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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. 15 of 1943.

An Ordinance to incorporate the Vidyalkara Sabha, Kelaniya.

A. CALDECOTT.

WHEREAS a society called and known as the Vidyalkara Dayaka Sabha has heretofore been established at Peliyagoda, Kelaniya, for the purpose of maintaining and managing the educational institution called and known as the Vidyalkara Pirivena and other institutions connected therewith and founded, held or presided over by the late Venerable Sri Dharmarama Nayaka Thera :

And whereas the said society has heretofore successfully carried out and transacted the several objects and matters for which it was established, and has applied to be incorporated, and it will be for the public advantage to grant the application :

Be it, therefore, 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 Vidyalkara Sabha (Incorporation) Ordinance, No. 15 of 1943.

Short title.

2. (1) With effect from the date on which this Ordinance comes into operation the President, Vice-Presidents, other Office-bearers, and members of the Committee for the time being, and such and so many persons as now are members of the said Vidyalkara Dayaka Sabha, or shall hereafter be admitted members of the corporation hereby constituted, shall be and are hereby constituted a body politic and corporate with the name of " Vidyalkara Sabha ".

Incorporation of the Vidyalkara Sabha.

(2) The Vidyalkara Sabha (hereinafter referred to as the " Sabha ") shall, in the said name and for the purposes herein mentioned, have perpetual succession, and shall and may by the said name sue and be sued, plead and be impleaded, answer and be answered, in all courts, and shall and may have and use a common seal with power to break, alter, and renew the same at its discretion.

3. The general objects for which the Sabha is constituted are hereby declared to be :—

General objects of the Sabha.

(a) the management and upkeep of the Vidyalkara Pirivena, Peliyagoda, Kelaniya, and other institutions connected therewith and founded, held or presided over by the late Venerable Sri Dharmarama Nayaka Thera,

(b) the management and upkeep of Sri Dharmaloka Vidyalaya, Peliyagoda, Sri Dharmarama Pathasalaya, Mahaveva, and any other schools, colleges or institutions which may hereafter be established ;

- (c) the foundation, management and upkeep of centres for scientific and religious research;
- (d) the propagation of the Buddha-dhamma and the promotion of Buddhist culture, and
- (e) the printing and publishing of books, journals, newspapers and pamphlets.

**Council of
the Sabha.**

4. The Sabha shall have a Council consisting of a President, five Vice-Presidents, an Honorary Treasurer, an Honorary General Secretary, and sixty-seven other members, to be elected respectively in accordance with the rules for the time being of the Sabha. The first Council of the Sabha shall consist of Sir D. B. Jayatilaka, President; D. S. Senanayaka, Esq., N. D. S. Silva, Esq., J.P., A. D. Jayasundara, Esq., G. O. Pohath-Kehelpannala, Esq., and A. Alpenis de Silva, Esq., Vice-Presidents; D. A. Jayatilaka, Esq., Mudaliyar, Honorary Treasurer; J. D. de Lanerolle, Honorary General Secretary; and the following members:—D. R. Wijewardene, Esq., H. Sri Nissanka, Esq., J. R. Jayawardene, Esq., D. Wanigasekera, Esq., Dr. N. Attygalle, Dr. B. E. Fernando, Dr. P. B. Fernando, D. D. Karunaratne, Esq., J.P., P. D. Ratnatunga, Esq., Mudaliyar, D. G. K. Jayakody, Esq., Mudaliyar, Dr. R. B. Lenora, Dr. O. H. de A. Wijesekera, D. C. Wijewardene, Esq., D. F. J. Perera, Esq., A. B. Colin de Zoysa, Esq., Somaweera Gunasekera, Esq., N. D. Wijesekera, Esq., N. Moonesinghe, Esq., H. M. G. Herath-Gunaratna, Esq., Muhandiram, Wimaladharma Hewavitarne, Esq., Don Elaris Bentara-Aratchi, Esq., Muhandiram, M. Piyadasa, Esq., N. Porolis Fernando, Esq., I. Romanis Fernando, Esq., R. A. Fernando, Esq., T. D. John, Esq., M. Jayasena, Esq., M. W. F. Abeykoon, Esq., E. R. Eratne, Esq., L. Jayasundara, Esq., D. E. Jayakody, Esq., R. J. Rupasinghe, Esq., P. B. Illangasinghe, Esq., L. J. E. Cabraal, Esq., U. D. P. Dharmaratne, Esq., J. D. A. Perera, Esq., D. B. Dhanapala, Esq., B. A. Kuruppu, Esq., D. T. Devendra, Esq., A. H. T. C. Silva, Esq., D. S. Jayasinghe, Esq., P. B. Dissanayaka, Esq., Arlin Perera, Esq., U. B. Wanninayaka, Esq., D. P. Jayasekara, Esq., B. H. de Alwis, Esq., V. C. Perera, Esq., A. A. Samarakoon, Esq., S. M. D. W. Jayatilleke, Esq., D. C. Jayatilaka, Esq., T. D. Wijeratna, Esq., G. E. F. Ratnasekara, Esq., A. R. Peiris, Esq., A. D. Alwis, Esq., N. P. Weerasinghe, Esq., H. M. Peiris, Esq., M. C. Perera, Esq., T. Don Paul Tilekeratne, Esq., R. L. Pedrick Silva, Esq., M. J. P. Samarasinghe, Esq., A. H. Perera, Esq., Peter de Alwis Pandita-Jayatilleke, Esq., Veda-Aratchi, U. D. Carolis Gunasekera, Esq., A. P. Perera, Esq., H. P. Perera, Esq., D. Y. Rajapaksa, Esq., and W. E. R. Gunasekera, Esq.

**Board of
Management.**

5. (1) Subject to such rules as may be made under section 8, the affairs of the Sabha shall be managed by a Board of management consisting of—

- (a) the following *ex officio* members, namely, the President, the five Vice-Presidents, the Honorary Treasurer and the Honorary General Secretary of the Sabha, the Manager of the Sabha's schools and the Director of Pirivenas; and
- (b) seven other members elected by the Council annually from among its own members.

(2) The seven members referred to in sub-section (1) shall be elected by the Council at its first meeting for each year which shall be held within a fortnight from the date of the annual general meeting.

**Power of Sabha
to hold
property
and to make
investments.**

6. The Sabha shall, at all times hereafter, be able and capable in law to acquire either by purchase, exchange, gift, devise or bequest, or in any other manner, and to hold and enjoy in perpetuity or for any lesser period, subject to any express trust or otherwise for the benefit of the Sabha, any property movable or immovable of any nature and kind whatsoever, and all subscriptions, contributions, donations, amounts of loans and advances received or to be received, and to invest the funds vested in the Sabha in securities of the United Kingdom or of the Government of India or of any of His Majesty's Dominions, or of Ceylon, or of any of His Majesty's Colonies authorised as a trustee investment by the law of England or the law of Ceylon for the time being, or upon any mortgage of movable or immovable property in Ceylon and also in the purchase or acquisition of such lands, buildings, goods, chattels, and things as may in its opinion be proper or necessary for the purposes of the Sabha.

**Power of
Sabha
to deal with
property.**

7. The Sabha may:—

- (a) erect, or cause to be erected, any building on any land held by the Sabha; or

- (b) sell, mortgage, lease, exchange, or otherwise dispose of, any property held by the Sabha, subject to any trust attaching to such property and to the law regulating such trusts; or
- (c) from time to time remove any institution standing on one site to any other site.

8. It shall be lawful for the Sabha, at any meeting specially called for that purpose and by a two-thirds majority of the members present and voting, to make such rules not inconsistent with this Ordinance as the Sabha may deem expedient for all or any of the following purposes:—

Rules.

- (a) the limitation of membership and the fixing of membership fee;
- (b) the election of members;
- (c) the removal of members from the roll;
- (d) the election of Officer-bearers and an Auditor, and the determination of their duties and term of office;
- (e) the election of the Council and the Board of Management, and the determination of the duties and term of office of the Council and the duties of the Board of Management;
- (f) the appointment of a Manager for the Sri Dharmaloka Vidyalaya and other schools and a Director of Pirivenas, and the determination of their duties and term of office;
- (g) the appointment of an Academic Board for selecting the Staff of the Vidyalankara Pirivena and advising the Board of Management on academic questions;
- (h) the fixing of the procedure to be followed in the transaction of business of the Sabha, the Council of the Sabha, the Board of Management and the Academic Board;
- (i) the custody of the Seal of the Sabha;
- (j) the general administration of the affairs of the Sabha.

9. The seal of the Sabha shall not be affixed to any instrument whatsoever except in the presence of the President and one other member of the Board of Management who shall sign their names to the instrument in token of their presence, and such signing shall be independent of the signing of any person as a witness.

Seal of the Sabha.

10. Nothing in this Ordinance contained shall prejudice or affect the rights of His Majesty the King, His Heirs, and Successors, or of any body politic or corporate, or of any other persons, except such as are mentioned in this Ordinance and those claiming by, from or under them.

Saving of rights of the Crown

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

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

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

H. A. C. DOBBS,
Acting Secretary to the Governor.

DRAFT ORDINANCES.

MINUTE.

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

L. D.—O. 36/42. M/LA—123/1.

An Ordinance to amend the Salt Ordinance.

Chapter 167.
(Vol. IV., P. 286.)

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 Salt (Amendment) Ordinance, No. of 1943.

Short title.

2. The Schedule to the Salt Ordinance is hereby amended as follows:—

Amendment of
Schedule to
Chapter 167.

(1) by the substitution, for the item relating to the judicial district of Mullaattivu, of the following:—

“The judicial district of Vavuniya, exclusive of Karunavapattu south and Melpattu north.”;

and

(2) by the substitution, for the item relating to the judicial district of Tangalla, of the following:—

“The judicial district of Tangalla, exclusive of Walasmulla upper and lower, Wewagampalata, Paranagampalata and all such parts of that judicial district as are not within the revenue district of Hambantota.”

Objects and Reasons

The object of this Bill is to effect in the Schedule to the Salt Ordinance amendments which are consequential upon the change of the name of the judicial district of Mullaitivu and upon the alteration of the limits of the judicial district of Tangalla.

S. W. R. D. BANDARANAIKE,
Minister for Local Administration.

Colombo, June 5, 1943.

MINUTE.

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

L. D.—O. 24/43

An Ordinance to amend the Tea Control (Extension) Ordinance, No. 3 of 1943.

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 Tea Control (Extension) Amendment Ordinance, No. of 1943

Addition of new section 3 to Ordinance No. 3 of 1943

2. The Tea Control (Extension) Ordinance, No. 3 of 1943, is hereby amended by the addition, immediately after section 2 of that Ordinance, of the following new section:—

Increase of extent on which new planting is permitted under section 27 (2) of Chapter 299

3. Notwithstanding anything in sub-section (2) of section 27 of the Tea Control Ordinance, the total area of land the planting of which may be permitted in all such special cases as are referred to in paragraph (c) of sub-section (1) of that section, together with any excess area referred to in section 30 (6) of that Ordinance, shall not in the aggregate exceed 15,803 acres.

Objects and Reasons.

The International Tea Agreement has been renewed for the duration of the war and for two complete periods of assessment after the cessation of hostilities, and the operation of the Tea Control Ordinance (Chapter 299) has been extended accordingly by the Tea Control (Extension) Ordinance, No. 3 of 1943.

In view of the renewal of the Agreement, the International Tea Committee has decided to permit the area in which new-planting rights may be exercised in Ceylon (at present restricted to 2,796 acres by section 27 of the Tea Control Ordinance) to be increased to 15,803 acres.

The object of this Bill is to add to the Tea Control (Extension) Ordinance, No. 3 of 1943, a new Clause which will give effect to the decision of the International Tea Committee.

D. S. SENANAYAKE,
Minister for Agriculture and Lands.

Colombo, 14 June, 1943.

MINUTE.

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

L. D.—

An Ordinance to amend the Medical Ordinance.

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

Chapter 90, Vol. III., p. 6.

Short title.

1. This Ordinance may be cited as the Medical Amendment Ordinance, No. of 1943.

Amendment of section 15 of Chapter 90.

2. Sub-section (1) of section 15 of the Medical Ordinance is hereby amended as follows:—

(1) by the substitution, for the words “eleven members”, of the words “twelve members”;

(2) by the insertion immediately after paragraph (b) of the following new paragraph.—

“(bb) one member elected by persons (other than teachers of the Faculty of Medicine of the University of Ceylon) imparting instruction to medical and dental students in the University of Ceylon;”;

(3) by the addition, at the end of that sub-section, of the following:—

“In paragraphs (b) and (bb) of this sub-section “teacher” has the same meaning as in the Ceylon University Ordinance, No. 20 of 1942.”.

Objects and Reasons

Before the amendment of the Medical Ordinance by section 75 of the Ceylon University Ordinance, the Lecturers of the Medical College were entitled under section 15 (1) (b) of the Medical Ordinance to elect a member to the Ceylon Medical Council. By the amendment referred to above the privilege of electing a member was transferred to the teachers of the Faculty of Medicine of the University of Ceylon. The effect of this amendment has been to deprive Visiting Lecturers, Visiting Demonstrators and other similar persons engaged in the teaching of medical and dental students in the University of the right of voting under section 15 (1) (b) of the Medical Ordinance as they are not teachers within the meaning of the Ceylon University Ordinance. The object of this Bill is to amend that section so as to give such persons separate representation on the Ceylon Medical Council.

Colombo, June 14, 1943

GEO. E. DE SILVA,
Minister for Health.

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 Districts of Jaffna, Mannar, and Vavuniya will be holden at the Town Hall at Jaffna on Monday, July 5, 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.

Fiscal's Office,
Jaffna, June 14, 1943

A. C. NALLIAH,
for Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

Insolvency Jurisdiction In the matter of the insolvency of Lihnikadu Aratchige Don Anoris Appuhamy of Galabattiyawa in the Ragam pattu of Alutkuru korale. Insolvent. No. 5,656.

NOTICE is hereby given that the sittings of this court for the meeting of creditors of the above-named insolvent is fixed for July 23, 1943, for the purpose of annulling the above proceed a/s.

June 14, 1943

By order of court, C. EMMAUEL,
Secretary.

In the District Court of Colombo.

Insolvency Jurisdiction In the matter of the insolvency of Odumanpilla Abdul Cader of 96, New Market, Pettah, in Colombo, insolvent. No. 5,666.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the 2nd sitting of this court on July 2, 1943, for examination of the insolvent

June 7, 1943.

By order of court, C. EMMAUEL,
Secretary

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Don Edmund Gunawardene of 35, Bonjean road, Kothahena Plaintiff
No. 2,149/Land Vs.

(1) Dr. Anthony Lucas of Ward place, Colombo, administrator of the estate of the late P. D. Henry, deceased, (2) Kurunage Mary Magdalene Henry nee Perera of St. Gerard, Lauries road, Bambalapitiya, Colombo, substituted in place of the 1st defendant Defendant.

NOTICE is hereby given that on Friday, July 9, 1943, at 4 P.M., will be sold by public auction at the premises the following property for the recovery of the sum of Rs. 60 per month from December 1, 1940, till she is ejected and possession delivered to the plaintiff

being damages and costs of suit which is taxed at Rs. 1,167.94 incurred and Rs. 108.72 prospective, viz.—

The following property belonging to the estate of the late P. D. Henry, viz.—

All that remaining part or portion of the land called Ambagahawatta *alias* Kadurugahawatta with the buildings and plantations standing thereon formerly bearing assessment No. 140 and presently bearing assessment Nos. 47 (1), 47 (2) and 47 (3) situated at Bambalapitiya in Ward No. 9 within the Municipality and District of Colombo, Western Province; and bounded on the north by the part of the same land now forming and occupied as Bambalapitiya Municipal Market and the property bearing assessment No. 141 formerly of Dotchy Nona now of Vidanelage Aron Soysa, on the east by the property formerly of Joseph Fonsoka now of Sembuge Maro Nona, on the south by the property bearing assessment No. 139 the property of the widow Condagamage Charles Gero. and on the west by the part of the same land now used as Bambalapitiya Municipal Market and the main road from Colombo to Galle, containing in extent 1 rood and 28 ⁷⁵/₁₀₀ perches as described in the diagram or map dated January 20, 1917, made by J. Rodrigo, Fiscal's Licensed Surveyor, and registered in the Colombo Land Registry Office under title A 128/202

Fiscal's Office,
Colombo, June 15, 1943

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo.

Dr John Abraham Perera of Rosmead place, Colombo Plaintiff.
No. 10,745/M.B. Vs.

Arappurama Ramanayakage Don Cartheis Rajakaruna Seneviratne, Police Headman of Keragala Defendant.

NOTICE is hereby given that on Monday, July 12, 1943, at 2 P.M., will be sold by public auction at the premises the following property mortgaged with the plaintiff, by bond No. 715 dated November 14, 1933, attested by J. H. Perera, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated April 16/19, 1943, for the recovery of the sum of Rs. 790.21, with interest on Rs. 748 at 12 per cent per annum from September 4, 1938, up to October 20, 1939, and thereafter on the aggregate amount of the decree at 9 per cent per annum, till payment in full and costs taxed at Rs. 93.02 incurred and Rs. 28.93 prospective, less Rs. 125, viz.—

An undivided half of the land called Kalugahalanda *alias* Kaha-gahalanda together with the buildings standing thereon, situated at Keragala in the Gangaboda pattu of Styane korale in the District of Colombo, Western Province, bounded on the north-east by Meeegahawatta of T. Girigoris Appu, T. Smart Appu, Delgahawatta of V. Carols Appu, east by Delgahawatta of V. Carols Appu, Galabodawatta of Lawarenthi Appu, south-east by Galabodawatta of Lawarenthi Appu, south by Galabodawatta of Lawarenthi Appu, Egodawatta of Carols Appu and Baba Appu, Millagahakumbura of Baba Appu, south-west by Egodawatta of Carols Appu and Baba Appu, west by Millagahakumbura of Baba Appu, Kahatagahawatta of Thelens Appu, north-west by road; containing in extent 9 acres 1 rood and 26 perches
Prior Registration D 108/193

Fiscal's Office,
Colombo, June 15, 1943.

H. C. WIJESINHA,
Deputy Fiscal.

In the District Court of Colombo.

Abraham Peter Casie Chetty of Pottah in Colombo . . . Plaintiff.
No. 5,476. Vs.

Weerasuriya Jayawardana Sembukuttipatabondige Savariel Silva of Alutgama (decd), (2) Juliet Stolla Perera (wife of T. P. Perera, executrix of the last will of the 1st defendant, deceased) substituted in his place Defendant.

NOTICE is hereby given that on Saturday, July 10, 1943, at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said substituted defendant in the following property, for the recovery of Rs 17,798 53 with interest on Rs. 15,359 58 at 8 per centum per annum from June 30, 1936, to date of decree and thereafter on the aggregate amount of the decree at 9 per centum per annum till payment in full and costs of suit which the said plaintiff has recovered against the defendant by a judgment of this court bearing date November 13, 1936, less a sum of Rs. 3,000, viz. —

1. All that garden called and known as Pallyawatta alias Godarawatta and the house known as "Frankfort", situated at Alutgama in Alutgambadda of Kalutara totalling in the District of Kalutara, Western Province, bearing assessment No. 513 presently No. 240; bounded on the north by a portion of Pallyawatta lot 5 in plan No. 5724 of August 7, 1929, made by H. G. Scharengual, Surveyor, east by Bentota river, south by lot 3B in plan No. 814 dated May 31, 1920, made by F. J. Dias, and on the west by road to Welipenna; containing in extent 1 rood and 3.975 perches. Registered in A 375/90 Kalutara.

2. All that allotment known as Kadawatta marked lot 9 in survey plan No. 892 dated January 4, 1941, made by J. P. de Silva, Surveyor, situated at Alutgama aforesaid; bounded on the north by lot 8, east by a portion of Kadawatta and the road to Welipenna, south by a portion of Kadawatta, and on the west by lot 8, containing in extent 28½ perches. Registered in A 375/89 Kalutara.

3. All that allotment of land called and known as Mahawatta marked lot 5 in survey plan No. 892 of January 4, 1941, made by J. P. de Silva, Surveyor, situated at Alutgama aforesaid; bounded on the north by Saragewatta, east by Maggonayawatta, south by lot 4 and Lundagahawatta alias Pamburugahawatta, and on the west by Mahawatta alias Karandagahawatta; containing in extent 2 roods and 2½ perches. Registered in A 375/88 Kalutara.

4. All that allotment of land called Berawamarakkalayawatta marked lot 3 in survey plan No. 892 of January 4, 1941, made by J. P. de Silva, Surveyor, situated at Alutgama aforesaid; bounded on the north by Leadagewatta alias Pamburugahawatta, east by lot 2, south by Pokunabodawatta, and on the west by Madaparu, containing in extent 2 roods. Registered in A 275/173 Kalutara.

Deputy Fiscal's Office,
Kalutara, June 14, 1943P. D. WEERAMAN,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

Don Fredrick Wijenarayana of Elliott road,
Galle Plaintiff-creditor.
No 38,607. Vs.

Thomas Dias Goonawardana of Kahaduwa . . . Defendant-debtor.

NOTICE is hereby given that on Tuesday, July 13, 1943, at 11.30 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. 521, with legal interest thereon from September 9, 1941; till payment in full and Rs. 140 costs, and Rs. 12.20 writ costs, which the said plaintiff has recovered against the said defendant, viz. :—

All those undivided 373/600 shares of the soil and trees, the entire masonry built tiled house marked No. 1 and standing on lot C, and the closet marked No. 4, of the land called Gorakagahawatta situated at Kahaduwa in Wellaboda patta of the Galle District, Southern Province; and bounded on the north by Malapalawatta, east by Agatuduwegewatta (alias) Mahagederawatta and kumbura, south by Araliyawatta, and on the west by Wadiyawatta and Gambeddokumbura; and containing in extent 2 acres 1 rood and 16.05 perches as per figure of survey No. 356 dated July 5, 1937, made by Mr. O. W. Buijens, Licensed Surveyor, of Galle.

Deputy Fiscal's Office,
Balapitiya, June 11, 1943.SAM RANASOORIYA,
Additional Deputy Fiscal.

In the District Court of Matara.

(1) Mrs. Millicent Gertrude Perera and husband (2) Gate Mudalyar W. A. Perera of Mizpah, Matara Plaintiffs
No 14,481. Vs.

Mr. Wilfred Joseph Sertsinghe, Proctor, Matara, in his capacity as administrator of the estate of the late Gate Mudalyar, J. A. Wickremaratne in Matara Testamentary Case No. 3,836 Defendant.

NOTICE is hereby given that on Tuesday, July 13, 1943, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and the interest of the said defendant in the following property for the recovery of a sum of Rs. 2,270 40, viz. :—

The land called Avariyakannattahena, situated at Malimboda in Welham korale of Matara District, Southern Province, including all the buildings and plantations standing thereon; and bounded on the north by road from Akurugoda to Malimboda and Digenadeniya and reservation, east by Digenadeniya, Kukulakoratuwa and Danovilanawatta, south by Nadungahadeniya, Danovilanawatta, and Udaokanda, west by Udaokanda and Etambagahawila; containing in extent about 22 acres 3 roods and 28 perches subject however to a lease up to December 15, 1943.

Deputy Fiscal's Office,
Matara, June 8, 1943.H. V. F. ABAYAKOON,
Additional Deputy Fiscal.

NOTICES OF TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Arthur Percival Leslie Van Hoff of 68, Hampden
No. 10,230. lane, Wellawatta, deceased.Christopher Emmanuel, Secretary, District Court,
Colombo. Petitioner.

THIS action coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on May 20, 1943, in the presence of Mr. N. T. Palasandiran, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated May 24, 1943, having been read :

It is ordered that the petitioner above named be and he is hereby declared entitled, as the Secretary of the District Court of Colombo, to have letters of administration to the above estate with the will annexed issued to him, accordingly, unless any person or persons interested shall, on or before June 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

June 9, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Emmie Elizabeth Perera of "Sinha Giri" in
No. 10,393. Lunawa, deceased.

(1) Collin Douglas Eric Perera and (2) Jessica Theodora Evelyn Perera, both of Moratuwa Petitioners.

(1) Arthur Henry Vincent Perera of Armour street, Colombo, (2) Florence Idalis Perera, (3) Franklin Henry Perera, both of Moratuwa, (4) Claude Hermon Perera of V Judges Court, Colombo, (5) Gladys Elizabeth de Silva de Perera, (6) Christopher Joseph Perera, both of Moratuwa, (7) Percy Conrad Robert Perera of Richmond Hill, Galle, (8) Lakshman Susanta Perera, (9) Somasiri Kumaradasa Perera, (10) Trim Sirilal Perera, (11) Chandri, Sonafath, Perera, all of Moratuwa Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on April 1, 1943, in the presence of Mr. C. W. de Silva, Proctor, on the part of the petitioners; and the affidavit of (1) the petitioners dated February 23, 1943, and (2) the attesting witnesses dated March 26, 1943, having been read :

It is ordered that the last will and testament of Emmie Elizabeth Perera, deceased, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved and that the 1st and 2nd petitioners above named be and they are hereby declared entitled, as the son and daughter-in-law, respectively, of the deceased above named, to have letters of administration to the above estate with the will annexed, issued to them accordingly, unless the respondents above named or any other person or persons interested shall, on or before June 10, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 8th respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 10th and 11th respondents, to represent them for all the purposes of this action.

May 12, 1943

R. F. DIAS,
District Judge.

The date for showing cause has been extended to July 1, 1943.

June 10, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Rosairo
Jurisdiction. Poopals Rayan of 27/1, Pamankade road,
No. 10,399. Colombo, deceased.

Mary Isabel Rayan alias Maria Viagulam Isabel Poopala Rayan of 27/1, Pamankade road, Colombo Petitioner.

(1) Josephine Antonette Sunderi Rayan, (2) Josephine Ana Rayan, (3) Elizabeth Rayan, all of 27/1, Pamankade in Colombo, and (4) Joseph Devotta of 79, Bojjean road, Kotahena, Colombo Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on May 27, 1943, in the presence of Mr. G. R. Motha, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated April 5, 1943, 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 any other person or persons interested shall, on or before July 1, 1943, show sufficient cause to the satisfaction of this court to the contrary.

May 31, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Bellantuda Achchige Arnolis of Magammama in the Udugaha pattu of Salpiti korale, deceased.

No. 10,401 Lokupolawattage Sopi Nona of Magammama aforesaid. Petitioner.

And

(1) Bellantuda Achchige Jayawardena, (2) Bellantuda Achchige Nandawathi, (3) Bellantuda Achchige Kumaraasa, (4) Bellantuda Achchige Girigona of Katrawana, Homagama. Respondents.

THIS matter coming on for disposal before S. C. Swan, Esq., Additional District Judge of Colombo, on May 17, 1943, in the presence of Mr. D. E. L. Srimanne, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated May 4, 1943, having been read:

It is ordered 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-named estate issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before June 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

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

S. C. SWAN,

Additional District Judge

May 17, 1943.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of George Jurisdiction. Leshe de Pinto of Wellawatta, deceased.

No. 10,422.

Roseline Charlotte de Pinto of Wellawatta. Petitioner.

(1) Roseline Winifred de Pinto, (2) Clarence Bartholomew de Pinto, both of Wellawatta, (3) Walter Edward de Pinto of Kurunegala. Respondents.

THIS matter coming on for disposal before Waldo Sansoni, Esq., Additional District Judge of Colombo, on April 27, 1943, in the presence of Mr. D. W. Walpola, Proctor; and the affidavit of the petitioner dated April 27, 1943, having been read:

It is ordered that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 1st and the 2nd 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 mother 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 June 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,

Additional District Judge.

June 9, 1943.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Doctor Don David Karunaratne of Gampaha, deceased.

No. 10,429.

Dona Chandrawathie Karunaratne nee Gunawardene of 136, Yakwala road in Gampaha. Petitioner.

Vs.

(1) Don Chandanatha Karunaratne, (2) Dona Nandangane Karunaratne, (3) Don Upali Karunaratne, all of 136, Yakwala road in Gampaha; the 1st, 2nd, and 3rd respondents are minors appearing by their guardian *ad litem*, the 4th respondent, (4) Don Edwin Karunaratne of Norton Bridge in Watawala. Respondents.

THIS matter coming on for disposal before Dr. R. F. Dias, District Judge, Colombo, on May 4, 1943, in the presence of Mr. P. D. B. Gunatilleke, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated May 4, 1943, having been read:

It is ordered that the said Don Edwin Karunaratne, the 4th respondent, be appointed guardian *ad litem* over the 1st to 3rd minor respondents for all purposes of this action, and 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 the above estate issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before June 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

R. F. DIAS,
District Judge.

May 6, 1943.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of an Intestate Estate of the late Jurisdiction. Dona Milly Ranasinghe of Kalubowila in the Palle pattu of Salpiti korale, deceased.

No. 10,431.

Liyanage Newlyn Dharmadasa Perera of Kirillapone in the Palle pattu aforesaid. Petitioner.

And

(1) Liyanage Asoka Hemamalie Perera (a minor appearing by her guardian *ad litem*), (2) Don Charles Ranasinghe, both also of Kirillapone in the Palle pattu aforesaid. Respondents.

THIS matter coming on for disposal before Dr. R. F. Dias, District Judge of Colombo, on May 5, 1943, in the presence of

Mr. D. R. de S. Abhayanayake, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated May 4, 1943, having been read:

It is ordered that the 2nd respondent above named be and he is hereby appointed guardian *ad litem* of the minor, the 1st respondent, to represent her for all the purposes of this action and that the petitioner above named be and he is hereby declared entitled, as the husband 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 June 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

May 12, 1943.

R. F. DIAS,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Mrs. Lihan Jurisdiction. Jessie Finch of "Fmchley", Melbourne avenue, No. 10,436. Bambalapitiya, deceased.

Esme Louise Rankino (nee Pfinch) of "Fmchley", Melbourne avenue, Bambalapitiya. Petitioner.

THIS matter coming on for disposal before W. L. St. Clair Swan, Esq., Additional District Judge, Colombo, on May 14, 1943, in the presence of Mr. Clement A. S. Mather, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated April 17, 1943, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as the daughter and sole heir of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless any person or persons interested shall, on or before June 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

June 14, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of William Jurisdiction. Rajanayagam Watson of Frederica road, No. 10,442. Wellawatta in Colombo, deceased.

Clarissa Annamma Watson of 19, Frederica road, Wellawatta Colombo. Petitioner.

(1) Dr. Louis Richard Jayaratnam Watson, F. M. O., Akuressa, (2) William Nevins Gunaratnam Watson of the P. W. D., Vavuniya, (3) Oliver Joseph Jayaratnam Watson of 19, Frederica road, Wellawatta, Colombo, (4) Susan Emily Selvaratnam Anketell nee Watson, wife of Ernest Balasingham Anketell both of "Trevene", Frederica road, Wellawatta, Colombo, (5) Dulcie Gnanaratnam Watson of 19, Frederica road, Wellawatta, Colombo, (6) Emily Rasanur Constance Nesaratnam Watson of 19, Frederica road, Wellawatta. Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on May 21, 1943, in the presence of Mr. C. B. Kumarakulasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated May 14, 1943, having been read:

It is ordered that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* of the minor, the 6th respondent, to represent her for all purposes of this action and 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 July 1, 1943, show sufficient cause to the satisfaction of this court to the contrary.

May 31, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Gona- Jurisdiction. duwage Martu Perera Gunasekera of 88, New road, Kirillapone, Nugugoda, deceased.

Weeratunga Achchige Justina Gunasekera of 88, New road, Kirillapone, Nugugoda. Petitioner.

(1) Gonaduwage Indrasena Perera Gunasekera of 88, New road, Kirillapone, Nugugoda, (2) H. Henry Gunasekera of Dutugemunu street, Kalubowila. Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on May 21, 1943, in the presence of Mr. M. P. Perera, Samarasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated May 14, 1943, having been read:

It is ordered that the 2nd respondent above named be and he is hereby appointed guardian *ad litem* of the minor, the 1st 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 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 July 1, 1943, show sufficient cause to the satisfaction of this court to the contrary.

June 4, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Hanwellige
Jurisdiction. Marden Dias of Egoda Uyana, Panadura,
No. 10,444. deceased

Mumwanpitiyage Isabel Margaret Dias of Egoda Uyana,
Panadura Petitioner.

(1) Hanwellige Jansen Newton Dias of Egoda Uyana, Panadura,
(2) Hanwellige Solomon Dias of Kehelella Mills,
Badalgama Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on May 21, 1943, in the presence of Mr. M. P. Perera Samarasinghe, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated April 29, 1943, having been read:

It is ordered that the 2nd respondent above named be and he is hereby appointed guardian *ad litem* of the minor, the 1st 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 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 July 1, 1943, show sufficient cause to the satisfaction of this court to the contrary.

June 4, 1943. JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of O. L. K. K. N.
Jurisdiction. Kannappa Chettiar also known as Somasundaram
No. 10,445. Chettiar of Sekkandi in Ramnad District, South
India, deceased.

Soona Pami Kannappa Chettiar of 38, Madanappi, Chilaw. Petitioner.

(1) Meyammai Atchi, widow of the deceased above named;
(2) Kannappa Chettiar also known as Kuttayan Chettiar,
(3) Suppramanam Chettiar, all of Sekkandi in Ramnad, (4)
Kailasam Chettiar also known as Kasivisuvanathan Chettiar
of Mogul road, Rangoon, (5) Meenatchi Atchi, wife of
K. A. R. K. Y. E. Sockalingam Chettiar of Kilepangudi in
Ramnad District Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on May 21, 1943, in the presence of Mr. R. Muttusamy, Proctor, on the part of the petitioner above named; and (1) the affidavit of the petitioner dated May 11, 1943, (2) the power of attorney dated March 8, 1943, and (3) the order of the Supreme Court dated April 1, 1943, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the attorney of the eldest 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 July 1, 1943, show sufficient cause to the satisfaction of this court to the contrary.

May 29, 1943. JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo

Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. the late Ranasinghe Aratchige Juwan Silva,
No. 10,449. deceased, of Nugegoda.

THIS matter coming on for final determination before James Joseph, Esq., Additional District Judge of Colombo, on May 25, 1943, in the presence of Mr. A. E. Christie Perera, Proctor, on the part of the petitioner, Ranasinghe Aratchige Edwin Silva of "Sumanagiri", Chapel road, Nugegoda; and the affidavit of the said petitioner dated April 7, 1943, and of the attesting notary and the witnesses dated April 7, 16 and 7, 1943, respectively, having been read:

It is ordered that the last will made by the deceased above named bearing No. 23 dated October 25, 1942, and now deposited in this court be declared proved, and probate hereof be issued to the petitioner above named as the executor mentioned in the said will on the publication of this order once in the *Ceylon Government Gazette* and twice in the *Ceylon Observer* newspaper and on his taking the usual oath of office and tendering the security bond.

May 25, 1943. JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Chevalier C. S. Antony of "Whist Bungalow"
No. 10,451. in Modera in Colombo, deceased.

Simon Stock Antony of "Whist Bungalow", Modera, in Colombo Petitioner.

(1) Bridget Antony, widow of Chevalier C. S. Antony and (2)
Mary Imelda Weerasekera by her guardian *ad litem* and
(3) J. F. Goonesekere, all of "Whist Bungalow" in Modera Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on May 25, 1943, in the presence of Mr. K. Rasanathan, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated May 24, 1943, having been read:

It is ordered that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* of the minor, the 2nd respondent, to represent her for all the purposes of this action and that the petitioner above named be and he is hereby declared entitled, as 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 July 1, 1943, show sufficient cause to the satisfaction of this court to the contrary.

May 31, 1943. JAMES JOSEPH,
Additional District Judge

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Simon
Jurisdiction. Olivor Sirmame of Elpitiya, deceased.

No. 10,452. Alice Sirmame of Elpitiya Petitioner.

(1) Stella Olive Sirmame, (2) Leslie Adrian Sirmame, (3) Frank Rufus Sirmame, (4) Douglas Herman Sirmame, (5) Nalmi Sirmame, (6) Rohini Sirmame, (7) Dr. E. P. N. Abeyesundere of Bugulle road, Colombo Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on May 25, 1943, in the presence of Mr. H. E. N. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated May 18, 1943, having been read:

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

June 4, 1943. JAMES JOSEPH,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament and
Jurisdiction. Codicil of Sarah Hunter of Grand Hotel, Galkissa.
No. 10,453. Mount Lavina, Ceylon, formerly of Kandy,
Coylon, and of 62, Highmoor road, Caversham,
Reading, in the County of Berks, widow, deceased.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on May 27, 1943, in the presence of Julius & Cooney of Colombo, Proctors, on the part of the petitioner, Matthew Richard Lothian Leshman of Colombo; and the affidavit of the said petitioner dated May 24, 1943, a certified copy of probate, a certified copy of the last will and testament and codicil of the above named deceased, and power of attorney in favour of the petitioner having been read: It is ordered that the will of the said deceased dated August 26, 1937, and a codicil thereto dated June 24, 1941, of which a certified copy 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 one of the attorneys of the sole executor named in the said will and that he is entitled to have letters of administration with a copy of the said will and codicil annexed issued to him accordingly, unless any person or persons interested shall, on or before June 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

May 31, 1943. JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament and
Jurisdiction. Codicils of Sir Charles Ernest St. John Branch of
No. 10,460. Park Farm, Horsham in the County of Sussex,
England, deceased.

And in the matter of the British Courts Probates
(Re-sealing) Ordinance (Chapter 84.)

NOTICE is hereby given that after the expiry of twenty-one days from the date hereof, application will be made to the District Court of Colombo, under the British Courts Probates (Re-sealing Ordinance (Chapter 84) for the sealing of a certified copy of probate of the last will and testament and codicils of Sir Charles Ernest St. John Branch of Park Farm, Horsham, in the County of Sussex, England, deceased, granted by the Principal Probate Registry of His Majesty's High Court of Justice in England, on November 6, 1939.

O. P. MOUNT,
Attorney for Dame Agnes Irene Branch, the sole Executrix
of the last will and testament and codicils of Sir Charles
Ernest St. John Branch, deceased.
Colombo, May 31, 1943.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Sidney Henry Moore of 35, Tivoli road, Margate,
No. 10,463. in the County of Kent, England, Retired Railway,
Official, deceased.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on June 4, 1943, in the

presence of F. J. & G. de Saram, Proctors, on the part of the petitioner, James Robert Thorburn; and (1) the affidavit of the said petitioner dated May 31, 1943, (2) the power of attorney dated October 16, 1942, and (3) the order of the Supreme Court dated May 18, 1943, having been read: It is ordered that the will of the said Sidney Henry Moore, deceased, dated July 20, 1933, a certified copy of which under the Seal 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 James Robert Thorburn is the attorney in Ceylon of the executors named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before June 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

June 9, 1943.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Timbiripolage Romanis Peiris, deceased, of Gorakana. No. 3,079.

Meenamage Scosawathie Perera Petitioner.

Vs.

(1) Timbiripolage Edwin Peiris, (2) ditto Wilfred Peiris, (3) Meenamage Olivo Perera Respondents

THIS matter coming on for disposal before V. Joseph, Esq., District Judge, Kalutara, on March 18, 1943, in the presence of Mr. S. L. de Silva, Proctor, on the part of the petitioner; and the affidavit of the above mentioned petitioner dated February 23, 1943, having been read: It is ordered that the intestate estate of Timbiripolage Romanis Peiris be and she is hereby declared entitled, as the widow of the deceased, to have letters of administration issued to her, unless the respondents or person or persons interested in the estate shall, on or before May 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Meenamage Olivo Perera, 3rd respondent, be appointed guardian *ad litem* over the 1st and 2nd respondents and that the said petitioner be and she is entitled to have letters of administration to the same issued to him accordingly, unless the respondents or other person or persons interested in the estate shall, on or before May 24, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 18, 1943.

V. JOSEPH,
District Judge.

Time for showing cause extended till June 21, 1943.

May 24, 1943.

J. H. V. S. JAYAWICKRAMA,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Alice Jurisdiction. Panditharatne Dias, deceased, of Hospital, Galle. No. T 333.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on March 18, 1943, in the presence of Mr. M. J. Taylor, Proctor, on the part of the petitioner, Sumanasekera Aratchige Don Henry Dias of Galle; and the affidavit of the said petitioner dated March 30, 1943, 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—(1) Sumanasekera Aratchige Kusuma Dias, wife of

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H. A. E. Seneviratno of Military Hospital, Colombo, (2) ditto Harriet Soma Dias, (3) ditto Mallika Dias, (4) ditto Nallini Dias, (5) ditto Stanley Dias, (6) H. A. E. Seneviratne of Military Hospital, Colombo, and (7) D. P. Panditharatne of S. Kumbriyangoda, Matale—on any other person or persons interested shall, on or before May 6, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 6th respondent be appointed guardian *ad litem* over the minors, the 3rd, 4th, and 5th respondents, unless the respondents above named or any other person or persons interested shall, on or before May 6, 1943, show sufficient cause to the satisfaction of this court to the contrary.

March 18, 1943.

C. NAGALINGAM,
District Judge.

The date for showing cause is extended to June 21, 1943.

May 6, 1943.

C. NAGALINGAM,
District Judge.

In the District Court of Nuwara Eliya.

Order absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Frank Evan Waring of Iroby estate, Norwood, No. 360. in the Island of Ceylon, deceased.

Alice Maud Waring of New Valley estate, Norwood Petitioner.

THIS matter coming on for disposal before T. P. P. Goonetilleke, Esq., District Judge of Nuwara Eliya, on June 7, 1943, in the presence of Mr. V. C. Modder, Proctor, on the part of the petitioner above named; and (1) the affidavit of the petitioner dated May 15, 1943, (2) the affidavit of the witness to the last will and (3) the last will and testament dated December 7, 1909, having been read:

It is ordered that the last will of the said Frank Evan Waring, deceased, dated December 7, 1909, 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 petitioner is the sole executrix in the said will and that probate thereof be issued to her, on her taking the oath and furnishing security.

June 7, 1943.

T. P. P. GOONETILLEKE,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Ramanathar Jurisdiction. Ponnampalam Murugesu of Vaddukoddai East, No. 103. deceased.

Sivapakkiam, widow of Ramanathar Ponnampalam Murugesu of Vaddukoddai East Petitioner.

Vs.

(1) Murugesu Sanmugarajah of ditto, (2) Annaladchumy, daughter of Murugesu of ditto, (3) Ramanathar Ponnampalam Selvadurai of ditto (minors), presently of Roeberry estate, Madulsima, Badulla Respondents.

THIS matter of the petition of the above-named petitioner coming on for disposal before G. C. Thambyah, Esq., District Judge, Jaffna, on March 22, 1943, 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 above-named 3rd respondent be appointed guardian *ad litem* over the minors.

1st and 2nd respondents, and that letters of administration be granted to the petitioner, unless the said respondents shall appear on May 10, 1943, and show cause to the satisfaction of this court to the contrary.

April, 1943
Extended to June 21, 1943

G. C. THAMBYAH,
District Judge

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Vallammai, Jurisdiction. wife of Visuvar Kanapathipillai of Mathakal, No. 118. deceased.

Arunugam Vitasithamby of Mathakal Petitioner.
Vs.

(1) Parmeswari, daughter of Visuvar Kanapathipillai, and (2) Visuvar Kanapathipillai, both of Mathakal Respondents.

THIS matter of the petition of the above named petitioner, praying that the above named 2nd respondent be appointed guardian *ad litem* over the minor, the above named 1st respondent, coming on for disposal before G. C. Thambyah, Esq., District Judge, Jaffna, on May 21, 1943, in the presence of Mr. R. R. Nalliah, Proctor, on the part of the petitioner, and the affidavit and petition of the petitioner having been read:

It is ordered that the above named 2nd respondent be appointed guardian *ad litem* over the minor, 1st respondent, and the petitioner be declared entitled to letters of administration to the estate of the above named deceased in this testamentary action, unless the above named respondents appear before this court on June 25, 1943, and state objections to the contrary.

May 21, 1943

G. C. THAMBYAH,
District Judge

In the District Court of Kurunegala

Order Nisi.

Testamentary In the Matter of the Estate of the late Wickromasinghe Jurisdiction. singhe Piyaratne of Naliya in Tirugandaha No. 4,465. deceased.

Wickromasinghe Piyaratne of Naliya Petitioner
Vs.

(1) George Wickromasinghe of C. F. N. No. T 1070103 598 Workshops 533 Basework shops R. E. M. D Middle East, (2) Wickromasinghe Piyawardana, (3) ditto Pomawathu, (4) ditto Chandrawathu, all of Naliya in Tirugandaha korale. Respondents.

THIS matter coming on for disposal before G. M. de Silva, Esq., District Judge of Kurunegala, on April 9, 1943, in the presence of Mr. E. E. G. Daniels, Proctor for the petitioner above named; and the affidavit of the said petitioner dated April 1, 1943, having been read:

It is ordered that the 4th respondent be and she is hereby appointed guardian *ad litem* over the 2nd and 3rd minor respondents for the purpose of these proceedings unless the respondents shall, on or before May 3, 1943, show sufficient cause to the satisfaction of this court, to the contrary.

It is ordered that the said petitioner be and he is hereby declared entitled, as the second son of the above named deceased, to have letters of administration to his estate issued to him, unless the respondents or any other person or persons interested shall, on or before May 3, 1943, show sufficient cause to the satisfaction of this court to the contrary

April 9, 1943

G. M. DE SILVA,
District Judge

This is extended and reissued for showing cause for July 14, 1943.

H. A. DE SILVA,
District Judge.

In the District Court of Puttalam

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Segalado Jurisdiction. Thambiy Marakar Sego Kando Marakar, late of No. 768. Poriyakudiruppu in Kalpitiya, deceased.

Between

Segalado Thambiy Marakar Mohamedo Shariff Marakar of Poriyakudiruppu in Kalpitiya Petitioner

And

(1) Ali Thambiy Marakar Asia Boobee, widow of the above named deceased of Kalpitiya, (2) Sego Kando Marakar Mohamedo Numa Marakar of Kalpitiya, presently of Pembroke Academy, Bagatelle road, Colombo, (3) Sego Kando Marakar Mulhu Kurasha Boobee, wife of M. C. M. Mohamedo Nalpa Marakar of Puttalam, (4) Sego Kando Marakar Nugoer Meera Natchiya, (5) Sego Kando Marakar Iyna Boobee, (6) Sego Kando Marakar Sainambu Natchiya, (7) Sego Kando Marakar Ahamado Beebee all of Kalpitiya, the above named 4th, 5th, 6th, and 7th respondents are minors of the ages of 18, 15, 13, and 8 years, respectively, appearing by their proposed guardian *ad litem*, (8) Sena Al Thambiy Marakar of Tely Respondents

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Puttalam, on April 29, 1943, in the presence of Mr. Lazarin E. David, Proctor, on the part of the petitioner, his affidavit and petition dated April 7 and 27, 1943, respectively, having been duly read:

It is ordered that the 8th respondent above named be and he is hereby appointed guardian *ad litem* over the 4th, 5th, 6th, and 7th minor respondents and the petitioner be and he is hereby appointed administrator of the intestate estate of the above named deceased, and that letters of administration be issued to him accordingly, unless the above named respondents or any other person or persons interested in the matter of the application shall appear and show sufficient cause to the satisfaction of this court to the contrary on May 24, 1943, at 10 o'clock in the forenoon

April 29, 1943.

K. D. DE SILVA,
District Judge.

Extended and reissued for June 21, 1943

May 31, 1943

K. D. DE SILVA,
District Judge