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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. 24 of 1942.

L. D.—O 18/42

An Ordinance to enable special provision to be made, during the period of the present emergency in relation to the payment of grants from State Funds in respect of Assisted Schools and of the salaries of teachers in such Schools, in relation to the terms and conditions subject to which such payments may be made, and generally in relation to matters connected with or incidental to the matters aforesaid.

A. CALDECOTT.

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

1. (1) This Ordinance may be cited as the Education (Emergency Provisions) Ordinance, No. 24 of 1942.

Short title and duration.

(2) This Ordinance shall cease to be in force upon such date as the Governor may appoint by Proclamation published in the *Gazette*.

2. (1) The State Council may from time to time, by resolution, approve any Scheme prepared by the Executive Committee of Education containing special provisions—

Schemes for payment of grants and salaries and for other special provisions.

(a) relating to the payment from State funds of grants in respect of Assisted Schools, and of branch schools authorised to be maintained while this Ordinance remains in force ;

(b) relating to the payment of the salaries of persons who are or have been employed as teachers in such schools ;

(c) relating to the determination of the amount of such grants and salaries, and prescribing the terms and conditions subject to which such payments may be made, including, in the case of payments to persons who are or have been employed as teachers, conditions requiring the performance of such duties in connection with Civil Defence, or the acceptance of such employment under the Government or otherwise, as may in any such case be specified by the Director of Education ;

(d) prescribing the circumstances in which payment of any such grant or salary may be withheld ;

(e) authorising the temporary suspension or modification of the operation of any provisions of any other written law applicable to Assisted Schools or to the teachers employed therein.

(2) Every Scheme which has been approved by the State Council under sub-section (1) shall be submitted to the Governor for ratification, and, if so ratified, shall be published in the *Gazette* and shall come into operation upon such publication.

(3) Any Scheme which has been approved and ratified as hereinbefore provided may be amended, modified or revoked by resolution passed by the State Council and ratified by the Governor; every resolution so ratified shall be published in the *Gazette* and shall come into force upon such publication.

Effect of Schemes under this Ordinance.

3. Every Scheme which has been approved, ratified and published in accordance with the provisions of section 2 and which is for the time being in operation shall, subject to such amendments or modifications as may be made therein under those provisions, be deemed to be as valid and effectual as though it were herein enacted, and have effect notwithstanding anything contained in the Education Ordinance, No. 31 of 1939, or in any regulation, Code or other written law made, or having effect as if it were made, under that Ordinance.

Validation of arrangements previously approved by State Council.

4. The financial arrangements, procedure and other provisions set out in the Observations of the Minister for Education upon the Supplementary Estimate under Head 111, New sub-head 26, for the sum of Rs. 1,250,000 (which was approved by the State Council on the second day of April, 1942) shall be deemed to constitute, and heretofore to have constituted, a Scheme duly approved, ratified and published in the manner provided by this Ordinance, and shall have effect and be deemed, on and after the first day of March, 1942, to have had effect accordingly subject, however, to the modifications set out in the Schedule to this Ordinance.

Construction of Ordinance.

5. This Ordinance shall be read and construed as one with the Education Ordinance, No. 31 of 1939:

Provided, however, that in the event of any conflict or inconsistency between the provisions of that Ordinance and the provisions of this Ordinance or of any Scheme having effect or deemed to have effect thereunder, the provisions of this Ordinance or of such Scheme shall prevail:

Provided further that nothing in the preceding provisions of this Ordinance shall be deemed to prejudice or affect the right of the Executive Committee of Education to make regulations in relation to any matter for or in respect of which regulations are authorised to be made under the Education Ordinance, No. 31 of 1939.

SCHEDULE.

(Section 4).

Modifications of financial arrangements, procedure, and other provisions set out in the Observations of the Minister for Education referred to in section 4.

1. The following item shall have effect in lieu of item (D) in paragraph 3:—

“(D) No person shall be appointed to be a teacher in any Assisted school or branch school—

(a) unless he is a person who was on the eligible staff of a school prior to March 1, 1942, and is temporarily without employment; or

(b) unless all persons of the description referred to in subparagraph (a) have been offered, and have refused, the appointment.”

2. Item (E) in paragraph 3 shall have effect as though, for all the words from “Schools will be permitted” to “parent and branch schools.”, there were substituted the following:—

“Where possession is or has been taken on behalf of His Majesty of the premises of a school, or where a school is situated in a declared area, the school will be permitted to open one or more temporary branch schools in other areas. The branch school and the parent school, if it remains open, will, in any such case, be considered to constitute one school for the purpose of calculating the average attendance of pupils and the number of eligible teachers.”

3. Item (G) in paragraph 3 shall have effect as though, for the words “shall be dealt with as follows:—”, there were substituted the following:—

“and teachers who become superfluous by reason of the closing of a school, consequent upon the fact that possession is or has been taken on behalf of His Majesty of the premises of that school, shall be dealt with as follows:—”

4. The following new items shall have effect as items (H), (I) and (J) in paragraph 3:—

“(H) In the case of night schools which ceased or cease to function in consequence of any Lighting Restriction Order made under the Defence (Miscellaneous) Regulations, proportionate

grants may be paid calculated on the average attendance in such schools and the number of days on which they were in session during the current school year.

(I) The Director of Education may, having regard to the special circumstances of any Assisted School, direct that any provision of the Code, relating to the minimum period during which schools shall remain in session or to the period during which a teacher shall be employed in teaching in order to be regarded as a full-time teacher, shall be modified in its application in the case of that Assisted school or of any branch school maintained in connexion therewith.

(J) The Director of Education may require, as a condition precedent to the payment of any grant in respect of any Assisted School, branch school or recognised or certified school, that such school shall be amalgamated with any other school situated in the same locality or that any class in any such school shall be amalgamated with a class of a corresponding grade in any other school so situated; and may withhold payment of the whole or any part of any grant in respect of any such school or in respect of the salaries of any teachers in any such class, as the case may be, if the manager of the school fails or refuses to comply with any such requirement; or to effect such arrangements as the Director may consider necessary for the purpose of complying with any such requirement."

5. The following paragraph shall have effect in lieu of paragraph 6:—

6. For the purposes of the provisions hereinbefore set out, "declared area" means any of the areas mentioned in the Report of the Executive Committee of Education under Article 46 (1) of the Ceylon (State Council) Order in Council, 1931, presented to the State Council by the Minister for Education on the subject of "the closure of schools in certain declared areas on account of the present war emergency situation" and accepted by the Council at its meeting held on February 25, 1942, and includes any such other area as may be declared by resolution of the Council, upon motion made in that behalf by the Minister with the approval of the Board of Ministers, to be a declared area for the purposes aforesaid.

Passed in Council the Twenty-first day of May, One thousand Nine hundred and Forty-two.

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

Assented to by His Excellency the Governor the Thirteenth day of June, One thousand Nine hundred and Forty-two.

C. H. HARTWELL,
Secretary to the Governor.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Western Circuit will be holden at the court-house at Hulftsdorp on Friday, July 10, 1942, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Colombo, June 13, 1942.

H. C. WIJESINHA,
for Fiscal,

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a criminal session of the said court for the Districts of Ratnapura and Avissawella will be holden at the court-house at Colombo, on Friday, July 10, 1942, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Ratnapura, June 15, 1942.

R. M. DAVIES,
Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

In the matter of the insolvency of Thuraisamy Muthaiah Chelliah of 80/3, Bloemendhal street, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the second sitting of this court on July 3, 1942, for the examination of the above-named insolvent.

June 9, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo

No. 5,637. In the matter of the insolvency of Norton Clarence de Silva of 65D, Karagampitiya, Dehiwala, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at the sitting of this court on July 10, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

June 15, 1942. By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,642 In the matter of the insolvency of Nanayakkara Wimala Patabendige Edmund Perera of 257, Patabendige road, Maradana.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the second sitting of this court on July 10, 1942, for the examination of the above-named insolvent.

June 10, 1942. By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,647. In the matter of the insolvency of N. R. Cruz of Insolvency. 2A, Linrose avenue, Dehiwala.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at the 2nd sitting of this court on July 10, 1942, for the examination of the above-named insolvent.

June 15, 1942. By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,655. In the matter of the insolvency of Pettikerige Vincent Perera of 3, Norms Avenue, Maradana, Colombo.

WHEREAS P. V. Perera has filed a declaration of insolvency and a petition for the sequestration of his estate has been filed by L. E. Claesson of 251, Kawdana road, Dehiwala, under the Ordinance

No. 7 of 1853: Notice is hereby given that the said court has adjudged the said P. V. Perera insolvent accordingly; and that two public sittings of the court, to wit, on July 17, 1942, and on August 21, 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.

June 10, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Nawara Eliya.

No. 31. In the Matter of the insolvency of K. S. Abdul Hamid of Nawara Eliya.

WHEREAS the Colombo Apothecaries Company, Limited, has filed a petition for the sequestration of the estate of the above-named K. S. Abdul Hamid, under the Ordinance No. 7 of 1853 Chapter 82 of the Legislative Enactments of Ceylon. Notice is hereby given that the said court has adjudged the said K. S. Abdul Hamid insolvent accordingly; and that two public sittings of the court, to wit, on June 26, 1942, and on August 7, 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.

June 6, 1942.

By order of court, S. SELVARATNAM,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Hapudatchige Don Podisingho Karunaratne Appuhamy of Welimilla in the Kumbulke pattu of Raigam korale Plaintiff.

No. 357/M.B. Vs.

(1) Mabaluge Marthianhamy alias Mathinna Hamy and her husband (2) Potuwara wattagamage Don Udenis, both of Siyambalgoda Defendants.

NOTICE is hereby given that on Friday, July 10, 1942, at 3 P.M., will be sold by public auction at the premises the right, title, and interest of the said plaintiff in the following property for the recovery of the sum of Rs. 577-07 being taxed costs, viz. :-

All that land called Nuga-attawalaowita together with the rubber plantation thereon, situated at Undurugoda in the Udugaha pattu of Salpiti korale in the District of Colombo, Western Province; and bounded on the north by Uduwanageowita, on the east by Nekatigeeowita, on the south by Mallikageowita, and on the west by Gammadupitayewatta and Kanuketiyeekumbura; and containing in extent within these boundaries about one amunam of paddy sowing extent, and registered under N 45/265 and 58/11.

Fiscal's Office,
Colombo, June 16, 1942.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo.

(1) Hettikankanango Baby Nona, wife of (2) Geewandara Muttianselage Salaman Appu, (3) Hettikankanango Sirisena, (4) ditto Piyadasa, (5) ditto Sumanapala, all of Mahara Nugegoda Plaintiffs.

No. 1,707/L. Vs.

(1) Peter Fernando and (2) Hettikankanango Marthian Appu, both of Mahara Nugegoda Defendants.

NOTICE is hereby given that on Monday, July 13, 1942, will be sold by public auction at the respective premises the right, title, and interest of the said plaintiffs in the following properties for the recovery of the sum of Rs. 581-24 being taxed costs, viz. :-

(1) At 3 p.m.—All those three contiguous allotments of land called Millagahawatta alias Dawatagahawatta, situated at Mahara Nugegoda, in the Adikari pattu of Siyane korale in the District of Colombo, Western Province; bounded on the north-east by a portion of the same land, south-east by land of G. A. Fernando, south-west by Buddhist Temple premises and by cart road, and north-west by high road; containing in extent 3 acres 1 rood and 7 perches as per plan No. 4302 dated March 3, 1941, made by H. G. E. Perera, Licensed Surveyor, and of the buildings standing thereon.

(2) At 3.45 p.m.—The land called Millagahawatta, situated at Mahara Karagahamuna in Adikari pattu aforesaid; bounded on the north by land of Migel Perera Mudaliyar, east by land of Kannanagarage Pelis Appu and others, south by the fence of the ditch of the land sold by Andrew Perera Samarasinghe formerly of Kannanagarage Baronchi Appu, west by the live fence of the land of Weliveriya Liyanage Jeelis Appu and others; containing in extent about 4 bushels of paddy sowing.

(3) At 4 p.m.—The land called Delgahawatta, situated at Mahara Karagahamuna aforesaid; bounded on the north by limit of Ragama village, east by the live fence of the land of Singa Fernando, south by the land of the children of Davith Fernando, west by a portion of Delgahawatta of Hetti Kankanige Piloris Appu; containing in extent about 2 acres.

Fiscal's Office,
Colombo, June 16, 1942.

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province.

In the District Court of Matara.

Don Andrayas Dewaraja of Dondra Plaintiff.

No. 11,187. Vs.

(1) Mohammodu Abubackkar Sainambu Natchi and husband, both of Dickwella Defendants.

NOTICE is hereby given that on Tuesday, July 21, 1942, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following mortgaged property for the recovery of a sum of Rs. 1,453-30, with legal interest on Rs. 912-61 from April 21, 1942, till payment in full, viz. :-

All that the undivided one-sixth (1/6) share of the soil and plantations together with the undivided northern one-half share of seventeen cubit paddy house facing the high road standing thereon of the land called Paluwatta, situated at Dickwella, in the Wellaboda pattu of Matara District, Southern Province; and bounded on the north by Saliya Umma Padmuchiwasitiya Lindagawawatta, east by Joolgahakoratuwa, south by Olokkuwa, and on the west by high road; containing in extent about 1 acre.

Deputy Fiscal's Office,
Matara, June 13, 1942.

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

North-Western Province.

In the Additional Court of Requests of Kurunegala.

Udumahane Sumanatissa Perunname of Hengawa Parsala in Mahagalboda Megodakorale Plaintiff.

No. 11,361. Vs.

(1) Hiriigama Nandelage Panchinadege Ukkuhamy Natchire of Palaw Walpola in Ihala Vjadeke korale, (2) Rukunayako Durayalage Handum of Ipalawa in said korale Defendants.

NOTICE is hereby given that on Saturday, July 11, 1942, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 243, with interest on Rs. 200 at 12 per cent. per annum from April 16, 1937, to April 15, 1940, and thereafter with legal interest on the aggregate amount till payment in full and poundage and less the sum of Rs. 47-50, which has been recovered, viz. :-

An undivided 57/64 share of Nitulamado Kosgahamulahena now garden of about 12 lahas kurakane sowing in extent, situated at Ipalawa in Ihalaasideke korale west of Hiriwala hatpattu in Kurunegala District, North-Western Province; and bounded on the north by fence of the garden of Appu Naide and Jiwendra Naide, east by the ditch and Welroda, south by roda of the Pillewa of Appuralla, and-west by Dangahamulaheremuduna, and registered in B 183/179.

Fiscal's Office,
Kurunegala, June 15, 1942.

S. SUBRAMANIAM,
Additional Deputy Fiscal.

NOTICES OF TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late Dona Jurisdiction. Rosalina Kulatunga nee Karunaratne, deceased, No. 10,013. of Kamburugamuwa in Weligam korale in Matara District.

Senarath Darwita Kulatunga of Kamburugamuwa in Weligam korale in Matara District Petitioner.

Vs.

(1) Nancy Phillippa de Silva nee Kulatunga of 23, Campbell avenue, Maradana, Colombo (2) Samson Kulatunga, (3) Percy Kulatunga, (4) Richard Kulatunga, (5) Alfred Kulatunga, (6) Wilfred Kulatunga; 5th and 6th respondents minors appearing by their guardian ad litem (7) Don Barthonus Wickramaaratchi Karunaratna, all of Kamburugamuwa aforesaid Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge, Colombo, on March 26, 1942, in the presence of Mr. M. L. S. Jayasekera, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated March 20, 1942, having been read:

It is ordered that the said Don Barthonus Wickramaaratchi Karunaratna, the 7th respondent, be appointed guardian ad litem over the 5th and 6th minor respondents for all the purposes of this action, and that the above-named petitioner be and he is hereby declared entitled, as a son of the above-named deceased, to have letters of administration to the above estate issued to him accordingly, unless the respondents or other person or persons interested shall, on or before June 25, 1942, show sufficient cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,
Additional District Judge.

May 19, 1942.

In the District Court of Colombo.
Order Nisi declaring Will proved.

Testamentary Jurisdiction. No. 10,026. In the Matter of the Estate of the late Ponnahennedige Ben Kalvin Dias, student, lately of 3, Carlisle road, Chesterton, Cambridge, in England, deceased.

Charles Victor Dias of Nihatthamane, Pendennis avenue, Kollupitiya Petitioner.

(1) Warusahennedige Angela Ellen Dias nee Fernando of Kethumathie, Panadura, (2) Ponnahennedige Violet Rodrigo nee Dias of Balmoral, Panadura, (3) Dr. Theobald Henry Dias of Kethumathie, Panadura, (4) Dr. Reginald Dias of Kethumathie, Panadura, (5) Colin Dennis Dias of Kethumathie, Panadura, (6) Neil Quintin Dias of the Ceylon Civil Service of Kethumathie, Panadura, (7) Conrad Dias, a minor, presently of Trinity College, Cambridge, (8) Douglas Dias, also a minor, of Kethumathie, Panadura; the 7th and 8th respondents appearing by their guardian ad litem, Dr. Theobald Henry Dias, the 3rd respondent, (9) Ponnahennedige Gilda Dias, a person of feeble mind, residing at Motegama estate, Wadduwa, by her guardian ad litem (10) Mrs. Dorothy Dias of Pendennis avenue, Colpetty, appointed in Lunacy Case, No. 1,975, D. C., Kalutara Respondents.

THIS matter coming on for disposal before Dr. R. F. Dias, District Judge, Colombo, on April 24, 1942, in the presence of Messrs. Fernando & Fernando, Proctors, on the part of the petitioner; and the affidavit of the above-named petitioner dated March 31, 1942, having been read:

It is ordered that the said 3rd respondent be appointed guardian ad litem of the 7th and 8th respondents and that the 10th respondent be appointed guardian ad litem over the 9th respondent to represent them for all the purposes of this action, and that the said petitioner be and he is hereby declared entitled, as the brother of the deceased, to have letters of administration to his estate issued to him accordingly, unless the respondents or some other person or persons interested shall, on or before June 4, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 7, 1942. R. F. DIAS, District Judge.
The date for showing cause is extended to July 9, 1942.

June 4, 1942. R. F. DIAS, District Judge.

In the District Court of Colombo.
Order Nisi.

Testamentary Jurisdiction. No. 10,055. In the Matter of the Intestate Estate of Debramandedige Julien Fernando of No. 4, 41st lane, Wellawatta, Colombo, deceased.

Hikkaduwaage Podi Nona alias Raina Fernando of Magalkanda, Maggona Petitioner.

(1) Debramandedige Jason Fernando of No. 4, 41st lane, Wellawatta, (2) Debramandedige Wilson Fernando of No. 4, 41st lane, Wellawatta, (3) Debramandedige Somawathi Fernando of No. 4, 41st lane, Wellawatta, (4) Debramandedige Classen alias Gunasena Fernando of No. 4, 41st lane, Wellawatta, (5) Debramandedige Nandawathi Fernando of Indragodda, Maggona, (6) Debramandedige Gnanawathi Fernando, (7) Debramandedige Gunawathi Fernando, (8) Debramandedige Gunaratne Fernando, (9) Debramandedige Sumanawathi Fernando; the 6th, 7th, 8th, and 9th respondents are minors, appearing by their guardian ad litem, the 1st respondent Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge, Colombo, on June 4, 1942, in the presence of Mr. D. E. L. Sirmanne, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated June 1, 1942, having been read:

It is ordered that the said Debramandedige Jason Fernando, the 1st respondent, be appointed guardian ad litem over the minors, the 6th to 9th respondents, for all the purposes of this action, and that the above-named 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 accordingly, unless the respondents, or any other person or persons interested shall, on or before July 16, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 4, 1942. JAMES JOSEPH, Additional District Judge.

In the District Court of Kalutara.
Order Nisi.

Testamentary Jurisdiction. No. 3,030. In the Matter of the Estate of the late Nicoline Abeyhuriya nee Samaraweera, deceased, of Wekada in Panadura.

Emaha de Fonseka nee Abeyhuriya of Wekada in Panadura Petitioner.

David Samaraweera, Proctor, of Karagampitiya in Dehiwala Respondent.

THIS matter coming on for disposal before V. Joseph, Esq., District Judge, Kalutara, on March 19, 1942, in the presence of Mr. T. J. C. Peiris, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated March 19, 1942, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled to have letters of administration issued to her, unless the respondents or any other person interested in the estate shall, on or before May 12, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 19, 1942. V. JOSEPH, District Judge.

The date for showing cause is extended to June 9, 1942.

May 12, 1942. V. JOSEPH, District Judge.

The date for showing cause is extended to July 7, 1942.

June 9, 1942. V. JOSEPH, District Judge.

In the District Court of Negombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. No. 3,179. In the Matter of the Last Will and Testament of Lintotage Solomon Fernando of Katana, deceased.

(1) Oswattaliyanage Marcel Peter Perera, Proctor, of Dandegomuwa, (2) Lintotage James Shelton Fernando of Whitehall, Katana, (3) Jacob G. Fernando, Proctor, of Moratuwa, and (4) Charles Mathew Fernando, Proctor, of Negombo Petitioners.

(1) Juliet Milred Fernando nee Silva of Katana, (2) Lintotage Inez Germaine Fernando alias Inez Stella Fernando of Negombo, (3) Lintotage Joseph Solomon Hubert Fernando, (4) Lintotage Bern. Anna Julia Fernando, both of Katana, (5) Reverend Sister St. Paul of the Cross of the Holy Family Convent, Anuradhapura, (6) Muluwage Andray Fernando of Dandugama, (7) Parish Priest of St. Francis Xavier Roman Catholic Church, Katana Respondents.

THIS matter coming on for disposal before A. S. Vanigasooriyar Esq., District Judge of Negombo, on June 8, 1942, in the presence of Mr. S. M. A. Raheeman, Proctor, on the part of the petitioners, and the petition of the petitioners dated May 22, 1942, their affidavits dated May 12, 1942, May 6, 1942, and May 19, 1942, the 4th petitioner's affidavit dated June 8, 1942, and the affidavit dated May 6, 1942, of the attesting witnesses having been read:

It is ordered that the last will and testament of Lintotage Solomon Fernando, deceased, bearing No. 2124 dated December 19, 1939, and attested by Patabendige Andrew Fernando of Negombo, Notary Public, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved, unless the respondents above named or any other person or persons interested shall, on or before June 22, 1942, show sufficient cause to the contrary to the satisfaction of this court.

It is further ordered (a) that the 1st and 7th respondents above named be and they are hereby appointed guardian ad litem of the 3rd and 4th respondents above named, who are minors, to represent them for all the purposes of this action, and (b) that the said petitioners are the executors named in the said will and that they are entitled to have probate thereof issued to them accordingly, unless the said respondents or any other person or persons interested shall, on or before June 22, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 8, 1942. A. S. VANIGASOORIYAR, District Judge.

In the District Court of Kandy.

Order Nisi.

No. T 280. In the Matter of the Intestate Estate of the late A. Theobald Valentine Perera, deceased, of Ampitiya.

THIS matter coming on for disposal before Chellappah Naganam, Esq., District Judge, Kandy, on April 15, 1942, in the presence of Mr. L. M. L. Perera, Proctor, on the part of the petitioner; and his affidavit of the said petitioner dated March 20, 1942, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the son of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents (1) Gertrude Elizabeth Perera, (2) Victor Earlun Perera, (3) Lucy Florence Perera, now Mrs. K. D. S. Nanayakkara, (4) Alfred Wilmot Perera, (5) Ethel Constance Wilhelmina Perera, now Mrs. D. H. N. de Silva, (6) Pauline Gertrude Elizabeth Perera, (7) Neville Gregory Shelton Perera, (8) Edmund Felix Perera, (9) Erica Doris Mary Magdeline Perera, (10) Verginia Marlene Raechel Perera, and (11) Anna Mary Perera (9th, 10th, and 11th respondents by their guardian ad litem the 7th respondent abovenamed)—or any other person or persons interested shall, on or before May 21, 1942, show sufficient cause to the satisfaction of this court to the contrary.

April 22, 1942. C. NAGALINGAM, District Judge.

Date for showing cause is extended to July 2, 1942.

May 21, 1942. C. NAGALINGAM, District Judge.

In the District Court of Galle, sitting at Balapitiya.

Testamentary In the Matter of the Intestate Estate of Rajapaksa
Jurisdiction. Manikkunambi Mendis of Viligoda in Ambalan-
No. B 43. goda, deceased.

Rajapaksa Manikkunambi Karunawathie of Viligoda in Ambalangoda Petitioner.

Vs.

- (1) Rajapaksa Manikkunambi Balsey Padmani Mendis, (2) ditto Sadasena Lionel Mendis, (3) ditto Tilakasena Nelson Mendis, (4) ditto Kusumawathie Dunstan Mendis, (5) ditto Vichitra Indranee Mendis, all of Viligoda in Ambalangoda, (6) ditto Wijepala of Herewalla in Ambalangoda. Respondents

THIS matter coming on for disposal before Spencer Rajaratnam, Esq., Additional District Judge of Galle, sitting at Balapitiya, on May 29, 1942, in the presence of Mr. S. Ekaratna, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated February 28, 1942, having been read:

It is ordered that the said Rajapaksa Manikkunambi Wijepala, the 6th respondent, be appointed guardian *ad litem* over the minors, 2nd to 5th respondents, for all the purposes of this action and that the above-named 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 accordingly, unless the respondents or any other person or persons interested shall, on or before June 26, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 29, 1942.

S. RAJARATNAM,
Additional District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Pare-
Jurisdiction. pooranam, wife of S. Subramaniam of Urumpiray,
No. 1,081. deceased.

Kasipillai Paramalingam of Urumpiray Petitioner.

Vs.

S. Subramaniam of Survey Office, Jehore Bharu in Malaya Respondent.

THIS matter of the petition of the above-named petitioner coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on October 24, 1941, in the presence of Mr. A. Subramaniam, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner dated October 22 and 24, 1941, respectively, having been read: It is ordered that letters of administration be issued to the petitioner to the estate of the above-named deceased, as the lawful heir, unless the respondent or any other person interested shall show sufficient cause to the contrary on or before May 20, 1942.

April 29, 1942.

C. COOMARASWAMY,
District Judge.

Extended to June 24, 1942.

May 20, 1942.

C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

No. 1,084 Testy. In the Matter of the Intestate Estate of the late
Mrs. Rajaledchumy Perayerawar of Manipay,
wife of Arumugam Sabapathipillai Perayerawar
of 33rd lane, Colpetty, deceased.

Arumugam Sabapathipillai Perayerawar of 33rd lane, Colpetty Petitioner.

Vs.

- (1) Nagendra, (2) Padmavathi, (3) Kamalawathy, (4) Seelawathy, (5) Rajendra, (6) Thevendra, all minor children of A. S. Perayerawar, appearing by their guardian *ad litem* (7) Mathiaparanam Sambanthamoothy, all of Manipay Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on November 4, 1941, in the presence of Mr. S. R. Aryanayagam, Proctor, on the part of the petitioner; and the affidavit of the petitioner having been read: It is ordered that the 7th respondent be appointed guardian *ad litem* over the minors, the 1st to 6th respondents, and that the petitioner be declared, entitled to have letters of administration to the estate of the said deceased as her husband, unless the respondents or any other persons interested shall appear before this court on January 30, 1942, and state objection or show cause to the contrary.

Time to show cause is extended for July 1, 1942.

C. COOMARASWAMY,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Thillai-
Jurisdiction. ampalam Ramasamy of Vaddukkodda West,
No. 1,094. deceased.

Chinnammal widow of Thillaiampalam Ramasamy of Vaddukkodda West Petitioner.

Vs.

- (1) Ramasamy Thammatharam of ditto, (2) Ramasamy Ranganathan of ditto, (3) Ramasamy Ramachandran of ditto, (4) Sathnibaman daughter of Ramasamy of ditto, (5) Thillaiampalam Sabapathipillai of ditto Respondents.

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

Judge, Jaffna, on November 19, 1941, in the presence of Mr. V. Nagalingam, Proctor for petitioner; and the affidavit and petition of the petitioner having been read: It is ordered that the said 5th respondent be appointed guardian *ad litem* over the minors, 1st to 4th respondents, and that letters of administration to the estate of the said deceased be granted to the petitioner, unless the said respondents shall appear before this court on February 18, 1942, and show cause to the satisfaction of this court to the contrary.

February 2, 1942.

C. COOMARASWAMY,
District Judge.

Extended to June 24, 1942.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Visaladch-
Jurisdiction. pillai, widow of Sampanthanatha Mudaliyar
No. 1,135. deceased.

Kandiah Thangajapillai of Vaddukkodda West Petitioner.

Vs.

- (1) Dr. Kandiah Coomaraswamy, Government Hospital, Segamat, Johore, (2) Kandiah Visuvalingam, presently of England, (3) Valliammalpillai, widow of Visuvalingam Kandiah of Vaddukkodda West, (4) Kandiah Ponnampalam of ditto, presently of Johore, (5) Veluppillai Visuvalingam, presently of Kuala Lumpur, (6) Ambalavanar Sivasambu, Sanitary Inspector, Kuanton, F. M. S., (7) his wife Sellammah of ditto, (8) Ponnah Thurai Nagaratham, and (9) his wife Ponnammah, both of Vaddukkodda West, (10) Visuvalingam Thambiah of Vaddukkodda West, (11) Visuvalingam Alagaratham, (12) his wife Saraswathy, both of Vaddukkodda West, (13) Ramasamy Thambiah of Moolai, (14) Dr. Ramasamy Nitchingam of Trincomalee, (15) Sinnathamby Kathirkamathamby of Moolai, (16) Muttammah, daughter of Veluppillai of Vaddukkodda, (17) Veluppillai Mutthiah of Vaddukkodda West Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, on May 7, 1942, in the presence of Mr. A. Arulambalam, Proctor, on the part of the petitioner; and an affidavit of the petitioner dated May 6, 1942, having been read:

It is ordered that letters of administration to the estate of the above-named deceased be issued to the petitioner accordingly, as he is a first cousin of the deceased, unless the respondents above named or any other person or persons shall appear before this court on or before June 29, 1942, and show sufficient cause to the satisfaction of the court to the contrary.

May 7, 1942.

G. C. THAMBYAH,
District Judge.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Estate and Effects of the late
Jurisdiction. Uthappu Korala Suthukumma of Koddakallar,
No. 511. deceased.

Kardavanam Sornasudaram of Periakallar Petitioner.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Batticaloa, on April 27, 1942, in the presence of Mr. N. S. Rasiah, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner, both dated April 27, 1942, having been read:

It is ordered that the petitioner be and he is hereby declared entitled to letters of administration to the estate of the deceased above named and that letters of administration be issued to him accordingly, unless any person or persons interested shall, on or before May 28, 1942, show sufficient cause to the satisfaction of this court to the contrary.

April 27, 1942.

V. H. WIJAYARATNE,
District Judge.

The above Order Nisi is extended to June 23, 1942.

May 28, 1942

V. H. WIJAYARATNE,
District Judge.

In the District Court of Kurunegala.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Magalyan Senanayake Ubayapala Nanediri of
No. 4,440. Konpola, deceased.

Nanediri Arachchillage Anand Nanediri of Konpola in Tiragandaha korale Petitioner.

- (1) Wijeyanani Arachchillage Panchihamy, (2) Nanediri Arachchillage Karinahamy, (3) ditto Rosalin *alias* Karohamy, (4) ditto Dharmadasa Nanediri, (5) ditto Santuhamy, (6) ditto Peter Singh, (7) ditto Amarasasa Nanediri, (8) ditto Magalyan Nanediri, (9) ditto Hendrick Nanediri, (10) Wahalamuni Arachchillage Hendrickhamy, all of Konpola aforesaid, (11) Rev. Panalaya Gunaratne Viharadhipathi of Konpola Vihare Respondents.

In the matter of the estate of the late Magalyan Senanayake Ubayapala Nanediri, deceased, of Konpola in Tiragandaha korale.

THIS matter coming on for disposal before H. A. de Silva, Esq., the District Judge, Kurunegala, on May 7, 1942, in the presence of

Mr. D. A. B. Ratnayake, Proctor, Kurunegala, on the part of the petitioner, Nanediri Arachchillage Aaron Nanediri of Konpola in Tiragandahaye korale; and the affidavits of the petitioner and the 6 witnesses to the last will both dated March 16, 1942, having been read.

It is ordered that the will of Magaliyan Senanayake Ubayapala Nanediri of Konpola, deceased, dated November 13, 1941, which is now deposited in this court be and the same is hereby declared proved, unless respondents or any person or persons interested shall, on or before June 29, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Nanediri Arachchillage Aaron Nanediri of Konpola in Tiragandahaye korale is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondents or any person or persons interested shall, on or before June 29, 1942, show sufficient cause to the satisfaction of this court to the contrary. It is further ordered that 9th respondent be appointed guardian *ad hitem* over the 7th and 8th respondents for the purpose of these proceedings, unless any person or persons interested shall, on or before June 29, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 7, 1942.

H. A. DE SILVA,
District Judge.

In the District Court of Ratnapura.

Order Nisi.

No. 1,117. In the Matter of the Estate of the late Polwadiye Balayalaye Podisingho *alias* Sannasgama Karawwe Podisingho Fernando of Sannasgama, deceased.

Polwadiye Balayalaye Peter Singho *alias* Sannasgama Karawwe Peter Abeykoon of Sannasgama Petitioner.

Vs.

(1) Kuda Wathupura, Podina. (2) Pelwadiye Balayalaye Noma Singh *alias* Sannasgama Karawwe Noma Fernando, both of Sannasgama Respondents.

THIS matter coming on for disposal before S. S. J. Goonesekere, Esq., District Judge, Ratnapura, on June 9, 1942, in the presence of Mr. H. Richard Peiris, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 8, 1942, having been read: It is ordered that the said petitioner above named is the eldest son of the deceased above named and that he is entitled to have letters of administration issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before June 30, 1942, show sufficient cause to the satisfaction of this court to the contrary.

June 10, 1942.

S. S. J. GOONESEKERE,
District Judge.