THE CEYLON GOVERNMENT GAZETTE

No. 9,267 — FRIDAY, MAY 5, 1944.

Published by Authority.

PART II.—LEGAL.

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

	PAGE		PAGE
Governor's Ordinances	—	District and Minor Courts Notices	—
Passed Ordinances	203	Council of Legal Education Notices	—
Draft Ordinances	205	Notices in Insolvency Cases	—
List of Notaries	—	Notices of Fiscals' Sales	207
Supreme Court Notices	—	Notices in Testamentary Actions	208
Notifications of Criminal Sessions of the Supreme Court	—	Miscellaneous	211

PASSED ORDINANCES.

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

No. 14 of 1944.

L. D.—O. 11/43.

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

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 War Damage (Immovable Property) Amendment Ordinance, No. 14 of 1944.

Amendment of section 20 of Ordinance No. 62 of 1942.

2. Section 20 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), by the insertion, immediately after the Proviso to that sub-section, of the following further Proviso :—

"Provided, further, that the amount of any one instalment in respect of any contributory property shall in no case be less than one rupee.".

Amendment of section 25 of the principle Ordinance.

3. Section 25 of the principal Ordinance is hereby amended, in sub-section (2), by the addition of the following Proviso at the end thereof :—

"Provided, however, that notwithstanding that the amount of the new assessment is less than the amount of the replaced assessment, the replaced assessment shall be disregarded for the purposes of this Ordinance as respects any instalment, (other than the first instalment prescribed under section 20) falling due after the date of the new assessment, in every case where the alteration in the condition of a holding is caused by the destruction or demolition, otherwise than by war damage, of any building or works or parts thereof comprised in the holding.".

Amendment of section 41 of the principal Ordinance.

4. Section 41 of the principal Ordinance is hereby amended as follows :—

(1) in sub-section (1), by the substitution, for the words "as contributions under this Ordinance", of the words "under this Ordinance"; and

(2) in sub-section (2), by the substitution, for the words "shall be made", of the words "and payment of all expenses incurred in carrying out the provisions of this Ordinance shall be made".

Passed in Council the Thirty-first day of March, One thousand Nine hundred and Forty-four.

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

Assented to by His Excellency the Governor the Twenty-fifth day of April, One thousand Nine hundred and Forty-four.

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. 15 of 1944.

L. D.—O. 5/44.

An Ordinance to amend the Railways Ordinance.

Chapter 153. (Volume IV., page 90).

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 Railways Amendment Ordinance, No. 15 of 1944.

Amendment of section 37 of Chapter 153.

2. Section 37 of the Railways Ordinance is hereby amended by the addition thereto of the following proviso :—

"Provided that a railway official of a rank not below that of a station master may release such person on his executing a bond, with or without sureties as that official may direct, to appear before a Magistrate's Court if and when he is required so to do."

Passed in Council the Thirty-first day of March, One thousand Nine hundred and Forty-four.

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

Assented to by His Excellency the Governor the Twenty-seventh day of April, One thousand Nine hundred and Forty-four.

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. 16 of 1944.

L. D.—O. 2/44. 687/1/1 (SB)

An Ordinance to make provision for the maintenance and disposal of financial reserves.

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 Financial Reserves Ordinance, No. 16 of 1944.

Maintenance of financial reserves.

2. (1) Where the State Council, by resolution passed at any time before the Public Accounts of the Island for any financial year are laid before the Council, sets apart as a financial reserve any moneys out of such part of the general revenue and other funds of the Island as may remain unappropriated, or unexpended out of any appropriation, at the close of that financial year, such resolution shall, upon its being approved by the Governor, be sufficient authority for the Deputy Financial Secretary for—

(*a*) maintaining such moneys as a reserve, or adding such moneys to any previous reserve of the same description;

(*b*) crediting to that reserve any interest or profits derived from the investment of the reserve or any part thereof, where such crediting of interest or profits is required by the terms of the resolution; and

(*c*) keeping such accounts relating to that reserve as may in his opinion be necessary for giving effect to the resolution.

(2) A financial reserve set apart as provided in this section shall be classified as a special reserve or as a general reserve according as the resolution relating to that reserve does or does not specify the purpose or purposes for which it is set apart.

Application or transfer of financial reserves.

3. (1) Where a special reserve has been set apart as provided by section 2, a resolution in appropriate terms, passed by the State Council and approved by the Governor, shall be sufficient authority for the Deputy Financial Secretary for making—

(*a*) any payment in respect of any expenditure specified in the resolution, for the purpose or any of the purposes for which the reserve was set apart; or

(*b*) a transfer of any sum so specified to any other financial reserve so specified or to the general revenue of the Island.

(2) Where a general reserve has been set apart as provided by section 2, a resolution in appropriate terms, passed by the State Council and approved by the Governor, shall be sufficient authority for the Deputy Financial Secretary for making a transfer of any sum specified in the resolution from that reserve to the general revenue of the Island.

Application of Ordinance to certain funds in existence at the date of the commencement of the Ordinance.

4. (1) Each of the following Funds in existence at the date of the commencement of this Ordinance, that is to say—

(*a*) the General Reserve Fund,

(*b*) the Department of Government Electrical Undertakings Reserve, Extensions and Renewals Fund, and

(*c*) the Ceylon University Building and Equipment Fund,

shall be deemed for all the purposes of this Ordinance to be a financial reserve set apart as provided in section 2, and the provisions of this Ordinance shall apply thereto accordingly.

(2) In the case of the Ceylon University Building and Equipment Fund referred to in sub-section (1), all interest and profits arising from the investment thereof shall be credited thereto.

Passed in Council the Thirty-first day of March, One thousand Nine hundred and Forty-four.

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

Assented to by His Excellency the Governor the Second day of May, One thousand Nine hundred and Forty-four.

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. 11/44.

An Ordinance to make provision for relief from Estate Duty in cases where property passes upon deaths attributable to the war.

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 War Deaths (Relief from Estate Duty) Ordinance, No. of 1944.

Remission or refund of estate duty in certain cases.

Cap. 187.

2. (1) In the case of any property passing upon death, where the Commissioner of Estate Duty is satisfied that the death was due to any of the prescribed causes arising out of the present war and that the property passed upon such death to any of the prescribed heirs of the deceased person, the estate duty payable under the Estate Duty Ordinance shall, notwithstanding anything in that Ordinance, be remitted, or, if paid, be refunded, to the extent prescribed in sub-section (2).

(2) Where the value of the property passing to the prescribed heirs, as assessed for the purposes of estate duty, does not exceed one hundred thousand rupees, the whole of the estate duty payable in respect of the property passing to such heirs shall be remitted by the Commissioner.

Where such value exceeds one hundred thousand rupees, the whole of the estate duty payable in respect of the property represented by the first one hundred thousand rupees, and one half of the estate duty payable in respect of the property represented by the balance of the assessed value, shall be remitted by the Commissioner.

(3) The benefits of the relief given by sub-section (2) as respects the first one hundred thousand rupees shall be apportioned rateably among the several persons who would otherwise bear the duty remitted or refunded, according to the amounts which they would so bear and without regard to their respective rights of priority.

Relief from estate duty in cases of quick succession due to war deaths.

3. In the case of deaths due to any of the prescribed causes, where the Commissioner is satisfied that estate duty has become payable on any property passing on such a death and that subsequently estate duty has again become payable on the same property or any part thereof on another such death, being the death of a person to whom that property or that part thereof passed on the earlier death, the whole of the estate duty payable on the later death on that property

Cap. 187.

or that part thereof shall, notwithstanding anything in the Estate Duty Ordinance, be remitted, or, if paid, shall be refunded, (whether any person to whom that property or that part hereof so passes is or is not one of the prescribed heirs of the deceased person) and that property or that part thereof shall not be aggregated with any other property passing on the later death for the purpose of determining the rate of estate duty.

Interpretation.

4. For the purposes of this Ordinance—

(1) "prescribed cause" of death means—

(*a*) any wound received, accident suffered, or disease contracted, within the three years next preceding death, while on active service against an enemy, whether on sea or land or in the air, or while on service which is of a war-like nature or which in the opinion of the Commissioner involves the same risks as active service, during the present war, or in the course of operations arising directly out of the war but after the termination of the war, by any person who at the time aforesaid was subject to naval, military, or air force law ; or

(*b*) any injury received during the present war, at any time within the three years next preceding death, by any person who at that time was not subject to naval, military, or air force law, being an injury which in the opinion of the Commissioner was caused by the operations of war ;

(2) "prescribed heir", in relation to any person, means any of the following, that is to say, the surviving spouse, lineal descendants, lineal ancestors, brothers or sisters, and lineal descendants of brothers or sisters, of that person ;

(3) "the present war" means the war against the German Reich and its allies in which His Majesty and His allies are engaged at the date on which this Ordinance comes into operation, and for the purposes of the computation of the duration thereof, such war shall be deemed to have commenced on the third day of September, 1939, and to terminate on such day as may be specified by the Governor by Proclamation published in the *Gazette*.

Application and construction of Ordinance.

5. (1) The provisions of this Ordinance shall have effect, and be deemed to have had effect at all material times, in relation to all deaths due to any of the prescribed causes, whether occurring before or after the date of the commencement of this Ordinance.

(2) Save as hereinbefore expressly provided, the provisions of this Ordinance shall be read and construed as one with the Estate Duty Ordinance.

Cap. 187.

Objects and Reasons.

The object of this Bill is to make provision—

(*a*) for the remission or refund of estate duty payable upon deaths attributable to the war (Clause 2) ; and

(*b*) for relief from estate duty in cases of successive deaths due to the war (Clause 3).

H. J. HUXHAM,
Financial Secretary.

Colombo, May 1, 1944.

MINUTE.

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

L. D.—O. 10/44.

Chapter 188. (Vol. IV., p. 609).

An Ordinance to amend the Income Tax Ordinance.

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 Income Tax Amendment Ordinance, No. of 1944.

Amendment of section 7 of Chapter 188.

2. (1) Section 7 of the Income Tax Ordinance is hereby amended, in sub-section (1) thereof, as follows :—

(*a*) by the substitution in paragraph (*h*), for the words "visiting Ceylon", of the words "visiting Ceylon, not being persons resident in Ceylon for a period exceeding three months immediately prior to the date of their appointment to such office" ; and

(*b*) by the substitution in paragraph (*hh*), for sub-paragraph (iii), of the following new sub-paragraph :—

"(iii) persons employed in any civil capacity by the Government of any part of His Majesty's dominions other than Ceylon or by the Government of any such foreign power or by any such foreign authority, who, not being persons resident in Ceylon for a period exceeding three months immediately prior to the date of the commencement of such employment, are so employed in, or visit, Ceylon for any purpose connected with any such war ;".

(2) The amendment made by sub-section (1) shall be deemed to have had effect on the first day of April, Nineteen hundred and Forty-four, for the purposes of all assessments in respect of the year of assessment commencing on that day.

Objects and Reasons.

Section 7 (1) of the Income Tax Ordinance, as amended by Ordinance No. 53 of 1942, exempts from the liability to income tax the salaries and other emoluments drawn by persons in civil employment under the Imperial Government or the Government of any part of His Majesty's dominions other than Ceylon or of any foreign power allied with His Majesty, where such persons serve in Ceylon or visit Ceylon for the purpose of any duty connected with the war. It was not intended that this benefit should extend to persons ordinarily resident in Ceylon who may happen to have secured employment under any of the Governments referred to.

The object of the amendment in this Bill is to make it clear that the exemption is not to extend to such local residents.

For the purposes of assessments in respect of the tax-year commencing on April 1, 1944, the amendment is to be deemed to have taken effect on that day retrospectively.

Colombo, May 2, 1944. H. J. HUXHAM, Financial Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

P. R. R. M. Ramanathan Chettiar of 206, Sea street, Colombo ..... Plaintiff.

No. 5,425/S. Vs.

(1) Mr. Dharmasekera Welaratne and (2) Mrs. Francina Welaratne, both of Induruwa in Galle District and also in Hirana, Panadure ..... Defendants.

NOTICE is hereby given that on Saturday, May 27, 1944, 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 for the recovery of the sum of Rs. 1,168·13, with interest on Rs. 836·95 at 18 per centum per annum from June 20, 1942, till date of decree (*i.e.*, January 26, 1943), and thereafter on the aggregate amount of the decree at 9 per centum per annum, till payment in full, viz. :—

Schedule of Lands.

1. *Appraised value, Rs. 3,000.*—All that undivided ½ share of lot B of the land called Kosgahalanda *alias* watta together with everything standing thereon, situated at Hirana in Panadure badde of Panadure totamune, in the District of Kalutara, Western Province ; and bounded on the north by Elhentuduwewatta and cart road, east by lots D and E of this land, south by land belonging to the heirs of Dr. C. P. de Fonseka, and on the west by a portion of this property belonging to the heirs of Don Marthelis Abeyratne ; containing in extent about 6 acres 2 roods and 10 perches ; and registered in the Kalutara Land Registry under title B 325/163.

2. *Appraised value, Rs. 6,000.*—All that land called Weraniyagahakurunduwatta, situated at Malamulla in Panadure totamune aforesaid ; and bounded on the north by Higgahawatta and Godaparagahawatta, on the east by a portion of the same land, on the south by Polkiriwatta, and on the west by a portion of this land and Higgahawatta ; containing in extent about six acres, together with everything standing thereon ; and registered under title Kalutara B 317/23.

3. *Appraised value, Rs. 500.*—All that western three-eighth portion of Higgahawatta, situated at Hirana in Panadure totamune aforesaid ; and bounded on the north by old road leading to Gonebendiduwa, east by defined five-eighth portion of this same land, south by Weraniyagahakurunduwatta, and west by Millagahawatta *alias* Godaparagahawatta ; and containing in extent 3 roods ; and registered under title Kalutara B 325/162.

Deputy Fiscal's Office, Kalutara, April 28, 1944. P. D. WEERAMAN, Deputy Fiscal.

Central Province.

In the District Court of Kandy.

M. P. Mutu Krishnan of Trincomalee street, Matale ..... Plaintiff.

No. M. S. 873. Vs.

(1) N. Julis of Udupihilla, Matale ..... Defendant.

NOTICE is hereby given that on Saturday, May 27, 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 defendant in the following property, for the recovery of the sum of Rs. 293·25, with legal interest on Rs. 209·50 from January 25, 1944, till payment in full, viz :—

The land called Gabadagewatta of 4 acres in extent, situate at Udupihilla in Kohonsiyapattu of Matale in the District of Matale, Central Province ; and bounded on the east by agala or gansabhawa road, south by Gurunnehelegewatta and Lindagawawatta, west by stone fence, and north by Ihalawalawwewatta, together with the tiled house and the plantations standing thereon. Registered in B 106/4.

Deputy Fiscal's Office, Matale, May 1, 1944. H. DIAS DESINGHE, Additional Deputy Fiscal.

North-Western Province.

In the District Court of Puttalam.

E. S. A. M. Falaloon Marikar of Puttalam ..... Plaintiff.

No. 4,787. Vs.

P. R. L. V. Subramaniam Chettiyar carrying on business under the name, style, and vilasam of P. R. L. V., Puttalam ..... Defendant.

NOTICE is hereby given that on Saturday, May 27, 1944, at 11 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

All those coconut estate and plantations called Chetty Chenai Thotam, together with the buildings, stores, machinery, fixtures, trees, plantations standing thereon, situate in the village Chetty Chenai in Mel Akkarai Pattu Tettu, in Puttalam pattu division, in the District of Puttalam of the North-Western Province ; and bounded on the north and east by reservations for roads, on the south by land described in T. P. Nos. 206,265 and 206,266, and on the west by land described in T. P. No. 206,265 ; and containing in extent 301 acres 2 roods and 35 perches as per plan No. 814 dated May 16, 1911, and made by A. M. Sundaram, Surveyor, for the recovery of the sum of Rs. 5,000 together with legal interest thereon from December 22, 1938, till payment in full and costs.

Deputy Fiscal's Office, Puttalam, May 2, 1944. M. SIVAGNANASUNDARAM, Additional Deputy Fiscal.

In the District Court of Colombo.

No. 5,295 S.

NOTICE is hereby given that on Monday, June 12, 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. 2,307 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 Ooraliya-agara, situated at Horakala and Ooraliya-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 Paulis Perera and others, and on the east by land appearing in title plan No. 63,162, land claimed by Mr. Córea, 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 Paulis Perera and Barnes Perera and land appearing in title plan No. 111,861, land claimed by Paulis 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. Bunghappuhamy, 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 Ladris 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. Babunchappuhamy 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 Ladris 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 Bingiriya and lot No. 2; containing in extent 24 acres and 1 rood according to the said plan No. 2. Registered in C 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, May 2, 1944.

I. L. M. SHERIFF,
Additional Deputy Fiscal.

I, Edward Trevor Dyson, Fiscal for the Central Province, do hereby appoint Mr. N. H. Martin, Secretary, Urban Council, Hatton, to act as Fiscal's Marshal, Hatton, from April 28 to 29, 1944, under Ordinance No. 4 of 1867, and authorise him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Fiscal's Office,
Kandy, April 21, 1944.

E. T. DYSON,
Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. 10,332. In the Matter of the Last Will and Testament of Alan William Miller of Appletress Ipplepen in the County of Devon, England, deceased.

THIS matter coming on for disposal before Dr. R. F. Dias, District Judge of Colombo, on April 25, 1944, in the presence of Beram Kaikhushroo Billimoria of Colombo, Proctor, on the part of the petitioner, Geoffrey Thomas Hale of Colombo; and the affidavit of the said petitioner dated April 18, 1944, a certified copy of probate, a certified copy of the last will and testament of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated January 28, 1943, having been read: It is ordered that the will of the said deceased dated February 3, 1937, of which a certified copy 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 attorneys of the executors named in the said will and that he is entitled to have letters of administration with a copy of the said will annexed issued to him accordingly, unless any person or persons interested shall, on or before May 11, 1944, show sufficient cause to the satisfaction of this court to the contrary.

April 25, 1944.

R. F. DIAS,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. 10,835. In the Matter of the Last Will and Testament and Codicils of Ella Margaret Harman, formerly of 306A. King's road, Chelsea, in the County of London but late care of the National Provincial Bank, Cromwell road, London, S.W., spinster, deceased.

THIS matter coming on for disposal before Dr. R. F. Dias, District Judge of Colombo, on April 20, 1944, in the presence of Beram Kaikhushroo Billimoria of Colombo, Proctor, on the part of the petitioner, Geoffrey Thomas Hale of Colombo; and, the affidavit of the said petitioner dated April 13, 1944, exemplification of probate of the last will and testament and codicils of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated February 29, 1944, having been read: It is ordered that the will of the said deceased dated March 14, 1940, and two codicils thereto dated March 14, 1940, and December 17, 1940, respectively, of which an exemplification of probate has been produced and is now deposited in this court be and the same are hereby declared proved; and it is further declared that the said petitioner is one of the attorneys of the executors named in the said will and that he is entitled to have letters of administration with a copy of the said will and codicils annexed issued to him accordingly, unless any person or persons interested shall, on or before May 11, 1944, show sufficient cause to the satisfaction of this court to the contrary.

April 20, 1944.

R. F. DIAS,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. 10,843. In the Matter of the Intestate Estate and Effects of the late K. S. Pandiyam Pillai of Kasturi Puram, Tinnevelly District, South India, deceased.

R. S. S. Ramasamypillai of 126, Maliban street, in Colombo ..... Petitioner.

Vs.

(1) Kanthimathi Ammal, widow of the late K. S. Ramalingam Pillai, (2) Kuttalam, (3) Sonasalam, (4) Kanthimathi, (5) Lachimi, (6) Sangaran; the 2nd, 3rd, 4th, 5th, and 6th respondents minors by their guardian *ad litem* (7) R. S. S. Kanapathipillai of Maliban street, Colombo ..... Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on March 18, 1944, in the presence of Mr. K. T. Chittampalam, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated February 2, 1944, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the attorney of the widow of the deceased, to have letters of administration issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before May 18, 1944, 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 declared appointed guardian *ad litem* over the minors, the 2nd, 3rd, 4th, 5th, and 6th respondents, unless sufficient cause be shown to the contrary on or before May 18, 1944.

April 5, 1944.

R. F. DIAS,
District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary Jurisdiction. No. 10,846.

In the Matter of the Last Will and Testament and Codicil of Norman Walker, formerly of Errol View road, Highgate, in the County of London, but late of Lisvane, 28, Addiscombe Grove, Croydon, in the County of Surrey, 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 Court of Colombo under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the sealing of an exemplification of probate of the last will and testament and codicil of Norman Walker, formerly of Errol View road, Highgate, in the County of London, but late of Lisvane, 28, Addiscombe Grove, Croydon, in the County of Surrey, deceased, granted by the Principal Probate Registry of His Majesty's High Court of Justice at Llandudno on July 23, 1943.

G. T. HALE,
Attorney for John Osborne Walker and Margaret Walker, the Executors of the Last Will and Testament and Codicil of Norman Walker, deceased.

Colombo, March 21, 1944.

In the District Court of Colombo.

Notice of Application.

Testamentary Jurisdiction. No. 10,849.

In the Matter of the Last Will and Testament of Mary Isabella Scott, formerly of Kandaloya, Dolosbage, in the Island of Ceylon, but late of Culblean, Cluts, Aberdeenshire, Scotland, 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 Court of Colombo under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the sealing of a certified copy of the Scotch confirmation of the last will and testament of Mary Isabella Scott, formerly of Kandaloya, Dolosbage, in the Island of Ceylon, but late of Culblean, Cluts, Aberdeenshire, Scotland, deceased, granted by the Sheriff Court of the County of Aberdeen, Kincardine and Banff at Aberdeen on December 10, 1943.

JULIUS & CREASY,
Proctors for Andrew Frank Patterson, Attorney for William Russell Scott, the sole Executor of the Last Will and Testament of Mary Isabella Scott, deceased.

Colombo, March 21, 1944.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. 10,863.

In the Matter of the Intestate Estate of Weerakkodige Noihamy Allis Hamine of Hiripitiya in Pannipitiya, deceased.

Deraniyagalage Pabilis Peiris of Hiripitiya in Pannipitiya ..... Petitioner.

Vs.

(1) Deraniyagalage Leonoris Peiris, (2) Deraniyagalage James Peiris, both of Hiripitiya in Pannipitiya ..... Respondents.

THIS matter coming on for disposal before Dr. R. F. Dias, District Judge of Colombo, on April 20, 1944, in the presence of Mr. G. A. H. Wille, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated March 27, 1944, having been read:

It is ordered that the petitioner above named be and he is hereby declared, entitled as the son of the deceased, to have letters of administration issued to him, unless the respondents above named or any person or persons interested shall, on or before June 1, 1944, show sufficient cause to the satisfaction of this court to the contrary.

March 21, 1944.

R. F. DIAS,
District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. No. 10,864.

In the Matter of the Intestate Estate and Effects of Edith Rosamund Parimalam Kadirgamar of Lalitha, Queen's road, in Colombo, deceased.

Samuel Jebaratnam Christian Kadirgamar of Lalitha, Queen's road, Colombo ..... Petitioner.

And

(1) Samuel Jothinathan Christian Kadirgamar of Queens road, Colombo, (2) Iswari Richards (nee Kadirgamar) of Ittipana, Matugama, (3) Selvanathan Kadirgamar, (4) Rajanathan Kadirgamar, (5) Tharumalingathan Kadirgamar and (6) Lakshamanathan Kadirgamar, all of Queen's road, Colombo; the 5th and 6th respondents minors, appearing by their guardian *ad litem* the 1st respondent above named ..... Respondents.

THIS action coming on for disposal before Dr. R. F. Dias, District Judge of Colombo, on April 20, 1944, in the presence of Messrs. de Silva & Mendis, Proctors, on the part of the petitioner above named; and the affidavit of the petitioner dated March 30, 1944, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the husband of the deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents above named or any person or persons interested shall, on or before June 1, 1944, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 1st respondent above named be declared appointed guardian *ad litem* over the minors, the 5th and 6th respondents, unless sufficient cause to the satisfaction of this court be shown to the contrary on or before June 1, 1944.

April 24, 1944.

R. F. DIAS,
District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. No. 10,867.

In the Matter of the Last Will and Testament or trust disposition and settlement of John Clark of Mecca, 15, Woodstock road, Aberdeen, Scotland, Retired Bank Agent, deceased.

THIS matter coming on for disposal before Dr. R. F. Dias, District Judge of Colombo, on April 24, 1944, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Mathew Richard Lothian Leishman of Colombo; and (1) the affidavit of the said petitioner dated April 3, 1944, (2) the power of attorney dated December 27, 1943, and (3) the order of the Supreme Court dated March 27, 1944, having been read: It is ordered that the will of the said John Clark, deceased, dated August 4, 1936, a certified copy of which under the seal of the Sheriff Court of Aberdeenshire, Scotland, has been produced and is now deposited in this court be and the same is hereby declared proved; and it is further declared that the said Matthew Richard Lothian Leishman is the attorney in Ceylon of the sole executor named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any person or persons interested shall, on or before June 1, 1944, show sufficient cause to the satisfaction of this court to the contrary.

April 24, 1944.

R. F. DIAS,
District Judge.

In the District Court of Colombo.

Order Absolute in the First Instance.

Testamentary Jurisdiction. No. 10,868.

In the Matter of the Last Will and Testament of Douglas Macdonald Berry of Pallewella estate, Ratnapura, in the Island of Ceylon and of Colombo, in the said Island, planter, deceased.

THIS matter coming on for final determination before Dr. R. F. Dias, District Judge of Colombo, on April 24, 1944, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, William George Berry of Peenkande, Nivitigala; and (1) the affidavit of the said petitioner dated April 12, 1944, and (2) the affidavit of one of the attesting witnesses of the will dated April 12, 1944, having been read: It is ordered that the will of the said Douglas Macdonald Berry, deceased, bearing No. 1256 dated March 30, 1937, and attested by David Ernest 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 William George Berry is one of the executors named in the said will and that he is entitled to have probate thereof issued to him accordingly with power reserved to the other executor named therein any time hereafter to come in and obtain a similar grant subject to his tendering the usual oath.

April 24, 1944.

R. F. DIAS,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary Jurisdiction. No. 3,255.

In the Matter of the Intestate Estate of the late Kattu Bawa Rawther, son of Ismail Rawther late of Puliyal, deceased.

Muna Wawanna Mohamed Ismail of 287, Main street, Negombo ..... Petitioner.

Vs.

(1) Sulaiman Beebee, widow of Kattu Bawa Rawther of Puliyal in Tiruwadanai taluk, Batticaloa District, (2) Cader Beebee, wife of Muna Wawanna Abdul Majeed of Nambuthalai in Tiruwadanai taluk aforesaid ..... Respondents.

THIS matter coming on for disposal before T. F. C. Roberts, Esq., District Judge of Negombo, on April 20, 1944, in the presence of Mr. S. M. A. Raheeman, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated April 12, 1944, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as attorney of the only son 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 May 15, 1944, show sufficient cause to the satisfaction of this court to the contrary.

April 20, 1944.

T. F. C. ROBERTS,
District Judge.

In the District Court of Kalutara.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. No. 3,052.

In the Matter of the Estate of the late Wattorutaralage Simon Peter Fernando Jayatilleke, deceased, of Morawinna in Panadure.

Ranasinghage Marthinahamy of Morawinna in Panadure .. Petitioner.

Vs.

(1) Somawathie Jayatilleke of Morawinna, (2) W. A. Fernando Jayatilleke, (3) W. G. Fernando Jayatilleke of 546, Galle road, Galkissa ..... Respondents.

THIS matter coming on for disposal before J. H. V. S. Jayawickreme, Esq., District Judge of Kalutara, on December 16, 1943

in the presence of Mr. Tudor A. Perera, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated September 7, 1942, affidavit of witnesses dated August 24, 1942, and August 13, 1942, having been read:

It is ordered that the will of the late Wattorutantrige Simon Peter Fernando dated June 28, 1942, be and the same is declared proved, unless the respondents or person or persons interested in the estate shall, on or before March 2, 1944, show sufficient cause to the satisfaction of this court to the contrary.

J. H. V. S. JAYAWICKREME,
December 16, 1943. District Judge.

The date of showing cause is extended till May 11, 1944.

J. H. V. S. JAYAWICKREME,
March 2, 1944. District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. No. T 427. In the Matter of the Intestate Estate of Weerakoon Mudiyanselage Kalu Banda Weerakoon of Kanakkarapola Hataraliyadda in Tumpane, deceased.

Pemawathie Bogammuwa Kumarihamy of Bogammuwa in Kurunegala ..... Petitioner.

Vs.

(1) Cecil Weerakoon, (2) Sitha Weerakoon, and (3) Punchi Bandara Bogammuwa, all of Bogammuwa aforesaid ..... Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on March 20, 1944, in the presence of Mr. F. Sextus J. Coorey, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated February 28, 1944, 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 May 29, 1944, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Punchi Bandara Bogammuwa, the 3rd respondent, be appointed guardian *ad litem* over the 1st and 2nd minor respondents and that the said Pemawathie Bogammuwa Kumarihamy, the petitioner, is entitled to have letters of administration to the same issued to her accordingly, unless the respondents or other persons interested in the estate shall, on or before May 29, 1944, show sufficient cause to the satisfaction of this court to the contrary.

C. NAGALINGAM,
May 1, 1944. District Judge.

In the District Court of Galle.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. No. 8,035. In the Matter of the Last Will and Testament of Vil Cassim Shroff Mudaliyar Hadji Halima late of 56, Church street, Fort, Galle.

Mohamed Hussain Careem of Fort, Galle ..... Petitioner.

Vs.

(1) Vil Cassim Shroff Mudaliyar Muttumma, (2) Fathuma Ismail, (3) Ina Ismail, (4) Pathuma Zafariya, (5) Zainab Kadija, all of Fort, Galle, (6) M. A. C. Ismail of Fort, Galle .... Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Galle, on February 24, 1944, in the presence of Mr. F. M. Dheen, Proctor, on the part of the petitioner; and the petition and the affidavit of the petitioner dated March 30, 1943, and February 25, 1943, having been read:

It is ordered that the last will and codicil of the late Vil Cassim Shroff Mudaliyar Hadji Halima, late of 55, Church street, Fort, Galle, bearing No. 12 dated August 23, 1937, and No. 87 dated December 14, 1938, both attested by F. M. Dheen, Notary Public, and now deposited in this court be and the same is hereby declared proved, unless the respondents or any person or persons on whom the court directs the order to be served shall, on or before March 31, 1944, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 6th respondent above named be appointed guardian *ad litem* over the 4th and 5th minor respondents, unless the respondents above named or any person or persons interested show sufficient cause to the satisfaction of this court on or before March 31, 1944, to the contrary.

It is further ordered that the said petitioner is executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before March 31, 1944, show sufficient cause to the satisfaction of this court to the contrary.

H. L. WENDT,
February 24, 1944. District Judge.

The date for showing cause is extended to May 12, 1944.

H. L. WENDT,
March 31, 1944. District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. No. 8,056. In the Matter of the Intestate Estate of Usubu Lebbe Mohamed Abdul Cader of Katugoda, Galle, deceased.

Dada Marikkar Sainoon of Katugoda, Galle ..... Petitioner.

Vs.

(1) Mohamed Abdul Cader Pattu Muttu Rahuma, (2) Mohamed Abdul Cader Mohamed Liyaudeen, (3) Mohamed Abdul Cader Fathimathul Kanima, (4) Mohamed Abdul Cader Sakeena Umma, (5) Abdul Hameed Mohamed Cassim, all of Katugoda, Galle ..... Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Galle, on September 29, 1943, in the presence of Mr. C. M. Hussen, Proctor, on the part of the petitioner, Dada Marikkar Sainoon of Katugoda, Galle; and the affidavit of the said petitioner dated August 19, 1943, having been read:

It is ordered that the 5th respondent be appointed guardian *ad litem* over 1st, 2nd, 3rd, and 4th respondents, unless the respondents above named or any other person or persons interested shall, on or before December 10, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the petitioner, as widow of the deceased above named, be entitled to have letters of administrations issued to her accordingly, unless the said respondents or any other person or persons shall, on or before December 10, 1943, show sufficient cause to the satisfaction of this court to the contrary.

M. A. SAMARAKOON,
September 29, 1943. District Judge.

Extended to January 28, 1944.

M. A. SAMARAKOON,
District Judge.

Extended to March 17, 1944.

A. S. WANIGASOORIYAR,
District Judge.

Extended to May 12, 1944.

M. A. SAMARAKOON,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. No. 209. In the Matter of the Last Will and Testament of the late Ponnampalam Maniccam of Usan.

Velupillai Narayanapillai of Usan ..... Petitioner.

Vs.

(1) Nagammaiar Krishnaswamy of Viddattalpalai, (2) Sinnathangam, daughter of Vinasithamby of Usan, (3) Ponnachchy, daughter of Vinasithamby of ditto, (4) Vinasithamby Ponnampalam of ditto; 2nd to 4th minors, appearing by their mother and guardian *ad litem*, the 5th respondent; (5) Sinnapillai, widow of Vinasithamby of ditto ..... Respondents.

THIS matter of the petition of the petitioner praying (*a*) that the 5th respondent be appointed guardian *ad litem* over the minor children, the 2nd, 3rd, and 4th respondents, (*b*) that probate in respect of the last will and testament of the late Ponnampalam Maniccam of Usan be granted to the petitioner, coming on for disposal before James Joseph, Esq., District Judge, Jaffna, on April 21, 1944, in the presence of Mr. C. Rasaratnam, Proctor, on the part of the petitioner, and after reading (*a*) the petition of the petitioner, (*b*) the affidavit of the petitioner, and (*c*) the affidavit of the witnesses of the said last will dated December 16, 1943:

It is hereby ordered (*a*) that the 5th respondent be appointed guardian *ad litem* over the 2nd, 3rd, and 4th respondents, and (*b*) that probate in respect of the said last will of Ponnampalam Maniccam of Usan be granted to the petitioner, unless the respondents shall show sufficient cause to the contrary on or before May 29, 1944.

It is further ordered that the minors over the age of 12 years be produced before the court on that date.

JAMES JOSEPH,
April 27, 1944. District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. No. 240. In the Matter of the Estate of the late Arumugam Subramaniam of Punnalaikkadduvan, deceased.

Arumugam Sangarappillai of Punnalaikkaduvan ..... Petitioner.

Vs.

(1) Gnanampikai, daughter of Subramaniam, (2) Pathmavathy, daughter of Subramaniam, (3) Parameswary, daughter of Subramaniam, (4) Rajalashumy, daughter of Subramaniam, (5) Subramaniam Nagandram and (6) Chellappah Muttucumaraswamy, all of Punnalaikkadduvan ..... Respondents.

THIS matter coming on for disposal before L. W. de Silva, Esq., Additional District Judge, Jaffna, on April 4, 1944, in the presence of Mr. S. Kanagasabapathy, Proctor for petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the above-named 6th respondent be appointed guardian *ad litem* over the minors, 1st to 5th respondents, for the purpose of watching their interest in this administration proceedings and that letters of administration in respect of the estate of the said deceased be issued to the petitioner as next-of-kin, unless the said

respondents shall appear before this court on May 12, 1944, and show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 6th respondent do produce the minors of the age of 12 and over in person on the said date.

JAMES JOSEPH,
District Judge.

April 26, 1944.

In the District Court of Jaffna.

Order Nisi declaring Letters of Administration.

Testamentary Jurisdiction. No. 246.

In the Matter of the Estate of the late Casinather Kuddithamby, deceased, of Koddady, Jaffna.

Thillaiammah, widow of Casinather Kuddithamby of Vannarponnai West, Jaffna ..... Petitioner.

Vs.

(1) Kuddithamby Jayaratnam of C. G. R., Colombo, (2) ditto Rajaratnam of C. G. R., Chunnakam, (3) ditto Sanmugam of 12, Rodney street, Cotta road, Colombo, (4) ditto Thurairatnam of Koddady, Jaffna (minor), (5) Suppapillai Ramiah of Koddady, Jaffna, (6) Kuddithamby Theagarajah of Vannarponnai West (minor), (7) Saraswathy daughter of Kuddithamby of ditto (minor), (8) Kanthavanam Ponnambalam of Vannarponnai West; the 4th respondent is a minor appearing by his guardian *ad litem* the 5th respondent, the 6th and 7th respondents are minors appearing by their guardian *ad litem* the 8th respondent ..... Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge, Jaffna, on April 15, 1944, in the presence of Mr. V. Sivasubramaniam, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated April 14, 1944, having been read:

It is declared that the said Suppapillai Ramiah, the 5th respondent, be appointed guardian *ad litem* over the 4th respondent (minor), and that the said Kanthavanam Ponnambalam, the 8th respondent, be appointed guardian *ad litem* over the 6th and 7th respondents (minors), and that the petitioner is entitled to have letters of administration to the intestate estate of the above-named deceased, as the widow, and the same be issued to her accordingly, unless the respondents or others interested shall, on or before May 12, 1944, show sufficient cause to the satisfaction of this court to the contrary. The minors to be produced on that date.

JAMES JOSEPH,
District Judge.

April 15, 1944.

In the District Court of Kegalla.

Order Nisi.

Testamentary Jurisdiction. No. 1,681.

In the Matter of the Intestate Estate of Kahawatta Arachchige Bernard Perera of Ambanpitiya, deceased.

Arachchillage Ranmenike of Ambanpitiya ..... Petitioner.

And

(1) Kahawatte Arachchige Mabel Perera presently of Kegalla, (2) Kahawatte Arachchige Vincent Perera, (3) Kahawatte Arachchige Mary Jenette Perera, both of Ambanpitiya, both of them being minors by guardian *ad litem*, (4) Henakarallage Podi Appuhamy, also of Kegalla ..... Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Kegalla, on April 3, 1944, in the presence of Mr. A. I. de S. Abeywickreme, Proctor, on the part of the petitioner; and the petition of the petitioner dated April 3, 1944, and affidavit dated March 25, 1944, having been read: It is ordered that the above-named petitioner be and she is hereby declared entitled to have the letters of administration to the estate of the above-named deceased, as his widow; and it is further ordered that the above named 4th respondent be and he is hereby appointed guardian *ad litem* over the 2nd and 3rd respondents, unless the above-named respondents or any other person or persons interested shall, on or before May 24, 1944, show sufficient cause to the satisfaction of this court to the contrary.

R. R. SELVADURAI,
District Judge.

April 3, 1944.

MISCELLANEOUS NOTICES.

NOTICE is hereby given that a suit has been instituted in the Court of Requests of Matale, by sixteen labourers of Maharajah Estate, Madawala, Matale, against the proprietor thereof under the Estate Labour (Indian) Ordinance for the recovery of their wages amounting to three hundred rupees (Rs. 300).

G. A. NANAYAKKARE,
Chief Clerk.

April 20, 1944.

PRINTED AT THE CEYLON GOVERNMENT PRESS, COLOMBO.

in the presence of Mr. Tudor A. Perera, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated September 7, 1942, affidavit of witnesses dated August 24, 1942, and August 13, 1942, having been read:

It is ordered that the will of the late Wattorutantrige Simon Peter Fernando dated June 28, 1942, be and the same is declared proved, unless the respondents or person or persons interested in the estate shall, on or before March 2, 1944, show sufficient cause to the satisfaction of this court to the contrary.

J. H. V. S. JAYAWICKREME,
December 16, 1943. District Judge.

The date of showing cause is extended till May 11, 1944.

J. H. V. S. JAYAWICKREME,
March 2, 1944. District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary Jurisdiction. No. T 427. — In the Matter of the Intestate Estate of Weerakoon Mudiyanselage Kalu Banda Weerakoon of Kanakkarapola Hataraliyadda in Tumpane, deceased.

Pemawathie Bogammuwa Kumarihamy of Bogammuwa in Kurunegala ..... Petitioner.

Vs.

(1) Cecil Weerakoon, (2) Sitha Weerakoon, and (3) Punchi Bandara Bogammuwa, all of Bogammuwa aforesaid ..... Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on March 20, 1944, in the presence of Mr. F. Sextus J. Coorey, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated February 28, 1944, 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 May 29, 1944, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Punchi Bandara Bogammuwa, the 3rd respondent, be appointed guardian *ad litem* over the 1st

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. No. 8,056. — In the Matter of the Intestate Estate of Usubu Lebbe Mohamed Abdul Cader of Katugoda, Galle, deceased.

Dada Marikkar Sainoon of Katugoda, Galle ..... Petitioner.

Vs.

(1) Mohamed Abdul Cader Pattu Muttu Rahuma, (2) Mohamed Abdul Cader Mohamed Liyaudeen, (3) Mohamed Abdul Cader Fathimathul Kanima, (4) Mohamed Abdul Cader Sakeena Umma, (5) Abdul Hameed Mohamed Cassim, all of Katugoda, Galle ..... Respondents.

THIS matter coming on for disposal before M. A. Samarakoon, Esq., District Judge of Galle, on September 29, 1943, in the presence of Mr. C. M. Hussen, Proctor, on the part of the petitioner, Dada Marikkar Sainoon of Katugoda, Galle; and the affidavit of the said petitioner dated August 10, 1943, having been read:

It is ordered that the 5th respondent be appointed guardian *ad litem* over 1st, 2nd, 3rd, and 4th respondents, unless the respondents above named or any other person or persons interested shall, on or before December 10, 1943, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the petitioner, as widow of the deceased above named, be entitled to have letters of administrations issued to her accordingly, unless the said respondents or any other person or persons shall, on or before December 10, 1943, show sufficient cause to the satisfaction of this court to the contrary.

M. A. SAMARAKOON,
September 29, 1943. District Judge.

Extended to January 28, 1944.

M. A. SAMARAKOON,
District Judge.

Extended to March 17, 1944.

A. S. WANIGASOORIYAR,
District Judge.

Extended to May 12, 1944.

M. A. SAMARAKOON,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary Jurisdiction. — In the Matter of the Last Will and Testament of the late Ponnampalam Maniccam of Usan.