



# THE CEYLON GOVERNMENT GAZETTE

No. 9,017 — FRIDAY, OCTOBER 2, 1942.

Published by Authority.

## 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. 38 of 1942.

An Ordinance to make provision for the Public and Railway Services and the Electrical Undertakings for the financial year 1942-43, to authorise the payment by way of advance out of Revenue of moneys required during that financial year for specified purposes, and to provide for the refund of such moneys to Revenue.

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 Appropriation Ordinance, No. 38 of 1942.

Short title.

2. Without prejudice to any other law authorising any expenditure, sums not exceeding one hundred and sixty million nine hundred and eighty-three thousand eight hundred and sixty-four rupees, twenty-eight million and forty-six thousand one hundred and forty-two rupees, three million five hundred and sixty-nine thousand one hundred and sixty-nine rupees, and four hundred and fifty eight thousand nine hundred and ninety-one rupees, are hereby declared to be payable out of the revenue and other funds of the Island, the Ceylon Government Railway, and the Electrical Undertakings, respectively, for the service of the financial year beginning on October 1, 1942, and ending on September 30, 1943; and the said sums may be expended as specified in the First, Second, Third, and Fourth Schedules, respectively.

Appropriation for financial year 1942-43.

Schedules I., II., III., and IV.

3. (1) In addition to the sums mentioned in section 2, sums not exceeding two million and eighty-one thousand nine hundred and forty rupees in the aggregate are hereby declared to be payable by way of advance out of the revenue and other funds of the Island, during the financial year referred to in that section, for the purposes enumerated in the Fifth Schedule.

Payment from and refund to revenue of advances for purposes specified in Schedule V.

(2) Where the total sum paid under sub-section (1) by way of advance during the financial year beginning on October 1, 1942, and ending on September 30, 1943, has not been refunded to revenue out of the proceeds of any loan authorised to be raised under any written law, that sum or so much thereof as has not been so refunded shall be, and is hereby declared to be, payable out of the revenue and other funds of the Island for the service of the financial year beginning on October 1, 1947, and ending on September 30, 1948, in addition to any other sums that may by law be payable, or may by any written law hereafter enacted be declared to be payable, for the service of that financial year.

## SCHEDULE I.

Sums payable out of the Revenue of the Island.

	Rs.
1. His Excellency the Governor .. ..	146,650
2. Supreme Court .. ..	488,080
3. State Council .. ..	484,978
4. Audit Office .. ..	507,232
5. Chief Secretary .. ..	270,560
6. Civil Service .. ..	226,165
7. Clerical Service .. ..	50,500
8. Ceylon Naval Volunteer Force .. ..	29,765
9. Defence Expenditure .. ..	37,620,425
10. Coast Lights .. ..	20,003
17. Legal Secretary .. ..	142,317
18. Attorney-General .. ..	256,796
19. Legal Draftsman .. ..	122,158
20. Public Trustee .. ..	131,293
21. District Courts .. ..	844,593
22. Courts of Requests, and Magistrates' Courts .. ..	551,512
23. Village Tribunals .. ..	343,559
24. Fiscals .. ..	859,086
30. Financial Secretary .. ..	27,508
31. Treasury .. ..	427,836
32. Public Debt .. ..	27,000
33. Pensions .. ..	1,269,000
34. Widows' and Orphans' Pension Office .. ..	27,628
35. Exchange .. ..	130,000
36. Currency .. ..	68,078
37. Loan Board .. ..	12,182
38. Government Stores .. ..	315,531
39. Government Press .. ..	888,871
40. Department of Income Tax, Estate Duty and Stamps .. ..	475,607
41. Customs .. ..	826,993
42. Miscellaneous Services .. ..	10,369,165
43. Emergency Expenditure .. ..	1,000,000
44. Port Requisitioning Agent .. ..	28,444
48. Minister of Home Affairs .. ..	61,263
49. Provincial Administration .. ..	4,301,713
50. Excise Department .. ..	1,792,088
51. Police .. ..	4,940,265
52. Department of Prisons and Probation .. ..	1,357,874
53. Government Analyst .. ..	83,259
54. Zoological Gardens .. ..	35,566
55. Provincial Admin. (Emergency Scheme) .. ..	1,023,079
60. Minister of Agriculture and Lands .. ..	49,126
61. Commissioner for Development of Agricultural Marketing .. ..	382,118
62. Appeal Board (Land Settlement Ordinance) .. ..	580
63. Land Commissioner .. ..	1,276,990
64. Land Settlement Department .. ..	143,497
65. Survey Department .. ..	2,481,964
66. Department of Agriculture .. ..	4,697,071
67. Forest Department .. ..	695,685
68. Registrar of Co-operative Societies .. ..	307,091
69. Irrigation Department .. ..	1,562,420
70. Irrigation Annually Recurrent .. ..	497,500
71. Irrigation Extraordinary .. ..	743,757
72. Food Controller .. ..	593,304
73. Director of Food Supply and Control .. ..	2,000
74. Controller of Distribution of Imported Subsidiary Foodstuffs .. ..	1,000
77. Minister of Local Administration .. ..	28,666
78. Commissioner of Local Government .. ..	3,124,863
79. Valuation Department .. ..	79,439
80. Commissioner of Motor Transport .. ..	180,010
81. Salt Department .. ..	1,105,382
82. Department of Mineralogy .. ..	64,111
83. Department of Fisheries .. ..	122,810
84. Schemes assisted by the Colonial Development Fund .. ..	5,000
85. Petrol Control .. ..	77,636
90. Minister of Health .. ..	36,693
91. Quarantine .. ..	274,992
92. Medical and Sanitary Services .. ..	15,449,505
93. Indigenous Medicine .. ..	111,154
100. Minister of Labour, Industry and Commerce .. ..	38,033
101. Registrar-General .. ..	737,075
102. Director, Tourist Bureau .. ..	23,588
103. Director of Commerce and Industries .. ..	1,652,058
104. Controller of Labour .. ..	802,770
105. Controller of Imports, Exports and Exchange .. ..	128,408
106. Commissioner for War Risks Insurance .. ..	755,314
110. Minister of Education .. ..	38,960
111. Education .. ..	24,635,722
112. Grant to the University of Ceylon .. ..	930,000
113. Archaeological Department .. ..	119,858
114. Colombo Museum .. ..	91,393
115. Ceylon Technical College .. ..	301,456
120. Minister of Communications and Works .. ..	46,986
121. Colombo Port Commission .. ..	3,064,634
122. Ports other than Colombo .. ..	45,429
123. Post Office and Telegraphs .. ..	7,937,049
124. Public Works Department .. ..	1,669,955

	Rs.
125. Public Works Annually Recurrent ..	5,017,851
126. Public Works Extraordinary ..	1,688,719
127. Civil Aviation ..	12,303
128. Railway Department ..	3,901,142
129. Electrical Installations in Government buildings ..	441,382
130. Director of Transport ..	121,173
131. Department of Engineering Production ..	103,620
	160,983,864

## SCHEDULE II.

Sums payable out of the Revenue of the Ceylon Government Railway.

	Rs.
1. Ordinary working expenditure of the Railway ..	28,046,142
2. Interest payable to the Revenue of the Island on advances ..	—
3. Annuities payable to the Revenue of the Island on Loans ..	—
	28,046,142

## SCHEDULE III.

Sums payable out of the Revenue of the Electrical Undertakings.

	Rs.
1. Ordinary working expenditure of the Electrical Undertakings ..	2,782,624
2. Interest payable to the Revenue of the Island on advances ..	12,000
3. Annuities payable to the Revenue of the Island on Loans ..	743,312
4. Reserve for Bad Debts ..	2,500
5. Transfer to Reserve, Extensions and Renewals Fund ..	28,733
	3,569,169

## SCHEDULE IV.

Sums payable out of the Reserve, Extensions and Renewals Fund of the Electrical Undertakings.

	Rs.
1. Expenditure from Reserve, Extensions and Renewals Fund ..	458,991
	458,991

## SCHEDULE V.

Sums payable by way of advance out of the Revenue of the Island.

	Rs.
1. Loan Fund Expenditure ..	2,081,940
	2,081,940

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

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

Assented to by His Excellency the Governor the Twenty-ninth day of September, One thousand Nine hundred and Forty-two.

C. H. HARTWELL,  
Secretary to the Governor.

## DRAFT ORDINANCES.

## MINUTE.

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

L. D.—O. 2/42.

An Ordinance to provide for the exemption from customs duty of articles of food and clothing imported for the use of prisoners of war and civilian internees, for a rebate of customs duty paid on the importation of such articles where such articles are purchased in Ceylon for the purposes aforesaid, and for the validation of rebates heretofore allowed on such articles.

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 War Prisoners Food and Clothing (Exemption from Customs Duty) Ordinance, No. of 1942, and shall continue in operation until such date as the Governor may appoint by Proclamation published in the *Gazette*.

Short title  
and duration  
of Ordinance.

Exemption of certain articles from customs duty.  
(Cap. 185).

2. Notwithstanding anything in the Customs Ordinance, articles of food, clothing, and materials for clothing imported by His Majesty's Military Forces in Ceylon for the use of any person who is a prisoner of war or a non-combatant enemy alien detained or interned in Ceylon are hereby exempted from the payment of import duties.

Certificates by authorised officers.

3. The Governor may, by notification published in the *Gazette*, authorise any officer of His Majesty's Military Forces in Ceylon, (hereafter in this Ordinance referred to as an "authorised officer"), to issue certificates for the purposes of this Ordinance. Every such certificate shall be in such form as the Principal Collector of Customs may from time to time determine.

On production of certificate articles to be passed free of duty.

4. Upon the production of a certificate issued for the purposes of this Ordinance by an authorised officer in respect of any article exempted by section 2, the Principal Collector of Customs shall pass such article free of import duty.

Rebate of customs duty.

(Cap. 185).

5. (1) Where any article which is referred to in section 2 and on which import duty has been paid is purchased by or on behalf of His Majesty's Military Forces in Ceylon for the use of any person who is a prisoner of war or a non-combatant enemy alien detained or interned in Ceylon, the Principal Collector of Customs shall, notwithstanding anything in the Customs Ordinance, allow a rebate of the duty paid on that article, upon the production of a certificate issued in respect of that article by an authorised officer, and upon proof to the satisfaction of the Principal Collector of Customs of the fact that such article was actually purchased in Ceylon and of such particulars as he may require in regard to the amount of the duty paid, the time and place of payment of such duty and the purpose for which such article was purchased:

Provided that no such rebate shall be allowed in the case of any article unless the certificate relating to that article is produced within twelve months next after the date on which that article was purchased:

Provided further that the Principal Collector of Customs may refuse to allow a rebate of the duty paid on any article if he is satisfied, after such inquiry as he may deem necessary, that a rebate of the duty paid on that article has previously been allowed in accordance with the provisions of this section.

(2) The rebate of the duty on any article referred to in sub-section (1) shall—

- (a) be paid to the authorised officer by whom the certificate in respect of that article was issued; and
- (b) be paid out of the duties received by the Principal Collector of Customs, notwithstanding anything in section 20 of the Customs Ordinance.

Sale of articles which have been passed free of duty or on which rebate of duty has been allowed.

6. Where any article which has been passed free of import duty under section 4, or on which a rebate of such duty has been allowed under section 5, is not required for the use for which it was imported or purchased and is sold, the officer in whose charge such article may be shall furnish the Principal Collector of Customs with the particulars of the sale thereof, and out of the proceeds of such sale, pay to the said Collector the duties which may be due thereon.

Validation of rebates of customs duty.

7. Any rebate of import duty allowed by the Principal Collector of Customs before the date of the commencement of this Ordinance in respect of any article referred to in section 2 is hereby declared to be and to have been for all purposes valid and lawful.

#### *Objects and Reasons.*

The object of this Bill is to exempt from Customs duty articles of food, clothing and materials for clothing imported into or purchased in Ceylon by or on behalf of His Majesty's Military Forces for the use of prisoners of war or civilian internees in Ceylon. The exemption will be granted on certificates issued by officers of His Majesty's Military Forces who are authorised in that behalf by the Governor.

2. Where an exempted article, on which import duty has already been paid, is purchased locally for the purposes aforesaid, a rebate of that duty will be allowed (Clause 5). Rebates of such duty which have been allowed in the past will be validated by Clause 7.

## MINUTE.

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

L. D.—O. 32/40.

**An Ordinance to amend the Lands Resumption Ordinance.**

Cap. 313  
Vol. VI., p. 558.

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 Lands Resumption Amendment Ordinance, No. of 1942. Short title.
2. Section 2 of the Lands Resumption Ordinance, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows :—
  - (1) in sub-section (1)—
    - (a) by the omission of the words "of the province in which such land is situate";
    - (b) by the substitution, for the word "Governor", of the words "Land Commissioner"; and
  - (2) in sub-section (2) by the substitution, for the words "twice at least", of the words "once at least".Amendment of section 2 of Chapter 313.
3. Section 3 and the marginal note thereto, and sections 6, 7 and 10 of the principal Ordinance are hereby amended by the substitution, for the word "Governor" wherever that word occurs therein, of the word "Minister". Amendment of sections 3, 6, 7 and 10 of the principal Ordinance.
4. Sections 4 and 5 and the marginal note to section 5 of the principal Ordinance are hereby amended by the substitution, for the word "Governor" wherever that word occurs therein, of the words "Land Commissioner". Amendment of sections 4 and 5 of the principal Ordinance.
5. Section 9 of the principal Ordinance is hereby amended as follows :—
  - (1) by the substitution, for the word "Governor", of the words "Land Commissioner"; and
  - (2) by the omission of the words "of the province in which such land is situate".Amendment of section 9 of the principal Ordinance.
6. The following new section is hereby inserted immediately after section 16 of the principal Ordinance and shall have effect as section 17 of that Ordinance :—
  17. In this Ordinance—
 

"Government Agent" means the Government Agent of the province or the Assistant Government Agent of the district within which any land is situated;

"Minister" means the Minister for Agriculture and Lands.Insertion of new section 17 in the principal Ordinance.  
Interpretation.

*Objects and Reasons.*

The existing provisions of the Lands Resumption Ordinance (Chapter 313) which vested powers and functions in Government Agents and not in Assistant Government Agents as well, and required the intervention of the Governor at various stages have tended to make proceedings under the Ordinance unduly long and complicated. With a view to simplifying the procedure laid down in the Ordinance, it has now been decided that Assistant Government Agents in their districts should be enabled to exercise the powers and perform the functions now vested in Government Agents alone, and that the powers and the discretion now exercised by the Governor under the various sections should be transferred in part to the Minister for Agriculture and Lands and in part to the Land Commissioner. The object of this Bill is to make the necessary amendments in the Lands Resumption Ordinance.

2. Clause 3 contains the amendments that are necessary to effect the transfer of some of the Governor's powers to the Minister, and Clauses 2 (1) (b), 4, and 5 (1) contain the amendments necessary for the corresponding transfer of the other powers to the Land Commissioner. In the new section 17, which is set out in Clause 6, a definition of Government Agent has been included which will enable the Assistant Government Agents in their districts to exercise the powers and perform the functions of the Government Agents.

Clauses 2 (1) (a) and 5 (2) contain two consequential amendments which have been rendered necessary by the new definition of the term "Government Agent".

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

Colombo, 28th September, 1942.

## DISTRICT AND MINOR COURTS NOTICES.

## Destruction of Records.

NOTICE is hereby given that the following series of cases of the District Court and Court of Requests, Ratnapura, will be destroyed three months hence subject to the provisions of Chapter 336 of New Legislative Enactments, and any person who is interested in any record, may personally, by proctor, or by duly authenticated petition claim, upon good cause shown, that such record may not be destroyed.

*District Court.*—From Nos. 1,731 of 1909 to 5,640 of 1932

*Court of Requests.*—From Nos. 10,860 of 1909 to 22,200 of 1932.

Ratnapura,  
September 14, 1942.

D. E. WIJEWARDENE,  
Additional District Judge and  
Commissioner of Requests.

assessment No. 15, Hunupitiya road, and presently bearing assessment No. 38, within the Municipality and District of Colombo, Western Province; and bounded on the north by lot No. 5 of H. Darby Simon, on the east by Hunupitiya road, on the south by lot 2 of H. Dulius Simona Simon, and on the west by the western  $\frac{1}{2}$  of the same premises, formerly belonging to M. Dona Cornelia, widow of H. Don Simon, now of W. J. de Mel; and containing in extent 12  $\frac{7}{10}$  perches, and which said premises are now said to be bounded on the north by lot 5, formerly bearing assessment No. 21, now No. 34, on the south by lot 2, formerly bearing assessment No. 11, now No. 42, and on the west by the western  $\frac{1}{2}$  part now belonging to W. J. de Mel, and on the east by Hunupitiya road; and registered in the Colombo District Land Registry under title A 259/142.

Fiscal's Office,  
Colombo, September 30, 1942.

H. C. WIJESINHA,  
Deputy Fiscal.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

Insolvency In the matter of the insolvency of A. R. A. R. S. M.  
Jurisdiction. Firm, insolvents.  
No. 3,507.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvents will be held at the sitting of this court on October 16, 1942, to consider the grant of a certificate of conformity to the above-named insolvents.

September 21, 1942. By order of court, C. EMMANUEL,  
Secretary.

In the District Court of Colombo.

Insolvency In the matter of the insolvency of B. V. Stave of  
No. 5,534. 21, Groom street, Colombo, insolvent.

TAKE notice that the certificate meeting of the insolvent above named has been fixed for October 23, 1942.

September 29, 1942. By order of court, T. THIAGAJ RAJAH,  
Acting Secretary.

In the District Court of Kandy.

No. I. 105. In the matter of the insolvency of Don John de Silva  
of Galboda.

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 October 23, 1942, to consider the granting of a certificate of conformity to the above-named insolvent.

September 29, 1942. By order of court, R. B. RATNAIKE,  
Secretary.

In the District Court of Kandy.

No. I. 107. In the matter of the insolvency of S. Kandiah of 426,  
Peradeniya road, Kandy.

WHEREAS the above-named S. Kandiah has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by H. M. Covis Silva of Ambalangoda, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said S. Kandiah, insolvent accordingly, and that two public sittings of the court, to wit, on October 23, 1942, and on November 13, 1942, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

September 26, 1942. By order of court, R. B. RATNAIKE,  
Secretary.

## NOTICES OF FISCALS' SALES.

## Western Province.

In the District Court of Colombo.

(1) Nallacaruppan Chettiar Muttupalanappa Chettiar, (2) Nallacaruppan Chettiar Thiagarajan Chettiar, (3) Nallacaruppan Chettiar Annamah Chettiar, all 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 . . . . . Plaintiffs  
No. 2,758/S. Vs.

(1) James T. Rutnam and (2) Mrs Evelyn Rutnam (husband and wife), both of 357, Ferguson road, Colombo . . . . . Defendants.

NOTICE is hereby given that on Wednesday, October 28, 1942, at 3 P.M., will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 435.27, to wit:—Rs. 124.47 and being incurred costs, Rs. 25.30 being prospective costs, and Rs. 285.50 being interest due up to date, viz.:—

All that allotment of land with the buildings and everything else standing thereon, situated at Alston Scott road, Hunupitiya in Colombo, formerly bearing assessment No. 5 and thereafter bearing

In the District Court of Colombo.

(1) Muttupalanappa Chettiar, (2) Thiagarajan Chettiar, and (3) Annamah Chettiar, all carrying on business under the name, style, and firm or vilasam of Nana Moona Awanna Roona also known as N. M. A. R. of 285, Sea street in Colombo . . . . . Plaintiffs.  
No. 4,531/S. Vs.

M. M. Haniffa of 305, Dam street in Colombo . . . . . Defendant.

NOTICE is hereby given that on Tuesday, October 27, 1942, at 2 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. 7,014.41, together with further interest on Rs. 6,600 at 15 per cent. per annum from September 18, 1940, up to the date of decree (February 10, 1941) and thereafter on the aggregate amount of the decree at 15 per cent. per annum till payment in full, less sums of Rs. 5,000 and Rs. 250, viz.:—

All that allotment of land bearing assessment No. 49 and presently Nos. 28, 28/1-4, St. Sebastian street, Colombo, within the Municipality and District of Colombo, Western Province; and bounded on the north by lot No. 2, on the east by road 8 links wide, on the south by lot No. 4, and on the west by high road; containing in extent 7  $\frac{28}{100}$  perches. Registered in A 247/246.

Fiscal's Office,  
Colombo, September 30, 1942.

H. C. WIJESINHA,  
Deputy Fiscal.

## Central Province.

In the District Court of Kandy.

M. A. M. Abdul Gany Marikar of Colombo street,  
Kandy . . . . . Plaintiff.  
No. M.R. 787. Vs.

M. A. M. Ahamado Abdul Cader of Colombo street,  
Kandy . . . . . Defendant.

NOTICE is hereby given that on Thursday, October 29, 1942, commencing at 2 P.M., 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. 3,500 together with costs of suit and poundage, viz.:—

1. An undivided  $\frac{1}{5}$ th part or share from and out of an undivided one half part or share of and in all that plot or parcel of ground, situate at Colombo street within the Town and Municipality of Kandy, Central Province, together with all the houses and buildings thereon originally marked No. 110, subsequently bearing assessment Nos. 113 and 114 and bearing present assessment Nos. 112, 113, 133 (A to Q) 113 (A. A. to H. N.) and 114 and the entirety is bounded or reputed to be bounded on the east by the property of Tamby Appu, on the south by the Government property, on the west by the property said to belong to Don Dugiroo, and on the north by Colombo street; containing in extent 13  $\frac{9}{100}$  perches according to plan of survey dated June 24, 1889, made by S. W. Spencer, Licensed Surveyor.

2. An undivided  $\frac{1}{5}$ th part or share from and out of an undivided one half part or share from and out of all that parcel or allotment of ground, situate at Castle Hill street within the Town and Municipality of Kandy aforesaid; and bounded on the north by house and ground bearing assessment No. 62, south by house and ground bearing assessment No. 59, east by the wall of the property of Mr. S. Ratwatte, and on the west by Castle Hill street; containing in extent 8 square perches on the whole as per figure of survey bearing date, September 15, 1902, made by O. V. Bartholomeusz, Licensed Surveyor, and annexed to the title deeds of the said premises together with the messuages, houses and buildings erected and built thereon or on some parts thereof and bearing present assessment No. 60 (A, B, C, D, and E) and 61, Castle Hill street, Kandy aforesaid.

3. An undivided  $\frac{1}{5}$ th part or share from and out of an undivided half part or share from and out of all those houses and premises formerly bearing assessment Nos. 200, 201, and 202 and presently bearing assessment Nos. 199, 200, 201, situate at Colombo street within the Town and Municipality of Kandy aforesaid; bounded on the east by house and premises bearing assessment No. 207, presently bearing assessment No. 202, on the south by Colombo street, on the west by the house and premises formerly bearing assessment No. 203, presently bearing assessment No. 198, and on the north by Sanchi Nona's land, containing in extent 11  $\frac{76}{100}$  perches.  
Valuation Rs. 4,000.

Fiscal's Office  
Kandy, September 29, 1942.

CHARLES DE SILVA,  
Deputy Fiscal.

In the District Court of Colombo.

Dewaligodagamage William Perera of Havelock road,  
Colombo ..... Plaintiff.

No. 1,872 Partition. Vs.

(1) Hanwellege Theresa Perera Hamine, and (2) Sendanayake Aratchige Alfred Perera, both of Kelaniya, (3) M. Amaratunga of 26/12-1, Ampitiya road, Kandy, (4) H. D. Peter Perera of 26/12-1, Ampitiya road, Kandy, (5) Daisy Theresa Gunawardena, wife of (6) K. Christopher Aloysius Gunawardena, both of Mahawela, (7) Agnes Charlotte Amaraturunge, wife of 3rd defendant ..... Defendants.

NOTICE is hereby given that on Saturday, October 31, 1942, at 2 P.M., will be sold by public auction at the premises the right, title, and interest of the said plaintiff in the following property with the buildings standing thereon for the recovery of Rs. 157.50 and costs of execution proceedings payable to the 3rd, 4th, 5th, and 7th defendants in terms of the order of court dated June 30, 1942, viz. :—

1. All that allotment of land called Kahatagahaaswedduma alias Kahatagahakumbura with the buildings, trees, and plantations standing thereon, situated at Ampitiya in Gandahaya korale of Pata Hewaheta in the the District of Kandy, Central Province, now within the Municipal limits of Kandy; bounded on the north by the property of Simon Mendis, on the east by Pattiyakelehena, on the south by the property of Johannis Silva, and on the west by Yamakalagedrawatta, containing in extent 3 roods and 22 perches; and

2. An adjoining allotment of the said land with the buildings trees and plantations standing thereon, situated at Ampitiya aforesaid; bounded on the north by the property of Simon Mendis, on the east by Kahatagaha aswedduma and the property of Mr. W. P. Srimane, on the south by the land of Simon Mendis, and on the west by the property of W. H. Soysa; containing in extent 1 rood and 31 perches, which said two portions of land adjoin each other and now form one property and bear Municipal assessment No. 11, Ampitiya road.

Valuation Rs. 2,500.

Fiscal's Office,  
Kandy, September 25, 1942.CHARLES DE SILVA,  
Deputy Fiscal.

## Southern Province.

In the Court of Requests of Balapitiya.

W. A. Ranasingha of Keraminiya .... Plaintiff/Judgment-creditor.

No. 23,137. Vs.

A. H. Albert de Silva of Walagedera, Balapitiya ..... Defendant/Judgment-Debtor.

NOTICE is hereby given that on Saturday, October 31, 1942, commencing 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. 127.25 with legal interest on Rs. 101.25 from April 25, 1942, till payment in full, viz. :—

1. All that defined lot 'B' together with everything standing thereon of the land called Gorakagahawatta, situated at Walagedera in Balapitiya in Wellaboda pattu of Galle District, Southern Province; and bounded on the north by road reservation, east by lot 'D' of this land, south by Galpottawatta, and on the west by Pansalawatta; and containing in extent 16.5 perches as per plan No. 344 made by Mr. H. W. P. Ranasingha, Licensed Surveyor, and filed of record in D. C., Galle, case No. 32,657.

2. All that defined lot 'D' together with everything standing thereon of the land called Gorakagahawatta, situated at Walagedera aforesaid; and bounded on the north by road reservation and lot 'C' of this land, east by Syambalagahawatta whereon Yonhewa Issan resided, south by Galpottawatta, and on the west by lot 'B' of this land; and containing in extent 15 perches, and is depicted in the aforesaid plan.

The above two lands will be sold subject to a Mortgage Bond in favour of Mr. G. C. T. A. de Silva, Advocate, Ambalangoda.

3. All that undivided  $\frac{1}{2}$  part of the defined lot 'B' with  $\frac{1}{4}$  part of everything standing thereon of the land called Mahawarakagahawatta, situated at Walagedera aforesaid; and bounded on the north by Lindawatta and Kitowatta, east by lot 'C' of this land, south by Gorakagahawatta, whereon Hakkin Sadiris resided, and on the west by lot 'A' of this land; and containing in extent 14 perches.4. All that undivided  $\frac{3}{4}$  parts of the soil and of the plantations standing thereon of the defined lot 'E' of the land called Mahawarakagahawatta, situated at Walagedera aforesaid; and bounded on the north by Lindawatta and Kitowatta, east by lot 'F' of this land, south by Gorakagahawatta whereon Hakkin Sadiris resided, and on the west by lot 'D' of this land, and containing in extent 2.5 perches.5. All that undivided  $\frac{2}{7}$  parts of the soil and of the plantations standing thereon of the defined lot 'C' of the land called Mahawarakagahawatta, situated at Walagedera aforesaid; and bounded on the north by Lindawatta and Kitowatta, east by lot 'D' of this land, south by Gorakagahawatta whereon Hakkin Sadiris resided, and on the west by lot 'B' of this land, and containing in extent 1.2 perches.6. All that undivided  $\frac{1}{9}$ th part of all the soil and of all the trees of the defined lot 'D' of the land called Mahawarakagahawatta, situated at Walagedera aforesaid; and bounded on the north by Lindawatta and Kitowatta, east by lot 'E' of this land, south by Gorakagahawatta whereon Hakkin Sadiris resided, and on the west by lot 'C' of land; and containing in extent 3.4 perches.Deputy Fiscal's Office,  
Balapitiya, September 26, 1942.SAM RANASOORIYA,  
Additional Deputy Fiscal.

## Northern Province.

In the District Court of Jaffna, held at Point Pedro.

Veluppillai Vallipuram of Thumpalai as Trustee and Manager of  
Kanankardu Madam at Thumpalai ..... Plaintiff.

No. 1,184/P. Vs.

(1) Ramiah Chetty Nagalingam Chetty, (2) Kandasamy Chetty Tharumaraja Chetty, (3) Sinnappu Seeny, all of Thumpalai ..... Defendants.

NOTICE is hereby given that on Saturday, October 24, 1942, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said 3rd defendant in the following property for the recovery of the sum of Rs. 12 per month being damages from June 1, 1940, till February 1, 1942, namely, Rs. 240 from the 2nd and 3rd defendants and costs Rs. 345.09 from the 3rd defendant, and poundage and charges—less Rs. 139.84, viz. :—

An undivided  $\frac{1}{3}$  share of the ground and well within the premises of lot No. 4, together with all those within the boundaries of lot No. 2 (in extent 3 lachams varagu culture and 1  $\frac{24}{32}$  kulies, together with coconut trees, palmyras, newly built stone house and huts) in the survey plan No. 5,818 prepared by K. Kanapathippillai, Licensed Surveyor, showing the following shares of lands in extent 9 lachams varagu culture and 14  $\frac{1}{32}$  kulies, viz., an extent of 1 lacham varagu culture and 6 kulies on the western side of "Vallalai" in extent 1  $\frac{1}{4}$  lachams varagu culture and ditto veedu 1; an extent of 3 lachams varagu culture and 13 kulies in the centre of "Vallalai" in extent 5  $\frac{1}{2}$  lachams varagu culture; "Vallalai" in extent 3  $\frac{1}{2}$  lachams varagu culture; and 2 lachams varagu culture on the northern side of an extent of 5 lachams varagu culture on the eastern side of "Valankerni" in extent 6  $\frac{1}{2}$  lachams varagu culture; which shares are all in one and the same plot and contain an aggregate extent of 11 lachams varagu culture and are situated at Thumpalai in Point Pedro Parish, Vadamardchy Division of the Jaffna District, Northern Province; the said lot No. 2 in extent 3 lachams varagu culture and 1  $\frac{24}{32}$  kulies with its appurtenances, is bounded on the east by lot No. 3 in the above-mentioned plan belonging to Sellammah, wife of Thambippillai, north by lot No. 4; containing the well belonging to the said defendant and others and by lane, west by the property of Sellammah, wife of Thambippillai, and south by the property of Punuar Kanapathippillai and others. This land is said to be under mortgage.Fiscal's Office,  
Jaffna, September 28, 1942.P. THAMBIAH,  
for Fiscal.

In the Court of Requests of Jaffna.

Visuvalingam Saravanamuttu of Vannarponnai West,  
Jaffna ..... Plaintiff.

No. 6,959/A. Vs.

(1) Kandiah Nagalingam and (2) Katpagam, widow of Kandiah, both of Vannarponnai West, Jaffna ..... Defendants.

NOTICE is hereby given that on Friday, October 23, 1942, at 10, o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 300, with interest thereon at the rate of 9 per cent. per annum from March 31, 1942, until payment in full and costs Rs. 34.58 and poundage and charges, viz. :—

All that piece of land situated at Vannarponnai West in Vannarponnai parish, Jaffna division of the Jaffna District, Northern Province, called "Sanguppillaivalavu", in extent 2 lachams varagu culture and 14  $\frac{1}{2}$  kulies with house and well; and bounded on the east by road, north and west by the property of Sanmugam Ponnuthurai, and south by the property of Periatnamby Arunasalam.

This land is said to be under mortgage.

Fiscal's Office,  
Jaffna, September 25, 1942.P. THAMBIAH,  
for Fiscal.

In the District Court of Jaffna.

(1) Satkuru Visuvanathar and (2) his wife, Sellammah, both of Araly West ..... Plaintiffs.

No. 16,906. Vs.

(1) Arunugam Kathrawetpillai of Araly West, presently of No. 21, Jalan Sulaimar, Kajang, Selangore, F. M. S., and (2) his wife, Vethanayagam of Araly West, Jaffna .. Defendants.

NOTICE is hereby given that on Tuesday, October 27, 1942, 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 defendants in the following property for the recovery of the sum of Rs. 1,628.33, with interest thereon at 12 per cent. per annum from July 30, 1941, till October 21, 1941, and thereafter on the aggregate amount at 9 per cent. per annum from October 21, 1941, until payment in full and poundage and charges, viz. :—

1. All that piece of land situated at Araly West in Vaddukkoddai parish, Valikamam West Division of the Jaffna District, Northern Province, called "Eruviyanpalam", in extent 10 lachams p. c., with well; and bounded on the east by Kanthappu Thambirasah and Sithamparappillai Vaithilingam, north by Visuvanathar Appathurai and shareholders, Nallammah, wife of Visuvalingam, and Vinasthamby Periatnamby, wife of Vinasthamby Periatnamby, and south by Selvareththnam, wife of Thuraireththnam, and by shareholders.

2. All that piece of land situated at Araly West and North as aforesaid, called "Utharanumkaladdiyum", in extent 8 lachams p. c., with cultivated and spontaneous plantations, stone-built house, kitchen, cattle shed and well; and bounded on the east by Sithamparam, widow of Visuvanathar, north by Murugesu Kathiraveluppillai, west by Muttupillai, widow of Veluppillai, and south by lane.

These lands are said to be under mortgage.

Fiscal's Office,  
Jaffna, September 29, 1942.P. THAMBIAH,  
for Fiscal.

## North-Western Province.

In the District Court of Kurunegala.

Kawanna Kana Nana Kannamai Atchi of Kurunegala  
 . . . . . Plaintiff.  
 No. 18,528. Vs.

(1) Imiyapathurennehelage Podi Appuhamy of Wewala in Dambadeni Uducaha korale administrator of the estate of late I. P. Kiri Banda Aratchi in D. C. Testy. case No. 4,118 . . . . . Defendant.

NOTICE is hereby given that on Saturday, October 24, 1942, commencing from 1st land at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 2,499.62, interest and poundage, viz. :—

1. An allotment of land called Halmillagahumulakumburepillewa, in extent 1 acre and 14 perches exclusive of the road passing through the land, situated at Bujjumuwa in Uducaha korale south of Dambadeni hatpattu in Kurunegala District, North-Western Province, and bounded on the north by lot 49, east by lot 55, south by T. P. 312,589, and on the west by lot 52; and registered in F. 247/56.

2. An undivided  $\frac{1}{4}$  share of Damunugahumulawatta, in extent 3 lahas kurakkan sowing, situated at Udakekulawala in aforesaid korale; and bounded on the north by live fence standing between the gardens of Podi Singho and others, east by live fence of the garden of Ran Menika, south by the live fence of the garden of Davith Appu, and west also by the live fence of the garden of Davith Appu; and registered in F. 106/305.

3. All that allotment of land called Paranawatta, in extent 5 lahas kurakkan sowing, situated at Udakekulawala aforesaid; and bounded on the north by the live fence of the garden of Dingiri Banda and others, east by the garden of Panchirala and others and the field of Dingiri Banda and others, south by ola, and on the west by Koswetiya and Gala; and registered in F. 132/342.

4. An undivided  $\frac{1}{4}$  share of the land called Kahatagahamulawala, in extent 2 acres 2 roods and 6 perches, situated at Udakekulawala aforesaid; and bounded on the north by T. P. 326,925, east by T. Ps. 320,234 and 324,368, south and west by Bowala village boundary; and registered in F. 246/272.

On Monday, October 26, 1942, commencing at 11 A.M. from the 5th land at the respective premises.

5. An allotment of land called Welipeliyewatta, in extent 1 acre 1 rood and 34 perches, situated at Wewala in aforesaid korale; and bounded on the north by Talwatta village boundary, east by lot 14, south by lot 19 and weli-ela, and on the west by lots 15 and 14c; and registered in F. 246/270.

6. An undivided  $\frac{1}{4}$  share of Warapandurehena of 1 timba kurakkan sowing in extent, situated at Wewala aforesaid; and bounded on the north by village limit of Talwatta, east by Galgodehena, south by Menumpara, and on the west by Warapandurehena of Kalu Atchi; and registered in F. 44/9.

7. An undivided  $\frac{1}{4}$  share of Galapoththagawawatta, in extent 5 lahas kurakkan sowing, situated at Wewala aforesaid; and bounded on the north and west by the ditch of the garden of Ambagahamulawatta, east by the Crown forest, and on the south by the land called Panwatta belonging to Punchappuhamy; and registered in F. 76/117.

8. An undivided  $\frac{1}{4}$  share of the land called Ambagahamulawatta of 6 lahas kurakkan sowing in extent and its adjoining Godaunumuwekumbura of 2 pelas paddy sowing extent, situated at Talwatta in aforesaid korale; and bounded on the north by field and garden of Berakaraya, east by fence of Paluwatuyaya, south by liminary ridge of Palkumbura and the garden of Jothamy, and on the west by liminary ridge of Palkumbura; and registered in F. 90/75.

9. An allotment of land called Egodahena, in extent 1 rood and 20 perches, situated at Pallo Kekulawala in aforesaid korale; and bounded on the north by lot 19, east by lot 19, and a stream, south by lot 24, and on the west by lot 18; and registered in F. 246/273.

Fiscal's Office, S. SUBRAMANIAM,  
 Kurunegala, September 23, 1942. Additional Deputy Fiscal.

## Province of Sabaragamuwa.

In the Court of Requests of Kandy.

Cuda Banda Nugawela Basnayake Nilame of Maha Dewala,  
 Kandy . . . . . Plaintiff.  
 No. 29,701. Vs.

(1) Kalugala Achchillage Singho Appu of Egodagama and others . . . . . Defendants.

NOTICE is hereby given that on Saturday, October 24, 1942, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

The entirety of the field called Parahitiyaweekumbura, containing 1 amunam and 22 lahas paddy sowing extent forming part of Kalugala Achchillage Mulpanguwa marked No. 8, situated at Algama Thalagama in Keeraweli pattu west of Belgal korale in the District of Kegalla of the Province of Sabaragamuwa; and bounded on the east by inniyara of Kasturi Achchillagekumbura, north by watura-basina-ela, south by inniyara of Sinhalapedigekumbura, and west by inniyara of Waldeniyalagekumbura and waturabasma-ela.

For the recovery of a sum of Rs. 48.90 with legal interest on Rs. 37.40 from August 5, 1941, till payment in full.

Deputy Fiscal's Office,  
 Kegalla, September 26, 1942.

M. D. J. DISSANAYAKE,  
 Additional Deputy Fiscal.

I, Edward Trevor Dyson, Fiscal for the Central Province, do hereby appoint Mr. W. S. Srisena Monerawala, Interpreter, Hatton Courts, to act as Fiscal's Marshal, Hatton, with effect from September 19, 1942, until the resumption of duties by the permanent officer, under Ordinance No. 4 of 1867, and authorise him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant

Fiscal's Office,  
 Kandy, September 26, 1942.

E. T. DYSON,  
 Fiscal, C. P.

## NOTICES OF TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Hector Mecarius de Andrado, deceased of No. 10,156. Andrado Walauwa, Mahawatta road, Colombo.

Dora Victoria de Andrado, presently of Felix Villa in Kalutara North . . . . . Petitioner.

Vs.

(1) Doreen Marion Olga de Andrado, and (2) Hector Denys Antony de Andrado, both of Felix Villa in Kalutara North (the 1st and 2nd respondents are minors, appearing by their guardian *ad litem*, the 3rd respondent), (3) Joseph Peter de Fonseka of Colombo . . . . . Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esqr., Additional District Judge, Colombo, on August 29, 1942, in the presence of Mr. J. B. de Fonseka, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated August 26, 1942, having been read.

It is ordered that the said Joseph Peter de Fonseka, the 3rd respondent, be appointed guardian *ad litem* over the 1st and 2nd minor respondents for all purposes of this action, and that the above-named petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to the above estate issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before October 8, 1942, show sufficient cause to the satisfaction of this court to the contrary.

September 18, 1942

V. L. ST. CLAIR SWAN,  
 Additional District Judge.

In the District Court of Colombo

Order Nisi.

Testamentary In the Matter of the Joint Last Will and Testament Jurisdiction. of Kirihetti Liyanago Don Peduru Appuhamy of No. 10,161. Epamulla, deceased.

Liyanago Dona Cecilia Nanyayakara Hamine of Epamulla in the Ragam pattu of Alutkuru korale . . . . . Petitioner.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on September 2, 1942, in the presence of Messrs Moonesinghe & Jayamaha, Proctors, on the part of the petitioner above named, and the affidavit of (1) the petitioner dated August 31, 1942, (2) the attesting witnesses dated August 31, 1942, and (3) the attesting notary dated September 24, 1942, having been read.

It is ordered that the last will and testament of Kirihetti Liyanago Don Peduru Appuhamy, deceased, the original of which has been produced and is now deposited in this court, be and the same is hereby proved; and that the petitioner above named is the executrix named in the said will and she is hereby declared entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before October 8, 1942, show sufficient cause to the satisfaction of this court to the contrary.

September 28, 1942.

S. C. SWAN,  
 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 George Williams, deceased of Pooprassee No. 10,165. Group, Galaha.

THIS matter coming on for final determination before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on September 25, 1942, in the presence of Mr. T. Chelvadurai, Proctor, on the part of the petitioner, Elizabeth Thankammal of Kotte road, Colombo; and the affidavits of the said petitioner dated September 22, 1942, and of the attesting notary and a witness dated September 2, 1942, having been read.

It is ordered that the last will made by the deceased above named bearing No. 825 dated July 4, 1942, and now deposited in this court be declared proved and probate hereof be issued to the said petitioner as the executrix mentioned in the said will, on the publication of this order once in the *Ceylon Government Gazette*, twice in the *Ceylon Observer* newspaper and on her taking the usual Oath of Office.

Colombo, September 26, 1942.

ST. C. SWAN,  
 Additional District Judge.



In the District Court of Colombo.

*Order Absolute.*

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Charles Law Vizard of Ford Park, Chagford in the  
No. 10,176. County of Devon, England, formerly of Talagalla  
estate, Homagama in the Island of Ceylon,  
deceased.

THIS matter coming on for final determination before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on September 10, 1942, in the presence of Messrs. Julius and Creasy of Colombo, Proctors, on the part of the petitioner, Sir Thomas Lister Villiers of Adisham, Haputale in the Island of Ceylon; and the affidavit of the said petitioner dated September 3, 1942, an affidavit as to the due execution of the will, original will, certificate of death of the above-named deceased, and Supreme Court's order dated August 26, 1942, having been read. It is ordered that the will of the said deceased dated January 31, 1935, of which the original 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 executor named in the said will and that he is entitled to have probate of the said will issued to him on his paying estate duty and taking oath of office

September 19, 1942.

S. C. SWAN,  
Additional District Judge.

In the District Court of Colombo.

*Notice of Application.*

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Francis John Poyntz-Roberts of Delville, Chip-  
No. 10,192.stead in the County of Surrey, 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 fourteen 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 probate of the will of Francis John Poyntz-Roberts of Delville, Chipstead in the County of Surrey, England, deceased, granted by His Majesty's High Court of Justice in England on the eighteenth day of June, One thousand Nine hundred and Forty-two.

Colombo, October 2, 1942.

V. GNANARATNAM COOKE,  
Proctor for Beatrice Matilda  
Florence Poyntz-Roberts, one  
of the executors named in the  
will.

In the District Court of Nuwara Eliya.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Elsie Charlobelle de Saram (wife of Frederick  
No. 355. John de Saram) of Colombo in the Island of  
Ceylon, deceased.

THIS matter coming on for disposal before T. P. P. Goonetilleke, Esq., District Judge of Nuwara Eliya, on September 24, 1942, in the presence of Mr. Vivian Carl Modder, Proctor, on the part of the petitioner, James Aubrey Martensz of Colombo; and (1) the affidavit of the said petitioner dated September 19, 1942, and (2) the affidavit of Mr. Cyril Morgan George de Saram dated September 19, 1942, as to the due execution of the last will having been read: It is ordered that the will of the said Elsie Charlobelle de Saram, deceased, No. 384 dated May 10, 1938, and attested by James Frederick Van Langenberg of Colombo, aforesaid, 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 James Aubrey Martensz is one of the

executors named in the said will and that he is entitled to have probate thereof issued to him accordingly, with power reserved to the other executors named in the will, unless any person or persons interested shall, on or before October 9, 1942, show sufficient cause to the satisfaction of this court to the contrary.

September 24, 1942.

T. P. P. GOONETILLEKE,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the late  
Jurisdiction. Katpakam, wife of Thamboo Sivasithamparam of  
No. 19. Vannarponnai, Jaffna, who died at Colombo,  
deceased.

Thamboo Sivasithamparam of Vannarponnai, Jaffna, presently of the Public Works Department, Colombo . . . . . Petitioner.

(1) Balendra Sivasithamparam, (2) Nagendra Sivasithamparam, both of Vannarponnai, Jaffna, (3) Senathirajah Sivasithamparam of Vannarponnai, Jaffna, presently of Colombo . . . . . Respondents.

THIS matter of the petition of the above-named petitioner coming on for disposal before G. C. Thambyah, Esq., District Judge of Jaffna, on August 12, 1942, in the presence of Mr. M. Kathravelu, Proctor for petitioner; and affidavit and petition of the said petitioner having been read: It is ordered that the above-named 3rd respondent be appointed guardian *ad litem* over the minors, the 1st and 2nd respondents, and that letters of administration to the estate of the said deceased be granted to petitioner, unless the said respondents shall appear before this court on October 30, 1942, and show cause to the satisfaction of this court to the contrary.

September 4, 1942.

G. C. THAMBYAH,  
District Judge.

In the District Court of Ratnapura.

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Welpitiyege Don Thelenis Rodrigo Appuhamy of  
No. 1,120. Beruwala, presently of Kuruwita, deceased.

Between

Welpitiyege Manuel Dias Rodrigo of Beruwala in Kalutara District . . . . . Petitioner.

Vs.

(1) Welpitiyege John William Rodrigo, and (2) ditto Dona. Emmie Wangasekera *nee* Rodrigo, both of Beruwala in Kalutara District . . . . . Respondents.

THIS matter coming on for disposal before S. S. J. Goonesekera, Esq., District Judge, Ratnapura, on August 17, 1942, in the presence of Mr. Maurice C. Fernando, Proctor, on the part of the petitioner; and the affidavit dated July 3, 1942, of the said petitioner, and the affidavit of the attesting notary of the said will dated June 22, 1942, and the affidavit of the attesting witness dated June 22, 1942, having been read: It is ordered that the will of the said Welpitiyege Don Thelenis Rodrigo Appuhamy of Kuruwita, deceased, dated October 6, 1936, and now deposited in this court, be and the same is hereby declared proved, unless the respondents above named or any other person or persons interested shall, on or before September 22, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner above named is the executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly unless the respondents or any other person or persons shall, on or before September 22, 1942, show sufficient cause to the satisfaction of this court to the contrary.

August 17, 1942.

S. S. J. GOONESEKERA,  
District Judge

The within named *Order Nisi* is extended till October 13, 1942.

September 22, 1942.

D. E. WILJEYWARDENE,  
Additional District Judge.