



# 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
Passed Ordinances	465	Notices in Insolvency Cases	.. 468
Draft Ordinances	467	District and Minor Courts Notices	.. —
Governor's Ordinances	—	Council of Legal Education Notices	.. —
List of Notaries	—	Notices of Fiscals' Sales	.. 468
Supreme Court Notices	—	Notices in Testamentary Actions	.. 470
Notifications of Criminal Sessions of the Supreme Court	—	Miscellaneous	.. —

### PASSED ORDINANCES

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

No. 27 of 1943.

L D—O 10/43

An Ordinance to amend the Excise Ordinance

Chapter 42  
(Vol I, p 687)

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 Excise (Amendment) Ordinance, No 27 of 1943

Short title

2 Section 21 of the Excise Ordinance (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows —

Amendment of section 21 of Chapter 42

(1) by the re-numbering of that section as sub section (1) of section 21, and

(2) by the insertion, immediately after the re-numbered sub-section (1), of the following new sub-section, which shall have effect as sub section (2) of that section —

"(2) The power conferred by sub-section (1) to impose by a resolution a duty on any excisable article referred to therein shall include the power—

(a) by the same or a subsequent resolution to grant any exemption from the duty and to specify the circumstances in which, and the conditions subject to which, the exemption is granted,

(b) by a subsequent resolution to amend any earlier resolution so as to increase or reduce the duty or vary the description of the article or the scope of any exemption granted to any class or description of the article or include within or exclude from the scope of the earlier resolution any class or description of such article, and

(c) by a subsequent resolution to rescind any earlier resolution so as to abolish any duty or withdraw any exemption"

3 The amendments made in section 21 of the principal Ordinance by section 2 of this Ordinance shall be deemed for all purposes to have had effect on the date on which the principal Ordinance came into operation

Amendments made by section 2 to have retrospective effect

Passed in Council the Seventeenth day of August, One thousand Nine hundred and Forty-three

D C R GUNAWARDANA,  
Clerk of the Council

Assented to by His Excellency the Governor the Thirtieth day of August, One thousand Nine hundred and Forty-three

H A C DOBBS,  
Acting Secretary to the Governor

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

**No. 28 of 1943.**

L D — O 23/42

Treasury — 0592/1/15 (ET/M)

Chapter 206  
Volume V,  
page 537

**An Ordinance to amend the Post Office Security Fund  
Ordinance**

A. CALDECOTT

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

Short title

1. This Ordinance may be cited as the Post Office Security Fund (Amendment) Ordinance, No 28 of 1943

Amendment of  
section 7 of  
Chapter 206

2 Section 7 of the Post Office Security Fund Ordinance is hereby amended in paragraph (a) set out therein, by the substitution, for the word "rate", of the word "rates"

Passed in Council the Third day of August, One thousand Nine hundred and Forty-three

D C R GUNAWARDANA,  
Clerk of the Council

Assented to by His Excellency the Governor the Thirty-first day of August, One thousand Nine hundred and Forty-three

H A C DOBBS,  
Acting Secretary to the Governor

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

**No. 29 of 1943.**

L D — O 31/41

Treasury — 0592/1/15 (ET/M)

Cap. 251  
(Vol. VI, p 43)

**An Ordinance to amend the Public Officers' (Security)  
Ordinance.**

A. CALDECOTT

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

Short title

1. This Ordinance may be cited as the Public Officers' (Security) Amendment Ordinance, No 29 of 1943

Amendment of  
section 2 of  
Chapter 251.

2. Section 2 of the Public Officers' (Security) Ordinance (hereinafter referred to as "the principal Ordinance"), is hereby amended in sub-section (1) as follows —

(1) by the substitution, for the words "as the Governor may in each case determine", of the words "as the Deputy Financial Secretary or an officer authorised by the Deputy Financial Secretary may in each case determine", and

(2) by the insertion, at the end of that sub-section, of the following —

" Provided, however, that—

(a) any village headman, or

(b) any other officer or class of officers approved by the Governor,

may give such security either in the manner hereinbefore provided or by the hypothecation of immovable property to the satisfaction of the Deputy Financial Secretary "

Amendment of  
section 4 of  
the principal  
Ordinance

3 Section 4 of the principal Ordinance is hereby amended by the substitution, for the words "as may be prescribed and for such amount as may be fixed by the Governor", of the words "as may be prescribed by the Governor and for such amount as may be fixed by the Deputy Financial Secretary or an officer authorised by him "

Amendment of  
section 8 of  
the principal  
Ordinance

4 Section 8 of the principal Ordinance is hereby amended in sub-section (2) and in the marginal note to that sub-section by the substitution, for the word "Governor", of the words "Deputy Financial Secretary or an officer authorised by the Deputy Financial Secretary"

Amendment of  
section 10 of  
the principal  
Ordinance

5 Section 10 of the principal Ordinance and the marginal note to that section are hereby amended by the substitution, for the word "Governor", of the words "Deputy Financial Secretary or an officer authorised by him "

6 Section 12 of the principal Ordinance is hereby amended in sub-section (1) thereof, by the substitution, in paragraph (d) set out therein, for the word "rate", of the word "rates"

Amendment of section 12 of the principal Ordinance

Passed in Council the Third day of August, One thousand Nine hundred and Forty three

D C R GUNAWARDANA,  
Clerk of the Council

Assented to by His Excellency the Governor the Thirty-first day of August, One thousand Nine hundred and Forty-three

H A C DOBBS,  
Acting Secretary to the Governor

## DRAFT ORDINANCES

### MINUTE

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

L D—O 11/43

#### An Ordinance to amend the War Damage (Immovable Property) Ordinance, No 62 of 1942

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 Damage (Immovable Property) Amendment Ordinance, No of 1943

Short title

2 Section 19 of the War Damage (Immovable Property) Ordinance, No 62 of 1942, (hereinafter referred to as "the principal Ordinance"), is hereby amended in sub-section (2) (c) thereof, as follows —

Amendment of section 19 of Ordinance No 62 of 1942

(1) by the re-numbering of paragraphs (i) and (ii), set out therein, as paragraphs (ii) and (iii), respectively, and

(2) by the insertion, immediately before the re-numbered paragraph (ii), of the following new paragraph —

" (i) belonging to or vested in a local authority (not being property to which section 33A applies) and for that reason not assessed for the purposes of any rates leviable by that authority, or "

3 Section 31 of the principal Ordinance is hereby amended in sub section (1) thereof, by the substitution, for the words "which constitutes", of the words "which, being situated in a scheduled area, constitutes"

Amendment of section 31 of the principal Ordinance

4 Section 32 of the principal Ordinance is hereby amended in sub-section (1) (a) thereof, by the substitution, for the words "prescribed authority", of the words "Commissioner of Local Government"

Amendment of section 32 of the principal Ordinance

5 The following new section is hereby inserted immediately after section 33, and shall have effect as section 33A of the principal Ordinance —

Insertion of new section 33A in the principal Ordinance

33A In the case of any town hall, power-station, water-works, market building, school building, public latrine, wash house, water-tough, public shelter, or other immovable property acquired by or vested in a local authority for public purposes, the payment to be made in respect of any war damage thereto and the contribution to be made in respect thereof shall be such as may be determined by resolution passed by the State Council and ratified by the Governor

Public buildings, etc, belonging to or vested in local authorities

6 The Schedule to the principal Ordinance is hereby amended by the omission of items 2, 3, 4 and 6 relating to the areas within the administrative limits of the Dehiwala-Mount Lavinia Urban Council, the Kotte Urban Council, the Kolonnawa Urban Council, and the Galle Municipal Council, respectively

Amendment of Schedule to the principal Ordinance

#### Objects and Reasons

The object of Clauses 2 and 5 of this Bill is to amend the War Damage (Immovable Property) Ordinance, No 62 of 1942, so as to make it possible for the various properties that belong to or are vested in local authorities in Ceylon to be brought into the scheme of contributions, compulsory or voluntary as the case may be, for the purposes of the Ordinance

Under the new provisions that are to be inserted, property which is used or capable of being used for residential or business purposes will be dealt with in the same manner as similar property belonging to private individuals, and property intended for public purposes will be dealt with, in the same manner as highways, by a special resolution of the State Council subject to ratification by the Governor

2 Clauses 3 and 4 contain two minor amendments which are designed to facilitate the administration of the Ordinance

3 As some of the local authorities specified in the Schedule to the principal Ordinance have declined to undertake the task of collecting contributions, or have requested to be exempted from the operation of the principal Ordinance, it is proposed in Clause 6 to delete from that Schedule references to the areas within the administrative limits of those local authorities

G O S COREA,

Minister for Labour, Industry and Commerce  
Colombo, September 7, 1943

### NOTICES OF INSOLVENCY

In the District Court of Colombo

No 5,665 In the matter of the insolvency of M Rahum of 508' Insolvency 2nd Division, Maradana, insolvent

NOTICE is hereby given that a second sitting of this court for the purpose of examining the above named insolvent is fixed for September 24, 1943

August 11, 1943 By order of court, T THIAGARAJAR,  
Acting Secretary

In the District Court of Kandy

No I 112 In the matter of the insolvency of P K Cader Mohudeen of Colombo street, Kandy

WHEREAS P K Cader Mohudeen has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by K John Singho under the Ordinance No 7 of 1853 Notice is hereby given that the said court has adjudged the said P K Cader Mohudeen insolvent accordingly, and that two public sittings of the court, to wit, on September 23, 1943, and on October 26, 1943, 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 6, 1943 By order of court, E J DE ZILVA,  
Acting Secretary

the west by land of M Selenchya and others and land of N Manika and others, containing in extent 1 acre 3 rods and 30 perches, and registered under E 232/209

2 At 3 30 p m—All that allotment of land called Migahawatta alias Kongahawatta marked lot D, situated at Hiripitiya aforesaid, bounded on the north east by Migahawatta portion of Suwanya and others, on the south east by lots marked B and C of Migahawatta and Crown land, south-west by high road, and on the north west by lot marked A, containing in extent 33 36/100 perches and registered under E 185/64, and excluding therefrom an undivided north-eastern portion, in extent 22 perches transferred by deed No 21,191 dated March 16, 1938, and attested by W F Samarasingha Notary Public

3 At 2 45 p m—All that allotment of land called Bulugahawatta together with the three thatched houses bearing assessment Nos 197, 198, 198A, and the kitchen and lavatory, situated at Hiripitiya aforesaid, bounded on the north by land of P Mohudeen Kutty, on the east by cart road, on the south by land of M Balaya, and on the west by land of M Selenchya, containing in extent one rod, and registered under E 233/183

Fiscal's Office,  
Colombo, September 7, 1943

V. ALLRAJAH,  
for Fiscal

In the District Court of Avissawella

(1) Hewawasan Puwakpitiyage Peter Appuhamy and others, of Uggalla Plaintiffs

No 3,010 Vs

Kasturi Aratchillage Sirisena of Mapota, administrator of the estate of Kasturi Aracollage Sediris Appu, dead Defendant

NOTICE is hereby given that on Tuesday, October 5, 1943, at 3 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 Rs 504 and costs, viz —

1 An undivided 1/9 share of Gulankumburehenyaya situated at Mapota in Pallepattu of Kuruwita korale in the District of Ratnapura, Province of Sabaragamuwa, and bounded on the north by lands acquired by Crown for the reservoir, east by Gulankumbura and Migahawatta, south by Karandana Gammama, and west by Crown land, and containing in extent about 30 acres

At 4 p m

2 All that land called Bulugahademiya and Gode Idama situated at Mapota aforesaid, and bounded on the north by Mala dola and Henda dola, east by dola, and on the south and west by Crown land, containing in extent about one thumba of paddy sowing in the low land and about 1/4 an acre in the high land, the lands being contiguous

Valuation Rs 1,100

Fiscal's Office,  
Avissawella, September 3, 1943

A V P SAMARANAYAKA,  
Deputy Fiscal

### NOTICES OF FISCALS' SALES

Western Province

In the District Court of Colombo

The Commissioner of Income Tax, Colombo Petitioner  
No A I 5,048 Vs

S Arulappahpillai of Roman Catholic Church street, Palam Cottah, South India Respondent

NOTICE is hereby given that on Saturday, October 2, 1943, at 10 A.M., will be sold by public auction at this office the following movable property for the recovery of the sum of Rs 872 being excess profits duty due and Rs 4 50 being costs of writ, viz —

150 shares of Rs 10 each in the Palmadulla Valley Tea and Rubber Co., Ltd., 50 shares of Rs 10 each in the Midford (Ceylon) Tea Estates, Ltd

Fiscal's Office,  
Colombo, September 7, 1943

V ALLRAJAH,  
for Fiscal

In the District Court of Colombo.

The Chettinad Corporation Limited of Pudukotah Plaintiff  
No 14,266/M Vs

P Mohudeen Cutty of Veyangoda Defendant

NOTICE is hereby given that on Monday, October 4, 1943, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following properties for the recovery of the sum of Rs 1,102 86 together with interest on Rs 1,000 at 12 per cent per annum from September 29, 1942, to July 1, 1943, and thereafter legal interest on the aggregate amount of the decrees till payment in full, viz —

1 At 2 p m—All that allotment of land called Buluhawatta together with the tiled house bearing assessment No 182A, situated at Hiripitiya in the Meda pattu of Siryane korale in the District of Colombo, Western Province (now within the Sanitary Board limits of Veyangoda), and bounded on the north by land of Obya and others, on the east by cart road to Kirikotawa, on the south by land of Babeya and others, and on the west by land of Selenchya and others, containing in extent two acres, which said premises are also described, as follows—All that allotment of land called Buluhawatta together with the tiled house bearing assessment No 182A, situated at Hiripitiya aforesaid, and bounded on the north by land of M Sahandi and others, land of N Obya and others, east by main road, south by land of A. Babiya and others, and on

### Central Province

In the District Court of Nuwara Eliya

H B Browne of Haddon Hill School, Nuwara Eliya Plaintiff.  
No 2,099 Vs

Edgar Tullidge Davis of Parkside School, Forest House, East Horsley, Surrey in England, (2) Philip James Hogg of Haddon Hill School, Nuwara Eliya Defendants

NOTICE is hereby given that on Saturday, October 16, 1943, 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 Rs 2,952 88, viz —

First—The title and interest of the 1st defendant held under deed No 129 dated April 18, 1914 (G F Bartholomeus, Notary Public) in the right of making and using a road and/or in the existing road through all that and those the estate plantations and premises called and known as Haddon Hill comprising all that allotment of land (being a part or portion of all those two portions of land formerly known as Mount Pleasant) situated at Nuwara Eliya in the Central Province, bounded on the north by the property of G W White, on the east by the property of J B Cotton, on the south by

the property of J W Ballardie, and on the west by Crown land, containing in extent 15 acres 3 roods and 14 perches, according to the survey and description thereof dated November 1, 1895, made by A M Sundaram, Licensed Surveyor (exclusive of the portion of the said Haddon Hill estate in extent 1 acre and 15 perches, sold and transferred by the deed No 129 dated April 18, 1914), to enable the 1st defendant, his servants, horses, vehicles and cattle to have access to the high road leading from Nuwara Eliya to Badulla. And also the title and interest of the 1st defendant held under the said deed No 129 dated April 18, 1914, in the right of using the water from a spring situated on the said Haddon Hill estate above described a few yards away from the said portion of the said Haddon Hill estate in extent 1 acre and 15 perches, sold as aforesaid by the said deed No 129 dated April 18, 1914, and the title and interest of the 1st defendant in the right of way to the said spring and the right of way to the said spring of the 1st defendant, his servants, horses and cattle transferred to the 1st defendant by the said deed No 129 dated April 18, 1914, registered Kandy—now Nuwara Eliya—O 19/292)

*Second*—All that one undivided 1/18 part or share of the 2nd defendant in and to all that portion of land containing in extent 2 roods and 9 perches, situated in the Town of Nuwara Eliya aforesaid being portion of all that part of the property called and known as Single Tree estate, and which said portion in extent 2 roods and 9 perches is bounded on the north by the property of E T Davies and on all other sides by the Single Tree property excluding however therefrom the road passing through the said portion of the land which said portion of land according to plan dated November 8, 1940, made by Edwin A. Peries, Licensed Surveyor and Leveller, is bounded on the north by premises called Haddon Hill, on the east by a road leading to Badulla road, on the south by another portion of land in extent 1 acre and 27 perches which belonged to E T Davies, and on the west by tea estate, and containing in extent 2 roods and 12 perches, and registered A 1/1 17 in the Nuwara Eliya Land Registry Office

*Third*—All and whatsoever the right, title, and interest vested in the 1st defendant under agreement No 219/81 dated April 13, 1916, and February 3, 1917, attested by S G A Julius of Colombo, and E Bartholomeusz of Nuwara Eliya, Notaries Public, being an agreement whereby each of the proprietors of the respective allotments of land hereinafter described (the 1st defendant being then the proprietor of the fourth of the said allotments) granted unto each and every other of them, his, her or their heirs, executors, administrators and assigns and the owner or owners for the time being of any house or building standing on any of the said allotments of land hereinafter described full and free right and liberty for him and them, his and their tenants, servants, visitors and licensees in common with all others having the like right at all times by day or night with or without horses, cattle or other animals, carts, carriages, motors or other vehicles of any description for all purposes connected with the use and enjoyment of the said allotments of land hereinafter described for whatever purpose the same may from time to time be lawfully used and enjoyed to pass and repass along the private road cut and made by the said proprietors and thereafter to be extended and which ran (and would run when extended) from the Nuwara Eliya Badulla high road through the said allotments of land hereinafter described and is depicted in brown in the tracings annexed to reach original copy of the said agreement which tracings are dated July 27, 1915, and signed by E T Davis for the purpose of going to and fro from the said Badulla High road through the said allotments of land hereinafter described or any part thereof and along any continuation thereof that may be made and which passes through and over the said allotments of land hereinafter described or any of them —

(a) All that portion of land situated in Nuwara Eliya aforesaid, and containing in extent 15 acres 2 roods and 22 perches, or thereabouts being the balance of the land 17 acres 3 roods and 23 perches in extent, forming the original Single Tree property after deduction therefrom of the several portions aggregating 2 acres 1 rood and 1 perch, or thereabouts previously sold, and which said balance portion is bounded on the south and south west by the Woodlands property belonging to Miss Lyard and the Delwood property belonging to Mrs Walker, on the east and north east by the portion 2 roods and 4 perches or thereabouts in extent sold to Forbes Griffith Saunderson and the portion 1 acre 2 roods and 26 perches or thereabouts in extent sold to F Liesching and the high road from Badulla to Nuwara Eliya, on the north by the property of W H Aitken, on the north west by the property once belonging to C Cotton, and on the west by the summit of the Hill and Crown land, registered O Volume 15 Folio 300 in the Kandy District Land Registry Office

(b) All that block of land situated in Nuwara Eliya aforesaid, containing in extent 2 acres 1 rood and 17½ perches, bounded on the west, north-west, and north by the limit of the portion of 4 acres sold to Mrs Helena Scott, on the east by Government road, and on the south by land belonging to Mrs Ballardie, registered O Volume 17 Folio 231 and 232 in the Kandy District Land Registry Office

(c) All that estate called and known as Haddon Hill estate comprising all that allotment of land (being a part or portion of all those two portions of land formerly known as Mount Pleasant) situated at Nuwara Eliya aforesaid, bounded on the north by the property of Mr G W White, on the east by property of Mr J B Cotton, on the south by the property of Mr J W Ballardie, and on the west by Crown land, containing in extent 15 acres 3 roods and 14 perches according to the survey and description thereof dated November 1, 1895, made by A M Sundaram, Licensed Surveyor, registered O Volume 13 Folio 269 in the Kandy District Land Registry Office

(d) All that portion of Haddon Hill estate situated at Nuwara Eliya aforesaid, bounded on the north by the remaining portion of the same land formerly belonging to the late John Ferguson, Esq., C M G (deceased) now to Alan Cort Wright Ferguson, on the south by a trench and the property of F Liesching, Esq., and on the east and west by the remaining portion of the same land formerly belonging to the said John Ferguson, Esq., and now to the said Alan Cort Wright Ferguson, containing 1 acre and 15 perches in extent according to the plan or figure of survey thereof dated August 31,

1911, and made by Philip Fowke and E T Davis of Nuwara Eliya Licensed Surveyor, registered O Volume 19 Folio 292 in the Kandy District Land Registry Office

Deputy Fiscal's Office,  
Nuwara Eliya, September 4, 1943

A C J WEERAKOON,  
Additional Deputy Fiscal

### Northern Province.

In the District Court of Jaffna

Sandrasegaram Kanapathupilly Subramaniam  
The Commissioner of Estate Duty  
No 945/T Vs  
Deceased.  
Petitioner.

Lizzie Annamuttu Subramaniam of Uduvil, Manipay, being the executrix of the estate of the above-named deceased Respondent

NOTICE is hereby given that on Tuesday, October 12, 1943, at 11 30 in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said deceased S K Subramaniam in the following property for the recovery of the sum of Rs 2,387 13, with interest thereon at 4 per cent per annum from June 27, 1941, till payment in full and poundage and charges, viz —

All that piece of land situated at Malavarayakurichey in Puloly East, Point Pedro parish, Vadamarachy division of the Jaffna District, Northern Province, called Mathiravalavu alias Sanguvaththai, in extent 1 lacham varagu culture and 13½ kules with stone built house, mud kitchen, well and coconut trees and palmyras, and bounded on the east and south by by lane, north by lane, and west by the property of Ponnachy, widow of Pandaram, and by the property of others

Fiscal's Office,  
Jaffna, September 7, 1943

P THAMBIAH,  
for Fiscal

In the Court of Requests of Mallakam

Muruguppillai Kasippillai of Palaly  
No 12,681 Vs  
Visuvanathar Varavappillai of Myliddy  
Plaintiff  
Defendant

NOTICE is hereby given that on Thursday, October 7, 1943, at 11 30 in the forenoon, will be sold, by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs 241 25, with interest thereon at the rate of 9 per cent per annum from July 6, 1942, until payment in full and costs Rs 24 25 and poundage and charges, viz —

1 All that piece of land situated at Myliddy in Myliddy parish, Valikamam North division of the Jaffna District, Northern Province, called Pilana, in extent 4 lachams varagu culture with palmyras old and young, and tamarind tree, and bounded on the east by the property of Paththimar, widow of Visuvanathar, north by the property of Sellam, wife of Nadarasah, west by lane, and south by the property of Ambalam Saravanai and by the property belonging to others

2 An undivided 31/66 share, with share of well, of a piece of land situated at Myliddy as aforesaid, called Savatkadava, in extent 66 lachams varagu culture, with well, and bounded on the east by the property of the heirs of Vannithamby and by the property of Sithambarappillai Swamunathar, north by the property of Thangam, wife of Veluppillai and by the property of others, west by the property of Sinnavan Thavasy and by the property of others, and south by water channel and the village limit of Mulava

3 An undivided ½ share of a piece of land situated at Myliddy as aforesaid, called Puththirakovil, in extent 12 lachams varagu culture with well, and bounded on the east by lane, north by the property of Achchippillai, widow of Aruppillai and by the property of others, west by the property of Vanniar Pandaram and by the property of others, and south by the property of Ponnu, wife of Kasari and by the property of others

Fiscal's Office,  
Jaffna, September 7, 1943

P THAMBIAH,  
for Fiscal

In the District Court of Jaffna

Tambiah Tillamathan of Manippay  
No 17,697 Vs  
Plaintiff.

(1) Sinnachippillai, widow of Vallipuram of Changanai, (2) Vallipuram Sellaturai, P W D Overseer, Moneragala, (3) Vallipuram Sinnaturai, and (4) Vallipuram Tambiah of Changanai  
Defendants

NOTICE is hereby given that on Tuesday, October 5, 1943, at 11 30 in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said 2nd, 3rd, and 4th defendants in the following property for the recovery of the sum of Rs 755 60, with legal interest thereon from May 18, 1942, till payment in full and poundage and charges, viz —

An undivided half share of all that piece of land situated at Changanai in Changanai parish, Valigamam West division of the Jaffna District, Northern Province, called Seddymarunayakkanvayal, in extent 3 lachams p c with share of the well lying on the eastern boundary of the northern boundary land, and bounded on the east by the property of Sinnachippillai, widow of Vallipuram, north by the property of Ponnammah, widow of Kandiah, west by the property of the heirs of Rasammah, wife of Saravanamuttu, and south by tank

2 An undivided half share of all that piece of land situated at Changanai as aforesaid, called Seddymarunayakkanvayal, in extent 5 lachams p c with share of the well lying in the north-western corner, and bounded on the east by the property of Annappillai, widow of Ramalingam, north by the property of Muttecumaru Kirudna, west by the property of Ponnammah, widow of Kandiah, and south by the property of Vallipuram Sellaturai

3 All that piece of land situated at Changana as aforesaid, called Sayuda, in extent 9 lachams varagu culture, with cultivated and spontaneous plantations and share belonging thereto of the water of the well lying on the northern side and use of way and water course, and bounded on the east by the property of Ponnammah, widow of Kaudiah, north by the property of Ambala vanar Vallipuram, and west and south by lane

Fiscal's Office,  
Jaffna, September 7, 1943

P THAMBIAH,  
for Fiscal

#### North-Western Province

In the Court of Requests of Kurunegala

W V Perera of Maspotha in Kudagalboda korale Plaintiff  
No 21,576 Vs  
R M Punchi Banda of Welagane in Kudagalboda korale Defendant

NOTICE is hereby given that on Tuesday, October 5, 1943, at 3 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 82 50 and poundage, viz —

1 An undivided  $\frac{1}{2}$  share of Dalupathiyayowatta in extent about 12 acres situated at Welagane in Kudagalboda korale of Weuda with hatpattu in the District of Kurunegala North Western Province, and bounded on the north by Gansabhawa road, west by the Maspotha estate, east by Dalupathiyayeskumbura, and south by the garden of Kinnelis Appuhamy, together with houses, plantations, and everything appertaining thereto

Fiscal's Office,  
Kurunegala, September 7, 1943

WALTER D M PERERA,  
Deputy Fiscal

#### Province of Sabaragamuwa

In the Court of Requests of Kegalla

Perumbadage Charles Senasinghe of Hewadiwela Plaintiff  
No 14,644 Vs

(1) Wanasinghe Atukorallage Punchirala Vel Vidane of Kada wattiya, (2) ditto Mudiyanse of ditto Defendants

NOTICE is hereby given that on Wednesday, October 6, 1943 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 —

An undivided  $\frac{2}{3}$  share of Hathlahogodawatta alias Hitapu Paranawatta of six pelus in paddy sowing extent, situated at Kada wattiya in Walgam pattu of Kimgoda korale in the District of Kegalla of the Province of Sabaragamuwa, and bounded on the north by Puwakwetiya, east by Kahatagaha Parana agala and Enderaweta, west by Ela wella and south by Ela wella

To recover Rs 77 83 with further damages at the rate of Rs 5 per month from November 20, 1942, till delivery of possession of the property described in the writ of possession

Deputy Fiscal's Office,  
Kegalla, September 6, 1943

M D J DISSANAYAKE,  
Additional Deputy Fiscal

#### NOTICES OF TESTAMENTARY ACTIONS

In the District Court of Colombo

##### Order Nos

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction Sophia Beatrice Goonetilleke Perera Ratnayake  
No 9,721 of Mount Lavina, deceased

Somapala Atapattu Karunanayake of Ambala, Bellatta,  
Tangalla Petitioner

And

(1) Mrs S W Perera of Suwanivasa, Rajaguiya, (2) Piema tilleke Jayawardene of Matale, (3) S Hemachandra Perera, (4) S Wansananda Perera, both of Etul Kotte, Colombo, (5) S W Perera, Proctor S C, Colombo, (6) Gilda Silva of Kohalwila, Kelaniya, (7) Sumana Ariyaratne of Kandy, (8) Mrs N B Cooray of Kotte, (9) Mrs D B Perera of Colombo, (10) D S S Weerasuriya Lokumahatmaya of Dickwella, (11) Lokuhamy of Matara, (12) Lucy of Ambala, (13) Tal gasduwage Anandis Appu of Kotuwegoda, Matara, (14) Tilaka Samarasinghe, (15) Cyril Samarasinghe, (16) Maltha Samarasinghe, (17) Punna Kirthi Samarasinghe (18) Lakshmi Samarasinghe, (19) Talatha Samarasinghe, (20) Susantha Samarasinghe, (21) Amarawansa Samarasinghe, (22) Padmani Samarasinghe, (23) D P S Samarasinghe, all of Bellana Agalawatta Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on August 5, 1943, in the presence of Mr D S A Jayalath, Proctor, on the part of the petitioner above named, and (1) the affidavit of the petitioner dated July 31, 1943, and (2) the affidavit of the attesting notary dated June 27, 1941, having been read It is ordered that the last will and testament of Sophia Beatrice Goonetilleke Perera Ratnayake, deceased, the original of which has been produced and is now deposited in this court together with its translation 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 for the limited purpose set out in the affidavit of the petitioner above mentioned, unless the respondents above named or any other person or persons interested shall, on or before September 16, 1943, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that the 4th respondent above named be and he is hereby appointed guardian *ad litem* of the minor, the 3rd respondent and that the 23rd respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 14th to 22nd respondents, to represent them for the purposes of this action

August 31, 1943

JAMES JOSEPH,  
Additional District Judge

In the District Court of Colombo

##### Order Nos

Testamentary In the Matter of the Intestate Estate of the late  
Jurisdiction Gardiya Atapattu Hewage Henry Stephen Jaya  
No 10,533 weera of 1573/41, Mahawatta road, Grandpass, Colombo, deceased

Gardiya Hettiaratchige Rosline Logus of 1573/41, Mahawatta road, Grandpass, Colombo Petitioner

(1) Henry Nobert Jayaweera, (2) Stella Victorine Jayaweera, (3) Priscilla Winifred Jayaweera, (4) Prince Lionel Jaya weera, (5) Kingsly Clarence Gladwyn Jayaweera, (6) Aelian Septimus Jayaweera, (7) Felix Constant Jayaweera, all of 1573/41, Mahawatta road, Grandpass, Colombo Respondents

THIS action coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on July 30, 1943, in the presence of Mr Fred G de Silva, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated July 23, 1943, having been read

It is ordered that the petitioner above named be and she is hereby entitled, as the widow of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before September 16 1943, show sufficient cause to the satisfaction of this court to the contrary

August 4, 1943

JAMES JOSEPH,  
Additional District Judge

In the District Court of Colombo

##### Order Nos

Testamentary In the Matter of the Intestate Estate of Ganegoda  
Jurisdiction Appuhamillage Don Bastian Appuhamy of  
No 10,547 Biyagama in Adikari pattu of Siyane korale, deceased

Kariyapperuma Atukoralage Dona Sebi Nona of Biyagama aforesaid Petitioner

Vs

(1) Ganegoda Appuhamillage Dona Renso Nona of Udupila in Adikari pattu aforesaid, (2) Ganegoda Appuhamillage Dona Leisa Hamy of Pahala Karagahamuna in Adikari pattu aforesaid, (3) Ganegoda Appuhamillage Dona Mango Nona of Udupila aforesaid, (4) Ganegoda Appuhamillage Don Juwanis Appuhamy of Biyagama aforesaid, (5) Ganegoda Appuhamillage Don Sugathadasa, (6) Ganegoda Appuhamillage Dona Premawathie, both of Kottawa, (7) Egodage Elisa Perera of Kottawa Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on August 4, 1943, in the presence of Mr D S Ganegoda, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner above named dated August 2, 1943, having been read

It is ordered that the petitioner above named be and she is hereby declared entitled, as the widow of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before September 16, 1943, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that the 7th respondent above named be and he is hereby appointed guardian *ad litem* of the minors, the 5th and 6th respondents, to represent them for all the purposes of this action

August 10, 1943

W SANSONI,  
Additional District Judge

In the District Court of Colombo

##### Order Nos

Testamentary In the Matter of the Intestate Estate of Cornelia  
Jurisdiction Perera Wickramasinghe of "Woodlands",  
No 10,548 Kiribathgoda in Adikari pattu of Siyane korale, deceased

Hugo Aloysius Casio Chetty of Kohalwila in Kelaniya Petitioner

Vs

(1) Charles William Perera Wickramasinghe of "Woodlands", Kiribathgoda, Kelaniya, (2) Abigail Florence Casio Chetty of Kohalwila, Kelaniya, (3) Allan Perera of Talduwa, Avissa wella, (4) E M D E Perera of Talduwa, Avissa wella Respondents

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on August 4, 1943, in the presence of Mr S S Kandaya, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated August 3, 1943, having been read

It is ordered that the petitioner above named be and he is hereby declared entitled, as the son in law of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before September 16, 1943, show sufficient cause to the satisfaction of this court to the contrary

August 10, 1943

W SANSONI,  
Additional District Judge

In the District Court of Colombo

*Order Nisi*

Testamentary In the Matter of the Intestate Estate of Navroji  
Jurisdiction Maneckji Bharucha of 329, Galle road,  
No 10,566 Bambalapitiya, deceased  
Ala Navroji Bharucha of 329, Galle road, Bambala  
pitiya Petitioner

And

(1) Khorshed Navroji Bharucha, (2) Piroja Navroji Bharucha,  
(3) Jamshed Navroji Bharucha and (4) Roshun Navroji  
Bharucha, all of 329, Galle road, Bambalapitiya, and  
(5) Dr Visvasam Mutthumani of Bambalapitiya Respondents

THIS matter coming on for disposal before James Joseph, Esq.,  
Additional District Judge of Colombo, on August 23, 1943, in the  
presence of Messrs de Silva & Mendis, Proctors, on the part of the  
petitioner above named, and the affidavit of the petitioner dated  
August 13, 1943, having been read

It is ordered that the 5th respondent above named be and he is  
hereby appointed guardian *ad litem* of the minors, the 1st, 2nd, 3rd,  
and 4th respondents, to represent them for all the purposes of this  
action and that the petitioner above named be and she is hereby  
declared entitled, as the widow of the deceased above named, to have  
letters of administration to the above estate issued to her accordingly,  
unless the respondents above named or any other person or persons  
interested shall, on or before September 23, 1943, show sufficient  
cause to the satisfaction of this court to the contrary

August 31, 1943

JAMES JOSEPH,  
Additional District Judge

In the District Court of Colombo

*Notice of Application*

Testamentary In the Matter of the Intestate Estate of John  
Jurisdiction. Rollo Large of "Bryn Mair", Bryn Newydd East,  
No 10,576 Prestatyn in the County of Flint, 2nd Lieutenant,  
Argyle and Sutherland Highlanders, deceased

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

NOTICE is hereby given that after the expiry of twenty one  
days from the date hereof application will be made to the District

B 3

Court of Colombo under the British Courts Probate (Re sealing)  
Ordinance (Chapter 84) for the sealing of a certified copy of the  
Grant of Letters of administration to the intestate estate of John  
Rollo Large of "Bryn Mair", Bryn Newydd East Prestatyn in the  
County of Flint, 2nd Lieutenant, Argyle and Sutherland High  
landers, deceased, granted by the District Probate Registry of His  
Majesty's High Court of Justice at Liverpool on the 9th day of  
October 1942

O P MOUNT,  
Attorney for Reginald James Large  
the English Administrator of the  
Intestate Estate of John Rollo  
Large, deceased

August 25, 1943

In the District Court of Colombo

*Order Nisi*

Testamentary In the Matter of the Intestate Estate of Leslie  
Jurisdiction Arthur Jones of Indrapathy, Pendennis avenue,  
No 10,575 Colpetty, Colombo, in the Island of Ceylon a  
Lieutenant Colonel in the Royal Army Service  
Corps, deceased

Robert James Thomas of Colombo

Petitioner

Vs

Eric Pattison Jones, presently of England, a minor by his  
guardian *ad litem* Christopher Emmanuel, the Secretary  
of the District Court of Colombo Respondent

THIS matter coming on for disposal before James Joseph, Esq.,  
Additional District Judge of Colombo, on August 25, 1943, in the  
presence of Messrs Julius & Creasy, Proctors, on the part of the  
petitioner above named, and the affidavit of the said petitioner  
dated August 18, 1943, certificate of death of the above named  
deceased and power of attorney in favour of the petitioner having  
been read

It is ordered (a) that Christopher Emmanuel the Secretary of  
the District Court of Colombo be and he is hereby appointed guardian  
*ad litem* of the minor respondent above named to represent him for  
all the purposes of this action, and (b) that the petitioner be and he is  
hereby declared entitled, as attorney of the widow of the said  
deceased, and that he is entitled to have letters of administration

to the intestate estate of the said deceased issued to him accordingly, unless any person or persons interested shall, on or before September 16, 1943, show sufficient cause to the satisfaction of this court to the contrary

August 26, 1943

JAMES JOSEPH,  
Additional District Judge

In the District Court of Jaffna

Order Nisi

No 157 In the Matter of the Estate of the late Ramupilla  
Testy Rajadura of Nallur, Jaffna

Thillaammah, widow of Ramupilla Rajadura of Nallur,  
Jaffna Petitioner

Vs

(1) Rajadura Yoganathan, (2) Jegathambal, daughter of Rajadura, (3) Rajadura Padmanathan, (4) Rajadura Kavanathan, (5) Rajadura Sebanathan, (6) Rajadura Kavendranathan, (7) Padmapathy, daughter of Rajadura, (8) Sagogundevy, daughter of Rajadura, (9) Rajadura Rajanathan, (10) Rajadura Thillaanathan, (11) Rajadura Yoganathan, and (12) Arumugam Ramupilla, all of Nallur, Jaffna Respondents

THIS matter coming on for disposal before G C Thambyah, Esq., District Judge of Jaffna, on August 17, 1943, in the presence of Mr K V Sinnathurai, Proctor for the petitioner, and on reading the affidavit and petition of the petitioner it is ordered that the 12th respondent be appointed guardian *ad litem* over the minors, the 1st to 11th respondents, and that letters of administration be issued to the petitioner to the estate of the deceased, unless the respondents appear before this court on September 20, 1943, and show sufficient cause to the satisfaction of this court to the contrary

August 25, 1943

G C THAMBYAH,  
District Judge

In the District Court of Puttalam

Order Nisi

Testamentary In the Matter of the Intestate Estate and Effects  
Jurisdiction of the late Cader Saibo Marikar Mohamedo  
No -761 Sanudeen Uduma Lebbe Maraikar, deceased

Between

Cader Saibo Maraikar Thangamuthu *alias* Ummu Natchiya of  
Kalpitiya Petitioner

Vs

(1) Mohamedo Ali Maraikar Uduma Lebbe Maraikar, (2) Mohamedo Ali Maraikar Cader Saibo Maraikar, (3) Mohamedo Ali Maraikar Ponnimuthu Maraikar, (4) Mohamedo Ali Maraikar Elavathambay Maraikar, (5) Sego Alawdeen Maraikar Uduma Lebbe Maraikar, (6) Sego Kando Maraikar Sellamuthu Maraikar, (7) Sego Kando Maraikar Mohamedo Cassim Maraikar, (8) Sego Kando Maraikar Assen Natchiya, widow of Mohamedo Thambay Maraikar, all of Kalpitiya, (9) Sego Alawdeen Maraikar Samul Abdeen, (10) S S Abdul Cader, Secretary, District Court, both of Puttalam Respondents

THIS matter coming on for disposal before K D de Silva, Esq., District Judge of Puttalam, on July 12, 1943, in the presence of Mr Lazarin E David, Proctor, on the part of the petitioner, Mr H S Ismail, Proctor, on the part of the 6th respondent and of Mr E Muttukumaru, Proctor, on the part of the 6th, 7th, and 8th respondents, and the petitioner's affidavit dated March 26, 1943, and petition dated April 12, 1943, having been read it is ordered that the above-named petitioner be and she is hereby appointed administratrix of the intestate estate of the above named deceased and that letters of administration be issued to her accordingly, unless the above named respondents or any other person or persons interested in the matter of the application shall appear and show sufficient cause to the satisfaction of this court to the contrary on August 2, 1943, at 10 o'clock in the forenoon

July 12, 1943

Order Nisi extended and reissued for September 20, 1943

K D DE SILVA,  
District Judge

K D DE SILVA,  
District Judge