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PART II.—LEGAL.

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

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3, COLOMBO.

PRINTED AT THE CEYLON GOVERNMENT PRESS

PASSED ORDINANCES.

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

No. 31 of 1940.

G 2949/L. D.—O 20/40

Cap. 198.

An Ordinance to amend the Village Communities Ordinance.

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 Village Communities (Amendment) Ordinance.

Amendment of section 25 of Chapter 198.

2. Section 25 of the Village Communities Ordinance, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows:—

(a) in sub-section (2) thereof, by the substitution for the words "twenty-one days", wherever they occur collectively therein, of the words "one month";

(b) by the substitution, for sub-sections (3), (4) and (5) thereof, of the following new sub-sections which shall have effect as sub-sections (3), (4), (5) and (6) of that section:—

"(3) Where for any reason the meeting is not held on the date specified in the notice under sub-section (1), the Government Agent may, by such further notice or notices as may be necessary, convene the meeting for any other date, but so however that such other date is within the period of one month prescribed in sub-section (2).

(4) At the meeting convened under sub-section (1) or sub-section (3), as the case may be, the members of the Committee shall elect one of their number to be the Chairman of the Committee.

(5) Whenever the office of Chairman of a Village Committee falls vacant during the term of office of the Committee the Government Agent shall, within two weeks of his receiving information of the vacancy, by notice or notices served in accordance with the provisions of sub-section (1) or sub-section (3), convene a meeting for the election of a new Chairman, and the date specified for the meeting in such notice or notices shall be such as to ensure that a new Chairman is elected within the period of six weeks next succeeding the occurrence of the vacancy.

(6) Every meeting under this section shall be held at the place and time and on the date specified in the notice convening that meeting, and shall, until the election of a Chairman, be presided over by the Government Agent or by an officer of Government, other than a chief headman, deputed by the Government Agent to act as presiding officer."

Amendment of section 26 of the principal Ordinance.

3. Section 26 of the principal Ordinance is hereby amended by the repeal of sub-section (2) thereof, and by the re-numbering of sub-section (1) as section 26.

Substitution of new section for section 29 of the principal Ordinance.

4. Section 29 of the principal Ordinance is hereby repealed and the following new section is substituted therefor:—

Power to nominate Chairman or Vice-Chairman when not elected by Village Committee.

29. Where for any reason the members of a Village Committee fail to elect a Chairman in accordance with the provisions of section 25 or a Vice-Chairman in accordance with the provisions of section 28, it shall be lawful for the Executive Committee to nominate one of the members of that Village Committee to be the Chairman or the Vice-Chairman, as the case may be, and the member so nominated shall be entitled to exercise the like powers, shall perform the like duties, and shall hold office for the like term, as a Chairman or a Vice-Chairman duly elected by that Village Committee.

5. Section 31 of the principal Ordinance is hereby amended in sub-section (2) thereof, by the substitution for the words "direct the Vice-Chairman to perform", of the words "direct the Vice-Chairman to exercise or perform, whenever the office of Chairman is vacant, or".

6. Section 53 of the principal Ordinance is hereby amended by the addition, at the end of that section, of the following proviso :—

Amendment of section 53 of the principal Ordinance.

“ Provided that the prior approval of the Governor shall not be necessary in the case of a resolution whereby a Village Committee decides to impose in any year a tax at the same rate as was in force during the preceding year.”.

7. All acts done after the first day of December, 1939, by the Vice-Chairman of any Village Committee, in the exercise of the powers or the performance of the duties of the Chairman of that Committee while the office of the Chairman was vacant, shall for all purposes be deemed to have been lawfully done, notwithstanding that such Vice-Chairman had not, under section 31 (2) of the principal Ordinance, been authorised by the Chairman or directed by the Government Agent to exercise such powers or to perform such duties.

Validation of acts done by a Vice-Chairman during vacancy of the office of Chairman.

Passed in Council the Twenty-ninth day of November, One thousand Nine hundred and Forty.

D. C. R. GUNAWARDANA,
Clerk of the Council.

Assented to by His Excellency the Officer Administering the Government the fourteenth day of December, One thousand Nine hundred and Forty.

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. 32 of 1940.

M. L. A.—B 1839/L. D.—O 43/40

An Ordinance to enable local authorities in Ceylon to make contributions out of their revenue and other moneys at their disposal to war funds and war charities.

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 Local Authorities (War Contributions) Ordinance, No. 32 of 1940.

Short title.

2. (1) Subject as hereinafter provided, a local authority shall be entitled and is hereby authorised to contribute to any war fund out of its revenue or other moneys at its disposal :

Power of local authorities to contribute to war funds.

Provided that no resolution relating to any such contribution shall have effect until such resolution has been submitted to and approved by the Executive Committee of Local Administration.

(2) The provisions of sub-section (1) shall have effect notwithstanding anything in any written law by or under which any local authority is constituted or established.

3. This Ordinance shall cease to be in operation on such date, not being later than one year after the termination of the war, as the Governor may appoint by Proclamation published in the *Gazette*.

Duration of Ordinance.

4. In this Ordinance, unless the context otherwise requires—

Interpretation.

“ local authority ” means a Municipal Council, Urban Council, Local Board, Sanitary Board or Village Committee ;

“ war ” means the war in which His Majesty is engaged at the time of the enactment of this Ordinance ;

“ war fund ” means any fund, charity, or organisation created, established or maintained for the efficient prosecution of the war or for any other purpose whatsoever relating to or connected with the war.

Passed in Council the Twenty-ninth day of November, One thousand Nine hundred and Forty.

D. C. R. GUNAWARDANA,
Clerk of the Council.

Assented to by His Excellency the Officer Administering the Government the fourteenth day of December, One thousand Nine hundred and Forty.

E. R. SUDBURY,
Secretary to the Governor.

DRAFT ORDINANCES.

MINUTE.

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

I. D.—O 3/41

An Ordinance to provide for the delegation of any power, authority or function vested in the Governor by any written law.

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 Governor's Powers (Delegation) Ordinance, No. of 1941. |
| Delegation of powers, &c., of Governor. | 2. (1) The Governor may, by Order published in the <i>Gazette</i> , delegate to any Officer of State, Minister or Executive Committee, or to the Head of any Government Department, the exercise of any power or authority, or the discharge of any function, vested in or conferred upon the Governor by any written law enacted whether before or after the commencement of this Ordinance.
(2) The Governor may, in any Order, direct that any power, authority or function to which the Order relates shall be exercised or discharged subject to such conditions, exceptions or limitations as may be prescribed in that Order.
(3) For the purpose of giving effect to any Order, the Governor may, in that Order, direct that any provision of any written law to which the Order refers or relates shall have effect subject to such adaptations, modifications or exceptions as may be specified in the Order. |
| Legal effect of Order. | 3. Every Order shall, upon publication in the <i>Gazette</i> , have the force of law and be as valid and effectual as if it were herein enacted. |
| Interpretation. | 4. In this Ordinance—
“ Officer of State ”, “ Minister ”, and “ Executive Committee ”, have, respectively, the same meaning as in the Ceylon (State Council) Order in Council, 1931 ;
“ Order ” means an Order of the Governor under section 2 (1). |

Objects and Reasons.

Article 94 of the Ceylon (State Council) Order in Council, 1931, empowers the Governor to delegate to any Officer of State, Executive Committee or Head of a Government Department the exercise of any power, authority or function under any written law in force on July 9, 1931, being the date referred to in Article 92 of the Order in Council.

2. Article 96 of the Order in Council provides that nothing in Article 94 shall affect the right of the State Council to pass any law relating to the delegation of the Governor's powers.

3. Under the Order in Council, there is no authority for the Governor to delegate his powers to a Minister; nor can a delegation now be made of the powers conferred on the Governor by any Ordinance enacted after July 9, 1931.

4. The object of this Bill is to supplement the powers of delegation conferred by the Order in Council and to enable the exercise of any power or authority vested in the Governor by any written law now in force or hereafter to be enacted to be delegated by Order of the Governor to an Officer of State, Minister or Executive Committee or to the Head of a Government Department, subject to such conditions, exceptions or limitations as may be prescribed in the Order.

Chambers, Hulftsdorp,
Colombo, January 15, 1941.

ROBERT H. DRAYTON,
Legal Secretary.

DISTRICT AND MINOR COURTS NOTICES.

The Village Communities Ordinance.

IT is hereby notified in terms of section 127 of the Village Communities Ordinance (Chapter 198) that the building known as the Porawala Bungalow on Porawalawatta situated at Elpitiya in Bentota Walallawiti korale of the Galle District, Southern Province, which had, with the approval of the Government Agent, Southern Province, been set apart temporarily for the Village Tribunal of Elpitiya and Weyihena areas of Bentota Walallawiti korale aforesaid, by notification dated November 1, 1939, published in *Government Gazette* No. 8,545 of November 10, 1939, has been vacated and the Village Tribunal has been retransferred to its own building with effect from November 21, 1940.

The Kacheheri,
Galle, January 7, 1941.

M. K. T. SANDYS,
Government Agent.

The Village Communities Ordinance.

THE Village Tribunal established in the Chief Headman's Division of Kalpitiya in the Puttalam District in the North-Western Province

having, with the approval of the Assistant Government Agent Puttalam and Chilaw Districts, set apart the ground floor of the building specified in the schedule hereto as a court-house, it is hereby notified under Section 127 of the Village Communities Ordinance (Chapter 198), that the ground floor of such building is the court-house at Kalpitiya of such Village Tribunal.

The Kacheheri,
Puttalam, January 13, 1941.

R. MONYPENNY,
Assistant Government Agent.

SCHEDULE.

The building called the Customs Office, Kalpitiya, situated at Kalpitiya near the Jetty at the 25th mile on Palavi-Kalpitiya Public Works Department road in the Puttalam District of the North-Western Province; and bounded on the north by the quarters of the Public Works Department Overseer, Kalpitiya, east by Crown land, and south and west by the Palavi-Kalpitiya Public Works Department road.

10 NOTICES OF INSOLVENCY.

In the District Court of Colombo.

Insolvency In the matter of the insolvency of Pothduwage
Jurisdiction. Abraham Silva of ~~St. Raphael's~~, Nugegoda,
No. 5,490. insolvent. *Rs. 10,000*

NOTICE is hereby given that a meeting of the creditors of the
above-named insolvent will take place at the sitting of this court
on February 11, 1941, to consider the grant of a certificate of
conformity to the insolvent.

December 4, 1940.

By order of court, C. EMMANUEL,
Secretary.

9 In the District Court of Kalutara.

No. 306. In the matter of the insolvency of Mahallam Abdul
Wahab Mohamed Mawjood of Alutgamweediya.

NOTICE is hereby given that a meeting of the creditors of the
above-named insolvent will take place at the sitting of this court
on January 29, 1941, to consider the granting of a certificate of
conformity to the above-named insolvent.

January 4, 1941.

By order of court, M. A. FERNANDO,
Acting Secretary.

In the District Court of Nuwara Eliya held at Hatton.

No. 41. In the matter of the insolvency of A. P. Antony,
Insolvency. Balmoral estate, Igrapatana.

NOTICE is hereby given that a meeting of the creditors of the
above-named insolvent will take place at a sitting of this court
fixed for February 11, 1941, to consider the granting of a certificate
of conformity to the above-named insolvent.

January 11, 1941.

By order of court, P. SUBRAMANIAM,
Secretary.

9 In the District Court of Matara.

No. 137. In the matter of the insolvency of Ebrahim Hajji
Insolvency. Moti Bhai of Kotuwegoda, Matara.

NOTICE is hereby given that a certificate meeting of the creditors
of the above-named insolvent will take place at the sitting of this
court on February 10, 1941.

January 8, 1941.

By order of court, V. SUPPRAMANIAM,
Secretary.

NOTICES OF FISCALS' SALES.

35 Western Province.

In the District Court of Colombo.

Charlotte Adeline Gomes of Woodlands, Pickering's road, in
Colombo Plaintiff.

No. 11,399/M. Vs.

(1) Otelia Louise Krickenbeek and (2) Wilton Aelian Terence
Krickenbeek, wife and husband, both of 109, Hampden
lane, Wellawatta Defendants.

NOTICE is hereby given that on Tuesday, February 11, 1941, at
3.30 p.m., will be sold by public auction at the premises the
following property mortgaged with the plaintiff by bond No. 1,554
dated July 25, 1939, attested by P. M. de S. Seneviratne, Notary
Public, subject to bond No. 1,551 dated July 14, 1939, attested
by P. M. de S. Seneviratne, 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 13/19,
1940, for the recovery of the sum of Rs. 1,067.00, with interest on
Rs. 1,000 at 12 per cent. per annum from January 17, 1940, till
March 1, 1940, and thereafter on the aggregate amount of the
decree at 9 per cent. per annum till payment in full, viz. :—

An allotment of land marked C, from and out of all that allotment
of land called Kiripellagahawatta alias Kongahawatta, together
with the trees and buildings thereon bearing assessment No. 108,
situated at Kalubowila West, in the Palle pattu of Salpiti korale,
in the District of Colombo, Western Province; presently within
the limits of the Urban Council of Dehiwala and Mount Lavinia;
and which said lot C is bounded on the north by the property
of Pattiyage Abraham Peiris, on the east by the property of
Silpachari Nekatige, Daniel Silva, on the south by lot F, part of
the same land, and on the west by lot D, part of the same land;
containing in extent 1 rood and 30 75/100 perches as per figure of
survey No. 370 dated May 29, 1916, made by A. Daniel, Licensed
Surveyor and Leveller.

Prior registration M 400/225, Colombo.

Fiscal's Office,
Colombo, January 15, 1941.H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo.

The Bank of Chettinad, Limited, Colombo Plaintiffs
No. 41,005. Vs.

E. C. de Fonseka (Senior) of Kenilworth, Havelock road, in
Colombo Defendant.

NOTICE is hereby given that on the dates mentioned below, will
be sold by public auction at the respective premises the right, title,
and interest of the said defendant in the following properties for the
recovery of the sum of Rs. 102,988, with further interest on
Rs. 15,000 at 12 per cent. per annum and on Rs. 80,000

at 14½ per cent. per annum from October 15, 1930, to date of
decree July 28, 1931, and thereafter on the aggregate amount
at 9 per cent. per annum till payment in full, less a total sum of
Rs. 35,003.28 and also less a further sum of Rs. 2,000 aggregating
to Rs. 37,003.28, viz. :—

On Thursday, February 13, 1941.

(1) At 2 p.m.—All that divided portion of land marked lot 50 in
De Soysa town, plan No. 743 bearing assessment No. 1121/C 91 (6)
Colpetty road (being a divided portion of the land comprised and
described in Government title plan No. 39,730 which forms part of
portion of the premises called or known as Bagatalle estate or
Alfred House and Grounds) now bearing assessment No. 108,
Fifth lane, Colpetty, situate at Colpetty within the Municipality
and District of Colombo, Western Province; bounded on the north
by the road called Arthur's Terrace, east by a ditch, south by lot
marked No. 41 in De Soysa town, plan No. 743, and west by lot
marked No. 49 in De Soysa town, plan 743; containing in extent
3 roods and 9 perches, according to the figure of survey thereof
No. 2,073 dated August 29, 1909, made by Charles F. de Silva,
Licensed Surveyor. Prior Registration A 188/257.

(2) At 3 p.m.—All that allotment of land comprising three portions
of land now forming one property (being a defined portion of the
premises bearing assessment No. 26, Bambalapitiya road, and two
other lands called Ambagahakurunduwatta and Galwalakurundu-
watta) with the buildings standing thereon now called or known as
Havelock Stores formerly bearing assessment No. 26, Bambala-
pitiya road and now portion of the premises bearing assessment
No. 90 and presently bearing assessment No. 146, Havelock road,
situate at Bambalapitiya in the Kollupitiya Ward within the
Municipality and District of Colombo, Western Province; bounded
on the north by a portion of this land belonging to Elias Perera,
east by the other part of this land bearing assessment No. 26
belonging to the estate of the late L. B. A. de Silva now of J. V. Weera-
singhe and by lot No. 7 belonging to Wijesuriyaarachchige Dona
Helena Hamy, and south and west by the property of R. S. Peiris
is formerly the cinnamon garden of Jeronis Peiris; containing in
extent exclusive of the road passing through the land 1 acre 1 rood
and 4 perches, according to the figure of survey thereof No. 792
dated July 17 and August 11, 1902, made by C. Henry J. Lembrug-
gen, Licensed Surveyor. Prior Registration A 184/214.

(3) At 3.30 p.m.—All those two contiguous allotments of land
formerly called and known as Galwakkurunduwatta with the
buildings thereon now called and known as Kenilworth Stores
formerly bearing assessments Nos. 24 and 25, Bambalapitiya road,
and now a portion of the premises bearing assessment No. 90 now
bearing assessment No. 146, Havelock road, situate at Bambalapitiya
within the Municipality and District of Colombo aforesaid; bounded
on the north by the property of Richard Peiris, east by the High
road called Bambalapitiya road, south by the property said to
belong to the late Benaragama Don William Wijeywickrema
Jayasiriwardena, Notary, and others, and west by Government
reservation for a road twenty feet wide separating this land from
the land of Richard Peiris; containing in extent 2 acres and 23
perches, according to the figure of survey thereof dated February 2,
1895, made by Charles Van Rooyen, Licensed Surveyor, excluding
therefrom however a divided and specific portion thereof shown as
lot 2 in preliminary plan No. 18,981; and containing in extent
30.71 perches, and a divided and specific portion thereof in extent
19 perches sold to the Shell Company of Ceylon, Limited. Prior
Registration A 208/214.

(4) At 4.30 p.m.—All that house situated and lying at Chatham
street, Fort, within the Municipality and District of Colombo,
Western Province; and bounded on the north by Chatham street,
east by the house of Raffa, south by the house of Lieutenant Hallo-
well, and on the west by the house of Mrs. Gunn; containing in
extent five and twenty-five hundredth square perches, according to
the figure of survey thereof dated September 25, 1876, authenticated
by Joseph Atkinson, Land Surveyor, and which said premises are
now described as an allotment of land with the buildings thereon
formerly bearing assessment No. 11, now bearing assessment No. 82,
situated at Chatham street, Fort, aforesaid; and bounded on the
north by Chatham street, east by the property bearing assessment
No. 10, south by the property bearing assessment No. 18, and on the
west by the property bearing assessment No. 12; containing in
extent 6.12 perches, according to the figure of survey thereof
No. 316 dated February 22, 1916, made by A. Daniel, Licensed
Surveyor.

(5) At 5 p.m.—All that house and ground, situated and lying at
Beer street, now known as Chatham street, in the Fort aforesaid;
and bounded on the north by Beer street, on the east by the house
of Christian Perera, south by the house of Lieutenant Hallowell and
Carolis Kerr, and west by the house of Krikenbeek; containing in
extent 7 90/100 perches, which said premises are now described as
all that house and garden formerly bearing assessment No. 12 and
Ward No. 69 and now bearing assessment No. 76, situated at
Chatham street; and bounded on the north by Chatham street,
east by, premises No. 11 of E. C. de Fonseka, south by premises
No. 17, Hospital street, and west by premises No. 13, Chatham
street; containing in extent 9 93/100 perches, according to the
figure of survey thereof No. 965 dated December 8, 1916, made by
M. G. de Silva, Licensed Surveyor.

On Friday, February 14, 1941.

(6) At 1 p.m.—All that and those the estate plantations and
premises called and known, as Marian comprising the following
allotments of lands which adjoin each other and form one property
and can from their situation as respects one another be included in
one survey, to wit :—

(a) All that allotment of land called Atawatahona, situated at
Loluwagoda in Udugaha pattu of Hapitigam korale in the District of
Negombo, Western Province; and bounded on the north and north-
east by lands claimed by T. Punchappu and Illanpatirage Appurala,
lands said to belong to the Crown and land described in title plan
No. 55,797, east by a road, south-west by land said to belong to
the Crown and a path, west and north-west by land claimed by
T. Punchappu and Illanpatirage Appurala; containing in extent

9 acres 3 roods and 21 perches according to the title plan thereof. No. 55,796 dated November 30, 1861, authenticated by Captain Charles Sim, Surveyor-General.

(b) All that allotment of land called Thalguhahena, situated at Loluwagoda aforesaid; bounded on the north-east by land described in title plan No. 55,796, east by a road, and on all other sides by land said to belong to the Crown; containing in extent 6 acres 2 roods and 21 perches according to the title plan thereof No. 58,805 dated February 14, 1863, authenticated by the said Charles Sim.

(c) All that allotment of land called Kosgahahena, situated at Loluwagoda aforesaid; and bounded on the north-east and east by a road and on all other sides by land said to belong to the Crown; containing in extent 7 acres 1 rood and 33 perches.

(d) All those 3 allotments of land called Potuwila, Wewakumbura and Deniyakumbura or Paranakumbura, situated at Loluwagoda aforesaid; bounded on the north-east by the property of K. Haramanis Fonseka, east by land described in title plan No. 55,797, south by lands described in title plans Nos. 55,797 and 95,116 and the property of K. Haramanis Fonseka, south-west by the property of M. Samel Appu, and on the north-west by land said to belong to the Crown; containing in extent 5 acres 3 roods and 25 perches according to the title plan thereof No. 114,646 dated November 12, 1879, authenticated by Colonel A. B. Fryers, R.E., Surveyor-General.

(e) All that allotment of land called Aswedduma, situated at Loluwagoda aforesaid; bounded on the north-west and north-east by land described in title plan No. 114,646, east by land described in title plan No. 55,797, south-east and south by land described in title plan No. 55,796, south-west by land described in title plan No. 95,116; containing in extent 1 acre 3 roods and 9 perches according to the title plan thereof No. 115,685 dated March 3, 1880, authenticated by the said A. B. Fryers.

(f) All that allotment of land called Aswedduma, situated at Loluwagoda aforesaid; bounded on the north by land claimed by I. Appurala, east by a road, south by lands described in title plans Nos. 55,797 and 114,646, and west by a water-course; containing in extent 3 acres 3 roods and 9 perches according to the title plan thereof No. 115,686 dated March 3, 1880, authenticated by the said A. B. Fryers.

(g) All that allotment of land called Boralugoda, situated at Loluwagoda aforesaid; bounded on the north by lot 6805 in P. P. 9,934 and on all sides by land described in title plan No. 114,646; containing in extent 18 perches according to the title plan thereof No. 182,775 dated August 23, 1889, authenticated by F. H. Grinlinton, Surveyor-General.

(7) At 2.30 p.m.—All that and those the estate plantation and premises called and known as Kandangamuwa comprising all those three contiguous allotments of land called Kosgahalanda, Ulgallehena and Loluwagoda Mirishena described in the Government title plan Nos. 95,116, 95,030 and 95,031, situated at Loluwagoda, Kandangamuwa and Kahatapitiya villages in Udugaha pattu aforesaid; and bounded on the north by land said to belong to the Crown and by land described in title plan No. 55,790, east by lands described in title plan Nos. 58,805 and 56,613, by lands claimed by Harmanis Fonseka and by a road, south by reservation for a road and land purchased by Adriyan Perera and land claimed by Punchirala and others, south-west by land purchased by Adriyan Perera and by land claimed by Karnis, Vel-Vidane, and west by land claimed by Jayatuhamy, Welun Appu and Punchi Naide and by land said to belong to the Crown; containing in extent 133 acres and 22 perches.

Fiscal's Office,
Colombo, January 15, 1941.

H. C. WJESINHA,
Deputy Fiscal.

In the Court of Requests of Colombo.

H. J. F. Rodrigo of 17, Belmont street, Colombo Plaintiff.
No. 67,547. Vs.

A. H. H. M. Junaid of 19, Francis road, Wellawatta .. Defendant.

NOTICE is hereby given that on Saturday, February 8, 1941, at 11 a.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. 90.15, with legal interest thereon from July 30, 1940, in full and costs incurred Rs. 15.25 and costs prospective Rs. 10.50, viz.:—

An undivided 1/3 part or share of all those premises with the buildings standing thereon formerly bearing assessment No. 12, now Nos. 55 and 57, situated at Queen street, Fort, within the Municipality and District of Colombo, Western Province; which said premises is bounded on the north by the house of Dr. Holowell, on the east by Hospital road, on the south by house of Messrs. Cave & Co., and on the west by Queen street; containing in extent 20 24/100 perches, and erroneously described in some deeds as being only 24/100 of a perches in extent, and which said premises is according to the recent survey and description thereof described as follows:—

An allotment of land with the buildings thereon bearing assessment Nos. 55 and 57, Queen street, in Fort aforesaid; and bounded on the north by property belonging to Messrs. H. Don Carolis & Sons bearing assessment No. 51, on the east by Hospital street, on the south by property belonging to Mrs. Charlotte Mendis, bearing assessment Nos. 59 and 61, and on the west by Queen street; containing in extent 28 47/100 perches as per plan No. 1331 dated February 15, 1936, made by M. I. L. Marikar, Special Licensed Surveyor and Leveler.

Prior registration A 267/288, Colombo.

Fiscal's Office,
Colombo, January 15, 1941.

H. C. WJESINHA,
Deputy Fiscal.

In the Court of Requests of Panadura.

Suriyaarachige Leyaris Perera of Labugama Plaintiff.
D. T. Wijesinghe of Kudella Substituted Plaintiff.
No. 6,296. Vs.

Yatawarahakuruge Romanis Fernando of Haltota, Legal representative of the estate of the late W. Podina Fernando Defendant.

NOTICE is hereby given that on Saturday, February 15, 1941, at 2.30 in the afternoon, will be sold by public auction at the premises, the following property mortgaged by the defendant with the plaintiff and declared bound and executable and ordered to be sold by the decree entered in the said case for the recovery of Rs. 36 and costs of execution Rs. 10, viz.:—

The plaintiff's 5/10 share of the soil and of the trees and plantations such as rubber, &c. (with the trees and plantations such as rubber) standing thereon of the land called Koskandewatta, situated at Haltota in Munwattebage pattu of Raigam korale, Kalutara District, Western Province; and bounded on the north by Koskandewatta belonging to Atulugamage people, east by the portion belonging to James Perera, south by Wanniyehena, and on the west by Kandehena; and containing in extent about 11 acres.

Prior Registration H 95/198.

Deputy Fiscal's Office,
Kalutara, January 13, 1941.

P. D. WEERAMAN,
Deputy Fiscal.

Central Province.

In the Court of Requests of Kandy.

A. James Fernando of Wattagama Plaintiff.
No. 26,326. Vs.

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

NOTICE is hereby given that on Saturday, February 15, 1941, at 2.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 195.25 together with interest on Rs. 150 from August 15, 1939, at 12 per cent. per annum till December 6, 1939, and thereafter with legal interest on the aggregate amount of the decree till payment in full and costs, which the said plaintiff has recovered against the said defendant by judgment of the said court bearing date December 6, 1939, viz.:—

All that estate called and known as Woodthorpe and Inversk estates, situate at Alutgama in Pallegampaha of Pata Dumbara in the District of Kandy, Central Province; and bounded on the north by ela of Deegahawatura, east by ela of Galladeniyekumbura, Saranahenyagegederawatta, Pussekotuwekumbura, Pussekotuwegederawatta, Waduwegewatta, Lenuwahenyagewatta, Pussekotuwegederawatta, Ambarapattiya, Kotuwelakumbura, Goni-gahamedilagederawatta and weta, Dehialagederawatta, Ukkuge-watta, Village Committee road of Asvedumewatta and Mutu-keliyawekumbura, south by ela of Mutukeliyawekumbura, Dehiala-gederakumbura, Benmagollekandaheeriya, Pokunegodadeniyawatta, and west by Pussehene-ela, Doollekumbura of Uduma Lebbe's garden; containing in extent 340 acres. Registered E 274/103.

Fiscal's Office,
Kandy, January 11, 1941.

CHARLES DE SILVA,
Deputy Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

(1) Thereseammal Gomez, and (2) Francis Lazar Gomez, both of Balangoda, the joint administrators of the estate of Manuel Xavier Gomez of Balangoda Plaintiffs.
No. 6,674. Vs.

(1) Asen Kunji Lebbe Abusamma, (2) Cassim Lebbe Marikar Abdul Latiff Marikar, (3) Abdul Rahiman Mohammado Yooseof, (4) Idroos Lebbe Sleiha Umma, (5) Idroos Lebbe Sainadeen, (6) Idroos Lebbe Almapdeen, (7) Idroos Lebbe Sherifdeen, (8) Idroos Lebbe Arifdeen and left no heirs, (9) Idroos Lebbe Asseena Umma, (10) Idroos Lebbe Nafisa Umma, (11) Idroos Lebbe Saharuwan Umma, (12) Idroos Lebbe Salahdeen, (13) Idroos Lebbe Sackina Umma, all of Balangoda; the 1st to 13th defendants by their jointly appointed guardian ad litem the 1st defendant, (14) H. A. S. Fernando of Balangoda, and (15) A. Peyna Sotha Peiya Caruppen Chettiar of 292, Sea street, Colombo Defendants.

NOTICE is hereby given that on Friday, February 14, 1941, commencing from the first land at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following properties, viz.:—

1. An allotment of land comprising of the contiguous lands called Mahawatta, Godaparagahawatta, and Hompalatennehena, situated at Dehigastalawa in the Helauda palata in the Meda korale in the Ratnapura District of the Province of Sabaragamuwa; bounded on the north by lands now belonging to Mr. Sivacolonthu, on the east by Kirikaluwagehena and Mala-ara, on the south by Lankabaranawatta, on the west by Koratuwehena belonging to Asseena Umma, Mahawatte Koswetiya and Gedarawatte-agala of Selindu together with the tea plantations and buildings standing thereon; containing in extent about fourteen seers of kurakkan sowing or 10 acres 2 roods and 6 perches.

2. An allotment of land called Lindagawagodahena, situated at Dehigastalawa aforesaid; bounded on the north by Wewa, on

the east by Mahawatta and hena, on the south by Lankabarana-watta, on the west by Wekumbura together with the tea plantations and the newly built tiled building standing thereon; containing in extent 3 kurunies of kurakkan sowing.

3. An undivided extent of 9 acres from and out of lot 13, in extent 10 acres 1 rood and 20 perches, together with the plantations standing thereon depicted in B. S. P. plan No. 287, situated at Dehigastalawa aforesaid; bounded on the north by lot 13A, on the east by Totapalatenna village boundary, on the south by lot 13B, 15 and 12, and on the west by lots 13C, 13D and 5E.

4. An allotment of land forming lot No. 24 depicted in B. S. P. plan No. 287, situated at Dehigastalawa aforesaid; bounded on the north by lot 24A, on the east by lot 24B, on the south by lot 24C, and on the west by lot 25; containing in extent 1 acre, together with the plantations standing thereon.

5. An allotment of land forming lot No. 21 depicted in the said B. S. P. plan No. 287, situated at Dehigastalawa aforesaid; bounded on the north by lots 10 and 20, on the east by lot 19, on the south by lot 38, on the west by lot 10; containing in extent 2 roods and 22 perches, together with the plantations standing thereon.

6. An allotment of land forming lot No. 15 depicted in the said B. S. P. plan No. 287, situated at Dehigastalawa aforesaid; bounded on the north by lot Nos. 13, 12, 14, and 18, on the east by lot 14, on the south by lot 40, on the west by lot 19; containing in extent 7 acres 1 rood and 11 perches, together with the plantations standing thereon.

7. An undivided extent of 4 acres, from and out of the allotment of land called Pinnalandehena forming lot 20 in B. S. P. plan No. 286, together with the plantations thereon standing, situated at Totapalatenna village in the Hela Uda palata in the Meda korale aforesaid; bounded on the north by Kahatapitiya village boundary and lot 19 of the same plan, on the south by Kirimcetienna village boundary and lot bearing Nos. 21 and 23 of the same plan, on the east by lot 21 of the same plan, and on the west by Dehigastalawa village boundary; containing in extent 7 acres 2 roods and 1 perch.

8. All that allotment of land called Petteragodahena, situated at Dehigastalawa aforesaid; bounded on the north by footpath, on the east by Pettere-iura, on the south by Lankabaranawatta and ela, on the west by Maladola; containing in extent 2 kurunies of kurakkan sowing.

9. All that allotment of land called Lindagawagodahene-medakella and tea factory thereon standing, situated at Kirimcetienna in the Hela Uda palata aforesaid; bounded on the north, east, and west by Lindagawagodahena planted in tea, on the south by Lankabarana estate; containing in extent $\frac{1}{2}$ acre and which allotment of land above described is a portion of the land called Lindagawagodahena registered in E 24/225.

10. All that tea estate called and known as Mahawatta together with the factory machinery fittings fixtures and other buildings and tea plantations and of everything standing thereon depicted in figure of survey No. 634 dated April 26, 1928, made by D. J. B. Ferdinando, Licensed Surveyor, comprising of lots 1, 2, 3, 4, and 5 of the said plan respectively, situated at Dehigastalawa aforesaid; bounded on the north by Wekumbura, Këndagahakumbure-godawatta, Gansabhawa road, Galkotuwewatta, drain, Kahatapitiya tea estate, Udukumburemulakana and stream, on the east by stream, Peellearawa, Adaliedda, Pettarakumbura, Pettaragodahena, on the south by Lankabarana estate, on the west Gorokgahadepela and Wekumbura; containing in extent 33 acres 1 rood and 31 perches and within the said boundaries of this allotment of land are included 1, 2, 3, 4, 5, 6, 7, 8, and 9 above described allotments. The above lands 1 to 10 are registered in E 59/12 at the Ratnapura Land Registry Office.

11. An undivided $\frac{1}{5}$ share of all that land called Pettarayagewatta, situated at Gorokgahamada in Balangoda in the Hela Uda palata aforesaid; bounded on the north by laud belonging to Modimirala, on the east by the land belonging to Naidehamy Mudiyansa, on the south by Padiliunnansegeidama, on the west by minor road together with the stone-built tiled building standing thereon and plantations, in extent 3 kurunies of kurakkan sowing, and registered in E 58/154.

12. All that allotment of land called Pattirayagewatta together with the tiled house standing thereon depicted in figure of survey No. 197 dated June 20, 1917, made by K. Valemurukku, Licensed Surveyor, situated at Gorokgahamada in Balangoda aforesaid; bounded on the north by Balasooriya's estate, on the east by Balasooriya's estate and property of Sena Amina Umma, on the south by road, on the west by the property of Muna Segu Mohideen; containing in extent 1 acre and 24 perches and registered in E 59/13.

13. All that allotment of land called Galkoratuwehena bearing lot No. 171 in B. S. P. plan No. 288 and S. O. T. P. No. T 11,389, situated at Ellepola village in the Helauda palata aforesaid; bounded on the north by reservation along Ambalanella, east by lots 171B, 178, and 349 and reservation along the ela, south by lot 180, west by lots 179 and 171A; containing in extent 2 acres and 12 perches and registered in E 75/186.

14. All the allotment of land called Galkoratuwehena bearing lot No. 172 in B. S. P. plan No. 288 in S.O.T.P. No. T 11,388, situated at Ellepola aforesaid; bounded on the north by Dehigastalawa village boundary, east by T. P. T. 2,028, south and west by road; containing in extent 1 rood and 13 perches and registered in E 75/189.

With interest on Rs. 12,000 at 12 per cent. per annum from October 6, 1938, till date of decree and thereafter legal interest on the aggregate till payment in full and poundage.

Fiscal's Office,
Ratnapura, January 8, 1941.

L. B. CASPERSZ,
Deputy Fiscal,

I, Edward Trevor Dyson, Fiscal for the Central Province, do hereby appoint Mr. Periyathamby Subramaniam, Chief Clerk, Magistrate's Court, Hatton, to act as Fiscal's Marshal, Hatton, with effect from January 13, 1941, until the resumption of duties by Mr. D. M. B. Madawala, under 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.

Fiscal's Office,
Kandy, January 13, 1941.

E. T. DYSON,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

30 In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Ineckkal Velappan Velu, last of 689, Ward street, No. 9,450. Badulla, deceased.

Kalyani Ammal, widow of the late Ineckkal Velappan Velu of 689, Ward street, Badulla Petitioner.

(1) Vaidyanathan Velu, (2) Vimala Bai Velu, (3) Ramanathan Velu, all of presently of 219, Ward street, Badulla, (4) K. Cunjaian Parakkuttu of Colombo, guardian *ad litem* over the estate of the minors 1st to 3rd respondents (December 6, 1940) (5) Velunathan Velu, appearing by his guardian *ad litem* the 4th respondent above named Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on December 5, 1940, in the presence of Mr. K. Sinniah, Proctor, on the part of the petitioner above-named; and the affidavit of the petitioner dated September 13, 1940, having been read:

It is ordered (a) that the 4th respondent be and he is hereby appointed guardian *ad litem* of the minors, 1st, 2nd, 3rd, and 5th respondents, to represent them for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to the estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before February 20, 1941, show sufficient cause to the satisfaction of this court to the contrary.

R. F. DIAS,
District Judge.

January 3, 1941.

29 In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects Jurisdiction. of Enduruwagamage Barrington Calyanaratne No. 9,467. of Saketa, 23, Fraser road, Kolonnawa, deceased.

Somawathie Calyanaratne of Saketa, 23, Fraser road, Kolonnawa Petitioner.

(1) Gurusinghe Bodarama Calyanaratne, (2) Wijenatha Calyanaratne, (3) Mahananda Calyanaratne, (4) Dayananda Calyanaratne, all of Saketa, 23, Fraser road, Kolonnawa; the 3rd and 4th respondents are minors appearing by their guardian *ad litem* the 5th respondent above named Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on November 5, 1940, in the presence of Messrs. Moonesinghe & Jayamaha, Proctors, on the part of the petitioner above-named; and the affidavit of the said petitioner dated November 1, 1940, having been read:

It is ordered (a) that the 1st respondent be and he is hereby appointed guardian *ad litem* of the minors, the 3rd and 4th respondents above named, to represent them for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as wife of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before January 23, 1941, show sufficient cause to the satisfaction of this court to the contrary.

C. NAGALINGAM,
District Judge.

November 18, 1940.

22 In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Dona Charlotte Wijeratna nee Karunaratna of Ratna Nivasa, Main road, Wellawatta, deceased.

Don Barnes Francis Karunaratna of Panadura Petitioner.

Walpolamudalige Don Bosey Patrick Wijeratne of Ratna Nivasa, Main road, Wellawatta Respondent.

THIS action coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on November 11, 1940, in the presence of Messrs. Tirimanne & Meegama, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 21, 1940, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as brother of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondent above named or any other person or persons interested shall, on or before January 30, 1941, show sufficient cause to the satisfaction of this court to the contrary.

December 18, 1940.

C. NAGALINGAM,
District Judge.

In the District Court of Colombo.

Order Absolute in the First Instance declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Francisuhettige Potha Silva, deceased, of Indibedda in Moratuwa.

THIS matter coming on for determination before C. Nagalingam, Esq., District Judge, Colombo, on November 22, 1940, in the presence of Mr. Jos. P. Rodrigo, Proctor, on the part of the petitioner, Colombage Jane Peiris; and the affidavit of (1) of the said petitioner

dated November 19, 1940, (2) of the attesting witnesses as to the due execution of the will dated November 20, 1940, (3) original will having been read :

It is ordered that the will of the said deceased dated February 12, 1916, of which the original has been produced and is now deposited in this court be and the same is hereby proved ; and it is further declared that the said petitioner is the executrix named in the said will and she is entitled to have probate of the said will issued to her on her tendering the usual oath and bond.

December 9, 1940.

S. C. SWAN,
District Judge.

27 In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of Magodage Jurisdiction. Don Richard Abeyasinghe of Gangula, Panadure. No. 9,501.

Yahampathachchige Dona Matilda Rachel Abeyasinghe nee Karunaratne of Gangula, Panadure Petitioner.

And

- (1) Magodage Chandrayathie Abeyasingha, (2) ditto Yuwaraj Abeyasinghe, (3) ditto Lalita Abeyasinghe, all of Gangula aforesaid, minors by their guardian *ad litem* the 4th respondent, (4) Magodage Don Abraham Abeyasinghe of Gangula.. Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on November 26, 1940, in the presence of Messrs. Fernando & Fernando, Proctors, on the part of the petitioner above named ; and the affidavit of the said petitioner dated November 4, 1940, having been read :

It is ordered (a) that the 4th respondent be and he is hereby appointed guardian *ad litem* of the minors, the 1st to 3rd respondents above named, to represent them for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as widow of the above named deceased, to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before February 13, 1941, show sufficient cause to the satisfaction of this court to the contrary.

December 5, 1940.

C. NAGALINGAM,
District Judge.

24 In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects Jurisdiction. of Anna Thangaratnam Bastiampillai of No. 9,526. Fairlight, Galpotta street, Kotahena, in Colombo, deceased.

Anthony Victor Ragnald Bastiampillai of Galpotta street, Kotahena, in Colombo Petitioner.

- (1) Joseph Rajadurai Peter of College street, Kotahena, in Colombo, (2) Pearl Bastiampillai, and (3) Elsie Bastiampillai, both of Jaffna Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on December 17, 1940, in the presence of Messrs. Wilson & Kadirgamar, Proctors, on the part of the petitioner above named ; and the affidavit of the petitioner dated December 2, 1940, having been read :

It is ordered that the petitioner be and he is hereby declared entitled, as nephew of the above-named deceased, to have letters of administration to the estate issued to him, unless the respondents above named or any other person or persons shall, on or before February 27, 1941, show sufficient cause to the satisfaction of this court to the contrary.

January 7, 1941.

R. F. DIAS,
District Judge.

24 In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects Jurisdiction. of Elgin Alexander de Hoedt, late of Jaffna, No. 9,528. deceased.

Florence Ruth de Hoedt of Jaffna Petitioner.

- (1) George Wham de Hoedt of Angamakeetiya estate, Elpitiya, (2) Mary Beryl de Hoedt, (3) Therese Olga Irene de Hoedt, (4) Anne Bella de Hoedt, and (5) Joseph Elgin Anthony de Hoedt, all of Jaffna ; the 2nd, 3rd, 4th, and 5th respondents being minors by their guardian *ad litem* the 1st respondent above named Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Colombo, on December 18, 1940, in the presence of Messrs. Wilson & Kadirgamar, Proctors, on the part of the petitioner above named ; and the affidavit of the petitioner dated December 2, 1940, having been read :

It is ordered (a) that the 1st respondent be and he is hereby appointed guardian *ad litem* of the minors, 2nd, 3rd, 4th, and the 5th respondents, to represent them for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to the estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before February 27, 1941, show sufficient cause to the satisfaction of this court to the contrary.

January 7, 1941.

R. F. DIAS,
District Judge.

34 In the District Court of Kalutara.
Order Nisi.

Testamentary In the Matter of the Estate of the late Wappasa Jurisdiction. Marikkar Mohamed Sheriff, deceased, of No. 2,939. Kalutara.

Mohamed Sheriff Mohamed Mashoor of Kalutara Petitioner.

Vs.

- (1) Mohamed Sheriff Mohamed Saleem of Kalutara, (2) ditto Alimathul Sadia of Gopakana, (3) ditto Ummul Razeena, (4) ditto Mohamed Hashim, (5) ditto Umna Hanoon, (6) ditto Mohamed Rafiqdeen, (7) ditto Mansuda, all of Kalutara Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Kalutara, on August 27, 1940, in the presence of Mr. P. A. Cooray, Proctor, on the part of the petitioner ; and the affidavit of the above-mentioned petitioner dated June 11, 1940, having been read :

It is ordered that the petitioner above named be and he is hereby declared entitled, as eldest son of the deceased, to have letters of administration to his estate issued to him, unless the respondents or any other person or persons interested shall, on or before October 1, 1940, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Mohamed Sheriff Mohamed Saleem, the 1st respondent, be appointed guardian *ad litem* over the said 4th, 5th, 6th, and 7th respondents, who are minors, for all the purposes of this action, unless respondents or others interested shall, on or before October 1, 1940, show sufficient cause to the satisfaction of this court to the contrary.

August 27, 1940.

JAMES JOSEPH,
District Judge.

Time to show cause is extended till January 20, 1941.

JAMES JOSEPH,
District Judge.

30 In the District Court of Kalutara.
Order Nisi.

Testamentary In the Matter of the Estate of the late Sampathawaduge Jurisdiction. waduge John Cornelis Silva, deceased, of No. 2,967. Rawatawatta in Moratuwa.

Balpuwaduge Ellen Madis of Methodist School, High street, in Wellawatta Petitioner.

Vs.

- (1) Sampathawaduge Isla Trisilda Silva, (2) Sampathawaduge Mervyn Trisilda Silva, and (3) Joseph Henry Edward Dias, all of Moratuwa Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge, Kalutara, on December 18, 1940, in the presence of Mr. C. W. de Silva, Proctor, on the part of the petitioner ; and the affidavit of the above-mentioned petitioner dated December 9, 1940, having been read :

It is ordered that the petitioner above named 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 or any other person interested in the estate shall, on or before February 6, 1941, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 3rd respondent be and he is hereby appointed guardian *ad litem* over the said 1st and 2nd respondents, who are minors, for all the purposes of this action, unless the respondents or others interested in the estate shall, on or before February 6, 1941, show sufficient cause to the satisfaction of this court to the contrary.

December 18, 1940.

T. QUENTIN FERNANDO,
Additional District Judge.

23 In the District Court of Jaffna.
Order Nisi.

Testamentary In the Matter of the Estate of the late Murugesu Jurisdiction. Sivagurunathan of Uduvil, Jaffna, deceased. No. 965.

Sithamparappillai Sivasambu of Chunnakam Petitioner

And

- (1) Sinnappambay Ponnambalam, and wife (2) Sinnappillai, (3) Kamalambay, widow of Sivagurunathan, (4) Sivagurunathan Kanagasabai, all of Uduvil Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on December 14, 1940, in the presence of Mr. P. Nagalingam, Proctor, on the part of the petitioner ; and the affidavit dated December 14, 1940, having been read : It is ordered that the 1st and 2nd respondents be appointed guardian *ad litem* over the 3rd and 4th respondents for the purpose of this action and that the petitioner, being the brother-in-law of the deceased, is entitled to have letters of administration to the estate of the said intestate and letters to be issued to him accordingly, unless the respondents or any other person shall, on or before January 22, 1941, show cause to the contrary.

December 20, 1940.

C. COOMARASWAMY,
District Judge.