nd,
3rd, and 4th respondents, for the purpose of watching
their interests in this action, and that the petitioner as the
widow of the said deceased, be and she is hereby declared
entitled to have letters of administration to the estate of
the said deceased issued to her accordingly, unless the
respondents above named or any other persons shall, on
or before November 14, 1938, show sufficient cause to the
satisfaction of the court to the contrary.

September 27, 1938.

C. COOMARASWAMY,
District Judge.