



# THE CEYLON GOVERNMENT GAZETTE

No. 9,219 — FRIDAY, DECEMBER 24, 1943.

Published by Authority.

## PART II.—LEGAL.

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

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### DRAFT ORDINANCES

#### MINUTE

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

L D—O 51/43  
M L A—B 2000

#### An Ordinance to amend the Small Towns Sanitary Ordinance

Chapter 197  
(Volume V,  
page 356)

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 Small Towns Sanitary (Amendment) Ordinance, No of 1943

Short title

2. Section 5 of the Small Towns Sanitary Ordinance, (hereinafter referred to as "the principal Ordinance"), is hereby amended in sub-section (6) thereof by the substitution, for the words "public health therein, and to the payment", of the words "public health therein, and to the grant of financial aid to any maternity and child welfare institute or health clinic, situated within or without such town or village and serving, whether exclusively or not, the inhabitants of such town or village, and to the payment"

Amendment of section 5 of Chapter 197

3 Section 16 of the principal Ordinance is hereby amended in sub-section (2) thereof by the insertion, immediately after paragraph (b) of that sub section, of the following new paragraph —

Amendment of section 16 (2) of the principal Ordinance

"(bb) for regulating the supply of electric light or power and for fixing and levying charges for such supply , "

4 Section 17 of the principal Ordinance is hereby amended by the substitution, for the words "waterworks or other public work", of the words "waterworks, housing scheme, or other public work undertaken in accordance with the provisions of section 16"

Amendment of section 17 of the principal Ordinance

5 Section 44 of the principal Ordinance is hereby amended as follows —

Amendment of section 44 of the principal Ordinance

(a) by the renumbering of that section as sub-section (1) of section 44 ,

(b) in the renumbered sub section (1), by the insertion, immediately after paragraph (g) of that sub-section, of the following new paragraph —

"(gg) to supply electric light or power , " , and

(c) by the insertion, immediately after the renumbered sub-section (1), of the following new sub-section —

"(2) A Sanitary Board may, with the approval of the Executive Committee of Local Administration, and subject to the consent of the local authority of any area adjacent to any town or village administered

by the Board, contract with the owners or occupiers of any premises situated in any such adjacent area for the supply of electric light or power to such premises, and may fix and levy charges for such supply”

Amendments made by sections 2 and 4 to have retrospective effect

6 The amendments made in sections 5 and 17 of the principal Ordinance by sections 2 and 4 of this Ordinance shall be deemed for all purposes to have had effect on the date on which the principal Ordinance came into operation

#### Objects and Reasons

The object of this Bill is to amend the Small Towns Sanitary Ordinance (Chapter 197) so as to empower Sanitary Boards—

- (a) to give financial aid to maternity and child welfare institutes and health clinics which serve the inhabitants of the towns or villages administered by such Boards (Clause 2),
- (b) to raise such loans as may be necessary for carrying out housing schemes (Clause 4), and
- (c) to supply electric light or power to premises within or without such towns or villages and to fix and levy charges for such supply (Clauses 3 and 5)

The amendments made by Clauses 2 and 4 are to be given retrospective effect so as to validate the contributions made by certain Sanitary Boards to such institutes and clinics as are referred to above and the utilisation of borrowed moneys by one Sanitary Board for carrying out a housing scheme

S W R D BANDARANAIKE,  
Minister for Local Administration

December 16, 1943

### NOTICES OF FISCALS' SALES

#### Western Province

In the District Court of Colombo

Dr H J Hazari of Hulftsdorp, Colombo Plaintiff  
No 1,388/Land Vs  
(10) A L M Arseena Umma, (11) Sitti Ayesha, both of 395, Grandpass road, Colombo, substituted in place of 2nd defendant, deceased Defendants

NOTICE is hereby given that on Tuesday, January 18, 1944, at 4 P.M., will be sold by public auction at the premises the right, title, and interest of the said 10th and 11th defendants in the following property, for the recovery of the damages at the rate of Rs 25 a month from July 15, 1938, till June 30, 1941, viz —

All that block of land with the buildings thereon presently bearing assessment No 1, Second lane, formerly bearing assessment No 392/80, Layard's Broadway, situated in the Kotahena Ward within the Municipality and District of Colombo, bounded on the north by the property of S L A Gaffoor, bearing assessment No 394/80B, on the east by roadway, on the south by property of S L Avoo Lebbe and O L Samsu Lebbe, bearing assessment Nos 391/79 and 390/78, and on the west by pas-age and property of Meenachchi Umma, bearing assessment No 393/80A, containing in extent 5 21/100 perches according to plan No 2,630 dated January 21, 1922, made by E F Daniel, Municipal Surveyor (subject to a primary mortgage created by bond No 1,315 dated November 1, 1933, attested by M. N. M. Salahudeen of Colombo, Notary Public, and registered in A 154/91, Colombo)

Fiscal's Office,  
Colombo, December 21, 1943

R O DE SARAV,  
Deputy Fiscal

In the District Court of Colombo

No 8,484 In the Matter of the Estate of Sodalammuttupillai Testy Kengaya Pillai, deceased  
The Commissioner of Estate Duty Petitioner  
M Pandarasivampillai and Subha Reddiar Muttusamy Reddiar of Stewart street, Slave Island, being the executors of the estate of the above named deceased Respondents

NOTICE is hereby given that on Monday, January 17, 1944, at 4 P.M., will be sold by public auction at the premises the following property, for the recovery of the balance estate duty Rs 2,196 95, accrued interest Rs 29 59, and interest on Rs 2,196 95 at 4 per cent per annum from July 6, 1941

The following property belonging to the estate of the late Sodalai muttupillai Kengaya Pillai, deceased, viz —

All that divided portion marked lot C in plan No 1,780 dated December 15, 1935, made by C C Wijetunga, Licensed Surveyor, being a divided portion of land called Millagahawatta bearing allotment No 543 in registration plan No 4, and bearing assessment No 48/8, Dutugemunu street, situated at Kirillapone in the Palle pattu of Salpiti korale in the District of Colombo, Western Province, and which said divided portion marked lot C is bounded on the north, east, and south by lot B in the said plan No 1,780, and on the west by a dewata path, containing in extent 15 perches together with the house and plantations standing thereon Prior Registration Kirillapone 14/69

Fiscal's Office,  
Colombo, December 21, 1943

R O DE SARAV,  
Deputy Fiscal

#### Central Province

In the District Court of Kandy

S M Sheriff of Gampola, Administrator of the estate of Kunj Phamby Marikkar's son, Marikkar Thamby Muhandram of Matale, deceased Plaintiff  
No L 92 Vs

(1) S T S Vallappa Chettiar, Matale, (2) K A Arnolds Appuhamy alias K A Charles Appuhamy of 582, Trin comalee street, Matale Defendants

NOTICE is hereby given that on Saturday, January 15, 1944, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said plaintiff in the following property for the recovery of the sum of Rs 279 15 and poundage, viz —

All that land called the divided portion of Pitahawatta alias Galatota, situated at Godapola road within the Urban Council limits of Matale, in the District of Matale, Central Province, containing in extent 25 feet in breadth from north to south, and 45 feet in length from east to west, and bounded on the north and east by the remaining portion of the same land belonging to Marikkar Thamby's heirs, south by Godapola road, west by Muhandram road together with the tiled house thereon bearing assessment No 38, and registered in A 3/95 and A 10/256  
Property valued at Rs 1,250

Deputy Fiscal's Office,  
Matale, December 17, 1943

H DIAS DESINGHE,  
Additional Deputy Fiscal

#### North-Western Province

In the District Court of Colombo

No 5,295 S

NOTICE is hereby given that on Thursday, January 27, 1944, at 2 o'clock in the afternoon, will be sold by public auction at the office of the Deputy Fiscal, Chilaw, the following property, viz —

All the right, title, and interest of the defendant in, to and arising from or out of the Deed of Agreement No 2,397 dated April 25, 1941, attested by S A Jayasekera, Notary Public, and affecting all that and those the estate, plantations and premises called and known as Madampe now called De Zoysa estate and Mills comprising of the following allotments of land, to wit —

#### First Schedule

First—All those several contiguous allotments of land now forming one property known as Ooralaha agara, situated at Horakala and Ooralaha agara villages in Yagam pattu of Pitigal korale south, in the District of Chilaw, North Western Province, in the Island of Ceylon, bounded on the north by land appearing in title plan No 111,603, land claimed by Aaron de Livera and Louis Perera Rupasinghe and land appearing in title plan No 50,333, land claimed by Pauls Perera and others, and on the east by land appearing in title plan No 63,162, land claimed by Mr Corea, on the south by land claimed by Mrs Corea, the high road leading from Madampe to Kurunegala, land appearing in title plan No 111,639, land claimed by Pauls Perera and Barnes Perera and land appearing in title plan No 111,861, land claimed by Pauls Perera, Iseris Cornelis Appuhamy and the Wesleyan Mission, and on the west by the high road leading from Madampe to Anuradhapura, containing in extent 55 acres

1 rood and 26 perches according to the figure of survey thereof No 846 dated May 1 1918, made by A R Saundranayagam, Special Licensed Surveyor and Leveller Registered in M 145/27

**Second**—All those several contiguous allotments of land called and known as Kongahayaya, situated in Uraliya agara, Irattakulama and Karukkuwa villages in Yagam pattu aforesaid, comprising the following allotments of land, to wit —

1 Portion marked "A" being part of lot 17 in plan No 845 dated May 1, 1918, made by the said A R Saundranayagam, bounded on the north west by land claimed by Victor Corea, east by rail road, south by lot 16 in the said plan No 845, containing in extent 14 98 perches Registered in M 133/159, C 56/137

2 Portion marked "B" being part of the said lot 17 in the said plan No 845, bounded on the north by the said lot 16, east by the rail road, south by land claimed by Victor Corea, and on the west by land appearing in plan No 37,122 claimed by C P de Silva, containing in extent 24 70 perches Registered in M 133/160, C 56/138

3 Portion marked "C" being lots 18 and 23 and a portion of lot 17 in the said plan No 845, bounded on the north by land appearing in title plan No 79,280 claimed by A W Jayawardena and heirs of Kiri Naide and cart road, east by land claimed by A H Bungchappahamy, lot 19 in the said plan No 845, land claimed by the heirs of Narayana Nadar Ummayamma Thomas Silva and others, lots 20, 21 and 22 in the said plan No 845, and land claimed by Solomon Mendis and Ladrns Mendis, south by land appearing in title plan No 111,860 claimed by the heirs of Albert Abeyeratne and others, west by the rail road and lot 16 in the said plan No 845, containing in extent (excluding the said portions marked A and B) 7 acres and 3 82 perches Registered in M 133/161, C 56/139

4 Portion marked "D" being lot 19 in the said plan No 845, bounded on the north by land claimed by A H Babunchappahamy and Trustee of the Salvation Army, east by the high road from Madampe to Anuradhapura, south by the land claimed by the heirs of Narayana Nadar Ummayamma Thomas Silva and others, and on the west by lot 18 in the said plan No 845, containing in extent 1 acre Registered in M 133/162, C 56/140

5 Portion marked "E" being lots 20, 21 and 22 in the said plan No 845, bounded on the north by land claimed by the heirs of Narayana Nadar Ummayamma Thomas Silva and others, east by the high road from Madampe to Anuradhapura, south by land claimed by Solomon Mendis and Ladrns Mendis, and on the west by lot 18 in the said plan No 845, containing in extent 3 acres 2 roods and 13½ perches, which said portions marked C, D and E adjoin each other and form one property and which from their situation as respects each other can be included in one survey and which said portions marked A, B, C, D and E contain in extent in the aggregate 11 acres 3 roods and 17 perches, as per figure of survey No 845, made by the said A R Saundranayagam Registered in M 133/163, C 56/141

**Third**—All that plantation (excluding the soil) standing on the land Kongahayaya marked lot No 16 in the aforesaid figure of survey No 845, situate at Irattakulama aforesaid, bounded on the north east and south by the property of Isaac de Livera, and on the north west by the property of Mr Zoysa, containing in extent as per deed No 4,165 dated August 14, 1912, and attested by M E Jayasuriya of Chilaw, Notary Public, about 1 acre and 1 rood and according to the said plan thereof No 845 containing in extent 3 roods and 37 perches Registered in M 125/58

#### Second Schedule

All that allotment of land called Kurunduwatta marked lot 3 on plan No 2 dated November 17, 1927, made by J B Perera, Surveyor, situate at Karukkuwa in Madampe in Yagam pattu of Pitigal korale south now in Munnessaram pattu south, Tambugala division, Pitigal korale north, in the District of Chilaw, North Western Province, bounded on the north by two portions, of the same land marked lots Nos 1 and 2 on the said plan, on the east by Horakelewatta, on the south by Pansalewatta of M D A S Gunasekera, Wela of Victor Corea, Horakelewatta of Robert de Zoysa and the land of M de Livera, and on the west by the high road from Madampe to Palu Bingriya and lot No 2, containing in extent 24 acres and 1 rood according to the said plan No 2 Registered in M 58/47

Amount to be recovered Rs 3,056 25, together with interest on Rs 3,000 at the rate of 15 per cent per annum from February 5, 1942, till date of decree (March 31, 1942) and thereafter with legal interest of 9 per cent per annum on the aggregate amount of the decree till payment in full, and incurred costs Rs 165 23, and prospective costs Rs 111 69, less a sum of Rs 1,000

Fiscal's Office,  
Chilaw, December 21, 1943

I L M SHERIFF,  
Additional Deputy Fiscal

### NOTICES IN TESTAMENTARY ACTIONS

In the District Court of Colombo

#### Order Nisi

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction Weerasangili Nekatige Aguris Fernando of Siyambalagoda in Udugaha pattu of Salpiti korale in the District of Colombo, deceased

Singhakkaranekatige Pabanchi Fernando of Siyambalagoda aforesaid Petitioner

Vs

(1) Weerasangili Nekatige Siri Dias, a minor, by his guardian *ad litem*, (2) Singhakkaranekatige Charles Fernando, both of Siyambalagoda aforesaid Respondents

THIS matter coming on for disposal before S J C Schokman, Esq., Additional District Judge of Colombo, on November 20, 1943, in the presence of Mr C M Kumaravetpillai, Proctor, on the part of the petitioner, and the affidavit of the above mentioned petitioner dated November 18, 1943, having been read It is declared

that the said second respondent be appointed guardian *ad litem* over the first respondent and that the said petitioner, as the father-in-law of the deceased, is the administrator and that he is entitled to have letters of administration issued to him accordingly, unless the respondents or any other person or persons shall, on or before January 27, 1944, show sufficient cause to the satisfaction of this court to the contrary

November 20, 1943

S J C SCHOKMAN,  
Additional District Judge

In the District Court of Colombo

#### Order Nisi

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction Singhakkara Nekatige Missiya Fernando of Siyambalagoda in Udugaha pattu of Salpiti korale in the District of Colombo, deceased

Singhakkaranekatige Pabanchi Fernando of Siyambalagoda aforesaid Petitioner

Vs

(1) Weerasangilinekatige Siri Dias, a minor, by his guardian *ad litem*, (2) Singhakkara Nekatige Charles Fernando, both of Siyambalagoda aforesaid Respondents

THIS matter coming on for disposal before S J C Schokman, Esq., Additional District Judge, Colombo, on November 20, 1943, in the presence of Mr C M Kumaravetpillai, Proctor, on the part of the petitioner, and the affidavit of the above mentioned petitioner dated November 18, 1943, having been read It is further declared that the said 2nd respondent be appointed guardian *ad litem* over the 1st respondent and that the said Singhakkara nekatige Pabanchi Fernando, the petitioner, is entitled to have letters of administration of the same issued to him accordingly, unless the respondents or any other person or persons interested shall, on or before January 27, 1944, show sufficient cause to the satisfaction of this court to the contrary

November 20, 1943

S J C SCHOKMAN,  
Additional District Judge

In the District Court of Colombo

#### Order Nisi

Testamentary In the Matter of the Intestate Estate of Kathija Jurisdiction Ummal, daughter of Kalamynuddin Marikar, and wife of Ana Meera Sahib Marikar of Kothuwa, Pallivasal street, Kulasekerapatnam, Tiruchendur Taluk, Tinnevely District, South India, deceased

Saena Kawanna Mohamed Abdul Cader of 170, Second Cross street, Colombo Petitioner

THIS matter coming on for disposal before S J C Schokman, Esq., Additional District Judge of Colombo, on November 30, 1943, in the presence of Mr I A A Cader, Proctor, on the part of the petitioner, and the affidavit of the petitioner dated November 30, 1943, and the Supreme Court order dated November 26, 1943, having been read

It is ordered that the petitioner above named be and he is hereby declared entitled, as attorney of the sole heir of the estate of the deceased above named, to have letters of administration issued to him accordingly, unless any person or persons interested shall, on or before February 3, 1944, show sufficient cause to the satisfaction of this court to the contrary

November 30, 1943

S J C SCHOKMAN,  
Additional District Judge

In the District Court of Colombo

#### Order Nisi

No 10,719 Testamentary In the Matter of the Intestate Estate of Francisco hettige Romel Silva of Uyana, Moratuwa, deceased

Francisohettige Joseph Gabriel Silva of 61, Uyana, Moratuwa Petitioner

THIS matter coming on for disposal before S J C Schokman, Esq., Additional District Judge of Colombo, on December 6, 1943, in the presence of Mr E T D F de Silva, Proctor, on the part of the petitioner, and the affidavit of the above named petitioner dated December 5, 1943, having been read

It is ordered that the petitioner above named be and he is hereby declare entitled, as the son and sole heir, to have letters of administration to the above estate issued to him, unless any person or persons interested shall, on or before February 3, 1944, show sufficient cause to the satisfaction of this court to the contrary

December 6, 1943

S J C SCHOKMAN,  
Additional District Judge

In the District Court of Colombo

#### Order Nisi

No 10,720 Testamentary In the Matter of the Intestate Estate of Panagodge Rosa Maria Silva nee Fernando of Uyana, Moratuwa, deceased

Francisohettige Joseph Gabriel Silva of 61, Uyana, Moratuwa Petitioner

THIS matter coming on for disposal before S J C Schokman, Esq., Additional District Judge of Colombo, on December 6, 1943, in the presence of Mr E T D F de Silva, Proctor, on the part of the petitioner, and the affidavit of the above named petitioner dated December 5, 1943, having been read

It is ordered that the petitioner above named is the administrator and that he is entitled to have letters of administration issued to him accordingly, unless the respondents or any other person or persons interested shall, on or before February 3, 1944, show sufficient cause to the satisfaction of court to the contrary

December 6, 1943

S J C SCHOOKMAN,  
Additional District Judge

In the District Court of Colombo

*Order Nisi declaiming Will proved*

Testamentary In the Matter of the Estate of the late Mahamarak Jurisdiction kalage Sam Peter Perera, deceased of Moratuwa No 10,726

Mahamarakkala Kurukulasuriya Patabendige Anne Dora Lydia Perera of Idama, Moratuwa Petitioner

THIS matter coming on for disposal before S J C Schookman, Esq., Additional District Judge, Colombo, on December 10, 1943, in the presence of Messrs Perera & Fernando, Proctors on the part of the petitioner, and the affidavit of the above mentioned petitioner dated November 20, 1943, having been read

It is ordered that the will of Mahamarakkalage Sam Peter Perera of Idama in Moratuwa, deceased, dated April 4, 1932, and numbered 1057 be and the same is hereby declared proved, unless any person or persons interested shall, on or before January 20, 1944, show sufficient cause to the satisfaction of this court to the contrary

It is further declared that the said petitioner is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless any person or persons interested shall, on or before January 20, 1944, show sufficient cause to the satisfaction of this court to the contrary

December 16, 1943

S J C SCHOOKMAN,  
Additional District Judge

In the District Court of Colombo

*Notice of Application*

Testamentary In the Matter of the Last Will and Testament of Jurisdiction James Reddie McNeil of Weycroft Manor, Axminster in the County of Devon, England, a Captain in the Gordon Highlanders, deceased No 10,731

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

NOTICE is hereby given that after the expiry of fourteen days from the date hereof, application will be made to the District Court of Colombo under the British Courts Probates (Re sealing) Ordinance (Chapter 84) for the Sealing of the probate of the last will and testament of James Reddie McNeil of Weycroft Manor, Axminster, in the County of Devon, England, a Captain in the Gordon Highlanders, deceased, granted by The District Probate Registry at Exeter of His Majesty's High Court of Justice in England on April 8, 1943

December 24, 1943

F J & G DE SARAM,  
Proctors for Mary Mildred McNeil,  
sole executrix of the last will  
and testament

In the District Court of Colombo

*Order Absolute in the First Instance*

Testamentary In the Matter of the Last Will and Testament of Jurisdiction Frederick Hadden of Stonehouse, Bampton, in the No 10,732 County of Berks, England, deceased

THIS matter coming on for final determination before S C Swan, Esq., Additional District Judge, on December 14, 1943, in the presence of Messrs F J & G de Saram, Proctors, on the part of the petitioner, Frederick Lynford Hadden of Kottiyagalla estate, Boga wantalawa, and (1) the affidavit of the said petitioner dated December 8, 1943, and (2) the order of the Supreme Court dated December 6, 1943, having been read It is ordered that the last will and testament exemplification of probate of which under the Seal of the District Probate Registry at Oxford of His Majesty's His Court of Justice in England has been produced and is now deposited in this court be and the same is hereby declared proved, And it is further declared that the said Frederick Lynford Hadden is one of the executors named in the said last will and testament and that he is entitled to have probate of the said will issued to him accordingly (with power reserved to the remaining executor to come in and obtain hereafter a similar grant) subject to his tendering the usual oath

December 17, 1943

S C SWAN,  
Additional District Judge

In the District Court of Matara

*Order Nisi*

Testamentary In the Matter of the intestate Estate of the late Jurisdiction Rubasinge Theodoris late of Radawela, deceased No 4,194

Vidana Gamage Dona Gumarahamy of Radawela Petitioner  
And

(1) Rubasinge Pinteris, (2) ditto Charlis, (3) ditto Themara hamy, (4) ditto Mendoris (minor), (5) ditto Selmahamy, (6) ditto Julanis, (7) ditto Hendrick, (8) ditto Thenakahamy, (9) ditto Gomduhamy, (10) ditto Leelawathie, (11) ditto Lucyhamy (minors), all of Radawela Respondents

THIS matter coming on for disposal before S S J Goonesekera, Esq., District Judge of Matara, on October 1, 1943, in the presence

of Mr G E I de Kietser, Proctor, on the part of the petitioner, and the affidavit of the above named petitioner dated September 13, 1943, having been read

It is ordered that the said petitioner be and she is hereby declared entitled, as wife of the said deceased, to have letters of administration to the estate of the said deceased issued to her, unless the respondents or any other person or persons interested in the said estate shall, on or before November 29, 1943, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that the said 1st respondent be appointed guardian *ad litem* over the said 4th and 6th to 11th minor respondents, unless the respondents or others interested in the said estate shall, on or before November 29, 1943, show sufficient cause to the satisfaction of this court to the contrary

October 13, 1943

S S J GOONESEKERA,  
District Judge

Date extended for January 10 1944

November 29, 1943

S S J GOONESEKERA,  
District Judge

In the District Court of Tangalla

*Order Nisi*

Testamentary In the Matter of the Intestate Estate of the Jurisdiction deceased Julius Alexander Ratnayake late of No 1,373 Tangalla, deceased

Fredrick William Ratnayake of Tibagoda Petitioner  
Vs

Mercia Lihan Ratnayske of Wanuva Respondent

THIS matter coming on for disposal before M C Sansoni, Esq., District Judge of Tangalla, on November 23, 1943, in the presence of Mr D P Atapattu, Proctor, on the part of the petitioner, and the affidavit dated August 7, 1943, having been read

It is ordered that the petitioner be and he is hereby declared entitled, as brother of the deceased Julius Alexander Ratnayake late of Tangalla, to have letters of administration issued to him, unless any person or persons interested shall, on or before January 5, 1944, show sufficient cause to the satisfaction of this court to the contrary

November 23, 1943

M C SANSONI,  
District Judge

In the District Court of Tangalla

*Order Nisi*

Testamentary In the Matter of the Intestate Estate of Mala Jurisdiction godagamage Babanappuhamy Wijenayake late of No 1,374 of Godawela, deceased

Malagodagamage Francis Sugathapala Wijenayake of Goda wela Petitioner  
Heenhamme Abeysinghe of Godawela Respondent,

THIS matter coming on for disposal before D A Leavage, Esq., District Judge of Tangalla, on November 24, 1943, in the presence of Mr D P Atapattu, Proctor, on the part of the petitioner, and the affidavit dated October 26, 1943, having been read

It is ordered that the petitioner be and he is hereby declared entitled, as son of the deceased Malagodagamage Babanappuhamy Wijenayake, to have letters of administration issued to him, unless any person or persons interested shall, on or before January 6, 1944, show sufficient cause to the satisfaction of this court to the contrary

November 24, 1943

D A LEAVAGE,  
District Judge

In the District Court of Tangalla

*Order Nisi*

Testamentary In the Matter of the Intestate Estate of Don Jurisdiction Carols Senanayake late of Taraperiya, deceased No 1,375

Liyana Aratchi Kankanange Sinchohamy of Tara periya Petitioner.  
Vs

(1) Don Barnis Senanayake of Taraperiya, (2) Don Andrayas Senanayake, (3) Hendrick Senanayake, (4) Sedoris Senanayake, (5) Lilawati Senanayake, all of Tara periya Respondents.

THIS matter coming on for disposal before M C Sansoni, Esq., District Judge of Tangalla, on November 23, 1943, in the presence of Mr D P Atapattu, Proctor, on the part of the petitioner, and the affidavit dated September 29, 1943, having been read

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the deceased Don Carols Senanayake late of Taraperiya, to have letters of administration issued to her, unless any person or persons interested shall, on or before January 5, 1944, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that the 1st respondent above named be appointed guardian *ad litem* over the 2nd to 5th minor respondents, unless any person or persons interested shall, on or before January 5, 1944, show sufficient cause to the satisfaction of this court to the contrary.

November 23, 1943.

M. C. SANSONI,  
District Judge.

In the District Court of Kegalla.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Nicholas Lewis Peiris of Kegalla, deceased.  
No. 1,677.

Edward Kanagaratnam of Kegalla ..... Petitioner.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Kegalla, on November 23, 1943, in the presence of Mr. G. Stanley Suraweera, Proctor, on the part of the petitioner above named; and the affidavits of (1) the petitioner dated November 23, 1943, and (2) the attesting witness dated November 23, 1943, having been read:

It is ordered that the last will and testament of Nicholas Lewis Peiris, deceased the original having been produced and is now deposited in the court be and the same is hereby declared proved, and that the petitioner is the executor named in the said will and he is hereby declared entitled to have probate thereof issued to him accordingly, unless any person or persons interested shall, on or before January 19, 1944, show sufficient cause to the satisfaction of this court to the contrary.

November 23, 1943.

R. R. SELVADURAI,  
District Judge.

#### MISCELLANEOUS NOTICES.

In the Supreme Court of the Island of Ceylon.

The Ceylon (State Council Elections) Order in Council, 1931, as amended by the Ceylon State Council Elections Amendment Orders in Council 1934 and 1935.

*By-election for Trincomalee-Batticaloa Electoral District held on November 20, 1943.*

Between

Ahamado Neinia Marikar Mohamed Mihular of Galbokke, Weligama in the District of Matara ..... Petitioner.  
No. And

(1) Vallipuram Nalliah of Pulkantive, Sinhalavadi, Batticaloa,  
(2) Velupillai Cumaraswamy, Returning Officer for Trincomalee-Batticaloa Electoral District, Batticaloa ..... Respondents.

To,  
(1) Vallipuram Nalliah of Pulkantive, Sinhalavadi, Batticaloa.  
(2) Velupillai Cumaraswamy, Returning Officer for Trincomalee-Batticaloa Electoral District, Batticaloa.

TAKE notice that the petitioner above named has on December 16, 1943, presented to the Supreme Court an election petition against Vallipuram Nalliah, the 1st respondent above named. Two true copies of the petition have been left at the Office of the Registrar of the Supreme Court; a copy of the same may be obtained by the respondents on application to the said Registrar.

A sum of Rupees Five thousand (Rs. 5,000) for the payment of all costs, charges and expenses in connection with the said petition has been deposited with the Financial Secretary as per receipt F/5 No. 66701 dated December 17, 1943.

Colombo, December 20, 1943.

A. N. M. MIHULAR,  
Petitioner.

#### PASSED ORDINANCES.

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

No. 56 of 1943.

L. D.—O. 52/43—M/L. A.—B. 2032

An Ordinance to make special provision for the postponement of the general election of the members of the Matara Urban Council due to be held in the year 1943, for the removal of certain doubts as to the validity of the electoral lists prepared for the purposes of that election, and for other matters connected therewith or incidental thereto.

A. CALDECOTT.

WHEREAS doubts have arisen as to the validity of the electoral lists prepared for the purposes of the triennial general election of the members of the Matara Urban Council due to be held in the year 1943:

And whereas the Supreme Court, by its Order dated the fifteenth day of October, 1943, has directed the Assistant Government Agent, Matara, to exhibit the electoral lists of which the preparation was commenced by him on the twelfth day of April, 1943, and to proceed thereon in the manner provided in the Urban Councils Ordinance:

And whereas it is expedient to remove all other doubts as to the validity of the aforesaid electoral lists:

And whereas the preparation and revision of the aforesaid lists have for divers reasons been delayed to such an extent that it has become impossible to hold that election in the month of November or December, 1943, as required by law, and it has, therefore, become necessary to make provision for authorising that election to be held as early as may be in the year 1944, and for enabling the sitting members of the Council whose term of office expires on the thirty-first day of December, 1943, to continue in office until the commencement of the term of office of the members who may be returned at that election:

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

1. This Ordinance may be cited as the Matara Urban Council Elections (Special Provisions) Ordinance, No. 56 of 1943.

2. For the removal of doubts, it is hereby declared that the twelfth day of April, 1943, shall for all purposes be deemed to be the date on which the Assistant Government Agent, Matara, commenced the preparation of the electoral lists for the purposes of the general election of members of the Matara Urban Council for the holding of which special provision is made by this Ordinance.

Preamble.

[No. 61 of 1939.]

Short title.

Date of commencement of the preparation of electoral lists.

Application of sections 10 and 17 of the Urban Councils Ordinance

3 In the case of the general election referred to in section 2 of this Ordinance, the provisions of sections 10 (3) and 17 (2) of the Urban Councils Ordinance shall have no application, and, notwithstanding anything in section 17 (1) of that Ordinance, that election may be held on such date or dates in the year 1944 as the Assistant Government Agent, Matara, may in his discretion appoint

Term of office of new members

4. The term of office of the members of the Matara Urban Council elected at the general election referred to in section 2 of this Ordinance shall commence on such date in the year 1944 as the Governor may appoint by Order published in the *Gazette*, and shall expire on the thirty-first day of December, 1946

Term of office of sitting members

5 The term of office of the members of the Matara Urban Council holding office at the date on which this Ordinance comes into operation is hereby extended to, and shall expire on, the day immediately preceding the date appointed by the Governor under section 4 of this Ordinance

Immunity of Assistant Government Agent, Matara

6 No civil or criminal proceedings shall be instituted or maintained against the Assistant Government Agent, Matara, for or in respect of any act *bona fide* done or omitted to be done by him heretofore in contravention of any of the provisions of the Urban Councils Ordinance, in connexion with the preparation of the electoral lists for the purposes of the general election referred to in section 2 of this Ordinance

Savings

7 Save as otherwise expressly provided by this Ordinance, the provisions of the Urban Councils Ordinance shall apply to all matters connected with the general election referred to in section 2 of this Ordinance

Interpretation

8 (1) The general election for which special provision is made by this Ordinance is the general election of the members of the Matara Urban Council which, under the provisions of the Urban Councils Ordinance, is due to be held in the month of November or December, 1943

(2) In this Ordinance, unless the context otherwise requires—

“electoral lists” means the lists of persons possessing the qualifications of voters specified in section 7 of the Urban Councils Ordinance, and the lists of persons possessing the qualifications of members specified in section 8 of that Ordinance,

“Urban Councils Ordinance” means the Urban Councils Ordinance, No 61 of 1939

Passed in Council the Second day of December, One thousand Nine hundred and Forty-three

D C R GUNAWARDANA,  
Clerk of the Council

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

H A C DOBBS,  
Acting Secretary to the Governor