

GAZETTE CEYLON

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PART II.—LEGAL.

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

1 ,			PAGE				PAGE
Draft Ordinances	 ••	 	_	District and Minor Courts Notices	••		
Passed Ordinances			173	r Notices in Insolvency Cases	••	••	173
Governor's Ordinances				Council of Legal Education Notices	••		
List of Notaries				Notices of Fiscals, Sales			173
Supreme Court Notices			-	Notices in Testamentary Actions	'		175
Vational of Calmina	Supreme Court		173	Miscellaneous	 		

PASSED ORDINANCES.

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

No. 4 of 1943.

M. L. A.-B. 1396

L. D.-O. 34/36

An Ordinance to extend the operation of section 2 (1) of the Galle Municipal Council (Differential Rates) Ordinance, No. 31 of 1938.

A. CALDECOTT.

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 Galle Municipal Council (Differential Rates) (Extension) Ordinance, No. 4 of 1943, and shall be deemed for all purposes to have come into operation on the first day of January, 1943.
- 2. Notwithstanding anything contained in sub'section (2) of section 2 of the Galle Municipal Council (Differential Rates) Ordinance, No. 31 of 1938, sub-section (1) of that section shall continue in operation until the thirty-first day of December, 1943.

Passed in Council the Twenty-fifth day of March, One thousand Nine hundred and Forty-three.

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

Assented to by His Excellency the Governor the Seventh day of April, One thousand Nine hundred and Forty-three.

> H. A. C. Dobbs. Acting Secretary to the Governor.

Short title and date of operation.

Continuation of the operation of section 2 (1) of Ordinance No. 31 of 1938.

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 heroby proclaim that a Criminal Session of the said court for the District of Tangalla 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 Hambantota, April 7, 1943.

W. HOLMES Deputy Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Kandy.

In the matter of the insolvency of M. K. Seiyadu Ibrahim Saibo and M. K. S. Usubu, both of Alawatugoda in Harispattu, carrying on bysiness as partners under the name and style of M. K. S. Seiyadu Ibrahim Saibo and M. K. S. Usubu have filed a declaration of insolvency, and a petition of the sequestration

-J. N. A 23680-852 (4/48)

of their estate have also been filed by T. V. Ramalingam of Alawatugoda under the Ordmance No. 7 of 1853: Notice is hereby given
that the said court has adjudged the said M. K. Seiyadu Ibrahim
and M. K. S. Usubu insolvents accordingly, and that two public
sittings of the court, to wit, on May 7, 1943, and on June 4, 1943,
fill take place for the said insolvents 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 of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

April 13, 1943.

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

NOTICES OF FISCALS' SALES. Western Province.

In the District Court of Colombo. Telge Wilfred Solomon Peiris of Moratuwella in Yoratuwa Plaintiff. No. 453/M.B.

Widanelage Louis Peter de Mel of Moratussella in Moratussella

B1

28/December 3, 1942, for the recovery of the sum of Rs. 1,453.78 together with further interest on Rs. 1,000 at 14 per cent. per annum from November 19, 1941, till date of decree May 11, 1942, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit taxed at Rs. 141.87, viz.:—

All that allotment of land with the trees and buildings standing thereon bearing assessment No. 538 being a portion of Melfort premises, situated at Moratuwella in Moratuwa within the limits of Urban Council of Moratuwa in the Palle pattu of Salpiti korale, in the District of Colombo, Western Province; bounded on the north by the property of C. W. de Mol, east by the property of Simon Fernando, south and west by portions of Melfort premises; containing in extent 26 2/10 perches according to plan No. 4,256 dated September 10, 1931, made by Arthur A. Perera, Surveyor. Prior registration: M 358/63.

Fiscal's Office, Colombo, April 13, 1943.

H C WIJESINHA Deputy Fiscal.

In the District Court of Negombo.

The Commissioner of Income Tax Potitioner Varan No. A. R. 5,263.

L. S. Goonewardene of Westland House, Panaduro, now a

proclaimed person

NOTICE is hereby given that on Wednesday, May 12, 1943, at
5 P.M., will be sold by public auction at the promises the right, title, and interest of the said respondent in the following property, viz.

title, and interest of the said respondent in the following property, viz.—

The undivided shape from and cut of all that two configuous allotments of lands called Tekkugahawattu and Namandiya stutted at Kaluwairupuwa West in Dunigaha pattuwa of Alutkun korale in the District of Nogombo, Western Frovince, and bounded on the north by high road and lands belonging to W. Ludyhany and others, on the east by D. R. C. rolld and land belonging to M. A. Paaris, on the south by the land belonging to Gamandedaliyanage Abilinu Perera and others, and on the west by lands belonging to W. James, Surveyor, and H. Thomas Appu containing in extent about 6 acros and the tiled house standing theroon Amount to be levied Rs. 190-22.

Deputy Fiscal's Office, Negombo, April 7, 1943.

VALLIPURAM. J. W. Deputy Fiscal.

Central Province.

In the District Court of Kandy.

interest thereon at the rate of 9 per cent. per annum from Marc 1942, till payment in full and costs Rs. 157 15 and paying

viz.:—
The land called Godamada alias Katagowatta of 1 acre and 3 roods, Galkandewatta of 1 acre and 3 roods. Galkandewatta of 1 acre and 3 roods. Galkandedehigahamulahena alias watta of 1 acre 1 rood, Galkande of 1 acre 2 roods and 11 perches, and Godamada of 1 acre 1 rood and 4 perches all adjoining each other and forming one proprity; containing in extent 7 acres and 20 perches according to the plan No. 1407 dated August 24, 1930, and made by C. D Jayasinghe, Licensed Surveyor, situated at Imbulpitya in Udasiyapattu of Matale South, in the District of Matale, Central Province; and bounded in their entirety on the north by Gansabhawa road leading to Elkaduwa, south by the limit of the garden belonging to Kawrala, Vel Mulademya. cast by Gansubhawa road and high road, and west by the limit of Pitiyewatta belonging to Ranhamy and by Gansabhawa road, together with the buildings. Ranhamy and by Gansabhawa road, together with the buildings. plantations, and everything else standing thereon. Registered at Matale B 95/225.

Deputy Fiscal's Office, Matale, April 13, 1943.

R. H. D. MANDERS. Deputy Riscal

Southern Province

In the District Court of Galle.

A. Cader of Galle by his Attorney, Don Marshall de S Dheeraratne of Baddegama
No. S. 46. Plaintiff v_{s} :

No. S. 46.

No. S. 46.

Edwin Christopher Dias Abeygoonewardane of Buone Vista, Galle

NOTICE is hereby given that on the dates and time specified below, will be sold by public auction at the respective premises the right; title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,904, 50 bogether with current unterest on Rs. 1,500 at 18 per cent, belt annum from

February 5, 1943, to March 2, 1943, and thereafter on the aggregate amount with legal interest to the date of payment in full and costs Rs 97 .92, viz. :-

On Saturday, May 15, 1943, commencing at 11 a.m. Property situated at Walawe (Udubettawa.)

Property situated at Walawe (Udubettawa.)

1. All that undivided \(\frac{1}{2}\) part or share of the land called Siyambalagodiskanda, situated at Udubettawa in the Talpe pattu, Galle District, Southern Province; and bounded on the north by T. P. 256,699, east by L. P. 1.991, south by Magaliyaddegodiskanda alias Godadoniya Godakanda alias Siyambalawe Godadeniya addara said to be Crown and west by T. P. 276,505; containing in extent 2 acres and 15 perches as per T. P. No. 371,188.

2. All that undivided \(\frac{1}{2}\) part or share of the land called Buddarawela-addaragoda, situated at Udubettawa aforesaid; and bounded on the north by land claimed by natives, south by Crown land, and west by Crown land and land claimed by natives and T. P. 253,239; and containing in extent 2 acres and 10 perches

3. All that undivided \(\frac{1}{2}\) part or share of the land called Daladawe-

2 acres and 10 perches

3. All that undivided \(\frac{1}{3} \) part or share of the land called Daladawe-witta-addarakanda \(alaas \) Meemanagoda [Tdumullowatta-addarakanda, situated at Udubettawa aforesaid; and bounded on the north and east by Meemanagodelledeniya-addarakanda \(alaas \) Daladawewatta-addarakanda \(said \) to be Crown, south by T. P. 195,002 and 281,301, and west by lot \(4 \text{ in P. P. 12,407}; \) and containing in extent 1 acre and 20 perches as per T. P. No. 371,952.

4. All that undivided \(\frac{1}{3} \) part or share of the land called Siyambalawegodakanda \(situated \) at Udubettawa aforesaid; bounded on the north and east by land in T. P. 276,505 south and west by Crown land: and containing in extent \(4 \) acres and \(4 \) perches.

5. All that undivided \(\frac{1}{3} \) part or share of the land called Siyambalawegoda and Codadeniya, situated at Udubettawa aforesaid, and bounded on the north by land claimed by natives. T. P. 195,707, Pitawana, reservation along the Godadeniyadde. but K 602 in P. P. 8,843, east by T. P. 256,699 and Crown land and land claimed by natives, and containing in extent 11 acres and 1 perch.

perch.

On Tuesday, May 18, 1943, commencing at 11 a.m. Property situated at Talpe (Unavatuna.)

 All that undivided 1 part or share of the land called Bona-ista or Rumaswalakanda situated at Unawatuna in Talpe pattu. Galle District, Southern Province: and bounded on the north and west by garden belonging to Charity School, east by jungle and the field called Kesbapana, and south by applied ground of Tennekandege Stephen; and containing in extent 2 acres more or less.

kandege Stephen; and containing in extent 2 acres more or less.

2. All that undivided 3 part or share of the land called Bonavista or Rumaswalakanda, situated at Unawatuna aforesaid; and bounded on the north by ground belonging to Talpe Hewage Burey, east by the field called Devossekumbura, south by Government ground, and west by garden of M. Gibson; and containing in extent 2 acres 2 roods and 38/100 perches.

3. All that undivided 3 part of share of the land called Bonavista or Rumaswalakanda situated at Unawatuna aforesaid; and bounded on the north by applied ground of Mr. W. O. Buultjens, east by field called Kesbapana, south by applied ground of Ganhowage Babo, and west by garden of Charity School; and containing moxfent 1 acre 3 roods and 5 perches. m extent I acre 3 roods and 5 perches.

Fiscal's Office, Galle, April 10, 1943.

A. H. H. DE SILVA Deputy Fiscal.

In the District Court of Tangalla.

Edirıwira Arachchige Samıchchı Appu of Pahalagoda Plaintiff. Vø No. 3,216.

An undivided extent of 140 ares 1 rood and 11 047 perches, out of lot A of the land called Punchihenayagama and Shand's land, containing in extent 36 acres, 2 roods and 4 92 perches, situated at Koggalla in Magam pattu of the Hambantota District, Southern Province; bounded on the north and east by Godakoggalla village, south by lot B of Shand's Land, and west by Walawe river.

Deputy Fiscal's Office, Hambantota, April 9, 1943

J. D. ABEYWIRA, Additional Deputy Fiscal.

In the District Court of Tangalla.

Don Davith Senegratne of Walawo

Plaintiff.

Don Davith Senegrative of Walawo Plaintin.

No. 4,759.

Don Dionis Sabapative in Walawe Defendant.

NOTICE is hereby then that on Monday. May 10, 1943, commoning at 11 o'cloid in the forthlor 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. 400 61 together with legal interest on Rs. 334 74 from November 28, 1942, till payment in full and bounding, viz.

At Walawe Medaguma.

(1) All that undivided 1 share of the land called Mall angahawatta, situated at Walawe in Magam patril of the Hambantota District: containing in extent 2 acres and 33 perches; bounded on the north by the high road, east by Sepatagewattewets, south by the north by the high road, east by Sepatagewatteweta, south by Walawewewa, and west by the fence of the garden of Don Diyonis Sabapathy.

(2) All that field called Kalugamunnehegekumbura, containing in sowing extent of two amunams of paddy, situated at Walawe Medagama in Magam pattu aforesaid; bounded on the north by channel bund, east by Harakkumbure-inniyara, south by Muttagaha alias Galkanuwa, and west by Midigahadeyire-inniyara.

Deputy Fiscal's Office. Hambantota, April 10, 1943.

J. D. ABEYWIRA, Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna. Vaithianather Visuvanather of Tellipalai West Plaintiff. Vs. No. 164.

No. 164.

Swamy Kurukkal Subramania Kurukk'ıl of Maviddapuram ... Defendant.

NOTICE is likereby given that on Saturday, May 22, 1943, at 10 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, for the recovery of the sum of Rs. 1,475 with interest on Rs. 1,250 at the rate of 6 per ent. per annum from September 4, 1942, till October 6, 1942, and thereafter on the aggregate amount at the rate of 9 per cent. per annum till date of payment in full and poundage and charges, viz.—

All that piece of land situated at Uduvil in Uduvil parish, Valikaman North Division of the Jaffina District, Northern Province, called Thumpakkai, in extent 16 lachams p. c. with its appurtenances; and bounded on the east by dam to walk upon, north by Simathambar Kanagaretnam and others, west by Muthalithamby Kandiah, and south by Thangamuttu, wife of Navaretnam.

Fiscal's Office, Jaffna, April 13, 1943.

A. C. NALLIAH. for Fiscal.

NOTICES OF TESTAMENTARY ACTIONS.

In the District Court of Negombo.

Order Nisi.

In the Matter of the Intestate Estate of the late Doug David Perera Surasinghe Wijeranie of Mingama, deceased.

Between Testamentary Jurisdiction. No. 3,209.

Dona Alice Rupasinghe Gunawardane of Mirigama Petitioner. And

(1) Dudley Perera Surasurghe Wijeratne, (2) Swarne Perera Surasunghe Wijeratne, (3) Ingrid Perera Surasunghe Wijeratne, (4) Mahendra Perera Surasunghe Wijeratne, (6) Petronella Perera Surasunghe Wijeratne, all of Mirigania, (6) John Perera Surasunghe Wijeratne of Ambepussa.... Respondents.

Perera Surasmene Wijeratne of Ambepusser.... Respondents. THIS matter coming on for disposal before Spencer Registrataran Esq., District Judge of Negombo, on March 17, 1943, in the presente of Mr. H. R. Gunawardena, Proctor on the part of the petitioner, and the petition and the affidavit of the said petitioner, both dated March 17, 1943, having been read. It is ordered (a) that the 6th respondent above named is and he is hereby appointed guardian ad litem of the 1st to 5th respondents above named, who are minors, to represent them for all the purposes of this action, and (b) that the said petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to his estate issued to her accordingly,

unless the respondents above named or any other person or persons interested shall, on or before April 19, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 17, 1943

S. RAJARATNAM. District Judge.

In the District Court of Negombo.

Order Absolute in the First Instance declaring Will proved.

Testamentary. In the Matter of the Last Will and Testament of No. 3,212. Kirihetti Liyanage Don Honorius Albert Johannes Senanayaka, Notary Public, of Kandawala, deceased.

March 29, 1943.

S. RAJARATNAM District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Bulanawewe-Jurisdiction. No. T 349.

Matala North.

No. T 349. Matala North.

THE matter/coming on for disposal before C. Nagalingam, Esq.,
District Judge, Handy, on March 11, 1943, in the presence of Mr.
S. J. B. Dharmakirti, Proctor, on the part of the petitioner, Bulanawewegedera. Karunatilake Abeyranne, Banda of Webera; and the
affidavit of the said petitioner dated Marchi3, 1943, having been read:
It is ordered that the petitioner be and he is hereby declared
entitled, as the eldest son of the above-named deceased, to have
letters of administration to the estate of the deceased issued to him, unless the respondents—(1) Phianawewegedera Tikin Banda Danapala,
(2) Bulanawewegedera Then Banda, (3) Bula wewegedera Somaratne, (4) Bulanawewegedera Dharmasena, (5) Bulanawewegedera
Anulawatie, (6) Bulanawewegedera Somawatie and (7) Basnayake
Mudiyanselegedera Bandara Memka, all of Wehera aforesaid.—or
any other person or persons interested shall, on or before April 19,
1943, show sufficient cause to the satisfaction of this court to the
contrary.

1943, snow sufficient cause to the satisfaction of this court as contrary.

It is further ordered that the 1st respondent be appointed guardian ad litem over the minors, the 2nd, 3rd, and 4th respondents, and the 7th respondent as guardian ad litem over the minors, the 5th and 6th respondents, unless the respondents or any other person or persons interested shall, on or before April 19, 1943, show sufficient cause to the satisfaction of this court to the contrary.

C. NAGALINGAM. District Judge. In the District Court of Galle (sitting at Balapition). . Order Nisi.

Testy, No. B 58. In the Matter of the Interest the Interest of the Interest in Adimalikankananga Don Endoris de Alwis Appu hamy of Dope in Bentota, deceased.

Tantirige Peepinona Dharmaratan of Pope Petitioter

Tantirige Peepinona Dharmaraths of Dope

(1) Adimalikankanange Babyronasie Alwis, (2) duto Joslun de Alwis, (3) duto Senarat de Allvis, (4) duto Léelawathie de Alwis, (5) duto Seewali Hemalithia de Alwis, (6) duto Simmasa de Alwis, all of Dope in Bentota

THIS matter coming on for disposal before Al Jayarathe, Esq Acting Additional District Judge, Balantiya, on March 16, 194 in the presence of Mr. W. A. C. Sirisenal Proctor, on the part of the petitioner; and the affidavit of the petitioner dated January 11, 1943, having been read:

petitioner; and the alfidavit of the petitioner is not peritioner; and the alfidavit of the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of the petitioner to his estate issued to her accordingly, unless the spandents above named or any other person or persons shall, on before April 29, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 14 1943.

A. JAYARATNE, District Judge.

In the District Court of Galle

Order Absolute in the First Instance.

In the Matter of the Last Will and Tostament of the late Kalupahanage William Single of Dodanduwa, deceased. Testamentary Jurisdiction

THIS matter coming on for final determination refore A. S. Vangasooriyar, Eleo, Additional District Judge of Gallelon Martin 12, 1943, in the presence of Mr. A. T. Pa Kurukuhasooriya, Protor, on the part of the petitioner, Kalupahanage John Singho of Dodanduwa; and the affidavit of the said petitioner dated Docember 23, 1942, and of the attesting notary and witnesses dated Docember 3, 1942, having been read:

1942, having been read:

It is ordered that the last will made by the discussed above named bearing No 4,528 dated November 5, 1942, and how deposited in this court be declared proved, and that probate of the said will be issued to the said petitioner as the executor named observation the publication of this order once in the Ceylon Government Gazette and twice in the "Ceylon Daily News" paper, and on his taking the usual oath of office.

M. A. SAMBRAGON.

March 12, 1943.

M. A. SAMARAKOON, District Judge

In the District Court of Chilaw.

Order Nisi.

Testamentary
Jurisdiction.
No. 2,294.

Pathinige Juan Farnando of Katuneriya.

Order Nisi.

In the Matter of the Intestate Estate of the late Mahaguruge Marthelis Fernando of Paha, Katuneriya. Pathinige Juan Farnando of Katuneriya ...

Pathinige Juan farmando of Katuneriya

(1) Mahaguruge Civil Fernando, (2) Mahaguruge Thomas
Fernando, (3) Mahaguruge Warsus Fernando, all of Pahala
Katuneriya

THIS matter coming on for disposal before Shinetandov, Esq.,
District Judge of Chilaw, on February 19, 1945 in the presence of

Mossrs Corea & Silva, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 19, 1943, having been read: It is ordered that the petitioner above named, as the brother-in-law of the deceased above named, be and he is hereby declared entitled to have letters of administration to the estate of the said deceased issued to him, unless the responder. ents above named or any other person or persons interested shall, on or before March 24, 1943. show sufficient cause to the satisfaction of this court to the contrary.

February 19, 1943.

- N. SINNETAMBY District Judge.

Order Nisi extended to April 21, 1943.

March 24, 1943.

K. D. DE SILVA, *
District Judge.

In the District Court of Anuradhapura. Order Nisi.

No. 495. In the Mutter of the Last Will and Testament of Punchi Banda Bulankularna of Bandara Bulankulama, deceased.

Manuelge Simon of Bandara Bulankulama. Petitionor.

Manuelge Simon of Bandara Bulankulania ... Petitionor.

V96

(1) Kawwage Kiri Menika, (2) Manuelge Hendrick, (3) Minuelge Solomon, (4) Manuelge Jussey, (5) M. B. Bulankulama Korala of Bulankulama, (6) T. B. Bulankulama of Bulankulama, (7) P. B. Bulankulama Disawa of Niwarawewa, (8) P. B. Bulankulama, (8) P. B. Bulankulama, (9) Dr. Asola Bulankulama of Negombo. (10) K. B. Bulankulama, (9) operative Society, Kurunegala, (11) Bulankulama i kku Kumerihamy of Bulankulama. ... hisspondents

THIS matter of the petition of the petitioner above named, praying that he may be granted lesters of administration with the will annexed to the estute of the deceased above named, coming on for disposal before E. Y. R. Samarawickrema, Esq., District Judge of Anuradhapura, on December 23, 1942, in the presence of Mr. A. Sivacolundu, Proctor, on the part of the petitioner; and the petition and the affidavit being read and considered

It is ordered and decreed that the petitioner, as one of the devisees

It is ordered and decreed that the petitioner, as one of the devisees mentioned in the last will No. 4,209 dated June 30, 1941, and attested by A. Sivacolundu, Notary Public, is entitled to have letters of administration issued to him with the will annexed in respect of the above estate, unless sufficient cause is shown to the contrary by the respondents on or before January 29, 1943.

E. V. R. SAMARAWICKREMA, District Judge.

Time extended to show cause February 23, 1943. E. V. R. S., D. J.

Time extended to show cause March 18, 1943.

V. R. Acting D. J.

Time extended to show cause April 1, 1943.

' v. k.. Acting D. J.

Turneyextended to show cause May 3, 1943.

V. R. Actmg D. J.