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PART II.—LEGAL.

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

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DRAFT ORDINANCES.

MINUTE.

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

**An Ordinance to amend the Companies Ordinance,
No. 51 of 1938.**

1941
Supplement
(Vol. II.,
p. 221.)

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 Companies (Amendment) Ordinance, No. of 1946.

Short title.

2. Section 106 (3) of the Companies Ordinance, No. 51 of 1938, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows :—

Amendment
of section 106
of Ordinance
No. 51 of 1938.

- (1) in paragraph (o) thereof, by the substitution, for the words " under this Ordinance. ", of the words " under this Ordinance ; " ; and
- (2) by the insertion, immediately after paragraph (o), of the following new paragraph :—

" (p) the name and address of the auditor, or the names and addresses of the auditors, of the company at the date of the return. "

3. Section 132 of the principal Ordinance is hereby amended by the insertion immediately after sub-section (3), of the following new sub-section :—

Amendment of
section 132
of the principal
Ordinance.

" (4) If any person other than a registered auditor makes the report referred to in the preceding provisions of this section, or exercises any power conferred on an auditor by those provisions, he shall be guilty of an offence, and shall be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding one year, or to both such fine and imprisonment. "

4. Section 133 of the principal Ordinance is hereby amended as follows :—

Amendment of
section 133
of the principal
Ordinance.

- (1) in sub-sections (3) and (4), by the substitution, for the words " officers and agents of the company " wherever those words occur in those sub-sections, of the words " officers and agents of the company, past and present, " ; and
- (2) in sub-section (5)—
 - (a) by the substitution, for the words " any officer or agent of the company ", of the words " any officer or agent of the company, past or present, " ; and

(b) by the addition at the end of that sub-section, of the following :—

“ An appeal from any order made by the Court under the preceding provisions of this sub-section shall lie to the Supreme Court, and such appeal shall be regarded as an appeal from an order made by a District Court in the exercise of its ordinary criminal jurisdiction.”.

Amendment of section 135 of the principal Ordinance.

5. Section 135 of the principal Ordinance is hereby amended in sub-section (3) by the substitution, for the words “ officer or agent of the company ” of the words “ officer or agent of the company, past or present,”.

Amendment of section 321 of the principal Ordinance.

6. Section 321 (1) of the principal Ordinance is hereby amended as follows :—

- (1) in paragraph (a) thereof, by the substitution, for the words “ a copy of such balance sheet ” of the words “ a certified copy of such balance sheet ”; and
- (2) in paragraph (b) thereof, by the substitution, for the words “ a copy of that balance sheet ” of the words “ a certified copy of that balance sheet ”.

Insertion of new sections 342B and 342C.

7. Part XIV of the principal Ordinance is hereby amended by the insertion immediately after the heading “ Miscellaneous ”, of the following new sub-heading and new sections which sections shall have effect as sections 342B and 342C of the principal Ordinance :—

Appointments of Officers, &c.

Appointment of officers, &c.

342B. (1) The Governor may appoint—

- (a) any person, by name or by office, to be or to act as the registrar of companies ;
- (b) any person, by name or by office, to be or to act as an assistant registrar of companies ; and
- (c) such other officers and servants as may from time to time be required for the purposes of this Ordinance.

(2) Any person appointed under sub-section (1) to be or to act as an assistant registrar of companies, may subject to the general directions of the registrar, exercise all the powers, perform all the duties and discharge all the functions of the registrar under the Ordinance.

Copies of damaged or illegible document.

342C. If any document filed with, or in the custody of, the registrar of companies is damaged or is in danger of becoming illegible, the registrar may, if he thinks fit, direct a copy thereof to be made, verified, and certified in any such manner as he may determine, and thereupon such copy shall be substituted for, and shall for all purposes of this Ordinance be deemed to be, the document so damaged or in danger of becoming illegible.

Past appointments of registrars deemed to have been duly made.

8. Any person appointed to be or to act as registrar of companies before the commencement of this Ordinance shall be deemed to have been appointed under the amended provisions set out in section 7 of this Ordinance.

Objects and Reasons.

The duties imposed on auditors under the Companies Ordinance, including the duty of preparing reports on accounts required under section 132 of the Ordinance, are now being performed frequently by auditors without suitable qualifications, and accordingly are not being carried out properly. There is no effective provision in the Ordinance to-day for securing the performance of these duties by auditors with recognised qualifications. Clause 3 of this Bill supplies this omission. According to that clause, if an auditor without recognised qualifications performs certain duties imposed on auditors by the Ordinance, he is guilty of an offence and liable to punishment.

2. Under sections 133 and 135 of the Companies Ordinance, it is possible for an inspector appointed to investigate the affairs of a company to examine on oath the present officers and agents of the company and to call upon them to produce books and documents in their custody or power. These sections do not, however, enable such an inspector to examine past officers and agents or to demand the production of documents in their power, although such officers and agents may be in possession of useful information necessary for the purposes of the inspector's investigations. The object of clauses 4 (1), 4 (2) (a) and 5 of this Bill is to amend sections 133 and 135 of the Ordinance, so as to enable such an inspector even to examine past officers and agents of a company and

to demand from them books and papers in their custody. A provision similar to this is contained in Section 140 of the Indian Companies Act.

3. Under section 133 (5) of the Ordinance action can be taken against an officer or agent of a company, who refuses to provide information relating to the business of the company to an inspector appointed under the Ordinance to investigate its affairs, by the question of such refusal being canvassed by the District Court, the Court having the power to decide whether or not such person is to be punished in like manner as if the offender had been guilty of a contempt of Court. It is not expressly stated in this section whether an appeal will lie to the Supreme Court from a decision made by the District Court under this provision. As the decision involved is an important one, express provision is made in this Bill for such an appeal [Clause 4 (2), (b)].

4. There is no general provision in the Companies Ordinance relating to the appointments of officers and servants necessary for the purpose of enforcing its provisions. There is also to-day no provision in the Ordinance for any officer to exercise the powers, perform the duties or discharge the functions of the registrar of companies, in case he is unable personally to exercise those powers, perform those duties or discharge those functions. The object of clause 7 of this Bill is to supply those omissions by providing for the appointment of such persons by the Governor, and by giving power to an assistant registrar of companies to act for the registrar under the latter's general directions.

5. Many documents filed with the registrar for the purposes of the Ordinance are damaged or are in danger of becoming illegible. As it is essential that the contents of such documents should be easily ascertainable, power is given to the registrar, by one of the provisions of clause 7, to take copies of such documents.

G. C. S. COREA,

Minister for Labour, Industry and Commerce.

Colombo, 24th September, 1946.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,691. In the matter of the insolvency of T. V. Brohier of Insolvency. 331/7, Deal place, Colpetty, Insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on October 18, 1946, to consider the grant of a certificate of conformity to the above-named insolvent.

By order of court, M. N. PIERIS,
Secretary.

September 26, 1946.

In the District Court of Kandy.

No. 1,129. In the matter of the insolvency of Sinna Alages Manikkam of 134, Madawala road, Katugastota

WHEREAS Sinna Alages Manikkam has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Karupiah Veerasamy Rengasamy of Yathelagala, under the Ordinance No. 7 of 1938. Notice is hereby given that the said court has adjudged the said S. A. Manikkam insolvent accordingly, and that two public sittings of the court, to wit, on Tuesday, October 22, 1946, and on Tuesday, November 26, 1946, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

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

September 16, 1946.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

The Commissioner of Income Tax Petitioner.
No. 182 Special/A. I. 8,564. Vs.

Mr. R. E. Rajanayagam of Perinpanayagam lane, Chundikuli, Jaffna Respondent.

NOTICE is hereby given that on Monday, October 21, 1946, at 11 A.M., will be sold by public auction at this office the following movable property for the recovery of the sum of Rs. 3,193-01 being Income Tax due, viz. :-

100 shares in the Opalgalla Tea & Rubber Estates Limited bearing Nos. 68781 to 68880 about Rs. 8-75 a share.

100 shares in the Kaluganga Valley Tea and Rubber Company, Limited bearing Nos. 20723 to 20822 about Rs. 14-50 a share.

Fiscal's Office,
Colombo, September 24, 1946.

G. M. CHINNATAMBY,
Deputy Fiscal.

North-Western Province.

In the District Court of Kurunegala.

Mallawa Aratchige Martha Perera Samarasekera of Morukkuliya Plaintiff.
No. 2,440. Vs.

Mallawa Aratchige Stephen Perera Samarasekera of Kanugala Defendant.

NOTICE is hereby given that on Thursday, October 24, 1946, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property, viz. :-

All that lot 2 m plan No. 3,769 dated August 4, 1945, made by Mr. G. A. de Silva, Licensed Surveyor from and out of the land called and known as Embulgodawatta and Imbulgodawatta; which said lot 2 is containing in extent two acres one rood and ton and a half perches, situated at Konugala in Medapattu korale east of Katugampola hatpattu in the District of Kurunegala, North-Western Province, and bounded on the north by lot 1 in the said plan, east by Gansabhawa road, south by the land of Thomas Perera, Muhandram, west by the land of Thomas Perera, Muhandram, now of Simon Mudalali of Mingama; the entirety is registered in C 394/46. Valued at Rs. 1,500

Amount to be recovered Rs. 239-57 and poundage.

Fiscal's Office,
Kurunegala, September 20, 1946.

W. D. M. PERERA,
Deputy Fiscal.

In the District Court of Kurunegala.

(1) Wijesundara Mudiyansele Sundarahamy Wijesundara, Registrar of Ambagammana, (2) Wijekoon Herath Mudiyansele Punchrala of Kalundawa Plaintiffs.
No. 2,620. Vs.

(1) Navinne Appulage Kiri Banda, (2) Pathiraja Aratchillage Podihamy, both of Pohoregedera Defendants.

NOTICE is hereby given that on Thursday, October 24, 1946, at 3 o'clock in the afternoon, will be sold by public auction at the premises commencing from the 1st land the right, title, and interest of the said defendants in the following property, mortgaged with the plaintiff by bond No. 17,642 dated November 9, 1943, and attested by D. C. Wijesinghe, Notary Public, and declared specially bound and executable under decree dated February 28, 1945, and ordered to be sold by order of court dated May 18, 1946, for the recovery of the sum of Rs. 568 with interest thereon at the rate of five per cent. per annum from November 21, 1944, till payment in full and costs of this action, viz., Rs. 154 :-

1. An undivided 17/24 shares of the land called Nugagahamulawatta of six lahas of kurakkan sowing in extent situate at Pohoregedera in Tissawa korale of Dewamedu hatpattu in the District

of Kurunogala, North-Western Province; and bounded on the north by wetiya of Puchi Menika's chena, east by fence of the garden belonging to Puchi Menika and others, south by garden belonging to Puchi Menika and others, and west by the village limit of Panakaduwa. Valued at Rs. 2,125.

2. An undivided $\frac{1}{2}$ share of the land called Hitinagederawatta of two lahass of kurakkan sowing in extent situate at Pohoregedera, aforesaid; and bounded on the north by the village limit of Katumuluwu and dowata, east by the village limit of Katumuluwu, south by Siyambalahamulakumbura belonging to Kiri Banda and others and Higgahamulawatta belonging to Undiyarala, and west by fence of Hitinawatta belonging to Undiyarala. Valued at Rs. 400.

Total value Rs. 2,525.
Amount to be recovered Rs. 508 with interest thereon at the rate of five per cent. per annum from November 21, 1944, till payment in full, Rs. 154, costs of suit, and poundage.

Fiscal's Office,
Kurunogala, September 18, 1946.

W. D. M. PERERA,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Testamentary In the matter of the Intestate Estate and Effects Jurisdiction. of Navarata Pedra Kuppe of 39, Layards No. 11,958 Broadway Colombo, deceased.

Mohammado Abbas of Layard's Broadway in Colombo Petitioner.

And

(1) Rukia Umma of Layard's Broadway and her husband (2) M. I. M. Abdul Hassen of 229, Layard's Broadway in Colombo Respondents.

THIS action coming on for disposal before V. St. Clair Swan, Esq., Additional District Judge of Colombo, on June 12, 1946, in the presence of Mr. C. Vethocan, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 12, 1946, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the son of the deceased, to have letters of administration 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 August 22, 1946, show sufficient cause to the satisfaction of this court to the contrary.

S. C. SWAN,
Additional District Judge.

July 17, 1946.

The date of showing cause against the foregoing Order Nisi is extended to October 3, 1946.

August 23, 1946.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Freda Stave of St. James street, Mutwal, deceased. No. 12,045.

Adeline Grace Pereira alias Stave of Wasala road, Kotahena Petitioner.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on August 2, 1946, in the presence of Mr. G. E. Weerakody, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated July 20, 1946, having been read:

It is ordered that 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 any person or persons interested shall, on or before October 3, 1946, show sufficient cause to the satisfaction of this court to the contrary.

S. C. SWAN,
Additional District Judge.

August 7, 1946.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of late Leiwella Jurisdiction. Lokuge Alice Mary Perera, of 55, Wall street, No. 12,048. Kotahena, Colombo, deceased,

Peter Hernalge Richard Leo Alexander Perera of 55 Wall St., Kotahena, Colombo Petitioner.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on July 20, 1946, in the presence of Mr. P. C. Seneviratne, Proctor, on the part of petitioner above named; and the affidavit of the said petitioner dated July 2, 1946, having been read:

It is ordered that the petitioner above named, be and he is hereby declared entitled, as the son of the deceased, to have letters of administration to the estate of the said deceased issued to him accordingly, unless any person or persons interested shall, on or before October 10, 1946, show sufficient cause to the satisfaction of this court to the contrary.

N. SINNETAMBY,
Additional District Judge.

August 28, 1946.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Singhepuli Aratchige Siyadoris Perera of Habarakada, Colombo, deceased.

Bulathsinghego Dhyanorahamney of Habarakada, Colombo Petitioner.

Vs.

(1) Singhepuli Aratchige Don Wijeratne, (2) Singhepuli Aratchige Don Charlet Piyasili, (3) Singhepuli Aratchige Don Dharmasena, (4) Singhepuli Aratchige Don Guneratne, (5) Singhepuli Aratchige Don Muudasa, (6) Singhepuli Aratchige Don Bandisena, all of Habarakada aforesaid: 4th, 5th and 6th respondents minors by their guardian *ad litem*, the 1st respondent Respondents.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on August 21, 1946, in the presence of Mr. A. M. M. Fuard, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 20, 1946, having been read:

It is ordered that the 1st respondent above named be and he is hereby declared appointed guardian *ad litem* over the minors, the 4th, 5th, and 6th 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 October 17, 1946, show sufficient cause to the satisfaction of this court to the contrary.

August 28, 1946.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Mr. H. J. Balmond of Borella, deceased. No. 12,083.

Hugh Balmond of Kuruppu road, Borella Petitioner.

(1) Victorine Balmond, (2) Erin Reimers, (3) Marjorie Koelmeyer (4) Carlyle Balmond, (5) Irving Balmond of the Mental Hospital, Angoda, by his guardian *ad litem* (6) Carlyle Balmond Respondents.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on August 26, 1946, in the presence of Mr. N. A. E. Stave, Proctor; on the part of the petitioner above named; and the affidavit of the petitioner dated August 19, 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 lunatic, the 5th respondent 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 October 10, 1946, show sufficient cause to the satisfaction of this court to the contrary.

August 28, 1946.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Walmuni Clement Christopher Mendis Abeysekera of Alutmawatte road, Colombo, deceased.

Vivienne Mendis nee Fernando of 604, Alutmawatte road, Colombo Petitioner.

And

(1) Yvonne Mendis Abeysekera, (2) Haipreeya Mendis Abeysekera, (3) Nimal Mendis Abeysekera, (4) Vijitha Mendis Abeysekera; the 1st, 2nd, 3rd, and 4th respondents, minors, appearing by their guardian *ad litem*, (5) Shelly E. F. Chandraratna, all of 604, Alutmawatte road, Mutwal, in Colombo Respondents.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on September 10, 1946, in the presence of Mr. S. A. Villavarayan, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated June 3, 1946, having been read:

It is ordered that the 5th respondent above named be and he is hereby declared appointed guardian *ad litem* over the minors, the 1st, 2nd, 3rd, and 4th 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 other person or persons interested shall, on or before October 24, 1946, show sufficient cause to the satisfaction of this court to the contrary.

September 13, 1946.

N. SINNETAMBY,
Additional District Judge.

In the District Court of Avisawalla.

Order Nisi.

Testamentary In the matter of the Intestate Estate of the late
Jurisdiction. Jayasundara Mudalige Don Thomas de Alwis
No. 371. of Jaltara, deceased.

Bope Ganage Rosalin Nona of Jaltara Petitioner
And

(1) Jayasundara Mudalige Dona Somawathie de Alwis, (2) ditto
Dona Ariyawathie de Alwis, (3) ditto Dona Leelawathie de
Alwis, (4) ditto Don Piyadasa de Alwis, all of Jaltara, being
minors by their guardian *ad litem* (5) D. E. Gunawardena
of Oruwala Respondents.

THIS matter coming on for disposal before C. X. Martyn, Esq.,
District Judge of Avisawalla, on September 16, 1946, in the presence
of Messrs. Kolaart & Amarasinghe, Proctors, on the part of the
petitioner above named; and the petition and affidavit of the
said petitioner dated September 16, 1946, having been read:

It is ordered (1) that the 5th respondent above named, be and
he is hereby appointed guardian *ad litem* over the 1st to 4th re-
spondents above named, who are minors, for the purpose of this
action, and (2) that the petitioner be and she is hereby declared
entitled, as widow of the above-named deceased, to have letters
of administration to his estate issued to her, unless the respondents
above named or any other person or persons interested shall,
on or before October 8, 1946, show sufficient cause to the satisfaction
of this court to the contrary.

September 16, 1946.

C. X. MARTYN,
District Judge.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Titus
Jurisdiction. Robert Tissera Basnayake of Taladuwa road,
No. 3,386. Negombo, deceased.

Jane Mary Goonetilleke of Taladuwa road, Negombo Petitioner.

Vs.

(1) John Robert Wenceslaus Tissera Basnayake, (2) Lucy
Pavistina Tissera Basnayake, both of Taladuwa road,
Negombo, (3) John Tissera Basnayake (C 876 Gunner 463
Coast Battery R.A., 6th Coast Regiment R.A.), Trincomalee,
(4) Mary Josephine Tissera Basnayake of Taladuwa
road, Negombo (minor) Respondents.

THIS matter coming on for disposal before Leonard B. de Silva,
Esq., District Judge of Negombo, on September 3, 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
August 30, 1946, having been read:

It is ordered that the 1st respondent above named be appointed
guardian *ad litem* over the 4th respondent above named, minor,
to represent her for all the purposes of this action, and that the
petitioner above named be and she is hereby declared entitled, as
the widow of the deceased above named, to have letters of adminis-
tration to the above estate issued to her accordingly, unless the re-
spondents above named or any other person or persons interested
shall, on or before September 30, 1946, show sufficient cause to the
satisfaction of this court to the contrary.

September 3, 1946.

LEONARD B. DE SILVA,
District Judge.

In the District Court of Kalutara.

Order Nisi.

IN the matter of the estate of the late Lestrage Augustinu Silva,
deceased, of Beruwala.

Testamentary Busabaduge Ensi Nona Fernando Kurukula-
Jurisdiction. suriya of Ladduwa Petitioner.
No. 3,266.

Vs.

(1) Lestrage Badusena Silva, (2) Lestrage Ariyasena Silva for
himself and as guardian *ad litem* over 8th to 11th respondents,
(3) Lestrage Ariyapala Silva, all of Ladduwa, (4) ditto Ariya-
wathie Silva of Papadura, (5) ditto Ariyaratna Silva, (6)
ditto Ariyawansa Silva, both of Ladduwa, (7) ditto Ratna-
wathie Silva of Beruwala, (8) ditto Kusumawathie Silva,
(9) ditto Kalyanawathie Silva, (10) ditto Ariyawardana Silva,
(11) ditto Hemawathie Silva, all of Ladduwa; 8th to 11th are
minors by their guardian *ad litem*, the 2nd respondent Respondents.

THIS matter coming on for disposal before G. M. de Silva, Esq.,
District Judge of Kalutara, on March 22, 1946, in the presence of
Mr. A. D. de Fonseka, Proctor, on the part of the petitioner; and the
affidavit of the above-mentioned petitioner dated March 15, 1946,
having been read:

It is ordered that the petitioner claims administration, as widow
of the said deceased, and the same be issued to her unless the
respondents or person or persons interested in the said estate shall,
on or before October 4, 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 8th to 11th respondents and that the said
petitioner that she is entitled to letters of administration the same
issued to her accordingly unless the respondents or others interested
in the estate shall, on or before October 4, 1946, show sufficient
cause to the satisfaction of this court to the contrary.

March 22, 1946.

G. M. DE SILVA,
District Judge.

B 2

In the District Court of Nuwara Eliya.

Order Absolute declaring Will proved.

Testamentary In the matter of the Last Will and Testament
Jurisdiction. of Daniel Ronald Stuart Henderson of Dossford
No. 416. estate, Nanu Oya, in the Island of Ceylon, deceased.

Edith Myra Henderson of Green Ways, Nuwara Eliya, Petitioner.

THIS matter coming on for disposal before M. M. Maharooof,
Esq., District Judge of Nuwara Eliya, on September 12, 1946,
in the presence of Mr. V. C. Modder, Proctor, on the part of the
petitioner; and (1) the affidavit and petition of the petitioner
dated September 9 and 11, 1946, respectively, (2) the affidavit
dated September 11, 1946, of one of the subscribing witnesses
to the will having been read:

It is ordered that the last will of Daniel Ronald Stuart Henderson,
deceased dated December 18, 1941, and now deposited in this
court, be and the same is hereby declared proved. It is further
declared that the petitioner is the executrix named in the said will,
and that she is entitled to have probate thereof issued to her.

September 12, 1946.

M. M. MAHAROOOF,
District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Usuff Salie of Richmond Hill road, Galle, deceased.
No. 8,198.

Rahma Usuff Salie of 32, Richmond Hill road, Galle Petitioner.
And

(1) Kyre Harnim Salie, (2) Kyru Niza Salie, (3) Amina Salie,
(4) Ahamed Hussain Salie, (5) Fareeda Salie, (6) Riza Salie,
(7) Rizli Salie, (8) Usuff Salie, (9) Razeen Usuff, all of 32,
Richmond Hill road, Galle Respondents.

THIS matter coming on for disposal before S. J. C. Shokman,
Esq., District Judge of Galle, on August 20, 1946, after reading the
petition and affidavit of the petitioner above named and the motion
of Messrs. Saheed & Thahir, Proctors, on the part of the petitioner:

It is ordered that the 9th respondent be appointed guardian *ad
litem* over the 1st to 8th minor-respondents above named and that
the petitioner, as widow of the deceased, be declared entitled to
have letters of administration to the estate of the deceased above
named, unless the respondents above named or any other person or
persons interested shall, on October 3, 1946, show sufficient cause
to the satisfaction of this court to the contrary.

And it is further ordered that the 9th respondent do produce
before this court the 1st to 8th minor-respondents on October 3, 1946,
at 9 o'clock of the forenoon.

August 20, 1946.

V. MANIKAVASAGAR,
District Judge.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the matter of the Intestate Estate of the late
Jurisdiction. Daniel Belis Coperahewa of Tangalla, deceased.
No. 1,404.

Martin Coperahewa of Tangalla Petitioner.

Vs.

(1) Piyaseely Coperahewa of Walasmulla, (2) Nellie Coperahewa
of Tangalla, (3) Nandias Daniel Coperahewa of Tangalla,
(4) Somasili Coperahewa of Tangalla, (5) Joslin Coperahewa of
Tangalla, (6) Dotte Coperahewa of Tangalla, (7) Rosalin
Coperahewa of Tangalla Respondents.

THIS matter coming on for disposal before Roland de Zoysa,
Esq., District Judge of Tangalla, on July 3, 1946; and the affidavit
dated June 29, 1946, and petition dated June 19, 1946, of the
petitioner above named having been read:

It is ordered that the petitioner above named be and he is
hereby declared entitled, as brother of the deceased above named,
to have letters of administration to the estate of the said deceased
issued to him, unless the respondent above named or any person
or persons interested in the said estate above named shall, on or
before August 15, 1946, show sufficient cause to the satisfaction
of the court to the contrary.

July 3, 1946.

R. DE ZOYSA,
District Judge.

The above Order Nisi is extended to September 12, 1946.

August 15, 1946.

R. DE ZOYSA,
District Judge.

The above Order Nisi is extended to October 4, 1946.

September 12, 1946.

R. DE ZOYSA,
District Judge.

In the District Court of Jaffna held at (Point Pedro)
No. 321/P.T. In the Matter of the Intestate Estate of Asaipillai
Nadarajah of Karaveddy North, deceased.
Veeragathiar Vetivelu of Karanavai North Petitioner.
Vs.

Vaithilingam Asaipillai of Karaveddy North Respondent.

THIS matter coming on for disposal before M. K. Sangarapillai, Esq., Additional District Judge, on August 30, 1946, in the presence of Messrs. Rajaratnam & Nadarajasingam, Proctors, on the part of the petitioner; and the petition and affidavit having been read:

It is ordered that the said petitioner is entitled to letters of administration, as grandfather of the deceased, unless the respondent or any person shall, on or before September 27, 1946, show sufficient cause to the satisfaction of this court to the contrary.

M. M. I. KARIAPPER,
Additional District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the matter of the Last Will and Testament
Jurisdiction of the late Arulampalam Kulathungar of
No. 498. Telluppala East, deceased.

Kulathungar Kathiraiandy of Telluppala East Petitioner.
Vs.

(1) Kulathungar Malaandy, (2) Kulathungar Palaniandy,
(3) Kulathungar Pitchandy, (4) Malvaganam Dharmapalan
and wife (5) Vallinayagi, all of Telluppala East (6) Thillaiam-
palam Kandarathnam and wife (7) Manikkam of Kuala Lum-
pur, F. M. S., (8) Gnanavally widow of Kulathungar of Tellup-
pala East Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on June 12, 1946, in the presence of Mr. M. Sithambaranathan, Proctor, on the part of the petitioner, and the affidavits of the petitioner, notary and the 2nd named witness and the petition of the petitioner having been read:

It is ordered that the above-named 8th respondent be appointed guardian *ad litem* over the minors, the 2nd and 3rd respondents, for all the purposes of this action and that the last will and testament of the above-named deceased dated November 6, 1944, and attested by M. Sithambaranathan, Notary Public, under No. 173 be declared proved and that probate be issued to the petitioner, unless the said respondents or any other person shall appear before this court on July 30, 1946, and show sufficient cause to the satisfaction of this court to the contrary.

June 12, 1946 R. R. SELVADURAI,
District Judge.

Cause to show extended till October 1, 1946.

August 27, 1946 R. R. SELVADURAI,
District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Murugesu
Jurisdiction Ponnambalam of Karainagar West, Jaffna, late
No. 585. of Kuala Lumpur in F. M. S., deceased.

Sivakolunthu widow of Ponnambalam of Karainagar
West Petitioner.
Vs.

(1) Leelathevi, daughter of Ponnambalam, (2) Ponnambalam
Ariarajam, (3) Swathiradevi, daughter of Ponnambalam,
(4) Kanapathippillai Nagamuttu, all of Karainagar
West Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on July 23, 1946, in the presence of Mr. A. Arumugam, Proctor, on the part of the petitioner, and on reading the affidavit and petition of the petitioner.

It is ordered that the above named 4th respondent be appointed guardian *ad litem* over the minors, the above-named 1st, 2nd and 3rd respondents and that letters of administration to the estate of the above-named deceased be issued to the petitioner, as the legal widow of the above-named deceased, unless the above-named respondents appear before this court on or before September 12, 1946, and show sufficient cause to the satisfaction of this court to the contrary. It is further ordered that the minors be produced in court on September 12, 1946

July 23, 1946. R. R. SELVADURAI,
District Judge.

Time to show cause extended for October 14, 1946.

September 12, 1946. R. R. SELVADURAI,
District Judge.

In the District Court of Chilaw.

Order Nisi.

No. 2,374 T. In the Matter of the Intestate Estate of the late
Opitha de Silva of Maikkulama, deceased.

Cyril de Silva of Maikkulama and presently of Wellawatta,
Colombo Petitioner.

THIS matter coming on for disposal before D. E. Wijeyewardene, Esq., District Judge of Chilaw, on September 2, 1946, in the presence of Mr. Basil E. Pinto, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated August 31, 1946, having been read:

It is ordered that the petitioner, as the son of the deceased, be and he is hereby declared entitled to have letters of administration to the estate of the said deceased, unless any person or persons interested in the said estate shall, on or before October 18, 1946, show sufficient cause to the satisfaction of this court to the contrary.

September 2, 1946. E. WIJEWWARDENE,
District Judge.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the matter of the Intestate Estate of the
Jurisdiction late Ena Ana Ahamadu Lebbe of Uyanwatta,
No. 1,716. deceased.

Ena Ana Mahammadu Thaha of Uyanwatta Petitioner.

Vs.
(1) Waidyaratna Mudalyalge Habibu Lebbe Kadija Bebee
of Uyanwatta, (2) Ena Ana Asiya Umma of Uyan-
watta Respondents.

THIS matter coming on for disposal before M. C. Sansoni Esq., District Judge of Kegalla, on May 20, 1946, in the presence of Mr. R. L. Perera, Proctor, on the part of the petitioner dated May 9, 1946 having been read:

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

May 20, 1946. M. C. SANSONI,
District Judge.

The date of showing cause against the foregoing Order Nisi is extended to September 4, 1946.

September 2, 1946 M. C. SANSONI,
District Judge.

Order Nisi extended for October 21, 1946.

M. C. SANSONI,
District Judge.