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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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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 District of Galle, will be holden at the court-house at Galle, on Tuesday, April 27, 1943, at 10 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,
Galle, March 29, 1943.

W. O. STEVENS,
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 District of Matara, will be holden at the court-house at Galle, on Tuesday, April 27, 1943, 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.

Deputy Fiscal's Office,
Matara, March 29, 1943

M. F. DE S. JAYARATNA,
Deputy Fiscal.

at Pickering's road, Kotahena, within the Municipality and District of Colombo, Western Province, and bounded on the north by Messrs. Delmege Forsyth & Company's Oil Stores and tenements, on the east by the properties of late Mr. Cassie Chetty, Miss Aserappa and of the late Wappu Mudalal, on the south by Pickering's road, and on the west by lot marked D: and containing in extent 1 rood and 11 16/100 perches held and possessed by the defendant under and by virtue of deed of gift bearing No. 2217 dated August 23 and 27, 1926, attested by D. R. de S. Abhayanayake, Notary Public; and registered under title A 249/126 Colombo.

Fiscal's Office,
Colombo, March 30, 1943

H. C. WIJESINHA,
Deputy Fiscal.

Southern Province.

*In the Court of Requests of Galle.

Ukwatte Kankanange Geedreck Appuhamy of Galle Bazaar
No. 23.665. Vs. Plaintiff.

Tellambure Vihanawasan Geeris de Silva of Tellambure
Defendant.

NOTICE is hereby given that on Wednesday, April 28, 1943, commencing 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 defendant in the following property for the recovery of Rs. 68 being damages from February 1, 1942, till June 30, 1942, with further damages, at Rs. 15.60 per month from July 1, 1942, till December 31, 1942, plus Rs. 42 as costs, viz.:

1. All that the rubber plantation bearing registered No. 176 S4 G164 standing on the land called Gedera adarakanatta, situated at Tellambure in Taluk partu of Galle District, Southern Province; and bounded on the north and west by Iddamaladeniya, south by Wekalawaturawekumbura; east by Gedera addarakumbura; containing in extent about one and a half acres.

2. All that rubber plantation bearing registered No. 176 S4 G143 standing on the land called Hiriyaddegoda situated at Tellambure aforesaid; and bounded on the north by Delgahamulana, east by Pahala Hiriyadda, south by Kaluwalakumbura, and west by Kutagodamulana, containing in extent about 2½ acres.

3. All that rubber plantation bearing registered No. 176 S4 G184 standing on the land called Dadapitiye Udumullewatta, situated at Tellambure aforesaid, and bounded on the north by rubber estate of Mr. Alwis, east by high road, south by high road, and west by Ihala Wekalawaturawekumbura; containing in extent about 2½ acres.

Fiscal's Office,
Galle, March 27, 1943.

A. H. H. DE SILVA,
Deputy Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Kandy.

No. L. 107. In the matter of the insolvency of S. Kandiah of 426, Peradeniya road, 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 May 21, 1943, to appoint an assignee in the above insolvency case.

March 29, 1943.

By order of court, R. B. RATNAIKA,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo

(1) Muthupalamappa Chettiar, (2) Thagarajun Chettiar, (3) Annamalai Chettiar, all sons of Nallacaruppan Chettiar, carrying on business under the name, style, firm and vilasam of Nana Moona Awanna Roona or N. M. A. R. of 285, Sea street, Colombo

No. 13,371/M.

Don Walter Jayasinghe of 591, Baseline road, Demata-goda

NOTICE is hereby given that on Friday, April 30, 1943, at 3 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,097.79 together with further interest, Rs. 30 a month from October 1, 1941; up to the date of decree, October 2, 1942, less a sum of Rs. 150, viz.:

All that divided lot marked E in the plan No. 785 dated October 26, 1925, made by G. L. Schokman, Licensed Surveyor, with the buildings and trees standing thereon from and out of the premises bearing assessment Nos. 28¹ to 28³ and presently bearing assessment Nos. 41 (20-27), 41/28-32, 41 (38-41) and 43 to 45, situated

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this office the right, title, and interest of the said defendants in the following property, for the recovery of the sum of Rs. 996.23 with interest thereon at the rate of 9 per cent. per annum from October 27, 1941, until payment in full and costs Rs. 141.22 and poundage and charges, viz. :—

The right, title, interest, claim, and demand whatsoever of the defendants in the deed of assignment of decree in case No. 13939, D. C., Jaffna, executed by Kasupathy, wife of Sundarampillai Arumugam of Karativu East, in favour of her husband, Sundarampillai Arumugam of Karativu East, and attested by K. Vinasthamby, Notary Public, on February 10, 1941, under No. 16432.

The lands affected by the decree are as follows :—

1. An undivided 5/8 share, with half share of the well lying in the northern boundary land and the right of use of the way and water-course up to the southern boundary of this land, of a piece of land situated at Kalapoomy in Karativu parish, Islands Division of the Jaffna District, Northern Province called Thampan; in extent 17 lms. p. c. and bounded on the east by Kanthappu Somasintharam, north by Kasmathar Suppar, west by Kanthar Ramu and shareholders, and south by Arunasalan Kandiah and shareholders.

2. An undivided 5/16 share with its appurtenances of a piece of land situated at Kalapoomy as aforesaid, called Mayilakappulam, in extent 24 lms. varagu culture with house, cultivated and spontaneous plantations, and bounded on the east by Kasmathar Suppar, north by Kathirasy wife of Murugesu, Sivakampillai widow of Veluppillai, and by others, west by Sivakampillai, widow of Veluppillai, and by others, and south by Kartigesu Kandiah and others.

Fiscal's Office,
Jaffna, March 29, 1943.

A. C. NALLIAH,
for Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of Maddumage Don Arthur Edward of Gangodawila, Nugegoda, No. 8,040. deceased.

Maddumage Don Francis Michael of Nikape in the Palle pattu of Salpiti korale Petitioner.

(1) Maddumage Don Joshe Edward Chandrananda, (2) Maddumage Don Gamini Edward Tilakasiri, (3) Maddumage Don Shirley Edward Kulasiri, (4) Kattu Arattilage George Perera, all of Gangodawila in Nugegoda, (5) Maddumage Dona Mary Rosaline of Roseland, Gangodawila, Nugegoda, guardian *ad litem* of the minors, 1st to 3rd respondents. Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 4, 1943, in the presence of Mr. N. V. T. Cooray, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated November 2, 1942, having been read :

It is ordered that the petitioner above named be and he is hereby declared entitled to have letters of administration *de bonis non* to the above estate issued to him accordingly, unless the respondent above named or any other person or persons interested shall, on or before April 8, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 9, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Meman Haji Abdul Gani Giga Paradeshi, late of No. 9,271. Kutriyana in Junagadh State, deceased.

Abdul Latiff Abdul Carben Mandhai of 267, Main street in Colombo Petitioner.

And

(1) Hajara, widow of Haji Abdul Gani Giga Paradeshi, (2) Babia daughter of Meman Haji Abdul Gani Giga Paradeshi, (3) Abdul Razaq Aboobacker Dhedi, (4) Mohamed Husain Aboobacker Dhedi, (5) Zukka Dhedi, (6) Halima Bhai, and (7) Jamnabhai Aboobacker Dhedi, all of Kutriyana, (8) Haji Yoofoof Ayoob of 231, Main street in Colombo, as guardian *ad litem* of the above-named 3rd, 4th, 5th, 6th and 7th respondents Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 29, 1943, in the presence of Mr. C. Sivaprakasam, Proctor, on the part of the petitioner, and (1) the affidavit of the petitioner dated March 29, 1943, and (2) the copy of the power of attorney dated March 15, 1943, having been read :

It is ordered that the 8th respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 3rd, 4th, 5th, 6th, and 7th respondents, to represent them for all the purposes of this action and that the petitioner above named be and he is hereby declared entitled, as the attorney of the 1st and 2nd respondents above named, to have letters of administration with the will annexed to the above estate issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before April 8, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 29, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo

Order Nisi.

No. 10,366/N.T. In the Matter of the Intestate Estate of Paulusaramge James Saram Appuhamy of Imbulgoda in Meda pattu of Siyane korale, deceased.

Paulusaramge Michael de Saram of Imbulgoda in Meda pattu of Siyane korale Petitioner.

(1) Mudalimahipala Appuhamilage Dona Jangonnu Mahipala Hamne, (2) Paulusaramge Rachard de Saram, both of Imbulgoda aforesaid, (3) Paulusaramge Dona Mary Joseline de Saram of Wennyapatta in Ambatalenigala and (4) Paulusaramge Henry Albert de Saram of Imbulgoda aforesaid Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on February 26, 1943, in the presence of Mr. M. E. P. Samarasinghe, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated February 22, 1943, having been read :

It is ordered that the petitioner above named be and he is hereby declared entitled, as a son of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before April 8, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 1, 1943

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Mututantrige Sirma Charnian Fernando of Sallanila, Uyana, in Moratuwa, deceased.

Mututantrige Quaten Charles Fernando of Sallanila, Uyana, Moratuwa Petitioner.

And

Merennege Rita Margaret Fernando of Uyana in Moratuwa Respondent.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 5, 1943, in the presence of Mr. P. E. S. Wijeyesekera, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated March 2, 1943, having been read :

It is ordered that the petitioner above named be and he is hereby declared entitled, as the father of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondent above named or any other person or persons interested shall, on or before April 8, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 10, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Mabel Abeyesekera (*nee* Kiel) late of Hali-ela in Badulla, deceased.

Bertus Kingsley Kiel of Green Path, Nugegoda Petitioner.

vs.

(1) Don Frederick Abeyesekera, (2) Dona Somakunari Daphne Abeyesekera, (3) Dona Rosemary Abeyesekera, and (4) Patricia Rukmani Abeyesekera, all minors, appearing by their guardian *ad litem*, (5) Dorothy Kate Kiel of 20, Mrihana road, Nugegoda, (6) Mostyn Stanley Kiel of Glen Devon estate, Halgranoya in the Central Province, and (7) Reginald Barnes Kiel of 20, Mrihana road, Nugegoda Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 5, 1943, in the presence of Mr. N. W. H. Keegel, Proctor, on the part of the petitioner above named, and the affidavit of (1) the petitioner dated March 15, 1943, and (2) attesting notary dated January 25, 1943, having been read :

It is ordered that the last will and testament of Mabel Abeyesekera (*nee* Kiel), deceased, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved and the petitioner above named is the executor named in the said will and he is hereby declared entitled to have probate thereof issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before April 8, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 5th respondent above named be and she is hereby appointed guardian *ad litem* of the minors, the 1st, 2nd, 3rd, and the 4th respondents, to represent them for all the purposes of this action.

March 18, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Mohamed Hadjar Ahmad Mansoor late of Horton place, No. 10,375. Colombo, deceased.

Zamudeen Marikar Hadjar Nafeesa Umma of 49, Horton place, Colombo Petitioner

And

(1) Mohamed Fayes, (2) Sithy Kadiya, (3) Mohamed Ashrof, (4) Sithy Ayesha, (5) Mohamed Musamir, (6) Sithy Pathumma, and (7) Sithy Amina, all of 49 Horton place, Colombo. (8) Mohamed Lebbe Mohamed Zaheed of Kalutara Respondents.

THIS matter coming on for disposal before James Joseph Esq., Additional District Judge of Colombo, on March 11, 1943, in the presence of Mr John Wilson, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated March 8, 1943, having been read:

It is ordered that the 8th respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 1st, 2nd, 3rd, 4th, 5th, 6th, and the 7th 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 any other person or persons interested shall, on or before April 15, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 24, 1943. JAMES JOSEPH, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Gangoda-wilage Christian Dabarera of Hapugoda, No. 13,025. Kandana, deceased.

Gangodawilage Lilian Margaret Dabarera of Hapugoda, Kandana Petitioner.

(1) Gangodawilage Gertrude Magdalene Dabarera, (2) Gangodawilage Gabriel Kenneth Dabarera, (3) Philomen Clara Dabarera *nee* Perera, all of Hapugoda, Kandana Respondents.

THIS matter coming on for disposal before James Joseph Esq., Additional District Judge of Colombo, on February 2, 1943, in

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the presence of Mr. J. L. Suraweera, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated February 2, 1943, having been read:

It is ordered that the 3rd respondent above named be and she is hereby appointed guardian *ad litem* of the minor, the 2nd respondent, to represent him for all the purposes of this action and that the petitioner above named be and she is hereby declared entitled, as a 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 any other person or persons interested shall, on or before March 4, 1943, show sufficient cause to the satisfaction of this court to the contrary.

February 20, 1943.

JAMES JOSEPH,
Additional District Judge.

The date for showing cause against the above *Order Nisi* is hereby extended to April 8, 1943

March 8, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Kanapathy Kandian of Sirambady, Jaffna, deceased. No. 101.

Kaunaththal widow of Ramu of Sirambady, Jaffna Petitioner.

Vs.

(1) Sinnamuthu, widow of Paramu, (2) Annapillai, widow of Nagamuthu, both of Sirambady, (3) Kanapathy Sellar of Tharabulam, Jaffna Respondents.

THIS matter of the petition of the above-named petitioner praying for letters of administration to the estate of the above-named deceased, Kanapathy Kandian, coming on for disposal before G. C. Thambyah, Esq., District Judge, on March 11, 1943, in the presence of Messrs. Aboobucker & Sultan, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated March 10, 1943, having been read, it is declared that the petitioner is the sister of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before April 19, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 11, 1943.

G. C. THAMBYAH,
District Judge.

In the District Court of Jaffna (held at Point Pedro).
No. 197/P.T. In the Matter of the Last Will and Testament
of the late Kartigasar Thnakaripillai of
Alvay North, deceased.

Sivapiragasam Sabaratnam of Alvay North Petitioner.

(1) Thnagaripillai Vadivelu of Alvay North, (2) Thnagaripillai Saravananattu of ditto, (3) Thnagaripillai Cheliah presently of F. M. S., (4) Thnagaripillai Nadaraja of ditto, (5) Sivapiragasam Kanagaratnam of Alvay South, (6) Sivapiragasam Rajaratnam of ditto, (7) Sivapiragasam Tharmalingam of ditto, (8) Pasupathipillai daughter of Sivapiragasam of ditto, (9) Sivapiragasam Ratnasingam of ditto, (10) Umamaheswari, daughter of Sivapiragasam of ditto, (11) Thnagam, widow of Thnagaripillai Sivapiragasam of ditto; the 9th and 10th respondents are minors by their guardian *ad litem* the 11th respondent Respondents.

THIS matter of the petition of the above-named petitioner coming on for disposal before L. W. de Silva, Esq., District Judge, Jaffna, on March 6, 1943, in the presence of Messrs. Kandaya & Mailvaganam, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated March 3, 1943, having been read:

It is ordered that the petitioner be and he is hereby declared administrator of the estate of the late Kartigasar Thnakaripillai of Alvay North and that letters of administration *cum testamento annexo* be issued to him, unless the respondents or any other person shall, on or before April 9, 1943, show cause to the satisfaction of this court to the contrary.

March 6, 1943. L. W. DE SILVA,
Additional District Judge.

In the District Court of Chilaw.

Order Absolute declaring Will proved.

No. 2,291. In the Matter of the Last Will and Testament of
the late Modarage Bernard Waas of Nainamadama in Chilaw District, deceased.

THIS matter coming on for disposal before N. Sinnethamby, Esq., District Judge of Chilaw, on January 27, 1943, in the presence of Mr. A. S. Goonesekera, Proctor, on the part of the petitioner, Kurukulasuriya Sabina Perera of Nainamadama; and (1) the affidavit of the petitioner and (2) the affidavit of the witnesses and the notary dated October 21, 1942, as to the due execution of the last will, having been read: It is ordered that the will of the said Modarage Bernard Waas, deceased, No. 223, dated June 3, 1941, attested by W. A. Fernando of Chilaw, Notary Public, the original of which 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 petitioner is the sole executrix named in the

said will and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before February 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

January 27, 1943. N. SINNETHAMBY,
District Judge.

This *Order Absolute* extended to March 10, 1943

February 24, 1943. N. SINNETHAMBY,
District Judge.

This *Order Absolute* extended to April 7, 1943.

March 12, 1943. V. SIVASUBRAMANIAM,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Heratge Herat Singho Appuhamy of Aratchu-
No. 2,293. kattawa, deceased.

Heratge John Singho Appuhamy of Tabbowa Petitioner.

And

(1) Tammahetti Mudalge Don Roslin Pieris and (2) Heratge Suraweeza Appuhamy, a minor, by his guardian *ad litem* the 1st respondent, both of Dummaladeniya Respondents.

THIS matter coming on for determination before N. Sinnethamby, Esq., District Judge of Chilaw, on February 18, 1943, in the presence of Mr. A. S. Herat, Cumaratna, Proctor, on the part of the petitioner; and the affidavits of (1) the petitioner, (2) the witnesses dated February 18, 1943; and the affidavit of the attesting notary dated February 11, 1943, having been read:

It is ordered that the 1st respondent be and she is hereby appointed guardian *ad litem* over the minor, the 2nd respondent, to represent him for all the purposes of this action and that the last will of the deceased, bearing No. 31758 dated November 25, 1942, attested by P. W. Marasinghe, Notary Public, now deposited in this court, be and the same is hereby declared proved.

It is further ordered that the petitioner is the executor named in the said will and that he is entitled to have probate issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before March 18, 1943, show sufficient cause to the satisfaction of this court to the contrary.

February 18, 1943. N. SINNETHAMBY,
District Judge.

Time for showing cause against the above *Order Nisi* is extended to April 16, 1943.

V. SIVASUBRAMANIAM,
District Judge.