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DRAFT ORDINANCES.

MINUTE.

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

L.D.—O.46/44.

An Ordinance to amend the Maternity Benefits Ordinance, No. 32 of 1939.

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

1. This Ordinance may be cited as the Maternity Benefits (Amendment) Ordinance, No. of 1945.

Short title.

2. Section 4 of the Maternity Benefits Ordinance, No. 32 of 1939, (hereinafter referred to as "the principal Ordinance"), is hereby amended in section 4 thereof, by the substitution, for all the words from "for a period" to the end of that section, of the following :—

Amendment of section 4 of Ordinance No. 32 of 1939.

"for not less than one hundred and twenty days within the period of one year immediately preceding the date of the notice required by section 6 (2)."

3. Section 5 of the principal Ordinance is hereby repealed and the following new section is substituted therefor :—

Replacement of sect on 5 of the principal Ordinance

5. (1) Subject to the provisions of sub-sections (2), (3) and (4), the employer of a woman worker shall pay to such worker maternity benefit at the prescribed rate for the entirety of the period of two weeks immediately preceding her confinement and of the period of four weeks immediately following her confinement.

Liability of employer and rate of maternity benefit.

(2) No woman worker who has worked in her employment on any day during the period of two weeks immediately preceding her confinement shall be entitled to any maternity benefit for that day or for that part of the period which precedes that day.

(3) Where the Commissioner has issued to any employer a written certificate which states that such employer is an employer who has made arrangements for providing for female labourers employed on his estate such alternative maternity benefits as may be prescribed, such employer shall provide, in lieu of the maternity benefits referred to in sub-section (1), those alternative maternity benefits—

(a) to every female labourer who is resident on such estate ; and

(b) to every female labourer who is not resident on the estate and who has, prior to her confinement, given notice in the prescribed manner to such employer of her desire to receive those alternative maternity benefits.

(4) Any female labourer referred to in sub-section (3) who refuses to accept from her employer the alternative maternity benefits referred to in that sub-section shall not be entitled to receive the maternity benefit referred to in sub-section (1).

(5) A certificate issued to any employer under sub-section (3) shall be liable to be cancelled by the Commissioner, if the Commissioner is satisfied, after such inquiry as he may deem necessary, that the employer has ceased to make arrangements for providing for female labourers on his estate the alternative maternity benefits referred to in that sub-section.

(6) Where a certificate issued to any employer of an estate under sub-section (3) is cancelled by virtue of the provisions of sub-section (5), the employer shall pay to the female labourers on his estate, the maternity benefit referred to in sub-section (1).

(7) Where payment of money in cash is to be part of the alternative maternity benefits referred to in sub-section (3), the Executive Committee shall not prescribe as the amount of such payment any sum which exceeds, or any sums which in the aggregate exceed, four-sevenths of the total amount payable as maternity benefit under sub-section (1).

(8) In the computation of the periods in respect of which payments are made under this section, Sundays and holidays shall be taken into account.

Insertion of new section 5A in the principal Ordinance

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

Women not to claim benefits, in respect of the same confinement, from more than one employer.

5A. Nothing in the provisions of section 4 or section 5 shall be deemed to entitle any woman to claim either the maternity benefit or the alternative maternity benefits referred to in this Ordinance from more than one employer in respect of the same confinement.

Amendment of section 10 of the principal Ordinance.

5. Section 10 of the principal Ordinance is hereby amended, in sub-section (1) thereof, by the substitution, for the words "within a period of three months before her confinement shall have the effect of depriving her of any maternity benefit" of the words "within a period of five months before her confinement shall have the effect of depriving her of any maternity benefit or alternative maternity benefits".

Replacement of section 11 of the principal Ordinance.

6. Section 11 of the principal Ordinance is hereby repealed and the following new section substituted therefor :—

Power to obtain information.

11. (1) The Commissioner may at any time by notice communicated to any employer require him to furnish before a specified date a return containing such particulars as may in the opinion of the Commissioner be necessary for the purposes of this Ordinance, and it shall be the duty of such employer, when so required, to furnish such a return to the Commissioner before that date.

(2) Any notice of the Commissioner under sub-section (1) shall be deemed to have been duly communicated to any employer to whom such notice is applicable if it is—

- (a) published in the *Gazette*; or
- (b) sent by letter posted to such employer at his usual place of business or residence.

Amendment of section 12 of the principal Ordinance

7. Section 12 of the principal Ordinance is hereby amended as follows :—

- (1) in sub-sections (1) and (2) thereof, by the substitution, for the word "inspector" wherever that word occurs in those sub-sections, of the words "special officer"; and
- (2) by the omission of sub-section (3) thereof.

Amendment of section 13 of the principal Ordinance

8. Section 13 of the principal Ordinance is hereby amended, in paragraph (g) of sub-section (2), by the substitution, for the words "inspectors, officers and servants", of the words "a special officer".

Amendment of section 14 of the principal Ordinance

9. Section 14 of the principal Ordinance is hereby amended, by the substitution, for the words "regulation made thereunder", of the words "regulation made thereunder, or any woman who claims any benefit under the Ordinance in respect of the same confinement from more than one employer,".

Amendment of section 16 of the principal Ordinance.

10. Section 16 of the principal Ordinance is hereby amended, by the substitution, for the words "six months" wherever they occur collectively therein or in the marginal note thereto, of the words "two years".

11. Section 19 of the principal Ordinance is hereby amended as follows :—

Amendment of section 19 of the principal Ordinance.

(1) by the substitution, for the definition of " Controller ", of the following new definition :—

" Commissioner " means the person for the time being holding the office of Commissioner of Labour, and includes any person for the time being holding the office of Deputy Commissioner of Labour ;

(2) by the insertion immediately after the definition of " shop ", of the following new definition :—

" special officer " means any Deputy or Assistant Commissioner of Labour, any Inspector of the Department of Labour, or any person appointed by the Commissioner in writing for the purpose of enforcing the provisions of this Ordinance ;

and

(3) by the substitution, for the definition of " woman worker ", of the following new definition :—

" woman worker " means a woman employed on wages in any shop, mine, factory or estate in which ten or more persons are employed, whether such wages are calculated by time or by work done or otherwise and whether the contract of employment or service was made before or after the commencement of this Ordinance, and whether such contract is expressed or implied, oral or in writing.

Objects and Reasons.

Under section 4 of the Maternity Benefits Ordinance, No. 32 of 1939, no woman is entitled to maternity benefit unless she has been employed under the employer from whom she claims such benefit for a period of not less than nine months immediately preceding the date on which she gives notice under section 6 of that Ordinance. As the employment of women workers is usually intermittent or seasonal, this provision causes considerable hardship by depriving a large number of women workers of benefits under the Ordinance. The object of the amendment in Clause 2 of this Bill is to remove this hardship by substituting the provision that the qualifying period for benefits under the Ordinance will be one hundred and twenty days within the period of one year immediately preceding the date on which the woman worker gives the obligatory notice under section 6 (2) of the Ordinance. As the new qualifying period is likely to enable some women workers to claim benefits from more than one employer in respect of the same confinement, it is proposed in this Bill that such multiple claims should be prevented and that women workers who make such claims should be prosecuted for the offence and punished with a fine not exceeding five hundred rupees. (Clauses 4 and 9.)

2. The benefits required by the Maternity Benefits Ordinance take the form either of a cash payment at the rate of fifty cents a day or of certain prescribed alternatives. The Ordinance also provides that where such alternative benefits include any money payments, those payments should not exceed in the aggregate twelve rupees. The frequent variations in the cost of living make these fixed rates and amounts unsuitable and it is proposed in Clause 3 of this Bill to replace section 5 by a new section which will provide that all such payments are to be made at rates prescribed by regulation.

3. Section 10 of the Ordinance now provides that no notice of dismissal given without sufficient cause by an employer to a woman worker within a period of three months before her confinement will have the effect of depriving her of any of the benefits under the Ordinance. This provision leaves it open to an employer to give notice of dismissal to women workers during the early stages of their pregnancy, and thus save himself from the obligation of providing benefits under the Ordinance. It is therefore proposed in Clause 5 of the Bill to prevent such an evasion of the law by extending the period to five months, as has been done by the Government of Madras in the case of the Madras Maternity Benefit Act, 1934.

4. The Ordinance does not give the Department of Labour the power to call for returns from employers for the purposes of the Ordinance. The object of Clause 6 of this Bill is to give the Department such a power.

5. Under section 12 of the Ordinance the power of inspection is exercisable by inspectors of labour appointed under the Indian Immigrant Labour Ordinance (Chapter 111).

As it is intended that this power should be exercised by any officer of the Labour Department other than the Commissioner, the Bill provides for such inspection by any such officer, or by any person appointed in writing by the Commissioner or Deputy Commissioner of Labour. (Clauses 7 and 11.)

6. Under section 16 of the Ordinance a prosecution for any offence against the Ordinance or any regulation made thereunder has to be instituted within six months of the date of the offence. As the period of six months specified in that section has been found in practice to be too short, it is proposed in Clause 10 of the Bill to extend that period to two years.

7. In view of the provisions of the Controller of Labour (Change of Designation) Ordinance, No. 22 of 1945, the designations, Controller, Deputy Controller and Assistant Controller of Labour are no longer appropriate. Throughout this Bill, therefore, the designations, Commissioner, Deputy Commissioner and Assistant Commissioner of Labour, which are authorised by that Ordinance, are used.

I. X. PEREIRA,

Acting Minister for Labour, Industry and Commerce.
Colombo, February 13, 1946.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Anuradhapura will be holden at the Court-house at Kandy, on Monday, March 11, 1946, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Anuradhapura, February 22, 1946.

A. AMBALAWANER,
for Fiscal, N.-C. P.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a criminal session of the said court for the District of Badulla will be holden at the Court-house at Kandy on Monday, March 11, 1946, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Badulla, February 22, 1946.

T. KANDIAH,
for Fiscal.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a criminal session of the said court for the Districts of Ratnapura and Avissawella will be holden at the Court-house at Colombo on Wednesday, March 20, 1946, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Ratnapura, February 22, 1946.

M. K. T. SANDYS,
Fiscal.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.
No. 5,687. In the Matter of the Insolvency of J. V. Santhanam Insolvency. of 548, Skinner's road South, Colombo. Insolvent.

NOTICE is hereby given that the 2nd sittings and examination of the above-named insolvent will take place at the sitting of this court on March 8, 1946.

February 19, 1946.

By order of Court,
M. N. PERIS,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Avissawella.

Dasanayaka Ranasinghe Mudiyanselage Punchmahatmaya of Epalapitiya Plaintiff.
No. 3,641. Vs.

(5) G. P. Mapingama of Morawatta and others Defendants.

NOTICE is hereby given that on Monday, March 25, 1946, at 4 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said plaintiff in the following property for the recovery of Rs. 582.00, viz. —

Lot A of the land called Belawane Kurahhena and Belawane-owita, now rubber estate situated at Epalapitiya in Atulgama korale of Three Korales in the District of Kegalla, Province of Sabaragamuwa; and bounded on the north by Pansalagawawatta and land of Mr. De Mel, east by paddy field and high road, south by lot B and west by Pelanghawatta; containing in extent 7 acres and .06 perches.
Valuation Rs. 5,000.

Fiscal's Office,
Avissawella, February 20, 1946.

A. V. P. SAMARANAYAKA,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Sammandapperuma Mohotti Appuhamillage No. 11,609. John Appuhamy of Mandawala, deceased.

Rupasinghe Jayawardene Muhandiramage Edward Perera of Mandawala Petitioner.

Vs.

Sammandapperuma Mohottiappuhamillage Chulawathie Hamine of Mandawala Respondent.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on January 28, 1946, in the presence of Messrs. Moonasinghe & Jayamaha, Proctors, on the part of the petitioner above named, and the affidavit of the said petitioner dated September 22, 1945, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as an uncle of the deceased, to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondent above named or any person or persons interested shall, on or before March 14, 1946, show sufficient cause to the satisfaction of this court to the contrary.

February 23, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Holupathirage Pregmu Caldera of Mahara, Pinnameda, in the Adikaripattu of Siyane korale, deceased.

Holupathirage Albertina Caldera of Pulluhena, Pamunugama Petitioner.

Vs.

(1) Holupathirage Gabriel Caldera, (2) Holupathirage Winifreda Caldera, both of Mahara, Pinnameda aforesaid, (3) Holupathirage Juliana Caldera of Handala in the Ragam pattu of Alutkuru Korale, (4) Holupathirage Elizabeth Caldera of Wattala aforesaid Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on January 16, 1946, in the presence of Mr. A. C. Abeyewardene, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 15, 1946, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as the eldest daughter of deceased, to have letters of administration to the estate of the said deceased issued to her accordingly, unless the respondents above named or any person or persons interested shall, on or before March 7, 1946, show sufficient cause to the satisfaction of this court to the contrary.

February 20, 1946.

V. E. RAJAKARIER,
District Judge.

In the District Court of Colombo.

Order Absolute.

Testamentary In the Matter of the Last Will and Testament Jurisdiction. of Daisy Garnet Payne of Handrookande estate, No. 11,727. Kurunegala in the Island of Ceylon, late of 41, Cyril Mansions, Battersea, Spinstler, deceased.

THIS matter coming on for final determination before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on January 18, 1946, in the presence of Mohamed Shereef Mohamed Shabdeen of Colombo, Proctor, on the part of the petitioner, Geoffrey Thomas Hale of Colombo, and the affidavit of the said petitioner dated January 16, 1946, an affidavit as to the due execution of the will photographic copy of will, certificate of death of the above-named, deceased, and Supreme Court's order dated December 19, 1945, having been read: It is ordered that the will of the said deceased

dated April 18, 1944, of which a photographic 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 the surviving executor 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.

February 18, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Winifred
Jurisdiction. Kennedy Nathanielsz of Hunupitiya Lake road,
No. 11,725. Colombo, in the Island of Ceylon, deceased.

John Julien Nathanielsz of Hunupitiya Lake road,
Colombo Petitioner.

And

(1) Gladys Anderson Wijeyekoon (*nee* Nathanielsz) of High-
field, Nuwara Eliya, (2) Joyce Winifred Mc Quirk *nee*
Nathanielsz, presently of St. Charles' Hospital, London, (3)
Dorothy Ray Nathanielsz, (4) Norman Edward Nathanielsz,
and (5) Paul Douglas Nathanielsz, all of Hunupitiya Lake
road, Colombo; the 4th and 5th respondents, minors, appearing
by their guardian *ad litem*, (6) R. A. Wijeyekoon, Executive
Engineer, P.W.D., Nuwara Eliya Respondents.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on January 17, 1946,
in the presence of Messrs. De Silva & Mendis, Proctors, on the
part of the petitioner above named; and the affidavit of the said
petitioner dated January 14, 1946, having been read:

It is ordered that the 6th respondent above named be and he is
hereby declared appointed guardian *ad litem* over the minors, the
4th and 5th respondents above named, and the petitioner above
named be and he is hereby declared entitled, as the widower of the
deceased, to have letters of administration to the estate of the said
deceased issued to him accordingly, unless the respondents above
named or any person or persons interested shall, on or before March
7, 1946, show sufficient cause to the satisfaction of this court to the
contrary.

February 22, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. the late Kalyanawathie Abeysekera of Uva
No. 11,733. Dickarawa estate, Bandarawela, deceased.

Kirthipala Abeysekera of Badulla Petitioner.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on February 19, 1946,
in the presence of Mr. T. C. P. Gunewardene, Proctor, on the part
of the petitioner above named; and the affidavit of the said peti-
tioner dated January 8, 1946, and the affidavit of the attesting
Notary and witnesses dated January 23, 1946, and December 20,
1945, having been read:

It is ordered that the last will and testament of Kalyanawathie
Abeysekera, the deceased above named, the original of which
has been produced and is now deposited in this court be and the
same is hereby declared proved, and the petitioner above named be
and he is hereby declared entitled as the sole heir of the deceased
to have letters of administration with will annexed issued to him
accordingly, unless any person or persons interested shall on or
before March 28, 1946, show sufficient cause to the satisfaction
of this court to the contrary.

February 22, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Kurugamage John Perera of Wattala in the
No. 11,734. Ragam pattu of Siyane korale, deceased.

Kurugamage Mitchel Perera of Wattala aforesaid Petitioner.

Vs.

(1) Algamage Dona Pelasina Hamine, (2) Kurugamage
Georgina Perera, (3) ditto Alexander Perera, (4) ditto Lily
Perera, (5) ditto Asilin Perera, (6) ditto Tula Perera, (7)
ditto Christopher Perera, all of Wattala in the Ragam pattu of
Alutkuru korale, the 6th and 7th respondents, minors, appear-
ing by their guardian *ad litem* the 1st respondent. Respondents.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on January 25, 1946,
in the presence of Mr. D. L. Gunasekera, Proctor, on the part of the
petitioner above named; and the affidavit of the said petitioner
dated January 21, 1946, having been read:

It is ordered that the 1st respondent above named be and she is
hereby declared appointed guardian *ad litem* over the minors, the
6th and 7th respondents above named, and 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 said
deceased, issued to him accordingly, unless the respondents above
named or any person or persons interested shall, on or before March
14, 1946, show sufficient cause to the satisfaction of this court to
the contrary.

February 11, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Muhandiramage John Peter Rodrigo of Yatiyana,
No. 11,736. Mnuwangoda, deceased.

Dharmapala Mudiyanselage Freeda Euphramia Rodrigo *nee*
Havers of Yatiyana Petitioner.

Vs.

(1) Marie Josephine Abeysekera *nee* Rodrigo of Yatiyana,
(2) Anne Teresa de Alwis *nee* Rodrigo of Galle, (3) Nesta
Phylcia Rodrigo, (4) Joseph Vivian Rodrigo, (5) Donita
Theodra Rodrigo, (6) Stella Rodrigo, all of Yati-
yana Respondents.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on January 25, 1946,
in the presence of Messrs. Moonasinghe & Jayamaha, Proctors,
on the part of the petitioner above named; and the affidavit of the
said petitioner dated December 15, 1945, having been read:

It is ordered that the petitioner above named be and she is hereby
declared entitled, as the widow of the deceased, to have letters of
administration to the estate of the said deceased issued to her
accordingly, unless the respondents above named or any person or
persons interested shall, on or before March 14, 1946, show sufficient
cause to the satisfaction of this court to the contrary.

February 23, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Henry Gerald Mahinda Dias of Colpetty lane,
No. 11,737. Colpetty in Colombo, deceased.

Janet Norah Dias of Colpetty lane, Colpetty in
Colombo Petitioner.

Vs.

(1) Erica Sirleia Dias of Colpetty lane, Colpetty in Colombo,
(2) Lakshmi Myra Surimane *nee* Dias of Wellawatta, (3)
Janet Henrietta Padmawathie Dias, (4) Henry George
Chandrasena Dias, (5) Harindranath George Dias, all of
Colpetty lane, Colpetty in Colombo Respondents.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on January 28, 1946,
in the presence of Mr. H. A. Abeywardene, Proctor, on the part of
the petitioner above named; and the affidavit of the said petitioner
dated December 17, 1945, having been read:

It is ordered that the 4th respondent above named be and he is
hereby declared appointed guardian *ad litem* over the minor, the 5th
respondent above named and the petitioner above named be and
she is hereby declared entitled, as the mother of the deceased, to have
letters of administration to the estate of the said deceased issued to
her accordingly, unless the respondents above named or any person
or persons interested shall, on or before March 14, 1946, show
sufficient cause to the satisfaction of this court to the contrary.

February 8, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Kailasampillai, also known as Ravanna Sana
No. 11,755. Kailasampillai, son of Arunachalampillai, of
Pulhankulam in Tiruchendur Taluk in South
India, deceased.

Vanamamalampillai, son of Samkarakumarupillai of 177,
Bankshall street in Colombo Petitioner.

And

(1) Arunachalampillai and (2) Sarayanaperumalpillai, both of
Pulhankulam in Tiruchendur Taluk in South India. Respondents.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on February 6, 1946,
in the presence of Mr. S. Somasundaram, Proctor, on the part of the
petitioner above named; and the affidavit of the said petitioner
dated September 29, 1945, the copy of the power of attorney dated
July 28, 1945, and the Supreme Court Order dated September 19,
1945, having been read:

It is ordered that the petitioner above named be and he is hereby
declared entitled, as the attorney of the eldest son of the deceased, to
have letters of administration to the estate of the said deceased
issued to him accordingly, unless the respondents above named or
any person or persons interested shall, on or before March 28, 1946,
show sufficient cause to the satisfaction of this court to the contrary.

February 11, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Martha Rubesinghe of Kotte, deceased.

E. A. Rubesinghe of Nalini, Kotte Petitioner.

Vs.

(1) Adelaide Martha Jayasinghe of Francis House, Kotte,
(2) Dionysius Andrew Rubesinghe of Nalini, Kotte. Respondents.

THIS matter coming on for disposal before V. E. Rajakarier,
Esq., Additional District Judge of Colombo, on February 11, 1946,

in the presence of Mr. E. R. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 7, 1946, 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 estate of the said deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before March 28, 1946, show sufficient cause to the satisfaction of this court to the contrary.

February 11, 1946.

V. E. RAJAKARIE,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Kasturaratchige Brampy Singho of Opathaella
No. 11,756. in the Udugaha pattu of Siyane korale, deceased.

Kasturarachhigo William Singho of Opathaella afore-
said Petitioner.

Vs.

(1) Kasturi Arachhige Heras Singho, (2) Kasturi Arachhige Podinona, (3) Kasturi Arachhige Baby Nona, (4) Kasturi Arachhige Susanchi Nona, (5) Kasturi Arachhige Abilim Nona, (6) Kasturi Arachhige Podi Hamme all of Opathaella, aforesaid Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 6, 1946, in the presence of Mr. H. A. Abeyewardene, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 30, 1946, 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 said deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before March 28, 1946, show sufficient cause to the satisfaction of this court to the contrary.

February 13, 1946.

V. E. RAJAKARIE,
Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Blanche Augusta Neighbour of Pehayne
No. 11,761. Colyton in the County of Devon formerly of
Binton Barn near Farnham in the County of
Surrey, England, widow, deceased.

And

In the Matter of the British Courts Probates (Re-
sealing) Ordinance (Chapter 84.)

NOTICE is hereby given that after the expiry of fourteen days from the date hereof, application will be made to the District Court of Colombo under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the sealing of Probate of the will of Blanche Augusta Neighbour late of Pehayne Colyton in the County of Devon formerly of Binton Barn near Farnham in the County of Surrey, England, widow, deceased, granted by the District Probate Registry at Lewes of His Majesty's High Court of Justice in England, on January 17, 1944.

V. GNANARATNAM COOKE,

Proctor for Charles Harold Noel Adams and Julia
Buchanan, the executors named in the will.

Colombo, March 1, 1946.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Shewakram Jhamandas Mirchandani of 106,
No. 11,769. Main street in Colombo, and of Advani lane,
Hyderabad, Sind in India, deceased.

Naraindas Bhangeandas Mirchandani of 106, Main street, in
Colombo Petitioner.

And

(1) Shrimati Methi Bai Shewakram, (2) Bhagwardas Shewakram Mirchandani, (3) Shrimati Lalabai Wadhoomal all of Advani lane, Hyderabad, Sind in India, (4) Shrimati Gomubai Uttamchand, above City Post Office, Hyderabad, Sind in India Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 14, 1946, in the presence of Mr. D. F. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 1, 1946, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the grandson of the deceased, to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before April 4, 1946, show sufficient cause to the satisfaction of this court to the contrary.

February 23, 1946.

V. E. RAJAKARIE,
Additional District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Perumbuli
Jurisdiction. Achchige Premaratne of Beddegedera, deceased.
No. 3,354.

Perumbuli Achchige Sumanaratne of Beddegedera Petitioner.

Vs.

(1) Perumbuli Achchige Amarananda, (2) ditto Gunatilleke,
(3) ditto Wimalasinghe all of Beddegedera Respondents.

THIS matter coming on for disposal before H. S. Roberts, Esq., District Judge of Negombo, on February 4, 1946, in the presence of Mr. S. D. C. W. Senaratne, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated January 28, 1946, having been read:

It is ordered that the 1st respondent above named, be appointed guardian *ad litem* over the 2nd and 3rd respondents, above named, minors, to represent them for all the purposes of this action, and that the petitioner above named be and he is hereby declared entitled, as the eldest 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 March 4, 1946, show sufficient cause to the satisfaction of this court to the contrary.

February 4, 1946.

HERBERT S. ROBERTS,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Heiyan-
Jurisdiction. tudupathirennhelage Don Pancha Appuhamy
No. 3,358. of Loluwagoda, deceased.

Rajapaksa Perisyala Appuhamlage Danchunona of Loluwa-
goda Petitioner.

Vs.

(1) Heiyantudupathirennhelage Don William of Loluwagoda,
(2) ditto Dona Podhamine, (3) ditto Dona Anne Nona, (4)
ditto Don Gunaratna all of Loluwagoda Respondents.

THIS matter coming on for disposal before H. S. Roberts, Esq., District Judge of Negombo, on February 11, 1946, in the presence of Mr. S. A. I. Dheen, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated January 23, 1946, 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 March 7, 1946, show sufficient cause to the satisfaction of this court to the contrary.

February 11, 1946.

H. S. ROBERTS,
District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary In the Matter of the Estate of the late Sattambi-
Jurisdiction. rallage Don Fidelis Nanayakkara, deceased, of
No. 3,259. Diyalgoda.

Weerawarnakurukulasuriya Boosabaduge Elizabeth Fernando of
Diyalgoda Petitioner.

Vs.

(1) S. D. Vincent Appolinaris Nanayakkara, minor, by guardian
ad litem (2) W. B. Richard Fernando of Katu-
kurunda Respondents.

THIS matter coming on for disposal before J. H. V. S. Jayawickrema, Esq., District Judge, Kalutara, on January 21, 1946, in the presence of Messrs. de Zoysa & Swaris, Proctors, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated January 16, 1946, having been read:

It is ordered that the petitioner be declared entitled, as widow of the deceased, to claim the administration and that the same be issued to her, unless the respondents or any person or persons interested in the estate shall, on or before March 8, 1946, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 2nd respondent be appointed guardian *ad litem* over the 1st minor respondent and that the said petitioner be appointed administrator and that she is entitled to have letters of administration the same issued to her accordingly, unless the respondents or other interested in the estate shall, on or before March 8, 1946, show sufficient cause to the satisfaction of this court to the contrary.

January 21, 1946.

J. H. V. S. JAYAWICKREMA,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Abdu Rahum Sithie Amena of Talapitiya in
No. 8,154. Galle, deceased.

Isu Lebbe Mohamed Hanos of 17, Bailie street, Colombo. Petitioner.

Vs.

(1) Abdul Rahman Rajina Umma, (2) ditto Abdul Hakim,
(3) ditto Abdul Wadood, (4) ditto Abdul Cader, all of Tala-
pitiya in Galle, (5) Mohamed Hanas Mohamed Farouk,
(6) Habibu Mankar Isu Lebbe, both of Galle Respondents.

THIS matter coming on for disposal before T. F. C. Roberts, Esq., District Judge of Galle, on December 3, 1945, in the presence of

Mr. F. M. Dheen, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 28, 1945, having been read :

It is ordered that the said petitioner be and he is hereby declared entitled, as husband of the said deceased above named, to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before March 8, 1946, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the the 6th respondent above named be appointed as guardian *ad litem* over the above named 5th respondent, minor, unless sufficient cause is shown to the contrary on the said date.

And it is further ordered that the said 6th respondent do produce the said minor 5th respondent in court on the aforesaid date.

January 18, 1946.

T. F. C. ROBERTS,
District Judge.

In the District Court Galle.

Order Absolute.

Testamentary In the Matter of the Testate Estate of Hikkaduwe Jurisdiction. Liyanage Edwin de Silva late of Talapitiya, Galle, deceased. No. 8,164 T.

Arumakankanange Roslyn de Silva of 49, Talapitiya Cross road, Galle Petitioner.

THIS matter coming on for disposal before T. F. C. Roberts, Esq., District Judge of Galle, on January 23, 1946, in the presence of Mr. H. de S. Kularatne, Proctor, on the part of the petitioner; and the petition and affidavit of the said petitioner dated January 23, 1946, and the affidavit of the attesting Notary Public and witnesses dated January 23, 1946, having been read :

It is ordered that the last will of the said Hikkaduwe Liyanage Edwin de Silva, deceased, bearing No. 1,878 dated October 6, 1945, and attested by Mr. H. de S. Kularatne, Notary Public (the original whereof has been produced and is now deposited in this case), be and the same is hereby declared proved and that the petitioner is the executrix named in the said will and that the petitioner is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before March 8, 1946, show sufficient cause to the satisfaction of this court to the contrary.

January 23, 1946.

T. F. C. ROBERTS,
District Judge.

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In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Malawara Aratchige Don Jamis of Meepawita, No. 4,267. deceased.

Malawara Aratchige Francina of Meepawita Petitioner.
(1) Malwara Aratchige-Danapala, (2) ditto Nancy of D. S. L. J. H., Borella, Colombo, (3) ditto Wimalawaty, (4) ditto Karunawaty, (5) Liyanage Don Hendrick all of Meepawita Respondents.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Matara, on June 9, 1945, in the presence of Mr. G. G. Wijeyasooriya, Proctor, on the part of the petitioner above named; and the affidavit of the subscribing witnesses dated April 24, 1945, having been read :

It is ordered that the last will and testament of Malawara Aratchige Don Jamis of Meepawita, deceased, the original of which has been deposited in this court be and the same is hereby declared proved, and that the petitioner is hereby declared entitled to have letters of administration with will annexed issued to her accordingly, unless any person or persons interested shall, on or before July 23, 1945, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 5th respondent be and he is hereby appointed guardian *ad litem* over the 4th minor respondent, unless the respondents or any others interested in the estate shall, on or before July 23, 1945, show sufficient cause to the satisfaction of this court to the contrary.

June 9, 1945.

K. D. DE SILVA,
District Judge.

Date extended to September 24, 1945.

K. D. DE SILVA,
District Judge.

Date extended to November 12, 1945.

K. D. DE SILVA,
District Judge.

Date extended to January 7, 1946.

K. D. DE SILVA,
District Judge.

Date extended to March 4, 1946.

K. D. DE SILVA,
District Judge.

241 In the District Court of Jaffna (held at Point Pedro.)
Order Nisi.
 Testamentary In the Matter of the Intestate Estate and Effects of
 Jurisdiction. the late Wallippillai, widow of Nitchinger Kuddip-
 No. 300PT. pillai alias Kuddithamby of Thanakkara curichy,
 deceased.
 Mancker Nitchingapillai of Thanakkara curichy Petitioner.
 Vs.
 Meenadchippillai, widow of Veluppillai Ponniah of Respondent.
 ditto
 THIS matter coming on for disposal before E. Wijeyawardene,
 Esq., Additional District Judge, Jaffna, on February 7, 1946, in the
 presence of Mr. K. Sinnathambay, Proctor, on the part of the
 petitioner, and the petition and affidavit of the petitioner having
 been read:
 It is ordered that the petitioner, as the nephew and as an heir of
 the said deceased above named, be declared entitled to have letters
 of administration to the estate of the said deceased, and that letters
 of administration be issued to him accordingly, unless the respon-
 dent above named or any other person shall, on or before March
 7, 1946, appear and show cause to the satisfaction of this court to the
 contrary.

February 21, 1946.

E. WIJEYAWARDENE,
Additional District Judge.

In the District Court of Kegalla.
Order Nisi.

Testamentary In the Matter of the Last Will and Testament of
 Jurisdiction. Wanasundara Arachilage Dmgriyappuhamy of
 No. 1,708 Udabeddewala, deceased.
 Wanasundara Arachilage alias Wanasundara Mudiyanalage
 Siyathuhamy of Udabeddewala Petitioner.
 Vs.
 (1) Wanasundara Arachilage Punchimenika, (2) ditto Dingiri
 Mahatmaya, (3) ditto Mutumenika, (4) ditto Sirisena,

(5) Udahinguruwaka Rallage Bandara Menika (the 2nd, 3rd
 and 4th respondents being minors, by their guardian the 5th
 respondent), all of Udabeddewala Respondents.

THE matter of the petition of the above-named petitioner
 praying for appointment of the 5th respondent guardian over the
 minors 2nd, 3rd and 4th respondents and to grant probate to the
 last will of the above-named deceased coming on for final disposal
 before M. C. Sansoni, Esq., District Judge of Kegalla, on November
 10, 1945, in the presence of Mr. David Jayawardane, Proctor,
 on the part of the petitioner; and that of the witnesses and the
 Notary of the last will No. 842 dated October 16, 1945, having
 being read:

It is ordered that the above-named 5th respondent be appointed
 guardian over the 2nd, 3rd and 4th respondents for the purpose
 of representing them in this case and that the last will and testament
 No. 842 of October 16, 1945, attested by G. W. Manamperie, Notary
 Public, be declared proved and that probate be issued to the peti-
 tioner, as the executor named in the will, unless the said respondents
 or any other person or persons shall appear before this court on
 December 18, 1945, and show sufficient cause to the satisfaction
 of this court to the contrary.

November 10, 1945.

M. C. SANSONI,
District Judge.

The date of showing cause is extended for February 7, 1946.

December 18, 1945.

M. C. SANSONI,
District Judge.

The date of showing cause is extended for March 8, 1946.

February 11, 1946.

M. C. SANSONI,
District Judge.