



# THE CEYLON GOVERNMENT GAZETTE

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## PART II.—LEGAL.

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

	PAGE		PAGE
Governor's Ordinances .. .. .	867	Council of Legal Education Notices .. .. .	—
List of Notaries .. .. .	—	Notices of Fiscals' Sales .. .. .	868
Supreme Court Notices .. .. .	—	Notices in Testamentary Actions .. .. .	870
Notifications of Criminal Sessions of the Supreme Court .. .. .	868	Passed Ordinances .. .. .	873
District and Minor Courts Notices .. .. .	868	Draft Ordinances .. .. .	—
Notices in Insolvency Cases .. .. .	868	Miscellaneous .. .. .	—

### GOVERNOR'S ORDINANCES.

#### No. 48 of 1942.

An Ordinance to make special additional financial provision for the Public Services for the financial year, 1940-41.

A. CALDECOTT.

BE it enacted by the Governor of Ceylon as follows —

1. This Ordinance may be cited as the Public Services (Additional Financial Provision) Ordinance, No. 48 of 1942.

Short title.

2. (1) Without prejudice to any other law authorising any expenditure and in addition to the sums declared by the Appropriation Ordinance, No. 21 of 1940, and the Public Services (Additional Financial Provision) Ordinance, No. 23 of 1940, to be payable out of the revenue and other funds of the Island for the service of the financial year beginning on October 1, 1940, and ending on September 30, 1941, a sum not exceeding thirty-two thousand one hundred and two and cents thirty-eight is hereby declared to be payable out of such revenue and other funds for the service of that financial year; and the said sum is hereby allocated to the specific purpose set out in the second column of the Schedule under the Head enumerated in the first column of that Schedule, and may be expended accordingly.

Special Additional financial provision out of general revenue for specified purposes.

(2) In this section, "Head" means a Head enumerated in Schedule I. to the Appropriation Ordinance, No. 21 of 1940, and bearing the same number in that Schedule as in the Schedule to this Ordinance.

#### SCHEDULE.

Head.	Specific purpose.	Amount. Rs. c.
42, Miscellaneous Services ..	Holiday Warrants ..	32,102 38

Signed by His Excellency the Governor the Seventh day of November, One thousand Nine hundred and Forty-two, by virtue of the powers in him vested by Article 22 (4) of the Ceylon (State Council) Order in Council, 1931, as amended by the Ceylon (State Council) Amendment Order in Council, 1937.

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

#### No. 49 of 1942.

An Ordinance to make special additional financial provision for the Public Services for the financial year, 1942-43.

A. CALDECOTT.

BE it enacted by the Governor of Ceylon as follows :—

1. This Ordinance may be cited as the Public Services (Additional Financial Provision) Ordinance, No. 49 of 1942.

Short title.

Special  
Additional  
financial  
provision  
out of general  
revenue for  
specified  
purposes.

2. (1) Without prejudice to any other law authorising any expenditure and in addition to the sums declared by the Appropriation Ordinance, No. 38 of 1942, to be payable out of the revenue and other funds of the Island for the service of the financial year beginning on October 1, 1942, and ending on September 30, 1943, sums not exceeding five hundred and ninety thousand rupees in the aggregate are hereby declared to be payable out of such revenue and other funds for the service of that financial year; and the said sums are hereby allocated to the specific purposes set out in the second column of the Schedule under the Head enumerated in the first column of that Schedule, and may be expended accordingly.

(2) In this section, "Head" means a Head enumerated in Schedule I, to the Appropriation Ordinance, No. 38 of 1942, and bearing the same number in that Schedule as in the Schedule to this Ordinance.

#### SCHEDULE.

Head.	Specific purpose.	Aggregate sum.	
		Rs.	Rs.
42, Miscellaneous Services	Passages (including leave passages) of officers, their wives and families Holiday Warrants	90,000 500,000	590,000

Signed by His Excellency the Governor the Seventh day of November, One thousand Nine hundred and Forty-two, by virtue of the powers in him vested by Article 22 (4) of the Ceylon (State Council) Order in Council, 1931, as amended by the Ceylon (State Council) Amendment Order in Council, 1937.

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

#### NOTIFICATIONS OF CRIMINAL SESSIONS.

WITH reference to the Notification which appeared in the *Government Gazette* of October 23, 1942, it is hereby notified that the Criminal Sessions which is due to be holden at Kalutara on November 16 has since been postponed for Monday, November 23, 1942, at 11 o'clock of the morning.

And I do hereby require and inform all persons concerned therein to attend on the date now fixed and not to depart without leave asked and granted.

Fiscal's Office,  
Colombo, November 10, 1942.

H. C. WIJESINHA,  
for Fiscal.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Central Province will be holden at the Court-house at Kandy on Tuesday, December 1, 1942, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,  
Kandy, November 3, 1942.

E. T. DYSON,  
Fiscal.

#### DISTRICT AND MINOR COURTS NOTICES.

##### Minor Courts, Badulla-Haldummulla Sessions, 1943.

NOTICE is hereby given that the sittings of the Minor Courts, Badulla-Haldummulla, will be held at Bandarawela during the year 1943 on the under-mentioned dates:—

January	4-9	July	5-10
February	1-6	August	2-7
March	1-6	September	6-11
April	5-10	October	4-9
May	3-8	November	1-6
June	7-12	December	6-11

HERBERT S. ROBERTS,  
Commissioner of Requests and  
Magistrate, Badulla-Haldummulla.

Magistrate's Court,  
Badulla, November 9, 1942.

#### NOTICES OF INSOLVENCY.

In the District Court of Colombo.

Insolvency. In the matter of the insolvency of G. Vincent Fernando No. 4,379. ~~carried on business as G. P. Fernando & Son at 7, Real shall street, Colombo, insolvent.~~

NOTICE is hereby given that a meeting of the creditors of the above named insolvent in the above case will be held at the sitting of the court on Friday, December 4, 1942, at 10.45 AM., to approve the scheme of interim dividend submitted to court by the assignee, Mr. B. D. Amit.

November 11, 1942.

By order of court, C. EMMANUEL,  
Secretary.

In the District Court of Colombo.

No. 5,655 In the matter of the insolvency of Pettikerige Vincent Insolvency. Perce of J. Norris avenue, Maradana, Colombo.

Lionel Emanuel Craessen of 251, Kaldana road, Dehiwala . . . . . Petitioning-Creditor

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held on December 11, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

November 10, 1942

By order of court, C. EMMANUEL,  
Secretary.

In the District Court of Nuwara Eliya, holden at Hatton.

No. 42. In the matter of the insolvency of S. T. Karuppiah Pilla of Taprobane estate, Kotagala.

NOTICE is hereby given that at a meeting of the creditors of the above named insolvent held on October 27, 1942, this court by its order delivered on November 10, 1942, awarded the insolvent a certificate of conformity of the third class.

November 10, 1942.

By order of court, S. K. SADASHIVAM,  
Secretary.

#### NOTICES OF FISCAL SALES.

##### Western Province.

In the District Court of Colombo.

Jayamanno. Mottu Don J. Appuhamy of Yakkala, Gampaha . . . . . Plaintiff.

No. 1,798/L. Vs.

(1) D. P. Weerasinghe of Miniswatta, Gampaha, and (2) D. C. Weerasinghe, Hottiyavatta, Bentota . . . . . Defendants.

NOTICE is hereby given that on Wednesday, December 9, 1942, at 3 30 P.M., will be sold by public auction at the premises the right, title, and interest of the said 2nd defendant in the following property, for the recovery of the sum of Rs. 740 being damages from August 1939, to October 1, 1942, and costs of suit incurred Rs. 512 and prospective costs Rs. 216.07, to wit:—

All that allotment of land called Millagahawatta, situated at Henaratgoda in the Meda pattu of Siyane korale in the District of Colombo, Western Province; and bounded on the north by the road from Henaratgoda to Ja-ela, east by the high road to Kandy, on the south by the land of Appuhamilage Doehochomy and others, and on the west by the land of Don Charles Medonza Wijeratne Goonesekera and others; containing in extent 1 acre and 2 roods and according to deed No. 5884 dated November 28, 1914, attested by R. J. Rupasinghe, Notary Public, also described as follows:— bounded on the north by Kahatagahawatta alias Dassanayake hena, on the east by the road to Henaratgoda, on the south by the high road to Kandy, and on the west by the land of Suse Palle; containing in extent 1 acre and 2 roods in the said deed No. 5884. Previously registered in E 270/90.

Fiscal's Office,  
Colombo, November 10, 1942.

H. C. WIJESINHA,  
Deputy Fiscal.

## In the Court of Requests of Colombo.

Gulam Mohideen of ... Plaintiff.  
No. 81,184.

Mrs. C. P. Antony, deceased, of 665 Alutuwatta Road, Mutwal. Defendant.

NOTICE is hereby given that on Friday, December 4, 1942, at 3 p.m., will be sold by public auction at the premises the following property for the recovery of the sum of Rs. 112 12 with interest on Rs. 90 at 18 per cent per annum from December 9, 1941, to January 23, 1942, and thereafter legal interest on the aggregate amount till payment in full and costs of suit to wit — Rs. 21 25 being incurred costs and Rs. 14 being prospective costs, viz —

The right, title, and interest of the defendant as executrix *de son tort* of C. P. Antony, deceased, in and to the following property, to wit —

All that lot marked B out of the land called Siyambalagahawatta *alias* Talgahawatta, now bearing assessment No. 637, situate at Alutuwatta, Mutwal, within the Municipality and District of Colombo, Western Province; and bounded on the north and north-east by portion of this land of H. Francis Soysa, east and south by Alutuwatta road, south and south-west by portion of this land of H. Pedrick Soysa, west and north-west by property belonging to estate of M. Isabella Silva, deceased, containing in extent 20 96/100 perches and registered in A 263/183.

Fiscal's Office,  
Colombo, November 10, 1942.

H. C. WIJESINHA,  
Deputy Fiscal.

## Central Province.

## In the District Court of Colombo

Rev. K. Indaratana of Ganegama Temple, Alutgama, Bentota Plaintiff.  
No. 5,271/S.

S. D. S. Gunatilaka of Wynsey Road in Colombo, presently of Wewakelle estate, Kumbalagamuwa, Oyalapala, Walapone, Nuwara Eliya Defendant.

NOTICE is hereby given that on Friday, December 11, 1942, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,000 together with legal interest thereon from January 27, 1942, till payment in full and costs of suit, viz. —

All that estate called and known as Wewakelle estate situated at Kumbalagamuwa (in Oya Palata of Walapone) in the District of Nuwara Eliya in the Central Province, and bounded on the north by main road (Kandy to Walapone), on the east by fields and gardens claimed by villagers, on the south by fields and chena lands claimed by villagers T. P. Nos. 112,709, 112,708 village claims and Narangalla patana, and on the west by T. P. 105,890 and Yakunagawakandura together with the bungalow, labour lines, buildings, tea and other plantations, factory if any and everything else standing thereon; and containing in extent about 50 acres more or less, and registered under title 45/273 in the Nuwara Eliya District Land Registry Office.

Deputy Fiscal's Office,  
Nuwara Eliya, November 9, 1942.

A. C. J. WEERAKOON,  
Additional Deputy Fiscal.

## In the District Court of Kandy.

Ulpotapitiye Muhandramalagedera Muhammadu Lebbe's son Habeebu Muhammadu of Galhina, Pallegampaha of Harasiyapattu Plaintiff.  
No MR 856

(1) Idangedera Tikiri Kolla of Aluwalagaha Samadara, both of Neluwakanda *alias* Harasiyapattu of Matale. Defendants.

NOTICE is hereby given that on Saturday, December 5, 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 for the recovery of the sum of Rs. 471 10, with legal interest on Rs. 650 from February 10, 1942, till payment in full and poundage, viz. —

1. All that lot bearing "D" in extent 1 acre 1 rood and 13 16/18 perches according to plan of survey No. 1851 dated November 3, 1927, made by J. R. Holloway, Licensed Surveyor, from and out of all that land called Belungalehena, in extent 5 acres 1 rood and 30 perches, situate at Neluwakanda aforesaid; and which said lot "D" is bounded on the east by the stone fence of Kiri Duraya's hena, north by lot "C" and the stone fence of Kiri Duraya's garden (a portion of this same land), south by lot "E" of this same land belonging to Samadara, west by the limit of Apullanagewatta, together with the zinc-roofed and tiled house thereon.

2. All that lot marked "E" in extent 3 roods and 32 14/18 perches, according to aforementioned plan No. 1851 from and out of all that land called Belungalehena, situated at Neluwakanda aforesaid; and which said lot "E" is bounded on the north by lot "B" of this same land belonging to Kiri Duraya and others, east by stone fence of Kiri Duraya's hena, south by Aluambegawahena belonging to Setuwa, and west by also Aluambegawahena belonging to Setuwa, together with everything thereon.

3. All that land called Uguressaghamulahena of 3 roods and 22 perches or about 1 acre in extent, situate at Neluwakanda aforesaid; and bounded on the north by limit of Uguressaghamulahena claimed by Tikiri Kolla, east by Hapugollehena claimed by Ukku, west by lot 4 of P. P. No. 847 called Uguressaghamulahena belonging to Crown, and south by also lot 4 of P. P. No. 847 called Uguressaghamulahena belonging to the Crown, together with everything thereon.

4. All that land called Bogahapitiyehena of four lahas kurakkan sowing or about 4 acres in extent, situated at Neluwakanda aforesaid, and bounded on the east by Alawattehena belonging to Samadara Kamatweilla and Tiruwanagala, south by agala separating Samadara's garden, west by field belonging to Mutuwa and another, and north by the garden of Kumudu and Samadara, together with everything thereon.

5. All that Hapugollewatta *alias* Ulpotagawahena and its adjoining Hapugollehena in extent six lahas kurakkan sowing or about 3 acres on the whole, situated at Neluwakanda aforesaid; and bounded on the east by limit of Neluwakanda estate and limit of Kandewatte Mahatmaya's estate, south by limit of Hapugollehena of Dantu, presently of Emanis Baas, west by limit of Banduwa Duraya's garden (hena), and north by Mala-ela separating Kuda Duraya's garden, together with everything thereon.

6. Undivided 7/12 parts or shares of and in all that land called Kahawatta of about two lahas kurakkan sowing extent, situated at Neluwakanda aforesaid, and bounded on the east by Aluambegawahena of Emanis Baas, south by Thalagederawatta of Emanis Baas, west by limit of Dingriya's garden, and north by Liyanghamulawatta of Apullanna, together with a like share of everything thereon.

These lands will be sold subject to Mortgage Bond No. 9,789 dated April 28, 1940, attested by E. de S. Jayawardhana, Notary Public, for Rs. 950, with interest at 15 cents per Rs. 10 per month and also subject to the Lease Bond No. 9,790 dated April 28, 1940, attested by the said P. de S. Jayawardhana, Notary Public, for a period of three years and eight months from the date of deed.

Deputy Fiscal's Office,  
Matale, November 9, 1942.

H. DIAS DESINGHE,  
Additional Deputy Fiscal.

## Southern Province.

## In the District Court of Galle.

Angulugaha Gamage Nannohamy of Angulugaha Plaintiff.  
No. 34,493.

Hinduma Liyanage Alexander Baddegama, legal representative of the estate of A. L. Siyadara, late of Angulugaha Defendant.

NOTICE is hereby given that on Thursday, December 10, 1942, at 3.30 in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of a sum of Rs. 413 35, with legal interest thereon from January 13, 1936, till payment in full and costs of suit taxed at Rs. 141 33 less a sum of Rs. 50, viz. —

The entire soil and all the fruit trees of lot No. 3 of the land called Egodawatta *alias* Egota Udandarawatta, situated at Baddegama in the Gangaboda pattu of the District of Galle, Southern Province; and bounded on the north by lot bearing No. 4 of the same land, east by Uthe Kumbura, south by lot bearing No. 2 of the same land, west by Pelagshawatta *alias* Polengahawatta; in extent 1 rood and 18 perches, together with the tiled 13 carpenter's cubits house thereon.

Fiscal's Office,  
Galle, November 7, 1942.

W. P. DALUWATTE,  
Deputy Fiscal.

## In the District Court of Galle sitting at Balapitiya.

Amarawansa Srisena de Silva of Heenatiya in Balapitiya Plaintiff-Creditor.  
No. 37,380.

(3) Hilda Muriel de Silva of Heenatiya and the 5th to 12th defendants Defendants.

NOTICE is hereby given that on Wednesday, December 9, 1942, at 11 A.M. 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. 17 12 of (Rs. 2,424 10 less Rs. 1,000) i.e., Rs. 830 72½ and Rs. 22 87½ writ costs, less Rs. 500 already paid, viz. —

The soil, plantations, and the buildings standing thereon of the land called lot A of Thimiyaduwa, situated at Maduganga-meddewa in Bentota-Walallawita korale of Galle District, Southern Province; and bounded on the north by lot B of the same land, east and south by lot C of the same land, and on the west by Maduganga; and containing in extent 2 roods and 6 36 perches only.

Deputy Fiscal's Office,  
Balapitiya, November 9, 1942.

SAM RANASOORIYA,  
Additional Deputy Fiscal.

## In the District Court of Matara.

Kahawatto Gamage Adaraya Gunawardhana of Fort, Matara Plaintiff.  
No. 13,685.

(4) David Hewa Gamage and others Defendants.

NOTICE is hereby given that on Monday, December 7, 1942, commencing at 2.30 in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said 4th, 5th, 13th and 3rd defendants in the following property, for the recovery of a sum of Rs. 210 18, viz. —

(1) Property of 4th, 5th, and 13th defendants — All that the soil and plantations together with all the buildings standing thereon of the divided lot B of the land called Kongahawatta bearing assessment Nos. 1169, 1170, and 1171, situated at Kadaweedhiya within the Urban Council area of Matara, Matara District, Southern Province; and which said lot B is bounded on the north by Welweriya road, east by lot D of the same land, south by Kongahawatta, and west by canal; and containing in extent 23 25 perches.

(2) *Property of 3rd defendant.*—All that the soil and plantations together with all the buildings standing thereon of the divided lot C of the land called Kongahawatta bearing assessment Nos. 1169, 1170, and 1171, situated at Kadawecchiya aforesaid; and which said lot C is bounded on the north by Weluweiya road, east by lot A of the same land, south by Maragahawatta alias Lindamulla Godarawatta, and west by lot D of the same land; and containing in extent 16 3/8 perches

Deputy Fiscal's Office,  
Matara, November 5, 1942.

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

**Northern Province.**

In the District Court of Jaffna.

Parupathiachchy wife of V. S. Ramanathan of Vanuarpoumai East . . . . . Plaintiff.  
No. 15 Divorce. 49/30s.

V. Sivasubramaniam Ramanathan of Nayanmarkadu, Nallur . . . . . Defendant.

NOTICE is hereby given that on Saturday, December 5, and Monday December 7, 1942, will be sold by public auction at the respective premises the right, title, and interest of the said defendant, for the recovery of a sum of Rs. 900 being alimony for one year from June 19, 1941, and writ costs Rs. 7 20 and charges, in the following properties, viz. —

(S. R. A. 1, 2, and 4)—Sale at 10 a.m. on December 5, 1942.

(1) All that piece of land, situated at Nallur in Nallur parish, Jaffna Division of the Jaffna District, Northern Province, called Nayanmarkulam vadakku, in extent 2 lachams varagu culture and 9 1/2 kules; and bounded on the east by lane, north by Ambalavanar Elaiyathamby and shareholders, west and south by by-lane.

(2) All that piece of land situated at Nallur aforesaid, called Nayanmarkulam vadakku, in extent 3 lachams varagu culture, and 11 1/2 kules; and bounded on the east by lane, north by Ambalavanar Kandiah and others, west by V. S. Ramanathan and others, south by V. S. Ramanathan and others.

(3) All that piece of land situated at Nallur aforesaid, called Nayanmarkulam, Pallavayam, in extent 30 lachams p.c. with cultivated plantations; and bounded on the east by Vettivelu Sivasampu, north by sandy road, west by V. S. Ramanathan, and south by pond, and others. This land is subject to the life-interest of Visaladchy, widow of Subramaniam.

(S. R. A. 3)—Sale at 3 p.m. on December 5, 1942.

(4) All that piece of land situated at Chiviyateru in Chundiculy parish, Jaffna division, aforesaid called Kanthan valavu in extent 7 lachams varagu culture with cultivated and spontaneous plantations; and bounded on the east by Kanagar Suntharam, north by road, west by Kannammah, wife of Varamuttu, south by Kanthan Elayavan and shareholders. Of this, an extent of 3 1/2 lachams varagu culture on the eastern side is subject to the life-interest of Visaladchy.

(S. R. A. 5)—Sale at 10 a.m. on December 7, 1942.

(5) An undivided half share being the remaining, exclusive of the right of acquisition of the plaintiff, out of a piece of land situated at Arupalai in Kopay parish, Jaffna division, aforesaid, called Korankuli, in extent 20 lachams p.c. and 6 1/2 kules; and bounded on the east by the property of the Kailaya Pillayar temple, north by pond, west by water channel, and south by road.

The 1st, 2nd and 4th lands are also seized under writ No. 16968 D. C., Jaffna.

Fiscal's Office,  
Jaffna, November 10, 1942.

A. C. NALLIAH,  
for Fiscal.

In the District Court of Jaffna.

Pedrupillai Philip of Karampan . . . . . Plaintiff.  
No. 15,400. 19/20s.

V. K. Nagahingam of Karampan . . . . . Defendant.

NOTICE is given that on Saturday, December 12, 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 defendant, for the recovery of a sum of Rs. 766 11, with interest at 12 per cent. per annum from January 1, 1940, till payment in full and costs Rs. 121 34, and poundage and charges, in the following property, viz. —

All that piece of land situated at Karampan in Kayts parish, Islands division of the Jaffna district, Northern Province, called Neelaththanai Pallam and Kudiyuruppu Seemal, in extent 60 lachams p.c.; bounded on the east by Veeramuttu Vaithilingam, north by V. Santhappillai, west by Innesappillai, wife of V. A. Rasiah, and south by E. Sinnathurai.

This land is said to be under mortgage.

Fiscal's Office,  
Jaffna, November 10, 1942.

A. C. NALLIAH,  
for Fiscal.

**NOTICES OF TESTAMENTARY ACTIONS.**

In the District Court of Colombo.

*Order Nisi.*  
No. 10,217. In the Matter of the Last Will and Testament of Testametary. Adicari Aratchige Dona Kalonona of Nopagama in the Udugaha pattu of Siyane korale, deceased.  
Adicari Aratchige Don Dionis of Bopagama aforesaid . . . . . Petitioner.

And

(1) Adicari Aratchige Don Baron Appuhamy, and (2) Karisawasangamage Nono Hanry, both of Kirikithe in the Meda-pattu of Siyane korale . . . . . Respondents.

THIS action coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on October 24, 1942, in the presence of Mr. D. E. Weerasooriya, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated October 22, 1942, and (2) attesting witnesses dated October 20, 1942, having been read.

It is ordered that the said last will and testament of Adicari Aratchige Dona Kalonona, 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 petitioner above named is the executor named in the said will and he is hereby declared entitled to have probate thereof issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before December 10, 1942, show cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,  
October 27, 1941. Additional District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testametary In the Matter of the Codicil executed by Downunge Jurisdiction. Capome Fernando nee Pedrois to the Joint Last No. 10,205. Will and Testament No 2,718 dated February 27, 1903, and attested by Arthur Alwis, Notary Public of Colombo, and proved in District Court, Colombo, Testametary case No. 1,864.

Namundewage Samson Fernando Wijesekere of Kynsey road in Colombo . . . . . Petitioner.

- (1) Hewadewage Stanley Fernando of Colpetty, Colombo,
- (2) Hewadewage Viola Fernando of Temple road, Colombo,
- (3) Namundewage Henry Wijesekere, presently of India,
- (4) Downunge Mary Wijesekere of Kynsey road, Colombo,
- (5) Namundewage Gerthe Fernando, wife of (6) H. Stanley Fernando of Colpetty, Colombo, (7) Namundewage Dolly Kulasingho, wife of (8) Dr. P. Kulasingho of Mahawatte, Colombo, (9) Namundewage Rienzie Wijesekere of Mabola,
- (10) Namundewage Bortha Fernando, wife of (11) M. D. W. Fernando of Wellawatta, Colombo, (12) Downunge Emily Wijesekere of Jaffna, (13) Namundewage Eileen Fernando, wife of (14) Dr. S. E. Fernando of Jaffna, (15) Namundewage Edward Wijesekere of Bagatelle road, Colombo, (16) Namundewage Merlyn Fernando, wife of (17) Dr. S. F. Fernando of Nikaworatiya in Kurunogala District, (18) Semage Ponsaris Wijewardene of Walpola, (19) Semage Duleia Wijewardono of Moragolla estate, Puwakpitiya, (20) Namundewage Lydia Fernando of Temple lane, Bambalapitiya, (21) Namundewage Violet Fernando of Temple lane, Bambalapitiya, and her husband (22) R. E. Fernando, also of Temple lane, Bambalapitiya, (23) Namundewage Ern Fernando, and her husband (24) S. D. Allan Fernando of Temple lane aforesaid, (25) Namundewage Mildred Fernando, wife of (26) H. Welhwitigoda of Nugegoda Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on October 15, 1942, in the presence of Mr. H. A. Abeyewandene, Proctor, on the part of the petitioner, and the affidavit of (1) the petitioner dated October 14, 1942, and (2) the attesting notary and witness dated October 14, 1942, having been read;

It is ordered that the Codicil bearing No. 2080 to the Joint Last Will No. 2718 dated February 27, 1903, 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 petitioner above named is the executor named in the said codicil and he is hereby declared entitled to have probate thereof issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before November 26, 1942, show sufficient cause to the satisfaction of this court to the contrary.

JAMES JOSEPH,  
October 22, 1942. Additional District Judge.

In the District Court of Colombo.

*Order Nisi.*  
Testametary In the Matter of the Last Will and Testament of Jurisdiction. Kankange David Gunatilleke of Udumulla, No. 10,233. Padukka, deceased.

Weerakoon Achchige Aron Singho of Dambara, Horana, in the Udugaha pattu of Raigam korale, Kalutara District. Petitioner.

- (1) Kankange Esan Appu of Arukwatte, Padukka, in the Colombo District, (2) Kankange Sethan Singho of Udumulla, Padukka, (3) Kankange Mary Nona, wife of Weerakoon Achchige Aron Singho of Dambara, Horana, (4) Kankange Thomas Singho of Udumulla, Padukka, (5) Kankange Peras Singho alias K. P. Seneviratne of Watawaka, Padukka, (6) Kankange Davith Singho of Udumulla, Padukka, and (7) Kankange Alpinona, wife of Don Sethan Weerakoon . . . . . Respondents.

THIS action coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on November 5, 1942, in the

presence of Mr. B. James St. V. Perera, Proctor, on the part of the petitioner above named; and the affidavit of (1) the petitioner dated October 27, 1942, and (2) the attesting notary and the witnesses dated October 29, 1942, having been read.

It is ordered that the last will and testament of Kankungo David Gunatilleke, 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 petitioner above named is the executor named in the said will and is hereby declared entitled to have probate thereof issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before December 10, 1942, show sufficient cause to the satisfaction of this court to the contrary.

November 6, 1942.

JAMES JOSEPH,  
Additional District Judge.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Sydney Marston of 60, Canon street, Shrovsbury,  
No. 10,234. in the County of Salop, England, deceased.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on November 5, 1942, in the presence of Messrs. F. J & G de Saram, Proctors, on the part of the petitioner, Matthew Richard Lothian Leishman of Colombo, and (1) the affidavit of the said petitioner dated October 27, 1942, (2) the power of attorney dated June 15, 1942, and (3) the order of the Supreme Court dated October 21, 1942, having been read: It is ordered that the will of the said Sydney Marston, deceased, dated October 20, 1939, a certified copy of which under the seal of the District Probate Registry of His Majesty's High Court of Justice at Oxford 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 Matthew Richard Lothian Leishman 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 November 19, 1942, show sufficient cause to the satisfaction of this court to the contrary.

November 5, 1942.

JAMES JOSEPH,  
Additional District Judge.

In the District Court of Kalutara.

*Absolute declaring Will proved, &c.*

Testamentary In the Matter of the Estate of Last Will of  
Jurisdiction. Sandradura Dolhe de Silva, deceased, of  
No 3,053. Kalutara road.

THIS matter coming on for final determination before V. Joseph, Esq., District Judge, Kalutara, on September 21, 1942, in the presence of Mr. Oliver Fernando, Proctor; and the affidavits of Lankadewage Stephen Silva, petitioner and witness, and of Mr. M. Oliver Fernando, Notary Public, dated September 19, 1942, along with the last will No. 885 dated May 9, 1942, having been read.

It is ordered that the will of the deceased, S. Dolhe de Silva be issued to Lankadewage Stephen Silva, unless the respondents or others show sufficient cause to the satisfaction of this court to the contrary on or before November 18, 1942.

September 21, 1942.

V. JOSEPH,  
District Judge.

In the District Court of Kandy.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. the late Georgiana Pinrose Miller, deceased, of  
No. T-284. the Matthe Estate, Uktwela.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on May 25, 1942, in the presence of Messrs. Liesching & Lee, Proctors, on the part of the petitioner, Dorothy, Murel Strettel-Miller, attorney of Edmund Major Leasing and George Thomas Lewis, executors and trustees, and the affidavit of the said petitioner dated May 15, 1942, having been read.

It is ordered that the last will of the above-named deceased dated May 12, 1938, and now deposited in this court be and the same is hereby declared proved, unless any person or persons interested shall, on or before July 2, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the attorney of the executors and trustees named in the said will and that she is entitled to have probate of the same issued to her accordingly, unless any other person or persons interested shall, on or before the said date, show sufficient cause to the satisfaction of this court to the contrary.

May 25, 1942.

C. NAGALINGAM,  
District Judge.

The date for showing cause against this *Order Nisi* is hereby extended to December 17, 1942.

November 3, 1942.

C. NAGALINGAM,  
District Judge.

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Egoda  
Jurisdiction. Rajawo Herath Abeykoon Wasala Mudiyanselage  
No. T 309. Medduma Kumarihamy, deceased, of Udugama  
in Matale.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on September 22, 1942, in the presence of Messrs. Beven & Beven, Proctors, on the part of the petitioner, Rajakaruna Nawaratne Seneviratne Horath Mudiyanselage Medduma Banda Dodantale Giragama of Udugama; and the affidavit of the said petitioner dated September 14, 1942, 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) Rajakaruna Nawaratne Seneviratne Horath Mudiyanselage Chandra Giragama Kumarihamy, (2) ditto Anderson Giragama, (3) ditto Sumithra Giragama, (4) ditto Suddarma Giragama, (5) ditto Adin Hema Giragama, (6) ditto Henry Guagama, (7) Walter George Udugama, all of Udugama and Matale—or any other person or persons interested shall, on or before November 16, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 7th respondent be and he is hereby appointed guardian *ad litem* of the minors, 1st to 6th respondents, to represent them for all the purposes of this action.

September 22, 1942.

C. NAGALINGAM,  
District Judge.

In the District Court of Galle (sitting at Balapitiya).

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Warusa Henneidge Edmund Solomon Soysa, late  
No. B-53. of Metwila estate at Metwila in Elpitiya,  
deceased.

Lona Graclyn Soysa nee Wijesooriya, presently of Panadure  
Petitioner.

THIS matter coming on for disposal before A. S. Wanigasooriyar, Esq., Additional District Judge of Balapitiya, on October 30, 1942, in the presence of Mr. A. S. Jayawickrama, Proctor, on the part of the petitioner above named; and the affidavits of (1) the petitioner dated September 7, 1942, and (2) the attesting notary and witnesses dated October 27, 1942, having been read:

It is ordered that the last will and testament of Warusa Henneidge Edmund Solomon Soysa, 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 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 November 27, 1942, show sufficient cause to the satisfaction of this court to the contrary.

October 30, 1942.

A. S. WANIGASOORIYAR,  
Additional District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testy In the Matter of the Last Will and Testament of  
No. 39. the late Pedrupillai Antonpillai of Naranathanai,  
late of Malay Hospital, Manipay, deceased.

Rebecca, widow of Pedrupillai Antonpillai of Naranathanai  
Petitioner.

Vs.

(1) Mary Lewis, (2) Grace, (3) Francis, (4) Cyril, (5) Alexander, (6) Percy, (7) Loosy and (8) Wilfred, all children of P. Antonpillai, (9) Pedrupillai Sebastampillai, all of ditto Respondents.

THIS matter coming on for disposal before G. C. Thambyah, Esq., District Judge, Jaffna, on October 21, 1942, in the presence of Mr. A. Kanagasabai, Proctor, on the part of the petitioner; and the affidavit of the petitioner having been read. It is ordered that the above-named 9th respondent be appointed guardian *ad litem* over the minors, the 2nd to 8th respondents, and that letters of administration with the copy of will annexed be issued to the petitioner as sole legatee and executrix mentioned in the last will filed of record in this case and the respondents or any other person or persons interested shall appear before this court on or before October 28, 1942, together with the said minors and state objection or show sufficient cause to the satisfaction of this court to the contrary.

October 27, 1942.

G. C. THAMBYAH,  
District Judge.

Time to show cause extended to November 23, 1942.

G. C. THAMBYAH,  
D. J.

In the District Court of Jaffna.

*Order Nisi.*  
 Testamentary Jurisdiction: In the Matter of the Intestate Estate and Effects of the late Sinnathamby Kanagaratnam of Siruvetan, Illavalai, deceased.  
 No. 1,103.  
 Thangammah, widow of Kanagaratnam of Colombogam ..... Petitioner.  
 Vs.

(1) Nagamuthu Sinnathamby of Siruvetan, Illavalai, (2) Sinnathamby Kandiah of ditto, (3) Sinnathamby Nallathambi of ditto ..... Respondents.

THIS matter of the petition of Thangammah, widow of Kanagaratnam, praying for letters of administration to the estate of the above-named deceased, Sinnathamby Kanagaratnam, coming on for disposal before L. W. de Silva, Esq., District Judge, Jaffna, on December 13, 1941, in the presence of Mr. A. Subramaniam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated December 13, 1941, having been read: It is declared that the petitioner is the widow of the said intestate and is entitled to have letters of administration to the estate of the said intestate issued to her, unless the respondents or any other person shall, on or before January 30, 1942, show sufficient cause to the satisfaction of this court to the contrary.

December 19, 1941. C. COOMARASWAMY,  
 District Judge.

The above *Order Nisi* is extended to November 20, 1942.

G. C. T.,  
 District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction: In the Matter of the Estate of late Amarawathiar, widow of Sinnathamby Sellathurai of Vaddukodda East, deceased.  
 No. 1,134.  
 Sinnathamby Sellathurai Marimuthu of Vaddukodda East ..... Petitioner.  
 Vs.

(1) Sellathurai Theivendiram, (2) Sellathurai Rajanayagam, (3) Sellathurai Shammuganathan, (4) Sellathurai Kanagaratnam, (5) Sellathurai Sivapragasam, (6) Maheswari, daughter of S. Sellathurai, (7) Sellathurai Tharmarajah, (8) Tharmeswari, daughter of S. Sellathurai, all of Vaddukodda East ..... Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, on May 6, 1942, in the presence of Mr. P. Canapathipillai, Proctor, on the part of the petitioner, and the affidavit of the above-named petitioner dated May 1, 1942, having been read: It is further declared that the said above-named 1st respondent be appointed guardian *ad litem* over the 2nd to 8th respondents for all purposes of this action and the above-named petitioner be and he is hereby entitled, as the son of the above-named deceased, to have letters of administration to the above estate issued to him accordingly, unless the respondents or any other person or persons interested shall, on or before August 21, 1942, show sufficient cause to the satisfaction of the court to the contrary.

August 21, 1942.

G. C. THAMBYAH,  
 District Judge.

Time extended to November 16, 1942.

In the District Court of Ratnapura.

*Order Nisi.*

Testy. In the Matter of the Last Will and Testament of Hopitigalayalage Kiribaba of Elapata, deceased.  
 No. 1,124.  
 Hopitigalayalage Podancho of Elapata ..... Petitioner.

THIS matter coming on for disposal before D. E. Wijewardena, Esq., Additional District Judge, Ratnapura, on October 23, 1942, in the presence of Mr. P. Marapana, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated September 7, 1942, and the affidavit of the notary who attested the last will dated October 19, 1942, and the affidavit of the witnesses to the last will dated September 7, 1942, having been read.

It is ordered that the last will of the above-named deceased dated February 22, 1942, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before November 19, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said petitioner above named is the daughter of the deceased above named and the sole heir mentioned in the said last will and that she is entitled to have letters of administration to the estate of the said deceased with the copy of last will annexed issued to her accordingly, unless sufficient cause be shown to the contrary on November 19, 1942.

October 23, 1942.

D. E. WIJewardena,  
 Additional District Judge.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary Jurisdiction: In the Matter of the Estate of the late Nuwarapassa Hewawilake Waidyaratne, deceased, of Madawala, Rambukkana.  
 No. 1,656.  
 Nuwarapassa Hewawilake Karunaratne of Rambukkana. Petitioner.

Vs.  
 Daunda Naidelage Punnthamy of Rambukkana ..... Respondent.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Kegalla, on October 23, 1942, in the presence of Mr. L. A. Goonewardene, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated May 25, 1942, having been read

It is ordered that the petitioner be and he is hereby declared entitled, as the brother of the above-named deceased, to have letters of administration of the deceased issued to him, unless the respondent or any person or persons interested shall, on or before December 2, 1942, show sufficient cause to the satisfaction of this court to the contrary.

October 28, 1942.

R. R. SELVADURAI,  
 District Judge.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary Jurisdiction: In the Matter of the Intestate Estate of Ranasingho Araccillage Ukku Amma of Udakarandupona in Kegalla District, deceased.  
 Case No. 1,659.  
 Wannu Araccillage Ukku Banda Gunetilake of Udakarandupona ..... Petitioner.

Vs.  
 Wannu Araccillage Leelawathie Menike of Udakarandupona ..... Respondent.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Kegalla, on October 15, 1942, in the presence of Mr. E. A. Peries, Proctor, on the part of the petitioner; and the petition of the petitioner dated October 15, 1942, and the affidavit of the petitioner dated October 13, 1942, having been read.

It is ordered that the petitioner be and he is hereby declared entitled, as widower of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondent above named or any person or persons interested shall, on or before November 25, 1942, show sufficient cause to the satisfaction of this court to the contrary.

October 21, 1942.

R. R. SELVADURAI,  
 District Judge.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary Jurisdiction: In the Matter of an Intestate Estate of Jayasundara Arachchillage Pinchappuhamy of Aranayake, deceased.  
 No. 1,660.  
 Jayasundara Arachchillage Puchi Banda of Aranayake. Petitioner.

Vs.  
 Kannangarage Jane Nona of Aranayake ..... Respondent.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Kegalla, on October 20, 1942, in the presence of Mr. L. A. Goonewardene, Proctor, on the part of the petitioner; and the petition of the petitioner dated October 20, 1942, and the affidavit of the petitioner dated September 22, 1942, having been read.

It is ordered that the petitioner be and he is hereby declared entitled, as the son of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondent above named or any person or persons interested shall, on or before December 2, 1942, show sufficient cause to the satisfaction of this court to the contrary.

October 20, 1942.

R. R. SELVADURAI,  
 District Judge.

## PASSED ORDINANCES.

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

No. 50 of 1942.

L. D.—O 67/39

1/3/37 (FSO)

An Ordinance to provide for the exemption from Customs duty of articles imported or purchased for the use of His Majesty's Regular Naval, Military or Air Forces in Ceylon and sold in certain circumstances to members of the Ceylon Defence Force or of the Ceylon Naval Volunteer Force.

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 Stores for Volunteer Forces (Exemption from Customs Duty) Ordinance, No. 50 of 1942.

Short title.

2. An article which has been exempted from import duty under section 22 (1) of the Customs Ordinance, or in respect of which a rebate of import duty has been allowed under section 23 (1) of that Ordinance, on the ground that the article has been imported or purchased for the use of any mess or canteen of His Majesty's Regular Naval, Military or Air Forces in Ceylon, shall not be deemed to have been used for any purpose other than the purpose for which the article was imported or purchased and shall accordingly not be liable to or be charged with import duty under the proviso to the aforesaid section 23 (1), in any case where the article is sold or supplied—

Exemption from Customs duty.

Cap. 185.

(a) to any member of the Ceylon Defence Force or of the Ceylon Naval Volunteer Force who is of the description set out in the First Schedule, or to a mess or canteen maintained by or for the use of such members of the Ceylon Defence Force or of the Ceylon Naval Volunteer Force; and

(b) in accordance with the conditions, restrictions or limitations set out in the Second Schedule and in all other respects in accordance with such rules or schemes for the allocation or rationing of such articles as may be applicable for the time being to the sale or supply of such articles to members of His Majesty's Regular Naval, Military or Air Forces.

3. The Governor may from time to time amend or vary the First Schedule or the Second Schedule, in any manner he considers necessary, by Order published in the *Gazette*.

Power to amend First Schedule or Second Schedule.

4. This Ordinance shall cease to be in operation on such date as may be appointed by the Governor by Proclamation published in the *Gazette*.

Duration of Ordinance.

FIRST SCHEDULE.

1. An officer, or a soldier, or a follower duly enrolled or employed on agreement, of any of the following corps of the Ceylon Defence Force, who is on full-time military duty:—

- (a) The Ceylon Garrison Artillery;
- (b) The Ceylon Engineers, exclusive of the personnel of the Railway Unit, the Post and Telegraph Unit, and the Electrical and Mechanical Company;
- (c) The Ceylon Light Infantry;
- (d) The Ceylon Planters' Rifle Corps;
- (e) The Ceylon Army Service Corps;
- (f) The Ceylon Medical Corps.

2. An officer or rating of the Ceylon Naval Volunteer Force on full-time Naval duty.

SECOND SCHEDULE.

1. Alcoholic liquor shall be supplied only for consumption at a mess or canteen.

2. Articles other than alcoholic liquor shall be sold only for use or consumption by the purchaser in any camp, barracks or other quarters provided by the authorities of the Ceylon Defence Force or the Ceylon Naval Volunteer Force, as the case may be.

Passed in Council the Fifth day of November, One thousand Nine hundred and Forty-two.

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

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

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

# The "Ceylon Government Gazette".

PUBLISHED EVERY FRIDAY.

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