



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.)

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DISTRICT AND MINOR COURTS NOTICES

List of Uncertified Insolvents for the Half Year ended December 31, 1943.

In the District Court of Nuwara Eliya.

No. of Case : 32. Name of Insolvent : Alim Khan Bhai. Date on which Certificate was refused : July 2, 1943. Remarks : Adjudication annulled.

T. P. P. GOONETILLEKE,
District Judge.

Nuwara Eliya, January 5, 1944.

Return of Uncertified Insolvents in the District Court of Batticaloa for the Half Year ended December 31, 1943.

In the District Court of Batticaloa.

Nil.

E. WIJEYWARDENE,
District Judge.

Batticaloa, January 3, 1944.

NOTICES OF INSOLVENCY

In the District Court of Kandy.

No. I 108. In the matter of the insolvency of M. K. S. Seiyadu Ibrahim Saibo and M. K. S. Mohamadu Usoof, both of Alawatugoda.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 1, 1944, to consider the granting of a certificate of conformity to the above-named insolvents.

By order of court, J. L. M. FERNANDO,
Secretary.

January 8, 1944.

In the District Court of Colombo.

Insolvency In the matter of the insolvency of Lankapurage John Jurisdiction: Singh of 4/4, Ketawalamulla lane in Colombo, No. 5,659. insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on February 4, 1944, at 10.45 A.M., to consider the grant of a certificate of conformity to the said insolvent.

By order of court, C. EMMANUEL,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

(1) M. P. M. Narayanan Chettiar, (2) M. P. M. Ramasamy Chettiar, and (3) M. P. M. Periyacaruppan, all carrying on business in partnership under the name, style, and firm of M. P. M. at 124, Maliban street, Colombo Plaintiffs.

No. 14,490/M. Vs.

(1) D. J. B. Gomis, and (2) Mrs. R. M. Gomis, both of Fort, Colombo, presently near Kandana Police Station .. Defendants.

NOTICE is hereby given that on Monday, February 7, 1944, at 4 P.M., will be sold by public auction at the premises the right, title, and interest of the said 1st and 2nd defendants in the following property, for the recovery of the sum of Rs. 358.30, with legal interest thereon from December 10, 1942, till payment in full and costs, less a sum of Rs. 120, viz. :—

All that allotment of land called Hill Castle, formerly bearing assessment No. 45 now No. 2, marked lot 6 with the buildings

standing thereon, situated at Silversmith street within the Municipality and District of Colombo, Western Province; bounded on the north by part of the same property marked lot No. 7, on the east by premises bearing assessment No. 61, Silversmith street, on the south by part of the same property marked lots 3 and 4, and on the west by reservation for a road 30 feet wide; and containing in extent 13.19 perches.

Prior Registration A 285/237.

Fiscal's Office,
Colombo, January 10, 1944.

R. O. DE SARAM,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Sowanna Mana Seyanna Vuna Sevugan Chettiar of 388, Trincomalee street, Kandy Plaintiff.

No. M. B. 816. Vs. (1) Don Samuel Abeykoon, (2) Don Deonis Abeykoon, both of Amunugama in Lower Dumbara Defendants.

NOTICE is hereby given that on Friday, February 18, 1944, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property mortgaged with the plaintiff upon Bond No. 26 dated November 1, 1941, and attested by Mr. K. A. Navaratnam, Notary Public of Kandy, and declared specially bound and executable under the decree entered in the above case for the recovery of the sum of Rs. 694.50, with interest on Rs. 600 at 18 per cent. per annum from September 17, 1942, till November 18, 1942, and thereafter on the aggregate amount with interest at 9 per cent. per annum till payment in full, and the costs of this action and poundage, viz. :—

1. An undivided $\frac{1}{2}$ share out of all that land called Tumbakolahenagederawatta of about three pelas in paddy sowing extent, together with the tiled house, plantations, and everything thereon, situate at Amunugama in Udagamapaha of Lower Dumbara in the District of Kandy, Central Province; and the entirety is bounded on the east by high road, south by the fence of Heerassagalagedera Punchirala's garden, west by the fence of Tumbakolahena Dingirihamy's garden, and north by dewata; which said premises are formerly described as follows:—All that land called Tumbakolahenagederawatta of about three pelas in paddy sowing extent, situate at Amunugama aforesaid; and bounded on the east by high road, south by the limit of Heerassagalagedera Punchirala's garden, west by the limit of Dingirihamy's garden, and north by the limit of Waragaspelawatta, and by the limit of Tumbakolahenagedera Siyatu's garden, together with the buildings, plantations, and everything thereon. Registered in E. 252/60.

2. An undivided $\frac{1}{2}$ share out of an undivided one-fifth share of and in all that land called Tumbakolahenagederawatta of two pelas in paddy sowing extent in the whole, situate at Pilawala in Udagamapaha aforesaid; and bounded on the east by high road, south by fence of the garden belonging to Punchirala, west by the fence of the garden belonging to Ukku Menika, and north by fence of Tumbakolahenawatta, together with a like share of everything thereon. Registered in E. 291/206.

Valuation : Rs. 1,500.

Fiscal's Office,
Kandy, January 6, 1944.

M. K. YATIGAMMANA,
Deputy Fiscal.

I, Wilfrid Ernest Hobday, Fiscal for the Western Province, do hereby appoint Mr. M. Tharmaratnam of the Magistrate's Court, Panadura, to be Marshal for the Division of Panadura comprising of the Raigam korale and the Panadura Totamune belonging to the Revenue District of Kalutara and the portion of Salpiti korale in the Revenue District of Colombo, lying south of the village Angulana and of the road leading from the Wewala ferry to the Lunawa bridge near the 10th milepost of the Galle road, and then to Mampe road and from it to Mattegoda and the following Villages:—Katuwawela, Nilammahara, Niwantidiya, Bokundara, Dulammahara, Jaligoda and Wewala, situate in Salpiti korale aforesaid, under the provisions of the Fiscal's Ordinance, No. 4 of 1867, and authorise him to perform the duties and exercise the authority of Marshal from January 7 to 8, 1944, for which this shall be his warrant.

Fiscal's Office,
Colombo, January 7, 1944.

W. E. HOBDAY,
Fiscal, Western Province.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Muna Kana Jurisdiction. Ana Sena Mahamood Naina of Kayalpatnam, No. 10,611. Tinnevely District, South India, deceased.

Shalay Mohamed Abdul-Cader of 182, Second Cross street, Pettah, Colombo, Attorney of Prabo Mariam Beevi, widow of the above-named deceased Petitioner.

Vs.

(1) Zamambu Raktamath Nalchia alias Pethammal of Kayalpatnam, South India, (2) Shalay Mohamed Abdul Cader of 182, Second Cross street, Pettah, Colombo, Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on September 22, 1943, in the presence of Messrs. Arunachalam & Karunaratne, Proctors, on the part of the petitioner above named; and the affidavit of the petitioner dated September 16, 1943, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the attorney of the wife of the deceased above named, to have letters of administration to the estate of the deceased issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before January 20, 1944, show sufficient cause to the satisfaction of this court to the contrary.

S. J. C. SCHOKMAN,
Additional District Judge.

January 5, 1944.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late Weera Jurisdiction. hennedige Mabel Caroline Fernando of Wellawatta, No. 10,679, deceased.

Don Edwin Dannister Wickramaratna of Municipal Dispensary, Wellawatta, Petitioner.

Vs.

(1) Weerahennedige Edwin Francis Fernando of Laxapathiya in Moratuwa, (2) Weerahennedige Hubert Richard Fernando of Huntipitiya, Slave Island, Colombo, (3) Weerahennedige Deena Joslin Fernando, (4) Weerahennedige Annie Margaret Fernando, (5) Weerahennedige Enid Charlotte Fernando, all of Rawatawatta, Moratuwa Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge, Colombo, on November 4, 1943, in the presence of Mr. C. C. Sternbo, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated November 1, 1943, having been read:

It is ordered that the said petitioner is the administrator and that he is entitled to have letters of administration of the same issued to him accordingly, unless the respondents or any other person or persons shall, on or before January 20, 1944, show sufficient cause to the satisfaction of this court to the contrary.

S. J. C. SCHOKMAN,
Additional District Judge.

November 4, 1943.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Henry Jurisdiction. Van Langenberg of Thimbrigasyaya, deceased. No. 10,686.

Freda van Langenberg of De Vos Gardens, Bambalapitiya -Petitioner.

And

(1) Ethel van Langenberg, (2) James W. van Langenberg, (3) Cyril van Langenberg, (4) Lilian E. van Langenberg, (5) Edith van Langenberg, (6) Arthur van Langenberg, (7) Ethel Mack, (8) Beatrix Jansz, all of Thimbrigasyaya road, in Colombo, (9) Bertha Daniel of Macarthy road, Colombo Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on November 11, 1943, in the presence of Mr. C. R. de Alwis, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 3, 1943, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the deceased, to have letters of administration to his estate issued to her, unless the respondents above named or

any other person or persons interested shall, on or before January 20, 1944, show sufficient cause to the satisfaction of this court to the contrary.

S. J. C. SCHOKMAN,
Additional District Judge.

November 11, 1943.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and Testament of No. 10,687. Kannangara Appuhamilage Dharmawathie Emaliya Kannangara of Tiriwanagama, Veyangoda, deceased.

Don Sadiris Karunasekera Wijeratne of Tiriwanagama, Veyangoda Petitioner.

And

(1) Kannangara Appuhamilage Munidasa Chandrasena Kannangara, a minor, appearing by his guardian *ad litem*, (2) Kannangara Appuhamilage Don Pabilis Kannangara, both of Aluthangoda, Dumagaha Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge, Colombo, on November 11, 1943, in the presence of Mr. D. P. Samarajewa, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated November 6, 1943, having been read:

It is ordered that the will of Kannangara Appuhamilage Dharmawathie Emaliya Kannangara dated October 19, 1941, be and the same is hereby declared proved, unless the respondents or any other person or persons interested shall, on or before January 20, 1944, show sufficient cause to the contrary.

It is further decreed that the said second respondent be appointed guardian *ad litem* over the 1st respondent and that the said Don Sadiris Karunasekera Wijeratne, the petitioner, is the executor named in said will and that he is entitled to have probate of the same issued to him accordingly, unless the respondents or any other person or persons interested shall, on or before January 20, 1944, show sufficient cause to the satisfaction of this court to the contrary.

S. J. C. SCHOKMAN,
Additional District Judge.

November 11, 1943.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects Jurisdiction. of the late Albert Edward Phillips, Sanitary No. 10,705. Inspector, of Valachchenai, Batticaloa, deceased.

Joseph Xavier Lucius Phillips of 37, 34th lane, Wellawatta Petitioner.

Vs.

(1) Mrs. Sellappa Nallamma Phillips of Kotugodella estate, Bogawwala, (2) Antony Quinton Vivian Phillips, (3) Rex Herbert Sebastian Phillips, both of 37, 34th lane, Wellawatta the 3rd respondents, appearing by his guardian *ad litem* the 2nd respondent above named, (4) Noeline Phillips of David road, Jaffna, appearing by her guardian *ad litem*, (5) Mrs. Angeline Edrimmasinghe also of David road, Jaffna Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on January 5, 1944, in the presence of Mr. S. Sivasubramaniam, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated July 24, 1943, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the eldest son of the deceased, to have letters of administration to the estate of the deceased above named issued to him, unless the respondents above named or any other person or persons interested shall, on or before February 17, 1944, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 2nd respondent and the 5th respondent above named be and they are hereby appointed guardians *ad litem* over the minors, the 3rd and 4th respondents, respectively, unless sufficient cause to the satisfaction of this court be shown to the contrary on or before February 17, 1944.

S. J. C. SCHOKMAN,
Additional District Judge.

January 5, 1944.

In the District Court of Colombo.

Order Absolute.

Testamentary In the Matter of the Estate of the late Kanugala- Jurisdiction. wattage Siyatoni Perera Ranasinghe, deceased, of No. 10,708. Rilaula, Kandana.

THIS matter coming on for final determination before S. J. C. Schokman, Esq., Additional District Judge, Colombo, on November 26, 1943, in the presence of Mr. J. L. Suraweera, Proctor, on the part of the petitioner, Kanugala wattage Juliana Perera Ranasinghe of Rilaula; and the affidavits of (1) the petitioner dated November 23, 1943, and (2) the attesting witnesses dated November 23, 1943, having been read:

It is ordered that the last will No. 15,832 made by the deceased above named and attested by D. P. S. Jayasuriya, Notary Public, dated July 9, 1936, 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 on the publication of this order once in the *Ceylon Government Gazette* and twice in the "*Ceylon Daily News*" newspaper and on her taking the usual oath and tendering the security bond.

S. J. C. SCHOKMAN,
Additional District Judge.

December 3, 1943.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Mallehavidane
Jurisdiction. Ingrina Hamaine of Gonahena in Adikari pattu of
No. 10,709. Siyane korale, deceased.

Narangoda Liyanage Charles de Silva Appuhamy of Gonahena,
aforesaid Petitioner.

And

- (1) Narangoda Liyanage Baby Nona Hamine of Wanaluwawa, Walpitanhilla in Gangabada pattu of Siyane korale, (2) Ranasinghe Hetti Aratchige Don Romanis Appuhamy, husband of Narangoda Liyanage Emmaona Hamine, deceased, of Udaththiripitiya, (3) Dona Mary Rosaline Ranasinghe of Udaththiripitiya, (4) U. Seelananda of Aruppassa in Udugaha pattu, (5) Sirisena Ranasinghe of Badulla Civil Hospital, (6) Jayasena Ranasinghe of B. C. C. Mills, Colombo, (7) Piya-sena Ranasinghe of Biyanwila, appearing by his guardian *ad litem*, the 2nd respondent, (8) Narangoda Liyanage Elo Nona Hamine of Mahara Pihamedda in Adikari pattu aforesaid, (9) Narangoda Liyanage Chalo Silva of Gonawala in Adikari pattu, aforesaid, (10) Narangoda Liyanage Erbida Silva of Kirikitta in Adikari pattu aforesaid, (11) Narangoda Liyanage Alice Nona Silva of Biyanwila in Adikari pattu aforesaid, (12) Narangoda Liyanage Catherine Nona Silva of Kosinna in Adikari pattu aforesaid, Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on November 26, 1943, in the presence of Mr. D. L. Gunasekera, Proctor, on the part of the petitioner; and the affidavit of the petitioner above named dated November 26, 1943, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as a son of the deceased, to have letters of administration to the above estate issued to him, unless the respondents above named 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.

It is further ordered that the 2nd respondent above named be and he is hereby appointed guardian *ad litem* over the 7th respondent, minor, above named, unless sufficient cause be shown to the contrary on or before January 27, 1944.

S. C. SWAN,

November 26, 1943. Additional District Judge.

In the District Court of Colombo.

Order Absolute.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Henry Samuel Wills, late of Bowlana estate,
No. 10,710. Deltota, Central Province, in the Island of Ceylon,
a Lieutenant in the Royal Corps of Signals,
deceased.

THIS matter coming on for final determination before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on November 29, 1943, in the presence of Messrs. Julius & Creasy, Proctors, on the part of the petitioner, Phyllis Mary Middleton Wills of Colombo; and the affidavit of the said petitioner dated November 23, 1943, and the affidavit as to the due execution of the will, original will, certificate of death of the above named deceased and Supreme Court order dated November 2, 1943, having been read: It is ordered that the will of the said deceased dated September 2, 1939, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is one of the executors named in the said will and that she is entitled to have probate of the said will issued to her on her paying estate duty and taking oath of office.

S. C. SWAN,

December 17, 1943. Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Estate of the late Walgamage
Jurisdiction. Don James Seneviratna of Welisara in Ragam pattu
No. 10,716. of Alutkuru korale, deceased.

Kurukula Aratchige Dona Catherine Margret Nanayakkara
alias Catherine Margret Seneviratna of Welisara Petitioner.

And

- (1) Pearl Anna Seneviratna, (2) Charles Gregory Seneviratna, (3) Winifreda Seneviratna, (4) Mary Catherine Seneviratna, (5) Ester Seneviratna, (6) Anthony Reginald Seneviratna, all of Welisara; the 1st to 6th respondents are minors by their guardian *ad litem*, the 7th respondent, (7) Hungaragodage Eugina Perera of Hendala Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge, Colombo, on December 2, 1943, in the presence of Mr. D. L. Gunasekera, Proctor, on the part of the petitioner; and the affidavit of the above named petitioner dated November 25, 1943, having been read:

It is declared that the said 7th respondent be appointed guardian *ad litem* over the 1st, 2nd, 3rd, 4th, 5th, and 6th respondents, and that the said petitioner is the administratrix and that she is entitled to have letters of administration issued to her 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 this court to the contrary.

S. J. C. SCHOKMAN,

December 2, 1943. Additional District Judge.

In the District Court of Colombo.

Order Absolute.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Henry Morgan Stewart of Colombo, in the Island of
No. 10,730. Ceylon, Flying Officer in the Royal Air Force
Volunteer Reserve, deceased.

THIS matter coming on for final determination before S. C. Swan, Esq., Additional District Judge of Colombo, on December 13,

1943, in the presence of Messrs. Julius & Creasy, Proctors, on the part of the petitioner, Ralph Hanham Skrine of Colombo; and the affidavit of the said petitioner dated December 10, 1943, and the affidavit as to the due execution of the will, original will, notification of death from the Air Ministry, London, and Supreme Court's order dated December 2, 1943, having been read: It is ordered that the will of the said deceased dated January 7, 1941, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said petitioner is one of the executors named in the said will and that he is entitled to have probate of the said will issued to him on his paying estate duty and taking oath of office.

S. J. C. SCHOKMAN,

December 20, 1943. Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects
Jurisdiction. of the late Bastiampillai Nesamuttu of 186,
No. 10,723. Pickering's road, Kotahena, Colombo, deceased.

Maria Manickam Nesamuttu, widow of Bastiampillai Nesamuttu *alias* Marian Nesamuttu of Pickering's road, Kotahena, Colombo Petitioner.

Vs.

- (1) Nesamuttu Lourdu Marcellin, (2) Mrs. Charlotte Mary Devasagayam, (3) Miss Theresa Nesamuttu, all of Pickering's road, Kotahena, Colombo, the 3rd respondent above named appearing by her guardian *ad litem*, (4) M. Devasagayam of Pickering's road, Kotahena, Colombo Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on December 7, 1943, in the presence of Mr. S. Sivasubramaniam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated November 30, 1943, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as widow of the deceased, to have letters of administration to the above estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before February 10, 1944, 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* over the 3rd minor respondent, unless sufficient cause be shown to the contrary on or before February 10, 1944.

S. J. C. SCHOKMAN,

December 7, 1943. 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. Annie Edith Peain, late of 15, Old Quarry road,
No. 10,739. Mount Lavinia, formerly of Bandarawela in the
Island of Ceylon and at one time residing at
Number Nine, Jefferson street, Slave Island, in
Colombo in the said Island, deceased.

THIS matter coming on for disposal before W. Sansoni, Esq., Additional District Judge of Colombo, on December 20, 1943, in the presence of Messrs. F. J. & G. de Saram of Colombo, Proctors, on the part of the petitioner, Arthur Donald Buckley of the Imperial Bank of India, Colombo; and (1) the affidavit of the said petitioner dated November 20, 1943, (2) the power of attorney dated September 17, 1943, and (3) the affidavit of the attesting notary of the will dated December 17, 1943, having been read: It is ordered that the will of the said Annie Edith Peain, deceased, bearing No. 2,493 dated September 5, 1941, and attested by James Aubrey Martensz of Colombo, Notary Public, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Arthur Donald Buckley is the attorney in Ceylon of the sole executor named in the said will and that he is entitled to have letters of administration (with will annexed) in respect of the estate in Ceylon of the said deceased 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.

W. SANSONI,

December 20, 1943. Additional District Judge.

In the District Court of Colombo.

Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Henry William Diamond, care of the Colombo
No. 10,751. Swimming Club, Colpetty, Colombo, Accountant,
deceased.

THIS matter coming on for final determination before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on January 4, 1944, in the presence of Messrs. F. J. & G. de Saram, Colombo, Proctors, on the part of the petitioner, Louisa Evelyn Diamond, care of the Colombo Swimming Club, Colombo; and (1) the affidavit of the said petitioner dated December 15, 1943, and (2) the affidavit of Evelyn Claude de Kretser of Colombo, one of the attesting witnesses of the will dated December 29, 1943, having been read: It is ordered that the will of the said Henry William Diamond, deceased, bearing No. 4,572 dated August 11, 1936, and attested by the late William Arnold Speldewinde de Vos of Colombo, Notary Public, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved, and it is further declared that the said Louisa Evelyn Diamond is the sole executrix and beneficiary under the said will and that she is entitled to have probate thereof issued to her accordingly subject to her tendering the usual oath.

S. J. C. SCHOKMAN,
Additional District Judge.

January 4, 1944.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Sandradura Alexander de Silva Jeewakarātna, deceased, of Molligoda, Wadduwa.

Sandradura Litchel de Silva Jeewakarātna of Molligoda. Petitioner.

(1) Nissanga Francina de Silva Hamine, (2) Sandradura Calfina de Silva Jeewakarātna, and (3) ditto Mersina de Silva Jeewakarātna, all of Molligoda. Respondents.

THIS matter coming on for disposal before J. H. V. S. Jayawickrama, Esq., District Judge, Kalutara, on December 6, 1943, in the presence of Mr. C. L. E. Perera, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated December 23, 1943, having been read:

It is ordered that the petitioner is entitled to have letters of administration, as brother of the said deceased, and that the same be issued to him, unless the respondents or any other person or persons interested in the estate shall, on or before January 18, 1944, show sufficient cause to the satisfaction of this court to the contrary.

V. S. JAYAWICKRAMA,
District Judge.

December 6, 1943.

In the District Court of Kalutara.

Order Nisi.

No. 10,654 In the Matter of the Estate of the late Dunstan D. C. Colombo; Edmund Wijesekera, Registrar, deceased, of No. 3, 120, Kuruppmulla, Panadura.

Swarna Susanta Wijesekera of Kuruppmulla in Panadura. Petitioner.

Vs.

(1) Anula G. Wijesekera, (2) Hinton B. Wijesekera, (3) Padma I. Wijesekera, (4) Laxmi S. Wijesekera, (5) Basil B. Wijesekera, all of Kuruppmulla, (6) R. C. Wijesekera of Nehoda, guardian *ad litem* over the minors, 2nd to 5th respondents. Respondents.

THIS matter coming on for disposal before J. H. V. S. Jayawickrama, Esq., District Judge of Kalutara, on December 6, 1943, in the presence of Mr. K. J. R. Kuruppu, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated October 15, 1943, having been read: It is ordered that the petitioner, as the eldest son, is entitled to have letters of administration to the estate of the deceased issued to him, unless the respondents or any person or persons interested in the estate shall, on or before January 18, 1944, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 6th respondent, R. C. Wijesekera, be appointed guardian *ad litem* over 2nd to 5th minor respondents for this case, unless the respondents or others interested in this estate of the deceased shall, on or before January 18, 1944, show sufficient cause to the satisfaction of this court to the contrary.

V. S. JAYAWICKRAMA,
District Judge.

December 6, 1943

In the District Court of Kandy.

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Mrs. D. H. Wijenaike, deceased, of Kandy.

No. T 391.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on October 6, 1943, in the presence of Mr. M. P. Spencer, Proctor, on the part of the petitioner, Dr. Walter Wijenaike of Charles place, Colpetty; and the affidavits of the said petitioner dated September 7, 1943, and the attesting witness dated June 7, 1943, having been read: It is ordered that the last will of the above-named deceased dated October 17, 1932, and now deposited in this court be and the same is hereby declared proved, unless the respondents—(1) E. H. Wijenaike, Proctor, Kandy, (2) Mrs. D. E. Weerasooria of Hedges Court, Maradana, (3) Henry Wijenaike of France, (4) Miss Amy Wijenaike of Kandy and (5) Mrs. D. Samarakoon of Boralesgamuwa, or any other person or persons interested shall, on or before November 11, 1943, 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 the said respondents or 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.

C. NAGALINGAM,
District Judge.

October 6, 1943.

The date for showing cause is extended for January 27, 1944.

C. NAGALINGAM,
District Judge.

November 11, 1943.

In the District Court of Kandy.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament (with Jurisdiction. codicil) of Lawrence Anderson Ewart, formerly of Delhite estate, Galaha, in the Island of Ceylon, and late of Gonavy, Bungalow, Delhite, in the said Island, retired planter.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge of Kandy, on December 13, 1943, in the presence of Messrs. Coomaraswamy & Wijayarātne, Proctors, on the part of the petitioner; Percival Stephen Martensz of Messrs. F. J. & G. de Saram, Colombo; and (1) the affidavit of the said petitioner dated

December 2, 1943, (2) the affidavit of the attesting notary of the will dated December 2, 1943, (3) the affidavit of one of the attesting witnesses of the codicil dated December 9, 1943, and (4) the power of attorney No. 26 dated October 18, 1943, and attested by Victor Gnanaratnam Cooke of Colombo, Notary Public, having been read: It is ordered that the last will and testament of the above-named Lawrence Anderson Ewart, deceased, bearing No. 608 dated October 17, 1925, and attested by Stanley Frederick de Saram of Colombo, in the said Island, Notary Public, and relative codicil thereto bearing No. 924 dated June 14, 1937, and attested by Gracie Banning de Vos of Kandy, in the said Island, Notary Public, the originals of which have been produced and are now deposited in this court, be and the same are hereby declared proved; and it is further declared that the said Percival Stephen Martensz is the attorney in Ceylon of Constance Ewart, the sole executrix named in the said will and that he is entitled to have letters of administration (with will and codicil annexed) issued to him accordingly, unless any person or persons interested shall, on or before January 31, 1944, show sufficient cause to the satisfaction of this court to the contrary.

C. NAGALINGAM,
District Judge.

December 13, 1943.

In the District Court of Nuwara Eliya.

Order Absolute.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Kenneth Francis Jenkins of Nuwara Eliya, in the Island of Ceylon, and late of the Ceylon Police, deceased.

No. 366.

Margaret Jean Jenkins of Nuwara Eliya. Petitioner.

THIS matter coming on for disposal before T. P. E. Goonetilleke, Esq., District Judge of Nuwara Eliya, on December 21, 1943, in the presence of Mr. V. C. Maddler, Proctor, on the part of the petitioner above named; and (1) the affidavit of the petitioner dated December 16, 1943, (2) the affidavit of Louis Peris Samaranyake Siriwardhana, an attesting witness to the last will, and (3) the last will and testament, dated November 7, 1939, having been read:

It is ordered that the will of the said Kenneth Francis Jenkins, deceased dated November 7, 1939, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the petitioner is the sole executrix named in the said will and that probate thereof be issued to her accordingly.

T. P. E. GOONETILLEKE,
District Judge.

December 21, 1943.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Arulambalam Jurisdiction. Subramaniam Ramalingam of Fourth Cross street, Jaffna, who died at Kurunegala, deceased.

No. 194.

Sellanachiar, widow of Arulambalam Subramaniam Ramalingam of Fourth Cross street, Jaffna. Petitioner.

Vs.

(1) Ramalingam Vamadevan; (2) Ramalingam Mahadevan, (3) Ramalingam Marugiah, (4) Ramalingam Retnasabapathy, (5) Ramalingam Rajendram (minors), all of Fourth Cross street, Jaffna. Respondents.

THIS matter of the petition of the above-named petitioner coming on for disposal before James Joseph, Esq., District Judge, Jaffna, on December 13, 1943, in the presence of Mr. A. Arulambalam Proctor, on the part of the petitioner; and the petition and affidavit of the said petitioner having been read:

It is ordered that the above-named 1st respondent be appointed guardian *ad litem* over the 2nd to 5th minor respondents and that letters of administration to the estate of the above-named deceased be granted to the petitioner above named, unless the above-named respondents or any other person shall appear before this court on January 31, 1944, and show cause to the satisfaction of this court to the contrary.

L. W. DE SILVA,
District Judge.

December 13, 1943.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of the Jurisdiction. late Mutukumaru Sinnathamby Thiyagarajah of Division No. 5, Pottuvil, deceased.

No. 512.

Manikam Subramaniam Gunasekaram of Pottuvil. Petitioner.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Batticaloa, on May 13, 1942, in the presence of Mr. K. W. Devanayagam, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner above named dated October 12, 1942, and May 13, 1942, respectively, having been read:

It is ordered that the last will of Mutukumaru Sinnathamby Thiyagarajah, deceased of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved: and it is further declared that the petitioner is the executor named in the said last will and that he is entitled to have probate thereof issued to him accordingly, unless any person or persons interested shall, on or before August 4, 1942, show sufficient cause to the satisfaction of this court to the contrary.

V. H. WIJEYARATNE,
District Judge.

May 13, 1942.

Extended to January 13, 1944.

December 23, 1943.

E. WIJEYWARDENE,
District Judge.

In the District Court of Anuradhapura.

Testamentary Jurisdiction. In the Matter of the Estate and Effects of Kuni Henne-
dige Upasakappu of Anuradhapura,
No. 501. deceased.

Kuni Henne-
dige Janis Appu of Anuradhapura Petitioner.

Vs.

(1) Kuni Henne-
dige Janis Appu, and (2) Kuni Henne-
dige Nona-
hamy, both of Anuradhapura, Respondents.

THIS matter coming on for disposal before T. Quentin Fernando,
Esq., District Judge of Anuradhapura, on November 11, 1943, in
the presence of Mr. S. Nata Raja, Proctor, on the part of the
petitioner; and the affidavit of the petitioner dated March 20, 1943,
having been read:

It is ordered that letters of administration to the estate of the
above-named deceased be issued to the petitioner as the brother of
the said deceased, unless the respondents or some other person
shall, on or before December 9, 1943, show sufficient cause to the
satisfaction of this court to the contrary.

November 11, 1943.

T. QUENTIN FERNANDO,
District Judge.

Time to show cause against the *Order Nisi* extended to January 17,
1944.

December 9, 1943.

T. QUENTIN FERNANDO,
District Judge.