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PART II.—LEGAL.

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

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PASSED ORDINANCES.

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

No. 49 of 1941.

L. D. O 16/38

D 18A/32

Chapter 242
(Volume VI.,
page 3).

An Ordinance to amend the Aliens Registration Ordinance.

A. CALDECOTT.

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 Aliens Registration (Amendment) Ordinance, No. 49 of 1941.

Amendment of
section 5 of
Chapter 242.

2. Section 5 of the Aliens Registration Ordinance is hereby amended as follows :—

- (1) in sub-section (1), by the substitution, for the words "by Order", of the words 'by order, (hereinafter referred to as a "deportation order")';
- (2) by the repeal of sub-section (2);
- (3) by the addition, immediately after sub-section (1), of the following new sub-sections :—

"(2) An alien against whom a deportation order is made shall forthwith leave the Island and shall thereafter, as long as the order is in force, remain out of the Island.

(3) Any alien against whom a deportation order is made—

- (a) may be arrested without warrant by any peace officer;
- (b) may be detained for the purpose of deportation in such place or in such manner as the Governor may direct,
- (c) may be conveyed on board any ship or aircraft about to leave the Island,

and such alien shall, for all purposes, be deemed to be in lawful custody at any time during the period of such arrest, detention or conveyance and until the ship or aircraft finally leaves the Island.

(4) Any alien arrested under sub-section (3) may be released from custody for such period, and upon such conditions as to the giving of security or otherwise, as the Governor may direct.

(5) The master of any ship or the pilot of any aircraft about to call at any port or place outside the Island, shall, if so required by the Governor or any police officer of a rank not below that of Superintendent of Police, receive any alien against whom a deportation order is made, and his dependants, if any, on board the ship or aircraft, and afford him and them a passage to that port or place and proper maintenance and accommodation during the passage.

(6) Where a deportation order is made in respect of any alien, the Governor may, if he thinks fit, apply any money or property of that alien in payment of the whole or any part of the expenses of or incidental to the voyage from the Island and the maintenance until departure of that alien and his dependants, if any; and such expenses shall, except in so far as they are defrayed as heretofore provided, be payable out of the general revenue of the Island.

(7) The Governor may at any time, in his discretion, vary or revoke any deportation order.

(8) In this section, "peace officer" has the same meaning as in the Criminal Procedure Code".

Cap. 16.

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

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

Assented to by His Excellency the Governor the Fourth day of December, One thousand Nine hundred and Forty-one.

E. R. SUDBURY,
Secretary to the Governor.

DRAFT ORDINANCES.

MINUTE.

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

L D—O 33/51.

An Ordinance to amend the Agricultural Products (Regulation) Ordinance, No. 29 of 1939.

1941 Supplement, Vol. II., p. 621.

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 Agricultural Products (Regulation) Amendment Ordinance, No. of 1941

Short title.

2. Section 11 of the Agricultural Products (Regulation) Ordinance, No. 29 of 1939 (hereinafter referred to as "the principal Ordinance"), is hereby amended by the substitution for sub-section (1) of that section of the following:—

Amendment of section 11 of Ordinance No. 29 of 1939.

"(1) Subject as hereinafter provided, the person to whom a coupon has been issued under section 10 may, at any time before that coupon ceases to be valid, upon application made to the Commissioner in that behalf, obtain from the Commissioner in exchange for that coupon a delivery warrant for the amount of the local product specified in that coupon."

Provided, however, that where, at the time when an application for a delivery warrant for any quantity of a local product specified in any coupon is so made, the Commissioner is of opinion that, having regard to the stocks of that local product at his disposal and to the number of coupons issued in respect of that product, it is inexpedient to issue a delivery warrant in exchange for that coupon at such time, he may defer the issue of such delivery warrant to some later time, but so, however, that such warrant shall be issued before that coupon ceases to be valid.

Provided, further, that nothing in the preceding provisions of this sub-section shall in any way affect or prejudice any provision of section 12 or section 12A."

3. The following new section is hereby inserted immediately after section 12 of the principal Ordinance and shall have effect as section 12A of that Ordinance:—

Insertion of new section 12A in the principal Ordinance.

12A. Where a coupon has been issued under section 10 in respect of any quantity of any local product and the Commissioner is of opinion that, having regard to the stocks of that local product at his disposal and to the number of coupons issued in respect of that product, it is inexpedient to issue a delivery warrant in exchange for that coupon, or to defer the issue of such delivery warrant, in accordance with the provisions of section 11, he may, notwithstanding anything in the preceding provisions of this Ordinance—

Cancellation of coupon and refund of price paid under section 9 in certain cases.

- (a) recall and cancel that coupon, and
- (b) refund the price paid under section 9 for the quantity of the local product specified in that coupon.

Objects and Reasons.

In the administration of the Agricultural Products (Regulation) Ordinance, No. 29 of 1939, it has on occasion been found that the stocks of a local product at the disposal of the Commissioner for Agricultural Marketing were insufficient to enable all the coupons issued in respect of that product to be redeemed by the issue of delivery warrants under the Ordinance. In such cases the only possible course under the Ordinance is to delay the issue of delivery warrants until stocks are available, as there is no provision under which the Commissioner can refund the price paid for the local product at the time the import licence for the regulated product was issued. It is considered undesirable that an importer should in such a case be unable either to secure delivery of the local product for which he has paid or to obtain a refund of his money.

The object of this Bill is to enable the Commissioner to recall any coupon issued in respect of any local product and refund the price paid under section 9 in cases where he considers such action expedient, having regard to the stocks of the local product at his disposal and to the number of coupons issued in respect of that product.

D. S. SENANAYAKE,

Minister for Agriculture and Lands.

Colombo, December 9, 1941.

DISTRICT AND MINOR COURTS NOTICES.**Notice regarding Badalkumbura Village Tribunal.**

NOTICE is hereby given in terms of section 127 of the Village Communities Ordinance (Chapter 198), that, on and after March 1, 1942, a Village Tribunal Court will be held by the President, Village Tribunals, Wellasa-Bintenna, in the building on the land called Hapugaslanda in Badalkumbura in Alupota village in Kandukara korale of Buttala division in the Province of Uva in addition to the Village Tribunal Court at Monoragala for the trial of cases from Kandukara korale in Buttala division.

The Kachcheri,
Badulla, December 4, 1941.

J R WALTERS,
Government Agent.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,635 In the matter of the insolvency of Devairakkam John Jayarajah of 19, 79th lane, Kirillapone road, Colombo

WHEREAS D J. Jayarajah has filed a declaration of insolvency, and a petition for the sequestration of his estate has been filed by Gnanasigamoney Thomas Gnanasigamoney Nadar of Prince street, Pettah, under the Ordinance No. 7 of 1853. Notice is hereby given that the said court has adjudged the said D J. Jayarajah insolvent accordingly; and that two public sittings of the court, to wit, on January 23, 1942, and on February 20, 1942, 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.

December 6, 1941. By order of court, C. EMMANUEL,
Secretary.

No. 1. 82 In the matter of the insolvency of Jacob Manuel Aroclraj of Haloya, Peradeniya

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 9, 1942, to consider the granting of a certificate of conformity to the above-named insolvent.

December 8, 1941 By order of court, R. B. RATNAIKA,
Secretary.

No. I. 96 In the matter of the insolvency of Don Paul Wanigasakera of Appuhatia in Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on January 16, 1942, to appoint an assignee.

December 8, 1941. By order of court, R. B. RATNAIKA,
Secretary.

NOTICES OF FISCALS' SALES.**Western Province.**

In the District Court of Colombo.

Imbulana Badalge Suman Naide of Imbulgoda . . . Plaintiff.
No. 11,502/M.B

(1) Don John Wijesundara Appuhamy of Buthpitiya, (2) Rev. Buthpitiya Samasara, Incumbent of Godagedara Vihare, Godagedara, (3) Imbulana Badalge Davith Naide of Imbulgoda aforesaid. Defendants.

NOTICE is hereby given that on Thursday, January 8, 1942, at 2 P M, will be sold by public auction at the premises the following property mortgaged by bond No 10287 dated June 7, 1931, attested by D. J. Senaratne, Notary Public, and declared specially bound and executable under the decree in the above action and ordered to be sold by the order of court dated September 26/27, 1941, in favour of the plaintiff and the 3rd defendant for the recovery of the sum of Rs: 2,000 with interest thereon at 9 per cent per annum from June 24, 1940, till payment in full and costs of suit Rs 393 12 (to wit.—Rs 140 being incurred and Rs 253 12 being prospective) viz. :—

The right, title, and interest of the 1st and 2nd defendants in and to the following property, to wit.—

An undivided $\frac{3}{4}$ part or share from the remaining undivided portion of land in extent 26 acres and of the tiled house and everything appertaining thereto from and out of the land called portion of Imbulgahawatta, situated at Buthpitiya in the Meda pattu of Siyane korale in the District of Colombo, Western Province, and bounded on the north by the ditch between Godaporagahawatta belonging to Mr. Velun Perera and another, on the east by the ditch and live fence between the land of Patapilradage Mathes Fernando, and others, on the south by a portion of Imbulgahawatta belonging to the estate of Don Abraham Wijesundara Appuhamy, and on the west by ditch and live fence between the land called Kandewatta and this land containing in extent about 35 acres after excluding therefrom an undivided portion in extent 1 acre towards the east, 5 acres towards the west, and 3 acres towards the north.

Prior Registration E-237/108.

Fiscal's Office,
Colombo, December 10, 1941.

H C WIJESINHA,
Deputy Fiscal.

31 In the Court of Requests of Colombo
Byangwilage Chalotte Ferdinandes of 19, Byrde place, Paman-kada—road, Wellawatta . . . Plaintiff
No 75,053/A1,240 Vs.

Navulla-aratchige Carlina Perera of Attidiya, legal representative of the estate of the late Kannangarage Don Anols Appuhamy of Attidiya Defendant

NOTICE is hereby given that on Tuesday, January 6, 1942, at 10 A M, will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 862 dated July 5, 1938, and attested by E. S. Wickremaratne, Notary Public, and ordered to be sold by the order of court dated October 16, 1941, for the recovery of the sum of Rs. 220.12 with interest on Rs 150 at 16 $\frac{1}{2}$ per cent per annum from May 5, 1941, to June 13, 1941, and thereafter on the aggregate amount of the decree at 9 per cent per annum till payment in full and costs of this action, to wit—Rs 29 25 being incurred costs and Rs 17 50 being prospective costs, viz.—

All that allotment marked lot C from and out of the land called Millagahawatta and Kahatagahawatta together with the trees, plantations, buildings and everything else standing thereon, situated at Attidiya in the Palo pattu of Salpiti korale in the District of Colombo, Western Province, and bounded on the north by lot marked B of Kannangarage Arron and a portion of this land of K. Don Carlos Appuhamy, east by another portion of this land, south by lot marked D of Kannangarage Cornelis and dewata road and on the west by dewata road, and containing in extent 2 roods and 24 perches, according to the figure of survey made by Hardy Harris, Licensed Surveyor, on December 30, 1903
Prior registration M 388/284.

Fiscal's Office,
Colombo, December 10, 1941.

H. C WIJESINHA,
Deputy Fiscal.

25 In the District Court of Avissawella
(1) M. M. S. L. Mohammado Haniffa, (2) M. M. S. L. Mohammado Usubu Lobbe, both of Kondangamuwa Ihalgama . . . Plaintiffs.
No 2,850. Vs.

U. L. Noordeen of Napawala, legal representative of Ismail Lebbe Saibo Dore Defendant

NOTICE is hereby given that on Tuesday, January 13, 1942, at 4 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 Rs 640, with interest thereon at 9 per cent per annum from April 18, 1940, till payment in full and costs of suit, Rs 134.40, viz.—

An undivided half share of the land called Gorakawatta, situated at the village Napawala in Atulugam korale of Three Korales, in the District of Kegalla, Province of Sabaragamuwa, and bounded on the north by the live fence, east by the ditch, south by the ditch of Gorakawatta belonging to Kader Thamby and others, and west by field, containing in extent about 6 bushels of paddy sowing and trees and plantations standing thereon and an undivided three-fourth share of the tiled house standing thereon.

Mortgaged by bond No. 14519 dated May 5, 1930, and attested by A. P. W. Subasingho, Notary Public.
Valuation: Rs. 1,050.

Fiscal's Office,
Avissawella, November 27, 1941.

A. V. P. SAMARANAYAKA,
Additional Deputy Fiscal.

Central Province.

In the District Court of Nuwara Eliya.

M. H. Reeves of Paragalla estate, Nawalapitiya . . . Plaintiff.
No. 2,301. Vs.

(1) Menchi de Zoysa Siriwardene, and (2) D. G. E. Nanayakkara, both of Nildandahinna Defendants.

NOTICE is hereby given that on Saturday, January 24, 1942, commencing at 10 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property mortgaged with the plaintiff upon bond No 745 dated March 24, 1931, and attested by E. D. I. Abeysinghe, 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 the court dated September 17, 1941, for the recovery of Rs 3,981.10, together with further interest on the sum of Rs 2,000 at the rate of 10 per cent per annum from February 20, 1941, till June 13, 1941, and thereafter on the aggregate amount of the decree at 9 per cent per annum till payment in full and costs, &c, viz. :—

1. All those undivided eleven-thirty-two (11/32) parts or shares from and out of the land called Inakolaella, in extent 4 acres and 12 perches together with the tea plantation and everything standing thereon, situated at Tibbotugoda in Oyapalata korale of Walapone, in the District of Nuwara Eliya, Central Province, and bounded on the north and west by Inakolaella, on the south by road reservation, on the east by Watawelketiyakandura and the land appearing in plan No. 73790. Registered in Q 35/18.

2. All those undivided eleven-thirty-two (11/32) parts or shares together with like shares of the tea plantation and buildings standing thereon from and out of the land called Nildandahinna patana, containing in extent 1 acre and 3 roods, situated at Denambure in Yatipalata korale of Walapone aforesaid; and bounded on the north by the land purchased by B. Perera, on the east by land appearing in plan No. 74503, on the south by road reservation, and on the west by land reserved for public purposes. Registered in Q 35/19 and 41/150

Deputy Fiscal's Office,
Nuwara Eliya, December 3, 1941.

W HOLMES,
Deputy Fiscal.

27 In the District Court of Nuwara Eliya
M. H. Reeves of Paragalla Gate, Nawalapitiya . . . Plaintiff
No. 2,308. Vs.

(1) Menchi de Zoysa, Amwardhana, and (2) D. G. E. Nanayakara, both of Nildandahinna . . . Defendants

NOTICE is hereby given that on Saturday, January 24, 1942, at 1 o'clock in the afternoon will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property mortgaged with the plaintiff upon bond No 1226 dated October 12, 1931, and attested by A. D. W. S. Samaranyaka, 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 the court dated September 17, 1941, for the recovery of Rs 4,848.95, together with further interest on the sum of Rs 2,500 at the rate of 10 per cent. per annum from March 11, 1941, till date of decree and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs, &c, viz —

All that land called and known as Walaskelle, in extent 4 acres 1 rood and 3 perches, situated at Nildandahinna in Yatpalata korale of Walapone in Nuwara Eliya District, Central Province, and bounded on the north by the land claimed by plan No 18886, east by the land shown in plan No 165031, south by the lands claimed by plan No. 188815 and 33383, and west by Crown land shown in plan No. 882, together with all buildings and trees standing thereon.

Deputy Fiscal's Office,
Nuwara Eliya, December 3, 1941.

W. HOLMES,
Deputy Fiscal.

30 In the District Court of Kandy
Bulatwelkanduregedera Somawathe Bandara Menike of
Dambafawa . . . Plaintiff.
No. M. B. 549. Vs.

Ehalagedera Herath Mudiyansele Dhamadasa of Akuramboda, Matale, legal representative of the estate of Ehalagedera Herath Mudiyansele Mudiyanse, ex-Korale, deceased . . . Defendant.

NOTICE is hereby given that on Saturday, January 10, 1942, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property mortgaged with the plaintiff by bond No 27944 dated July 22, 1931, and attested by Mr. J. W. Illangantilaka, Notary Public, and declared specially bound and executable under the decree dated December 20, 1940, and ordered to be sold by the order of court dated October 21, 1941, for the recovery of the sum of Rs 1,400 being the aggregate amount of the principal and restricted interest, with further interest at the rate of 9 per cent. per annum from December 20, 1940, till payment in full, costs and poundage, viz. —

All that allotment of land called Viharewatta of 1 rood and 7 75 perches in extent, situate at Dambulla in Pallesiyapattu in Wagapanaha korale in North Matale of the Matale District in the Central Province, and bounded on the north by the remaining portion, on the east by land described in plan No. 87,076, on the south by land described in plan No. 158,954, and on the west by reservation along the road together with the buildings, plantation and everything appertaining thereto and registered in D 39/179.

Deputy Fiscal's Office,
Matale, December 8, 1941.

HAROLD MELDER,
Additional Deputy Fiscal

Southern Province.

22 In the District Court of Galle
R. M. P. L. P. R. Palanappa Chettiar and Periasamy of
Galle . . . Plaintiffs.
No 38,913. Vs.

W. H. P. Wangasinga of Hikkaduwa . . . Defendant.

NOTICE is hereby given that on Tuesday, January 6, 1942, commencing at 2.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs 1,218.39 with interest on Rs 1,164.25 at 18 per cent. per annum from October 20, 1941, to November 25, 1941, and on the aggregate at 9 per cent. per annum till payment and Rs 98.52 for costs, viz. —

All that allotment of land called Kottupowawatta together with all the plantations and the buildings and everything else standing thereon, situated in the Hikkaduwa village, of the Wellaboda pattu, Galle District, Southern Province; bounded on all sides by Hikkaduwa-ganga; containing in extent 16 acres 2 roods and 18 perches according to plan No 2,642 dated September 30, 1925, authenticated by A. J. Wickwar, Surveyor-General. (Registered in C 310/121).

Fiscal's Office,
Galle, December 9, 1941

W P DALUWATTE,
Deputy Fiscal

In the District Court of Matara.

Grace Marguerite Kulatilake of Matara, administratrix of the estate of the deceased, M. D. T. Kulatilake, in Testy.
No. 3,977 of the District Court of Matara . . . Plaintiff
No. 13,080. Vs.

Oduma Lebbe Marikar Notaris Abdul Cuddus Marikkar of Dickwella in his personal capacity and as executor of the Last Will and Testament of Mohamadu Lebbe Marikkar Notaris Omer Saibu and his wife Ahamadu Lebbe Marikkar Notaris Kadja Umma late of Dickwella . . . Defendant.

NOTICE is hereby given that on Wednesday, January 14, 1942, commencing at 2.30 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 mortgaged property for the recovery of a sum of Rs. 6,200.47 with legal interest on Rs. 5,200 from August 11, 1941, till payment in full, viz. —

1. All the soil and trees of the divided lot B of the land called Bogahawatta situated at Dematapitiya in Dickwella in the Wellaboda pattu, Matara District, Southern Province, and bounded on the north by Malapalaha, east by lot A of the same land, south by Bogahawatta, and west by Udawetiyeheha, and containing in extent 2 acres 2 roods and 16 perches.

2. All the soil and trees of the divided lot A of the land called Bogahawatta situated at Dematapitiya aforesaid; and bounded on the north by road, east by Palawinnege Don Lewisgewatta, south by Bogahawatta, and west by lot B of the same land, and containing in extent 2 acres 2 roods and 16 perches.

Deputy Fiscal's Office,
Matara, December 6, 1941.

H. V. F. ABAYAKOON,
Additional Deputy Fiscal.

I, Richard Aluwihare, Fiscal for the North-Central Province, do hereby appoint Mr. Ekanayake Abeykoon Wijeratne Wasala Mudyanseralahamillage Wijeratne Tikiri Bandara Karallhadde to act as Marshal for the Division of Tamankaduwa, from December 4, 1941, under the Provisions of "The Fiscals Ordinance" (Cap. 8), and authorise him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Fiscal's Office,
Anuradhapura, December 4, 1941.

R. ALUWIHARE,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

24 In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of Alfred
Jurisdiction. Joseph D'Silva of 483A, Council avenue, Dehi-
No 9,880. wala

Brenda Emelia Mary Harridge (nee D'Silva) of 483, Council
avenue, Dehiwala. Petitioner.

(1) Zena Cecilia Margome D'Silva, (2) Shelton Joseph D' Silva,
(3) Greta Christina D'Silva, (4) Iris Delia D'Silva, all
of 483, Council Avenue, Dehiwala Respondents.

THIS matter coming on for disposal before C Nagalingam, Esq., District Judge of Colombo, on November 12, 1941, in the presence of Mr. M. A. van Rooyen, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated November 1, 1941, having been read

It is ordered that the petitioner be and she is hereby declared entitled, as the eldest daughter of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless the respondents above named or some other person or persons interested shall, on or before December 18, 1941, show sufficient cause to the satisfaction of this court to the contrary

November 15, 1941.

C. NAGALINGAM,
District Judge.

21 In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of Mohamad
Jurisdiction. Haniffa Mohideen Natchia of 50, Messenger
No. 9,881. street, in Colombo, deceased.

Sahibu Doray Mohamed Hussein of 189, New Moor street,
Colombo Petitioner

THIS matter coming on for disposal before C Nagalingam, Esq., District Judge of Colombo, on November 13, 1941, in the presence of Mr. L. G. Motha, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner above named dated November 8, 1941, having been read

It is ordered that the petitioner be and he is hereby declared entitled, as the son of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless any person or persons interested shall, on or before December 18, 1941, show sufficient cause to the satisfaction of this court to the contrary.

November 15, 1941.

C. NAGALINGAM,
District Judge.

29 In the District Court of Colombo.
Order Nisi.

Testamentary In the Matter of the Intestate Estate of Dr. Tuan
Jurisdiction. Kitchi Abu Sally of Matigama, deceased.
No. 9,884

Mrs Maas Fatima Bintara Sally of Matigama Petitioner.

(1) Maas Wansa Florine Sally of Matigama, (2) Mrs Abu Sally of Kandy, (3) Tuan Robin Abu Sally of Bandarawela, (4) Tuan Nasser Abu Sally of Kandy, (5) Tuan Euhari Abu Sally of Kandy, (6) Tuan Juhar Abu Sally (Sr.) of Kandy, (7) Tuan Juhar Abu Sally (Jnr.) of Kandy, (8) Nei Rathan Sourajah of Kandy, (9) Nona Juhar Amit of Kandy, (10) Maas Gnai Mooda Marum Sally of Matigama, (11) Maas Sabuna Akbar Ayad of 94, Hill street, Colombo Respondents.

THIS matter coming on for disposal before T. Weeraratne, Esq., District Judge of Colombo, on November 15, 1941, in the presence

of Mr Victor A P. Nanayakkara, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated November 13, 1941, having been read :

It is ordered that the 11th respondent above named be and she is hereby appointed guardian *ad litem* of the minor, the 10th respondent, to represent her for all the purposes of this action and that the petitioner above named be and she is hereby declared entitled, as the oldest daughter of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless the respondents above named or some person or persons interested shall, on or before December 18, 1941, show sufficient cause to the satisfaction of this court to the contrary.

December 6, 1941

T. WEERARATNE,
District Judge.

In the District Court of Colombo
Order Nisi

Testamentary In the Matter of the Intestate Estate of Doctor Jurisdiction, Saldanam Sivalingam of Bambalapitiya in No 9,900 Colombo, deceased.

Eileen Sivalingam of 21, de Kretser place, Bambalapitiya Petitioner

(1) Sandasam Sivalingam, (2) Shanmugam Sivalingam, (3) Damayanti Sivalingam, all of 21, de Kretser place, Bambalapitiya, (4) C Sandasam of Gondennawa estate, Nawalapitiya Respondents.

THIS matter coming on for disposal before T. Weeraratne Esq, District Judge of Colombo, on December 4, 1941, in the presence of Mr. L. L. Fonseka, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated December 3, 1941, having been read.

It is ordered that the 4th respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 1st, 2nd, and 3rd respondents, to represent them for all the purposes of this action and that the petitioner above named be and she is hereby declared entitled, as the widow of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless the respondents above named or some other person or persons interested shall, on or before December 18, 1941, show sufficient cause to the satisfaction of this court to the contrary.

December 9, 1941.

T. WEERARATNE,
District Judge

In the District Court of Colombo.
Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament (with Jurisdiction two codicils) of Sarah Jane Lindsay White, late of No. 9,906. the Coburg Court Hotel, Coburg place, Hyde Park, London W 2, England, widow, deceased.

THIS matter coming on for final determination before T. Weeraratne, Esq, District Judge, on December 11, 1941, in the presence of Mr. V. Gnanaratnam Cooke, Proctor, on the part of the petitioners, Leslie William Frederick de Saram and James Aubrey Martensz, both of Messrs R & G de Saram, Colombo; and (1) the affidavit of the said petitioners dated December 11, 1941, and (2) the order of the Supreme Court dated December 9, 1941, having been read. It is ordered that the will of the said Sarah Jane Lindsay White, deceased, dated January 31, 1938, with two codicils thereto dated April 25, 1940, and April 30, 1941, exemplification of probate of which under the seal of the Principal Probate Registry 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 Leslie William Frederick de Saram and James Aubrey Martensz are two of the executors named in the said will and that they are entitled to have probate thereof, issued to them accordingly, subject to their tendering the usual oath, power being reserved to the other executors therein named at any time hereafter to apply for and obtain a similar grant.

December 11, 1941.

T. WEERARATNE,
District Judge

In the District Court of Kalutara.
Order Nisi.

Testamentary In the Matter of the Estate of the late Hettikankanange Jurisdiction, kanange James Perera of Talpitiya No. 3,006

Hettikankanange Edmund Perera of Talpitiya Petitioner.

(1) Hettikankanange Suman Perera, (2) ditto Charles Perera, (3) ditto Hettikankanange Perera, (4) ditto Nadoris Perera, (5) ditto Tiemon Perera, (6) ditto Tiemon Perera, all of Talpitiya Respondents.

THIS matter coming on for disposal before V. Joseph, Esq, District Judge, Kalutara, on October 23, 1941, in the presence of Mr Tudor A. Perera, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated October 23, 1941, having been read.

It is ordered that the petitioner above named be and he is hereby declared entitled, as eldest son of the deceased above named, to have letters of administration issued to him, unless the respondents or any other person interested in the estate shall, on or before November 25, 1941, show sufficient cause to the satisfaction of this court to the contrary.

October 23, 1941.

V. JOSEPH,
District Judge.

The date of showing cause is extended for December 16, 1941.

V. JOSEPH,
District Judge.

In the District Court of Kalutara

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late Kaluwa Jurisdiction, dowage Julis Fernando, deceased, of Maha- No 3,013

Hewadawage Panchinona of Mahayala Petitioner.

(1) Kaluwa dowage Somanala, (2) ditto Karunasena, (3) ditto Somanala, (4) ditto Chelawathie, all of Mahayala, by their guardian *ad litem* (5) Hewadawage Kamol Fernando of Magalkanda Respondents

THIS matter coming on for disposal before V. Joseph, Esq, District Judge, Kalutara, on November 14, 1941, in the presence of Messrs. Jayasundara & Gunetilleke Proctors, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated October 20, 1941, having been read.

It is ordered that the petitioner above named be and she is hereby declared entitled, as widow of the deceased above named, to have letters of administration issued to her, unless the respondents or any other person interested in the estate shall, on or before December 17, 1941, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 5th respondent be and he is hereby appointed guardian *ad litem* over the said 1st to 4th respondents, who are minors, for all the purposes of this action, unless the respondents or others interested in the estate shall, on or before December 17, 1941, show sufficient cause to the satisfaction of this court to the contrary.

November 14, 1941.

V. JOSEPH,
District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late John Perera Jurisdiction, Samaranyake Appuhamy, deceased, of Maha No 3,015 Aruggoda.

(1) Theodoro Perera Samaranyake, (2) Hettikankanange Baby Perera, both of Maha Aruggoda. Petitioners

(1) Dona Madalena Perera of Maha Aruggoda, (2) Mrs Josine Wijesinghe Perera Samaranyake of Rattimalana, (3) Bartholomew Perera Samaranyake, (4) Daniel ditto, (5) Nelson ditto, (6) Dickson ditto, (7) Robert ditto, (8) Vincent ditto, all of Maha Aruggoda; the 5th to 8th respondents are minors, represented by their guardian *ad litem* the 3rd respondent Respondents.

THIS matter coming on for disposal before V. Joseph, Esq, District Judge of Kalutara, on November 27, 1941, in the presence of Mr P D B. Gunetilleke, Proctor, on the part of the petitioners; and the affidavit of the above-mentioned petitioners dated November 26, 1941, having been read.

It is ordered that the will of John Perera Samaranyake Appuhamy of Maha Aruggoda dated November 29, 1936, and numbered 832 and filed of record in this case be and the same is hereby declared proved, unless the respondents or any other person interested in the estate shall, on or before December 18, 1941, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 3rd respondent be appointed guardian *ad litem* over the said 5th to 8th respondents, who are minors, for all purposes of this action, and the said petitioners are the executors named in the said will and they are entitled to have probate of the same issued to them accordingly, unless the respondents or others interested in this estate shall, on or before December 18, 1941, show sufficient cause to the satisfaction of this court to the contrary.

November 27, 1941.

V. JOSEPH,
District Judge.

In the District Court of Kandy.

Testamentary In the Matter of the Intestate Estate of Jaya- Jurisdiction, Sekera Aratchige Sophia Nona Hamme of No T. 237. Letiyagolla in Nugalyadda in Gandahaya korale of Pata Hewaheta in the District of Kandy, deceased.

Mahahtana Aratchige Pelis Appuhamy of Letiyagolla in Nugalyadda aforesaid Petitioner.

(1) Mahahtana Aratchige Kulastina Hamme, (2) ditto Leanos Appuhamy, (3) ditto Mile Nona Hamme, (4) ditto Daniel, (5) ditto Reso Nona Hamme, (6) ditto Kularatne, and (7) Jayasekera Aratchige Thelens Appuhamy, all of Nugalyadda aforesaid Respondents.

THIS matter coming on for disposal before Chellappah Nagalingam, Esq, District Judge, Kandy, on September 29, 1941, in the presence of Mr S B. Yatawara, Proctor, on the part of the petitioner Mahahtana Aratchige Pelis Appuhamy, and the affidavit of the said petitioner dated September 27, 1941, having been read.

It is ordered that the petitioner be and he is hereby declared entitled, as the husband of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents or any other person or persons interested shall, on or before November 13, 1941, show sufficient cause to the satisfaction of this court to the contrary.

September 29, 1941.

C. NAGALINGAM,
District Judge.

The date for showing cause is extended for December 18, 1941.

November 13, 1941.

JAMES JOSEPH,
District Judge.

18 In the District Court of Galle

Order Absolute declaring Will proved

No. 7,980 In the Matter of the Last Will and Testament of Richard Lionel Ephraums of Galle.

Elsie Beata Norma Ephraums of Galle Petitioner.

THIS matter coming on for disposal before N M Bharucha, Esq., District Judge of Galle, on December 10, 1941, in the presence of Messrs. C L & M L N Wickremasinghe, on the part of the petitioner; and the affidavits of the petitioner and of the attesting witnesses to the will dated November 25, 1941, having been read

It is ordered that the will of Richard Lionel Ephraums, deceased, dated January 28, 1939, and filed with these testamentary proceedings, be and the same is hereby declared proved.

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

N. M. BHARUCHA,
District Judge

In the District Court of Jaffna

Order Nisi.

48 Testamentary In the Matter of the intestate Estate of Subramanyakurukkal Sivasamkurukkal alias Sheo Guru Khator of Chavakachcheri, Jaffna, late of Bannars in North India, deceased

Velambiammah, widow of S. Sivasamkurukkal alias Sheo Guru Khator of Chavakachcheri, Jaffna Petitioner

Vs

(1) Subramama Sarma, (2) Muttusamy Sarma, (3) Sabanayaga Sarma, (4) Parameswara Sarma, (5) Sarysuvara Sarma, all children of Sivanandaparathi of Chavakachcheri, now of Kilakkuveethi in Sidampaiam, South India, (6) Kanagasabapathikkurukkal Somasundaram Kurukkal, (7) Kanagasabapathikkurukkal Thyagarajakurukkal, (8) Kanagasabapathikkurukkal Panchadcharakurukkal, (9) Kirishanamoorthy Iyer and wife, (10) Valambal alias Vallavambal, (11) M. Subramaniam and wife, (12) Pakkiam, (13) Pavanammah wife of the 8th respondent, all of Chavakachcheri, (14) Jegathambal, daughter of Nadarajahkurukkal of Vallvody, (15) Nadarajakurukkal Rengasamy Iyer, (16) Appotharanakurukkal Santhrasagarar, (17) Appotharanakurukkal Subramaniam, (18) Nadarajahkurukkal Ratnasabapathy, (19) Nadarajahkurukkal Ramanathan, (20) Nadarajahkurukkal Sundaramoorthy, (21) Deruthvey, daughter of Nadarajahkurukkal, (22) Subramanyakurukkal Apputharanakurukkal, all of Chavakachcheri Respondents.

THIS matter coming on for final disposal before E. V. R. Samarawickrama, Esq., Acting District Judge, Jaffna, on January 27, 1941, in the presence of Mr. V. Canagasabai, Proctor, on the part of the petitioner; and the affidavits of the petitioner having been read. It is ordered that the 1st respondent be appointed guardian *ad litem* over the minors, the 2nd to 5th respondents, 22nd respondent be appointed guardian *ad litem* over the minors, the 16th and 17th respondents, and the 6th respondents be appointed guardian *ad litem* over the minors, 18th to 21st respondents, for the purpose of protecting their interest and of representing them in this case and that the petitioner be declared entitled to have letters of administration to the estate of the said intestate issued to her as his lawful widow, unless the respondents or any person or persons interested shall appear before this court on or before March 5, 1941, and state objection or show sufficient cause to the satisfaction of this court to the contrary.

February 11, 1941. C. COOMARASWAMY,
District Judge.

Order Nisi extended and reissued for December 15, 1941.

C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Manickam Elaguppillai of Urumpurai, deceased. No. 1,035.

Pavalammah, widow of Elaguppillai of Urumpurai Petitioner.

Vs

(1) Elaguppillai Thagarajah, (2) Theivanayaki, daughter of Elaguppillai, (3) Elaguppillai Sivalingam alias Ulaganather (minors), all of Urumpurai, and (4) Sunathamby Suntharam of Elalal Respondents

THIS matter of the petition of the above-named petitioner, coming on for disposal before C. Coomaraswamy, Esq., District

Judge, Jaffna, on June 14, 1941, in the presence of Mr. M. S. Subramaniam, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been read. It is ordered that the above-named 4th respondent be appointed guardian *ad litem* over the 1st, 2nd, and 3rd minor respondents for the purpose of safeguarding the interests of the said minors in these testamentary proceedings and that letters of administration to the estate of the above-named deceased be issued to the petitioner above named, unless the respondents above named or any other person shall appear before this court on or before July 16, 1941, and show cause to the satisfaction of this court to the contrary.

June 24, 1941

C. COOMARASWAMY,
District Judge.

Extended and reissued for December 19, 1941.

C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

25 Testamentary In the Matter of the Estate of the late V. R. M. Jurisdiction. Ramaswamy Chettiar of Perumal Chettiar No. 1,065 street, Karaikudi in South India, deceased

V. R. M. V. R. Ramaswamy Chettiar, son of Veerappa Chettiar of Ramnad District, South India, by his attorney Vellaisamy Pillai, son of Madappan Pillai of Vannarponnai West Petitioner.

Vs.

K. R. V. Vallappa Chettiar alias Samnathan Chettiar of Muthupattinam Karaikudi Respondent.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on August 19, 1941, in the presence of

Mr. C. C. Somasegaram, Proctor, on the part of the petitioner, and on reading the affidavit and petition of the petitioner:

It is ordered that letters of administration to the estate of the above-named deceased be issued to the petitioner, as sole heir of the above-named deceased, unless the respondent above named appear before this court on October 24, 1941, and show sufficient cause to the satisfaction of this court to the contrary.

September 26, 1941.

C. COOMARASWAMY,
District Judge.

Above Order Nisi reissued extended for January 28, 1942.

C. COOMARASWAMY,
District Judge.

33 In the District Court of Ratnapura.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Handapangodage Sivadoris Peiris of The Towers, No. 1,113. Weralupe, Ratnapura, deceased.

Handapangodage Richard Peiris of Weralupe in Ratnapura Petitioner

(1) Dona Josilino Gunasekera Dassanayake Peiris, (2) Handapangodage Wimala Peiris, both of Weralupe, Ratnapura, (3) Mrs. V. S. Nanayakkara of Sunnymead, Campbell terrace, Maradana Respondents.

THIS matter coming on for disposal before S. S. J. Goonesekera, Esq., District Judge, Ratnapura, in the presence of Mr. V. H. Abeyratna, Proctor, on the part of the petitioner above named and the affidavits of (1) of the said petitioner above named dated November 25, 1941, and (2) of the Notary Public who attested the last will and the codicil and of the witnesses thereto dated November 25, 1941, having been read

It is ordered that the last will and the codicil of the deceased above-named dated August 2, 1938, August 21, 1940, respectively, and now deposited in this court be and the same are hereby declared proved, unless the respondents above named or any person or persons interested shall, on or before December 20, 1941, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner above named is the executor named in the said last will and that he is entitled to have probate of the same issued to him accordingly, unless the respondents above named or any person or persons shall, on or before December 20, 1941, show sufficient cause to the satisfaction of this court to the contrary.

December 2, 1941.

S. S. J. GOONESEKERA,
District Judge.