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PART II.—LEGAL.

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

	PAGE		PAGE
Governor's Ordinances	—	Council of Legal Education Notices	—
Draft Ordinances	277	Notices in Insolvency Cases	—
List of Notaries	—	Notices of Fiscals' Sales	281
Supreme Court Notices	—	Notices in Testamentary Actions	282
Notifications of Criminal Sessions of the Supreme Court	—	Passed Ordinances	—
District and Magistrate Courts Notices	—	Miscellaneous	—

DRAFT ORDINANCES.

MINUTE.

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

An Ordinance to Incorporate the Moors' Islamic Cultural Home.

WHEREAS an institution, styled and known as the Moors' Islamic Cultural Home, has heretofore been established at Colombo, for the purpose of effectually carrying out and transacting all matters connected with the said institution.

And whereas the said institution has applied to be incorporated and it will be for the public advantage to grant the application :

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

1. This Ordinance may be cited as the Moors' Islamic Cultural Home Incorporation Ordinance, No.

2. From and after the passing of this Ordinance, the President and members of the Panel of Trustees for the time being of the said Moors' Islamic Cultural Home, as hereinafter constituted, and as such and so many persons as now or shall hereafter be admitted as members of the Moors' Islamic Cultural Home shall be a corporation hereinafter called "the corporation", and shall have the name of "The Moors' Islamic Cultural Home", and in that name shall have perpetual succession and shall and may sue and be sued in all courts in Ceylon, and may have and use a common seal and alter the same at their pleasure.

3. The general objects for which the corporation is constituted are hereby declared to be :—

- (a) the spreading of Islamic humanization and morals
- (b) to foster a spirit of fellowship and camaraderie among its members and to instil into them the principles of service to the community and country
- (c) to provide and maintain facilities for the acquisition of knowledge, especially pertaining to Islam and to provide opportunities for members to acquaint themselves with current trends in other parts of the Islamic world.
- (d) to take from the culture of the East and West all that is good and to reject all that is bad in them
- (e) to provide and maintain opportunities for the interchange of ideas on current problems by a system of debates, lectures, study circles and the like.
- (f) to set up voluntary machinery and organisation to promote the religious, cultural, educational, social and economic welfare of the Muslims, irrespective of race
- (g) to provide facilities for recreation

Preamble.

Short Title.

Incorporation of the Moors' Islamic Cultural Home.

General objects of the Corporation.

- (h) to establish and maintain a hostelry to house outstation students and a guest house for visitors.
 (i) to run a restaurant or buffet where refreshments could be had at reasonable rates
 (j) to establish and maintain a set of apartments to be let out for weddings and other social functions.

Panel of Trustees.

4. (1) The affairs of the corporation shall, subject to any rules made or deemed to be made under this ordinance, be administered by a Panel of Trustees, consisting of the President, not less than five Vice-Presidents, three Honorary Joint Secretaries and two Honorary Joint Treasurers, respectively of the corporation and not less than thirty-eight members, to be nominated and elected respectively in accordance with the rules in the Schedule, or any rules amending the same.

(2) The first members of the Panel of Trustees shall be—

President	A. R. A. Razik, M.S.C., M.M.C., J.P., U.M.	Colombo
Vice-Presidents	W. M. Hassim, J. P.	Colombo
	Al Haj. A. V. Macan Markar	"
	A. R. M. Mukthar	"
	M. H. M. Munas	"
	Al Alim M. H. M. Shramsudeen	"
	O. H. M. Sulaman	"
	Al Haj. M. H. M. Sulaiman	"
	L. M. M. Uvais	"
Hon. Jt. Secretaries	M. I. Abdul Rasool	Trincomalee
	A. I. L. Marikar	Colombo
	A. H. Macan Markar, B.A. (Cantab.)	"
	A. L. M. Lafir	"
Hon. Jt. Treasurers	M. L. M. Ghouse	Colombo
	A. H. Macan Markar, B.A. (Cantab.)	"
Panel of Trustees	A. C. Abdeen	"
	B. L. Abdul Bhari	Bentota
	A. C. M. Abdul Cader, Proctor, S.C.	Colombo
	M. C. M. Abdul Cader	Galle
	S. M. H. Abdul Hafeel	"
	M. A. M. Abdul Hassen	Warakapola
	A. R. A. M. Aboobucker, Kathi, J.P.	Trincomalee
	M. L. M. Ahmed	Colombo
	M. S. M. Anver	"
	I. M. Asanoon	Negombo
	Al Haj. H. A. Cabeer	Colombo
	M. A. Careem, M.A. (Cantab.)	"
	S. A. I. Dheen, Proctor, S.C., Kathi, J.P.	Negombo
	M. M. M. Ghouse	Colombo
	Dr. M. S. Ghoulul Ameer	"
	M. I. M. Hamdoon	Negombo
	A. M. Hamid, M.R.A.S. (C.B.)	Colombo
	A. L. M. Haniffa, Kathi, J.P.	Anuradhapura
	M. Sulaiman Hassim	Colombo
	Al Haj. M. M. Ibrahim	Batticaloa
	M. Thowfeek Idroos	Colombo
	S. M. Ismail	"
	K. S. Jailabdeen	"
	Al Haj. Y. A. Jamaldeen	"
	M. F. M. Jaward	"
	M. H. M. Kamil	"
	Y. M. Khalid	"
	C. M. M. Maharroof, Proctor, S.C.	"
	S. D. M. Mansoor	"
	A. C. H. Mohamed	"
	I. S. Mohamed, Headman	Akurana
	K. M. N. S. Mohamed, Headman	"
	A. F. Mohamed	Galle
	M. B. Mohamed	Colombo
	M. N. S. Mohamed	Trincomalee
	A. C. Mohammedo, J.P., U.M., Proctor, S.C.	Colombo
	H. M. Mohideen	Katugastota
	S. E. C. Mohideen	Minuwangoda
	Dr. M. Mohideen Hassan	Colombo
	M. Y. M. Mushood	"
	M. S. Naina Marikar	"
	S. M. A. Raheeman, J.P., U.M., Proctor, S.C.	Negombo
	Rajakaruna Vaidiyatilleke	"
	Muhandiram Sheik Mohamed Udayar	Aranayake
	Rasheed Bin Hassen, M.M.C.	Colombo
	Razeen Abdul Cader	"
	C. M. M. Sahid	"
	A. R. M. Saleem	"

C. M. M. Salih	..	Colombo
O. L. M. M. Salih	..	"
M. Sameer	..	"
M. M. Shafi	..	"
M. M. Sulaman	..	"
A. Mubarak Thaha	..	"
A. R. M. Thassim,	Kathi,	
J.P.	..	Balapitiya
M. H. M. Yusuf	..	Colombo
A. R. M. Zarook	..	"

5. (1) It shall be lawful for the Panel of Trustees at any of its meetings, held after due notice, by a majority of votes of the members present and voting at such meeting, to make rules :—

- (a) for the admission, withdrawal, suspension or expulsion of members
- (b) for the conduct of the duties of the Panel of Trustees and of the various sub-committees, office-bearers, agents and servants of the corporation
- (c) for the procedure in the transaction of business
- (d) for the election or appointment of the office-bearers of the corporation or of the members of the Panel of Trustees and for their tenure of office, and
- (e) otherwise generally for the management of the affairs of the corporation and the accomplishment of its objects.

(2) The rules in the Schedule to this Ordinance shall for all purposes be deemed to be the rules of the corporation in force at the commencement of this Ordinance, and to have been made under this Ordinance, and may be altered, added to, amended, or rescinded by rules, to be made under this Ordinance.

(3) All members of the corporation shall be subject to any rules made or deemed to be made under this Ordinance.

6. On the coming into operation of the Ordinance, all and every property belonging to the Moors' Islamic Cultural Home or in the name or names of any person or persons in trust for the Moors' Islamic Cultural Home shall be, and the same are hereby vested in the corporation and shall be held by the corporation in its corporate name and the same together with all property hereafter to be acquired by the corporation, both movable and immovable, and all subscriptions, contributions, donations, amounts of loans, and advances received or to be received, shall be held by the corporation for the purpose of this Ordinance subject to the rules made or deemed to be made under this ordinance and subject to any trusts under which such property may have been received, and in the administration of such trusts, nothing shall be done to violate the intention of the donor or donors.

7. All debts and liabilities of the said Moors' Islamic Cultural Home which were in existence before the coming into operation of this Ordinance, shall be paid by the corporation, and all debts due to and subscriptions and contributions payable to the said Moors' Islamic Cultural Home shall be paid to the corporation for the purpose of this Ordinance.

Debts, &c.,
due by and
payable to the
Corporation.

8. The seal of the corporation shall not be affixed to any instrument whatsoever, except in the presence of three members of the Panel of Trustees, of whom one shall be the President or a Vice-President, expressly nominated by the Panel of Trustees who shall sign their names to the instrument in token of their presence, and such signature shall be independent of the signing of any person as a witness.

Seal.

9. The corporation shall be able and capable in law to take and hold any property, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition, or otherwise, and all such property shall be held by the corporation for the purpose of this ordinance and subject to any rules made or deemed to be made under this ordinance with full power to sell, mortgage, lease, exchange or dispose of the same.

10. Except so far as provided in this ordinance or in any rules made or deemed to be made thereunder, any dispute or doubt as to any matter or question affecting or relating to the principles or policy of the corporation shall be referred to the Panel of Trustees whose decision thereon shall be final.

Decision of
disputes, &c.,
as to principles
or Policy.

11. Nothing in this ordinance contained shall prejudice or affect the rights of His Majesty the King, His heirs, and successors, or any body politic or corporation or of any other persons except such as are mentioned in this ordinance and those claiming by, from or under them.

Saving of the
rights of the
Crown and
others.

SCHEDULE.

Rules of the Moors' Islamic Cultural Home, Colombo.

1. In these rules, unless the context otherwise requires—

- (1) "The Corporation" means the Moors' Islamic Cultural Home, as incorporated by the Ordinance.
- (2) "The Ordinance" means the Moors' Islamic Cultural Home Incorporation Ordinance.
- (3) "The Panel" means the Panel of Trustees.

2. *Membership.*—(1) Persons not less than sixteen years of age, having any or all of the objects of the corporation in view, are eligible for membership.

(2) Every application for membership, countersigned by two members of the Panel shall be forwarded together with the Entrance Fee and annual subscription to the Honorary Joint Secretaries who shall submit it to the Panel for approval.

(3) The rates of subscription payable in advance by the members shall be as follows:—

- (a) for members of the Panel, an annual subscription of Rs. 25.
- (b) for ordinary members an entrance fee of Rs. 10 and an annual subscription of Rs. 10 or a contribution of Rs. 500 for life membership.
- (c) an honorary life membership may be conferred by the Panel on any Muslim who in the opinion of the Panel has rendered meritorious service to the cause of the community or the country or in the advancement of science, the arts or literature.

(4) The Panel may reject any application for membership without stating reasons.

(5) If any member is in arrears of subscription for a period of three months, the Panel may remove his name from the roll of members after a fortnight's notice.

(6) Any member whose conduct is found detrimental to the interest of the corporation may, after investigation, be suspended or removed from the roll, by the Panel at a meeting of the same specially convened for the purpose, if two-third of the members of the Panel present and voting at such meeting approve of such suspension or removal, voting being by ballot. The quorum at such a meeting shall be not less than fifteen.

3. *Management.*—(a) The affairs of the corporation shall be administered by the Panel consisting of a President, not less than five Vice-Presidents, three Honorary Joint Secretaries and two Honorary Joint Treasurers, who shall be *ex-officio* members of the Panel and not less than thirty-eight other members, to be elected at the Annual General Meeting of the corporation. The members shall hold office for three years, one third thereof retiring at the end of each year but being eligible for re-election. A member absenting himself from three consecutive meetings of the Panel shall cease to be a member thereof, unless re-elected by the Panel.

(b) The various activities of the corporation shall be in charge of Departmental Committees consisting of five members each, of whom four shall be elected at the Annual General Meeting and the other nominated by the Panel from among its members. Such nominee of the Panel shall be the Chairman or Secretary and convenor of the Committee to which he is appointed.

(c) All office-bearers and members of the Panel shall be persons professing the Islamic faith, and no member shall hold more than two offices simultaneously.

(d) The President, or in his absence one of the Vice-Presidents shall be the Chairman at the meetings of the corporation. If neither the President nor one of the Vice-Presidents be present, a member shall be voted to the chair. The Chairman shall have the casting vote.

(e) The Secretaries shall keep a record of all meetings of the corporation and of the Panel, a register of members, and any other record that may be necessary.

(f) The Honorary Treasurers shall collect, receive and keep accounts of all moneys and funds belonging to the corporation, and shall make such payments as are authorised by the Panel. They shall prepare and table a statement of account at the monthly meetings of the Panel and submit a duly audited statement of account and Balance Sheet at the Annual General Meeting and their books shall be open to the inspection of members through the Panel at all reasonable times.

(g) Meetings of the Panel shall be held at least once a month. Upon the written requisition of five members of the Panel the President shall have a meeting of the Panel convened to transact such business as is intimated in the notice calling the meeting. Five days' notice shall be given to the members of any such special meeting. Nine members shall form the quorum at meetings of the Panel.

(h) In the case of any vacancies occurring during the year among the office-bearers or in the Panel or in Departmental Committees, the Panel shall have power to fill such vacancies for the unexpired term.

(i) The Panel shall have power to make rules for its own government and for the management of the corporation and its departments provided that such rules are not inconsistent with the constitution.

(j) The Panel shall hold and administer for the purposes of the corporation all property belonging to the corporation. It shall also have power, with the consent of a two-thirds majority of members present at a General Meeting of the Corporation, to sell, mortgage, lease, exchange or otherwise dispose of the immovable

property belonging to the corporation. Provided that such decision be confirmed at a subsequent General Meeting held within one month.

4. *General Meeting of the Corporation.*—(a) The Annual General Meeting of the corporation shall be held in the month of August, at which the report of the Panel and of the Honorary Treasurers shall be presented. (b) The Honorary General Secretaries shall convene a General Meeting of the corporation upon the request of the Panel, or upon the written requisition of not less than twenty-five members. (c) A fortnight's notice shall be given of any general meeting, and twenty-five members shall constitute a quorum at such meeting.

5. *Bank Account, &c.*—All Bank accounts, securities, notes and debentures, the property of the corporation, shall be kept in the name of the corporation, and shall be under the control of the President, Vice-Presidents, Secretaries or Treasurers in accordance with the resolution of the Panel.

6. *Auditor.*—The members shall elect at the Annual General Meeting of the corporation a qualified auditor, who shall audit the accounts of the corporation for the ensuing year.

7. *Branches.*—Branch societies may be established wheresoever possible in the Island under such conditions as shall be determined by the Panel. All such societies shall be worked on the same principles as defined in these rules. A certificate of affiliation shall be issued to branches so formed.

8. *Affiliation.*—The corporation may be affiliated to organisations in other parts of the Islamic world having similar aims and objects.

9. *Amendment of Constitution.*—This constitution can be amended or altered only by a vote of two-thirds of those present at a General Meeting of the corporation, provided that such amendment shall have been previously approved by the Panel. A fortnight's notice shall be given to members of any proposed alteration of the rules.

10. *Interpretation.*—In the event of any uncertainty or ambiguity, the Panel shall have the power to interpret the constitution, rules and by-laws.

Objects and Reasons.

The object of this Bill is to incorporate the Institution called and known as the Moors' Islamic Cultural Home.

A. R. A. RAZIK,
Mover of the Bill.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Negombo.

Ranpatidewage Saineris Fernando of Uggalboda Plaintiff.
No. 12,020 Vs.

(2) Ranpatidewage Almeris Fernando of Yagodamulla .. Defendant.

NOTICE is hereby given that on Saturday, April 27, 1946, at 11 o'clock in the forenoon, 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 a sum of Rs. 1,303.57 and poundage, viz. :—

The divided lot No. 1 of the allotment of land called Kalahugawatta situated at Uggalboda in Dasiya pattu of the Aluth Kuru korale in the district of Negombo, Western Province, depicted in survey plan No. 784 dated November 27, 1944, made by D. E. J. R. de Vaz, Surveyor, which said lot 1 is bounded on the north by ela, east by lot No. 2, south by the land formerly of Marthels Appuhamy and now of the heirs of Sardiel Appuhamy and west by the land formerly of Suwaris Fernando and now of Silindi, containing in extent within these boundaries 2 roods and 19½ perches together with everything thereon.

Deputy Fiscal's Office,
Negombo, March 20, 1946.

I. L. M. SHERIFF,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

Rajapaksgedera Rankira Baas of Urupola in Medapalata of Yatinuwara Plaintiff.

No. M.B. 1,002. Vs.

Rajapaksgedera John Rajapaksa of Batteewala in Kandupalata of Yatinuwara Defendant.

NOTICE is hereby given that on Tuesday, May 7, 1946, 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 mortgaged by Bond No. 8405 dated August 7, 1944, and attested by P. B. Ranaraja, Notary Public of Kandy, for the recovery of the sum of Rs. 1,006.50 being the aggregate amount of the principal and with further interest on Rs. 900 at the rate of cents 12 per Rs. 10 per month from June 7, 1945, to August 1, 1945, and thereafter legal interest on the aggregate amount till payment in full and the costs of this action and poundage, viz. :—

All those contiguous allotments of lands called Palliyewatta, Gederawatta, Ambalamagawa, Atunendawatte, Pantiyewatta, Palwatta and Galewatta alias Bambawewatte adjoining each other and forming one property of the aggregate extent of 2 acres

and 4 perches, (2A. OR. 4P.) situate at Ratneawala in Kandupalata of Yatinuwara in the District of Kandy, Central Province; and together bounded on the east by Gedarawatte and Agala, south by the school garden and road, west by the land of Andirisa and Ketadeniya and on the north by the lands belonging to Stephen Rajapaksa and Henry Rajapaksa with everything thereon (save and except however therefrom the Gedarawatte with the house standing thereon) and registered in B 156/198 of the Kandy Land Registry Office.

Fiscal's Office,
Kandy, March 25, 1946.

H. F. RATWATTE,
Deputy Fiscal.

In the District Court of Kandy.

M. K. Cader Saibo of Urugala road, Teldeniya Plaintiff.
No. M.R. 1,589. Vs.

L. A. W. K. B. Atugoda of 130, Trincomalee street, Kandy, presently of Lewula in Gandahaya Korale of Pata Hewahete Defendant.

NOTICE is hereby given that on Thursday, April 25, 1946, at 2 o'clock in the afternoon, will be sold by public auction at the boutique 184, Urugala road, Teldeniya, the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,947.37 and poundage, viz. :—

1. One Baby Austin Car, licensed for hiring, bearing No. X 388 1 fitted with 4 old tyres, minus 4 tubes, extra wheel, horn and battery.
2. Two head lights.
3. One luggage-carrier.
(The hood and seat damaged).

Fiscal's Office,
Kandy, March 25, 1946.

H. F. RATWATTE,
Deputy Fiscal.

North-Western Province.

In the District Court of Anuradhapura.

K. Kanapathipillai of Anuradhapura Plaintiff.
No. 2,478. Vs.

(1) Rasammah, widow of K. Kumarasamy of Pankuliya, Anuradhapura and Kavanna Nagalingam of Urelu in Jaffna District, Executors-de-sontoris of the estate of the deceased K. Kumarasamy Defendant.

NOTICE is hereby given that on Saturday, April 27, 1946, at 3 o'clock in the evening, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 421.82 together with

interest at 5 per cent. per annum on the principal sum of Rs. 320.35 from September 7, 1944, to date of payment in full and poundage thereon, viz:—

All that field and garden situated at Green Path within the U. C. limits of Anuradhapura in the District of Anuradhapura in the Nuwaragam Palata (West) in the North-Central Province; and bounded on the north by the fence of Nawattala watta, east by Green Path road, south by foot path and west by the fence of the deceased, G. P. Fernando's, Idama; containing in extent about seven acres with all the plantations and buildings standing thereon.

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

K. B. DORANEGAMA,
for Fiscal.

Province of Uva.

In the District Court of Badulla.

A. P. Sinnatamby of Badulla Plaintiff
No. 8,085. Vs.

C. P. Krishnan of Hindagoda in Badulla Defendant.

NOTICE is hereby given that on Tuesday, April 23, 1946, at 10 o'clock in the forenoon, will be sold by public auction at premises 8, Jubilee road, Badulla, the right, title, and interest of the said defendant in the following property for the recovery of Rs. 2,330, with interest at 18 per centum per annum on Rs. 2,000 from October 1, 1945, till November 13, 1945, and thereafter with legal interest on the aggregate amount till payment in full and costs Rs. 192.29, viz:—

Renault car bearing registered No. X 4811 with spare tyre.

Fiscal's Office,
Badulla, March 25, 1946.

T. KANDIAH,
for Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. the late Yoofoof Lebbe Suleyha Umma of No. 11,409. Dematagoda road, Colombo, deceased.

Hadji Marikar Mohamed Ghouse of Dematagoda road in Colombo (dead) Original Petitioner.
Meera Lebbe Marikar Ummul Fukura of Dematagoda road, Colombo New Petitioner.

Vs.

(1) Mohamed Ghouse Mohamed Nizar, (2) Mohamed Ghouse Mohamed Marzook, (3) Mohamed Ghouse Mohamed Faly, (4) Mohamed Ghouse Mohamed Jiffry, (5) Mohamed Ghouse Mohamed Alay, minors, appearing by their guardian *ad litem*, (6) Meera Lebbe Marikar Mohamed Saleem of Reservoir road, Dematagoda, (7) Noor Zaneera, wife of M. L. M. Tahir of Messenger street, Colombo Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on March 14, 1946, in the presence of Mr. C. M. M. Mahroof, Proctor, on the part of the new petitioner above named; and the affidavit of the said petitioner dated March 13, 1946, the affidavit of the attesting Notary dated May 21, 1945, and the affidavit of the attesting witnesses dated May 21, 1945, and June 18, 1945, having been read.

It is ordered that the last will and testament of Yoofoof Lebbe Suleyha Umma, the deceased above named, the original of which has been produced and now deposited in this court be and the same is hereby declared proved, and the petitioner above named be and she is hereby declared entitled as the widow of the original petitioner and executor to have letters of administration with will annexed issued to her accordingly, unless the respondent 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.

It is further ordered that the 6th respondent above named be and he is hereby declared appointed guardian *ad litem* over the minors the 1st, 2nd, 3rd, 4th and 5th respondents above named, unless sufficient cause be shown to the contrary on or before April 4, 1946.

March 15, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Absolute.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Mrs. Susan Euriel Goonetilleke (*nee* Jayasinha) of No. 11,778. Wijerama road, Gangodawila in Nugegoda, deceased.

(1) George de S. Jayasinha, and (2) Stanley A. P. Senaratne, both of Wijerama road, Gangodawila in Nugegoda Petitioners.

THIS matter coming on for final determination before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 19, 1946, in the presence of Mr. R. Devasenapathy, Proctor, on the part of the petitioners above named; and the affidavits of (1) the petitioners dated January 20, 1946 (2) the attesting Notary Public dated February 5, 1946, and (3) the witnesses dated February 5, 1946, having been read:

It is ordered that the last will and Testament No. 82 of Susan Euriel Goonetilleke (*nee* Jayasinha) the deceased above named and attested by R. Devasenapathy, Notary Public, on July 3, 1945, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved.

It is further ordered that the petitioners above named are the executors named in the said will and they are hereby declared entitled to have probate thereof issued to them accordingly on their taking the usual oath and tendering the Security Bond.

March 1, 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. Dona Alice Welikala of Uggalla, Padukka in the No. 11,779. Meda pattu of Hewagam korale, deceased.

Albert Wilson de Alwis Samarakoon of Halpe estate, Padukka aforesaid Petitioner.

Vs.

(1) Mary Agnes Jayasuriya Gunawardene (wife of Don Yahnis Jayasuriya Gunawardene), (2) Bertram Clarence de Alwis Samarakoon, both of Galagedara, Padukka, aforesaid Respondents.

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. F. J. Boteju, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 18, 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 deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before April 11, 1946, show sufficient cause to the satisfaction of this court to the contrary.

March 11, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Absolute.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Thomas Brownlee Russell, late of Colombo in the No. 11,789. Island of Ceylon, deceased.

THIS matter coming on for final determination before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 25, 1946, in the presence of Messrs. Julius & Creasy, Proctors, on the part of the petitioner, Nigel Inglesant Lee of Kandy; and the affidavit of the said petitioner dated February 20, 1946, an affidavit as to the due execution of the will and original will of the above-named deceased having been read: It is ordered that the will of the said deceased dated April 25, 1942, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said petitioner is the sole 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.

March 12, 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 Clement Ronald de Silva Gunasekera of No. 11,799. Ramya Bhawana, Galborella, Kelaniya, deceased.

Blanch Minna de Silva Gunasekera of Ramya Bhawana, Galborella, Kelaniya Petitioner.

Vs.

(1) Sukhe Jeewan Ronald de Silva Gunasekera, (2) Sita Rohini Margaret de Silva Gunasekera, both of Kelaniya, (3) Richard de Silva Gunasekera of Brooklin, Makawita, Jajela Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on February 27, 1946, in the presence of Mr. J. M. Pereira & Mr. L. L. Fonseka, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 20, 1946, having been read:

It is ordered that the 3rd respondent above named be and he is hereby declared appointed guardian *ad litem* over the minors, the 1st and 2nd respondents above named, and 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 May 23, 1946, show sufficient cause to the satisfaction of this court to the contrary.

March 15, 1946.

V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Colombo.

Order Absolute in the First Instance.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Dr. Botalage Marcus Fonseka of 31, Horton place, Colombo, deceased.

Dora Fonseka of 31, Horton place, Colombo Petitioner.

THIS matter coming on for final disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on March 5, 1946, in the presence of Mr. T. C. P. Gunewardena, Proctor, on the part of the petitioner above named; and the affidavits of (1) the petitioner dated March 5, 1946, and (2) the attesting Notary Public and witnesses dated March 5, 1946, having been read:

It is ordered that the last will No. 40 made by Dr. Botalage Marcus Fonseka, the deceased above named, and attested by T. C. P. Gunewardena, Notary Public, on June 20, 1945, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved.

It is further ordered that the petitioner above named is the executrix named in the said will and she is hereby declared entitled, to have probate thereof issued to her accordingly, on her taking the usual oath and tendering the security bond.

March 15, 1946. V. E. RAJAKARIER,
Additional District Judge.

Notice of Application.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and Testament (with
Jurisdiction. two Codicils) of Harold Platt Sykes of Beckbury,
No. 11,814. Hall, Shifnal in the County of Salop, England, a
Lieutenant Colonel in His Majesty's Army (retired)
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 and codicils of Harold Platt Sykes of Beckbury, Hall, Shifnal in the County of Salop, England, a Lieutenant Colonel in His Majesty's Army (Retired) deceased granted by the Principal Probate Registry at Llandudno of His Majesty's High Court of Justice in England on May 14, 1942.

V. GNANARATNAM COOKE,
Proctor for Winifred Charlotte Jane Sykes and
Thomas Henry Sykes, the proving executors
named in the will.

Colombo, March 29, 1946.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Ernest Somervell of The Firs, Queens road,
No. 11,816. Lyndhurst Hampshire, formerly care of Messrs.
Clyn Mills & Co., Kirkland House, Whitehall,
London S.W. 1, deceased.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on March 8, 1946, in the presence of Beram Kalkushroo, Bhamoria of Colombo, Proctor, on the part of the petitioner, Frederick Claude Rowan of Colombo; and the affidavit of the said petitioner dated March 4, 1946, a certified copy of probate, 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 February 22, 1946, having been read: It is ordered that the will of the said deceased dated May 9, 1940, 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 sole executrix 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 April 11, 1946, show sufficient cause to the satisfaction of this court to the contrary.

March 14, 1946. V. E. RAJAKARIER,
Additional District Judge

Notice of Application.

In the District Court of Colombo.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Lionel Percy Kent, late of Doddangooda estate,
No. 11,817. Mudgere, Katur District, Mysore State, South
India, Planter, 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 Indian Grant of letters of administration with the will annexed of Lionel Percy Kent, late of Doddangooda estate, Mudgere, Katur District, Mysore State, South India, Planter, deceased, granted by the High Court of Judicature at Madras on January 12, 1945.

F. C. ROWAN,
Attorney for Noel Gerald Brudenell Kirwan
and Lancelot Arthur Horace Winckler, the
executors of the last will and testament
of Lionel Percy Kent, deceased.

Colombo, March 7, 1946.

In the District Court of Colombo,

Order Nisi declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Osmond Thomas MacDermott of Kamolek,
No. 11,826. 4, Wellington road, in the Parish of St. Saviour
in the Island of Jersey, deceased.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on March 14, 1946, in the presence of Messrs F. J. & G. de Saum, Proctor, on the part of the petitioner, James Robert Norman Shirreff of Colombo; and (1) the affidavit of the said petitioner dated March 17, 1946, (2) the power of attorney dated October 15, 1935, and (3) the order of the Supreme Court dated January 31, 1946, having been read: It is ordered, that the will of the said Osmond Thomas MacDermott, deceased, dated July 19, 1939, an exemplification of probate of which under the seal of the Ecclesiastical Court of the Island of Jersey

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 James Robert Norman Shirreff 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 April 11, 1946, show sufficient cause to the satisfaction of this court to the contrary.

March 18, 1946. V. E. RAJAKARIER,
Additional District Judge.

In the District Court of Kandy.

Order Absolute in First Instance declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late Ran Menika
Jurisdiction. Vander Poorten, widow of A. J. Vander Poorten,
No. T. 574. deceased of Galagedera

THIS matter coming on for final determination before H. A. de Silva, Esq., District Judge, Kandy, on January 19, 1946, in the presence of Mr. L. B. Kolugala, Proctor, for the petitioner Benjamin Vander Poorten of St. Georges, Galagedera; and the affidavit of the petitioner and the attesting witnesses dated January 18, 1946, having been read:

It is ordered that probate of the will of the above-named deceased be issued annexing copy of the last will to the said petitioner on his taking oath of office as the executor named in the last will unless any person or persons show sufficient cause to the contrary on or before March 21, 1946.

January 19, 1946. H. A. DE SILVA,
District Judge.

The date for showing cause is hereby extended to April 15, 1946.

H. A. DE SILVA,
District Judge.

In the District Court of Kandy.

Absolute in the First Instance.

Testamentary In the Matter of the Estate of the late George
Jurisdiction. Bernalmans, deceased of Wattarantenne Estate,
No. T-580. Katugastota.

THIS matter coming on for determination before H. A. de Silva, Esq., District Judge, Kandy, on March 12, 1946, in the presence of Messrs. Liesching and Lee, Proctors, for the petitioner, Norman Rayner of Alton Estate, Upcott; and the affidavits of the said petitioner dated February 14, 1946, and that of the attesting witnesses dated December 6, 1946, and the last will No. 2,942 dated June 23, 1945, having been read:

It is ordered that probate of the will of the above-named deceased annexing copy of the will be issued to the petitioner on his taking oath of office; as the executor named in the last will, unless any person or persons show sufficient cause to the contrary to the satisfaction of this court on or before May 23, 1946.

March 12, 1946. H. A. DE SILVA,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Pilane
Jurisdiction. Liyanage James de Silva of Pilane in Talpe
No. 8,173. Pattu Galle deceased.

Pilane Liyanage Nandapala de Silva of Pilane Petitioner.
Vs.

(1) Dona Carline Madanayake of Pilane, (2) Pilane Liyanage Thelina de Silva Sirwardena of Weyangoda, (3) Pilane Liyanage Sirisena de Silva, (4) ditto Kalyanawathie de Silva, (5) ditto Sirmala de Silva, (6) ditto Punnyalatha de Silva, (7) ditto Puspalatha de Silva, (8) ditto Sumanasana de Silva, (9) ditto Ariyasena de Silva, (10) ditto Hemalatha de Silva, all of Pilane, the 4th to 10th respondents by their guardian *ad litem*, the 1st respondent Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., District Judge of Galle, on March 8, 1946, in the presence of Mr. D. A. Wickramasinghe, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated November 27, 1945, having been read:

It is ordered that the said petitioner be, and he is hereby declared as eldest son of the deceased, entitled to have letters of administration to the estate of the above-named deceased issued to him, unless the above-named respondents or any person or persons interested shall on or before April 5, 1946, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered and adjudged that the 1st respondent be appointed as guardian *ad litem* over the 4th to 10th respondents, unless any person or persons interested shall, on or before April 5, 1946, show sufficient cause to the contrary.

And it is further ordered that the above-named 1st respondent do produce the 4th to 10th minor respondents before this court on the said date.

March 8, 1946. S. J. C. SCHOKMAN,
District Judge.

In the District Court of Galle.

Order Nisi.

No. 8,167 T. In the Matter of the Intestate Estate of the late
Paulus Peter Pandita Gunawardena, Village
Headman of Tirangagama, deceased.

Lily Hemalatha Paranavitana, Wickramasinghe of Tirangagama Petitioner.

And

(1) Sarath Chandra Leopold Pandita Gunawardena of Tirangagama (minor), (2) James Peter Paranavitana Wickramasinghe of Weragoda, guardian of the minor Respondents.

THIS matter coming on for disposal before T. F. C. Roberts, Esq., District Judge of Galle, on February 6, 1946, in the presence of

Mr. E. C. Aheyanwardene, Proctor, on the part of the petitioner, Lily Hemalatha Paranavittana Wickramasinghe of Tirangama; and the affidavit of the petitioner dated February 4, 1946, having been read:

It is ordered that the said petitioner as the widow of the said deceased, be appointed administratrix of the estate and that letters of administration be issued to her accordingly, and that the second respondent be appointed guardian over the minor, first respondent, unless the respondents or any other person or persons interested shall, on or before March 15, 1946, show sufficient cause to the satisfaction of this court to the contrary.

February 12, 1946.

This *Order Nisi* is extended to April 5, 1946.

T. F. C. ROBERTS,
District Judge.

S. J. C. SCHOKMAN,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. the late Thillambalam Chelliah of Nallur, No. 470. Jaffna, deceased.

Chellammah, widow of Thillambalam Chelliah of Nallur. Petitioner.
Vs.

(1) Kandiah Murugesu; (2) Sabapathipillai Paramsothy, and (3) Sabapathipillai Sammugalingam (minors); (4) Annapillai, widow of Sabapathipillai, all of do (5) Muthupillai Kasipillai, (6) Muthupillai Vaithilingam, both of Punnalaikadduvan, (7) Thambipillai Rasadurai of Pandatheruppu, (8) Thambipillai Ponnudurai of ditto, (9) Thambipillai Rasaretnam of ditto, (10) Thambipillai Thurai of ditto Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on January 18, 1946, in the presence of Messrs. Aboobucker & Sultan, Proctors, for the petitioner; and the affidavit of the petitioner dated September 1, 1945, and her petition and the affidavit of the witnesses dated September 1, 1945, having been read:

It is ordered that the above-named 4th respondent be appointed guardian *ad litem* over the minors 2nd and 3rd respondents for all purposes of this action and that the last will and testament dated September 24, 1942, and attested by D. S. Candiah, N. P., and filed of record in this case be declared proved and that probate be issued to the petitioner as the executrix named therein unless the respondents or any other person or persons shall appear before this court on March 1, 1946, and show sufficient cause to the satisfaction of this court to the contrary.

And it is further ordered that the 4th respondent do produce the minors, 2nd and 3rd respondents, in court on the said day.

January 18, 1946.

R. R. SELVADURAI,
District Judge.

Time to show cause extended till March 29, 1946.

March 1, 1946.

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Thambipillai Jurisdiction. Nallah of Uduvil, deceased. No. 523.

THIS matter of the petition of Thambipillai Rasiyah of Uduvil praying that he be appointed administrator of the estate of the above deceased and for letters to him coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on February 6, 1946, in the presence of Mr. C. R. Tambiah, Proctor.

It is ordered that letters do issue to the petitioner, unless the respondent Velupillai Thambipillai of Uduvil, shows sufficient cause to the contrary.

March 1, 1946.

R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna (held at Point Pedro.)

Order Nisi.

Testamentary In the Matter of the Estate of the late Ponnammah, Jurisdiction. wife of Ramalingam Somasuntharam of No. 301 P. Karaveddy North, deceased.

Vallipuram Kandiah of Karaveddy North Petitioner.
Vs.

(1) Ramalingam Somasuntharam of ditto, (2) Pasupathy, wife of Kandiah of ditto, (3) Somasuntharam Ramalingam of ditto, the 3rd respondent a minor by his guardian *ad litem* the 2nd respondent Respondents.

THIS matter of the petition of the above-named petitioner praying that letters of administration to the estate of the late Ponnammah, wife of Ramalingam Somasuntharam, be issued to the petitioner coming on for disposal before Eardley Wijeyewardene, Esq., Additional District Judge, Jaffna, on February 18, 1946, in the presence of Mr. K. Subramaniam, Proctor, for petitioner; and on reading the petition and affidavit of the petitioner dated February 16, 1946,

It is ordered that the petitioner, as the father of the said deceased, be and he is hereby granted letters of administration to the estate

of the said deceased, unless the respondents or any other person shall, on or before March 21, 1946, show sufficient cause to the satisfaction of the court to the contrary.

February 18, 1946.

E. WIJEWWARDENE,
Additional District Judge.

Order Nisi extended to April 11, 1946.

E. WIJEWWARDENE,
Additional District Judge.

In the District Court of Jaffna (held at Point Pedro).

Order Nisi.

Testamentary In the Matter of the Last Will of the late Richard Jurisdiction. Arumugam Kandiah of Point Pedro, deceased, No. 303/P. T.

Elizabeth Nallammah Kandiah of Point Pedro Petitioner.
Vs.

(1) Kandiah Samuel Arulanandam, (2) Kandiah David Arudpiragasam, (3) Kandiah Solomon Arudchelvam, (4) Kandiah Rebecca Arulmalar, (5) Kandiah Moses Arulpooranam, all of Point Pedro, (6) Victor Arumugam Sandrasegaram of Thunnalai North Respondents.

THIS matter coming on for disposal before Eardley Wijeyewardene, Esq., Additional District Judge, Jaffna, on March 5, 1946, in the presence of Mr. M. Esurapadham, Proctor, on the part of the petitioner; and the last will of the late Richard Arumugam Kandiah dated January 31, 1942, marked "A" and filed of record and the affidavits of the witnesses thereto and of the petitioner having been read.

It is ordered that the 6th respondent be appointed guardian *ad litem* of the minors, 1-5 respondents, that the said last will be declared proved, that the petitioner be declared entitled to obtain letters of administration with copy of the said will annexed thereto and that the said letters of administration be accordingly issued to the petitioner and that the respondent or any other person or persons shall appear before this court on or before April 4, 1946, and show sufficient cause to the satisfaction of this court to the contrary.

March 5, 1946.

E. WIJEWWARDENE,
Additional District Judge.

In the District Court of Batticaloa.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. the late Chelliah Arasaretnam of Batticaloa, deceased. No. 552.

Samuel Meek Jayaretnam Arasaretnam of Wellawatta . . . Petitioner.
Vs.

(1) Broge Darling Anpammal, wife of, M. F. S. Pulla of Colombo, (2) Noble William Kirupai Arasaretnam of ditto, (3) Walter Osmand Nithianantham Arasaretnam of Batticaloa, (4) Rex Valentine Arasaretnam of Mannar, (5) Christie Arasaretnam of Jaffna, (6) Primrose Inparany Arasaretnam of ditto, (7) Joyce Arasaretnam, widow of, C. Arasaretnam of ditto Respondents.

THIS matter coming on for disposal before L. B. de Silva, Esq., District Judge of Batticaloa, on March 7, 1946, in the presence of Mr. K. W. Devanayagam, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner dated September 28, 1945, and March 7, 1946, respectively, and the affidavits of the attesting Notaries of the last will and codicil dated September 28, 1945, and March 7, 1946, respectively, having been read:

It is ordered that the last will and codicil bearing Nos. 1925 and 115 dated December 19, 1940, and December 30, 1942, attested by R. Muttusamy, Notary Public of Colombo, and Sam W. Stephens, Notary Public of Batticaloa, respectively, now deposited in this court be and the same are hereby declared proved, unless any person or persons interested shall, on or before April 4, 1946, show sufficient cause to the satisfaction of this court to the contrary.

And it is further ordered and declared that the petitioner as executor of the last will and codicil is entitled, to have probate of the same issued to him accordingly, unless any person or persons interested shall, on or before April 4, 1946, show sufficient cause to the satisfaction of this court to the contrary.

March 7, 1946.

L. B. DE SILVA,
District Judge.

In the District Court of Kurunegala.

Order Nisi.

Testamentary In the Matter of the Estate of the late Wilakatupota Jurisdiction. Tennekoon Mudiyansele Ukkulhamy of Wilawa, deceased. No. 4,613.

Senanayake Mudiyansele Bandara Menika of Wilawa Petitioner.

THIS matter coming on for disposal before S. S. J. Goonesekera, Esq., District Judge of Kurunegala, on February 27, 1946, in the presence of Mr. I. A. B. Ihalegama, Proctor, for the petitioner above named and the affidavit of the said petitioner dated February 25, 1946, having been read.

It is ordered that the said petitioner be and she is hereby declared entitled, as daughter of the above-named deceased, to have letters of administration to her estate issued to her (petitioner) unless any other person or persons interested shall, on or before April 12, 1946, show sufficient cause to the satisfaction of this court to the contrary.

February 27, 1946.

S. S. J. GOONESEKERA,
District Judge.