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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 :—

L.D.—O.1/42.

PN 1272.

#### An Ordinance to amend the Public Service Provident Fund Ordinance, No. 18 of 1942.

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 Public Service Provident Fund (Amendment) Ordinance, No. of 1947.

Short title.

2. The following new section is hereby inserted immediately after section 5, and shall have effect as section 5A, of the Public Service Provident Fund Ordinance, No. 18 of 1942 (hereinafter referred to as "the principal Ordinance") :—

Insertion of new section 5A in Ordinance No. 18 of 1942.

5A. Notwithstanding anything in sections 2, 4 and 5, a person who becomes a scheduled employee on or after such date as may be specified by the Governor for the purposes of this section by Order published in the *Gazette*, not being a date earlier than the first day of March, 1947, shall not be entitled to contribute to the Fund or to receive any benefits therefrom unless the salary of such person is payable at a monthly rate."

"Modification of sections 2, 4 and 5 in certain cases

3. Section 7 of the principal Ordinance is hereby amended in sub-section (2) thereof, by the substitution, for the words and figures "sections 10 and 11", of the words and figures "sections 10, 11 and 13".

Amendment of section 7 of the principal Ordinance

4. (1) Section 13 of the principal Ordinance is hereby amended as follows :—

Amendment of section 13 of the principal Ordinance.

(a) by the substitution, for all the words from "if a contributor dies" to "in any of the following circumstances," of the following :—

"if a contributor is transferred from a scheduled post to any other post or office (not being a pensionable post or office) in the public service or dies while in the service of the Government or leaves the service in any of the following circumstances," ;

(b) in paragraph (a) of the proviso thereto, by the substitution for the words and figures "the Fund or deemed to be so paid under section 7;" of the words "the Fund;" ; and

(c) by the substitution, for the marginal note thereto, of the following new marginal note :—

"Payment of benefits on death, transfer or termination of service."

(2) The amendments effected in the principal Ordinance by sub-section (1) shall for all purposes be deemed to have had effect on the first day of May, 1943.

Insertion of new section 13A in the principal Ordinance.

“ Power to modify paragraph (6) of section 13 in the case of female employees.

5. The following new section is hereby inserted immediately after section 13, and shall have effect as section 13A, of the principal Ordinance :—

13A. The Governor may, by Order published in the *Gazette*, direct that in the case of a female contributor of any such class or description as may be specified in the Order the minimum service required by paragraph (6) of section 13 shall be five years' service in lieu of the three years' service specified in that paragraph, and in every such case the provisions of that paragraph shall apply accordingly.”

Amendment of section 14 of the principal Ordinance.

6. Section 14 of the principal Ordinance is hereby amended as follows :—

(1) by the substitution, for all the words from “ if a contributor shall be dismissed, ” to “ under which he may be serving—”, of the following :—

“ if a contributor is dismissed, or discontinued on the ground of inefficiency or misconduct or leaves the service of the Government in any circumstances other than those in which section 13 applies—” ;

and,

(2) by the substitution, for the marginal note thereto, of the following new marginal note :—

“ Payment of benefits on dismissal or discontinuance or termination of service in any circumstances other than those in which section 13 applies ”.

Replacement of section 19 of the principal Ordinance.

“ Benefit or qualification which, under the Minutes on Pensions, has accrued to a contributor before he became a contributor.

7. Section 19 of the principal Ordinance is hereby repealed and the following section is substituted therefor :—

19. Where a contributor has, before the date on which he became a contributor, held any post or office, service in which has qualified or would qualify him for an award under the Minutes on Pensions, he may retain any benefit or qualification which may have accrued to him under such Minutes, and, accordingly—

(a) in the event of his leaving the public service in any of the following circumstances, that is to say—

(i) retirement on account of age or on the ground of ill-health ; or

(ii) abolition of office,

the following award may be granted to such contributor, namely, such award as might have been granted to him under such Minutes if he had retired from such service on the aforesaid date on the ground of ill-health, or

(b) in the event of his death while he is in such service, the following award under those Minutes may be granted to the person or persons to whom such award might have been granted under those Minutes, namely, such award as might have been granted under those Minutes to such person or persons if such contributor had died on the aforesaid date :

Provided, however, that where such contributor leaves the public service in consequence of abolition of office, such award shall be granted to him on the date on which he leaves the public service or on the date on which he attains the age of fifty-five years, whichever is less.”

Insertion of new section 19A in the principal Ordinance.

“ Deductions on account of income tax. Cap. 188.

8. The following new section is hereby inserted immediately after section 19, and shall have effect as section 19A, of the principal Ordinance :—

19A. In the event of the Fund being approved by the Commissioner of Income Tax under section 9 (1) (g) of the Income Tax Ordinance, the Deputy Financial Secretary may, before payment is made of moneys lying to the credit of a contributor's account in the Fund, make deductions on account of income tax from such moneys in accordance with the conditions prescribed by the Commissioner of Income Tax under the aforesaid section of that Ordinance. Any sum so deducted shall be paid to the Commissioner of Income Tax.”

9. Section 20 of the principal Ordinance is hereby amended as follows :—

- (1) by the substitution, for the words " Where payment ", of the words " Before payment "; and
- (2) by the substitution, for the words " the amount otherwise payable. ", of the words " such moneys. "

Amendment of section 20 of the principal Ordinance.

10. Section 23 of the principal Ordinance is hereby amended as follows :—

- (1) in sub-section (1), by the substitution, for the words " may deem fit. ", of the words " may deem fit, or from time to time replace the Schedule by a new Schedule incorporating all amendments and variations made under the preceding provisions of this sub-section. "; and
- (2) by the substitution, for the marginal note thereto, of the following new marginal note :—

Amendment of section 23 of the principal Ordinance.

" Power to amend and replace Schedule and consequences of such amendment and replacement. "

#### Objects and Reasons.

The object of this Bill is to amend the Public Service Provident Fund Ordinance, No. 18 of 1942.

Under the principal Ordinance every person in the service of the Government of Ceylon who holds a post specified in the Schedule to that Ordinance (referred to in that Ordinance as a " scheduled employee ") is entitled to contribute to and receive benefits from the Public Service Provident Fund. It is proposed that a person who becomes a scheduled employee on or after such date not earlier than March 1, 1947, as may be specified by the Governor by Order published in the *Gazette* should not be entitled to contribute to or receive benefits from that Fund, unless the salary of that person is payable at a monthly rate. This proposal will be implemented by Clause 2 of this Bill.

Clauses 3, 4, 5, 6, 7, 8, 9 and 10 of the Bill will effect in the principal Ordinance certain amendments which experience in the administration of that Ordinance has shown to be necessary.

The amendments made by Clause 4 (1) of the Bill are to be deemed to have had effect on May 1, 1943.

O. E. GOONETILLEKE,  
Financial Secretary.

Colombo, January 17, 1947.

#### NOTICES OF INSOLVENCY.

In the District Court of Galle.

No. 730. In the matter of the insolvency of Handurugamage Don Lionel Titus Ferdinandus de Alwis Yapa of Hume's road, Galle.

WHEREAS Handurugamage Don Lionel Titus Ferdinandus de Alwis Yapa of Hume's road, Galle, has filed a declaration of insolvency, and a petition for the sequestration of the estate of him, the said insolvent, has been filed by Bambarandage Gertrude Selma Perera of Gangodawila, Nugegoda, under the Ordinance No. 7 of 1853; Notice is hereby given that the said court has adjudged the said Handurugamage Don Lionel Titus Ferdinandus de Alwis Yapa insolvent accordingly; and that two public sittings of the court, to wit, on February 26, 1947, and on March 19, 1947, 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, A. K. D. JAYASENA,  
Secretary.

January 20, 1947.

#### NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary In the Matter of the Estate of the late Sinne Lebbe Marikar Mohamed Mustafa, deceased, of No. 12,046. Kalutara.

Marikar Lebbe Mohamed Sameen of Kalutara . . . . . Petitioner.

Vs.

(1) Mohamed Ismail Marikar Fathima Beebe, (2) Mohamed Mustaffa Misiriya, (3) Mohamed Mustaffa Mohamed Noohu; the 2nd and 3rd respondents minors by their guardian *ad litem* (4) Idroos Lebbe Marikar Mohamed Ismail, all of Deenagoda in Beruwala, and (5) Sinna Lebbe Marikar Laila Umma of Kalutara . . . . . Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on November 28, 1946, in the presence of Mr. A. M. Thaha, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated July 31, 1946, having been read:

It is ordered that the will of Sinna Lebbe Marikar Mohamed Mustafa, deceased, dated April 3, 1945, and numbered 664 be and

the same is hereby declared proved, unless the respondents or any person or persons interested shall, on or before February 13, 1947, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 4th respondent be appointed guardian *ad litem* over the 2nd and 3rd respondents and that the said petitioner is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless the respondents or any person or persons interested shall, on or before February 13, 1947, show sufficient cause to the satisfaction of this court to the contrary.

January 8, 1947.

S. S. J. GOONESEKERA,  
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Nanayakkarawasan Uragodage Piyasiri of No. 12,240. Wattala, deceased.

Nanayakkarawasan Uragodage Chandradasa of Hataraliyadda, Galagedara . . . . . Petitioner.

Vs.

(1) Nanayakkarawasan Uragodage Dily (for herself and as guardian *ad litem* of the 3rd respondent minor) of Watareka East, Galle, (2) Nanayakkarawasan Uragodage Priyadasa of Hataraliyadda aforesaid and, (3) Nanayakkarawasan Uragodage Karunawathie (minor appearing by her guardian *ad litem* the 1st respondent) of Watareka East, Galle. Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on December 2, 1946, in the presence of Mr. M. M. A. Raheem, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 21, 1946, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the elder brother 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 February 6, 1947, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 1st respondent above named be and she is hereby declared appointed guardian *ad litem* over the minor, the 3rd respondent above named, unless sufficient cause be shown to the contrary on or before February 6, 1947.

December 7, 1946.

S. C. SWAN,  
Additional District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the late  
Jurisdiction. Eric Albert Malcolm Gooneratne of Homagama,  
No. 12,243. deceased.

St. Clare Justus Gooneratne of Wellawatta in Colombo . . . Petitioner  
Vs.

- (1) Millena Elisa Jane Gooneratne of 26, Nelson place, Wellawatta, (2) Edith Frances Carolino Gooneratne of 26, Nelson place, Wellawatta, (3) Irene Gladys Gooneratne of 26, Nelson place, Wellawatta, (4) Muriel Grace Gooneratne of 26, Nelson place aforesaid, (5) Godfrey Ernest Merrick Gooneratne of Nuwara Eliya, (6) Boatrice Millicent Annette Gooneratne of Wellawatta, (7) Thelma Mercy Gooneratne of Galle . . . . . Respondents.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on November 29, 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 November 29, 1946, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the brother 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 February 13, 1947, show sufficient cause to the satisfaction of this court to the contrary.

December 7, 1946. S. C. SWAN,  
Additional District Judge.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Pincha-  
Jurisdiction. dewage Martin Fernando of Walpola in Ragam  
No. 12,272. pattu, deceased.

Hewadewage Aggie Nona Wimalawathie of Walpola in Ragam  
pattu . . . . . Petitioner.  
Vs.

- (1) Jackson Senaratne, a minor, by his guardian *ad litem*,  
(2) Pinchadewage Podi Nona, both of Walpola in Ragam  
pattu . . . . . Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., Additional District Judge of Colombo, on December 20, 1946, in the presence of Messrs. Samarasinghe & de Silva, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 20, 1946, having been read:

It is ordered that the 2nd respondent above named, be and she is hereby declared appointed guardian *ad litem* over the minor, the 1st respondent 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 February 27, 1947, show sufficient cause to the satisfaction of this court to the contrary.

January 17, 1947. S. C. SWAN,  
Additional District Judge.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary In the matter of the Last Will and Testament  
Jurisdiction. of Amy Clara Roversi (*nee* Dias Bandaranaike)  
No. 12,273. of Demotawa Estate, Demotawatte, Pasyala  
in the Island of Ceylon, widow, deceased.

THIS matter coming on for disposal before S. S. J. Goonesekera, Esq., Additional District Judge of Colombo, on January 20, 1947, in the presence of Messrs. F. J. & G. de Saram, Proctors, on the part of the petitioner, Hilda Florantina Roversi of Demotawa estate in Pasyala; and (1) the affidavit of the said petitioner dated December 18, 1946 and (2) the affidavit of the attesting notary of the will dated December 17, 1946, having been read: It is ordered that the will of the said Amy Clara Roversi (*nee* Dias Bandaranaike) deceased, No. 2,406 dated October 18, 1940 and attested by James Aubrey Martensz of Colombo, Notary Public, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved; And it is further declared that the said Hilda Florentina Roversi is the sole executrix named in the said will and that she is entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before February 6, 1947, show sufficient cause to the satisfaction of this court to the contrary.

January 10, 1947. S. C. SWAN,  
Additional District Judge.

In the District Court of Colombo.

*Notice of Application*

Testamentary In the Matter of the Last Will and Testament  
Jurisdiction. of Elliott Baillie Currie of Hill Cottage, Nuwara  
No. 12,278. Eliya in the Island of Ceylon, Mining Engineer,  
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 confirmation of the will of Elliott Baillie Currie of Hill Cottage, Nuwara Eliya, in the Island of Ceylon, Mining Engineer, deceased, granted by the Commissariat of Edinburgh, Scotland, on the 30th day of November one thousand nine hundred and forty-five.

P. R. SITTAMPALAM,  
Proctor for Charles Gerald Acheson  
Acheson-Gray, the surviving exe-  
cutor of the will of Elliott Baillie  
Currie, deceased, c/o Messrs. F. J.  
& G. de Saram, Proctors, Colombo.

January 24, 1947.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Testament  
Jurisdiction. of Beronice Inglis at one time of "Orange  
No 12,285. Grove", Polgahawala, in the Island of Ceylon,  
a Lieutenant (No. WAS(B) 24) in the Women's  
Auxiliary Service (Burma) of His Majesty's  
Army, widow, deceased.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on January 9, 1947, in the presence of Padma Rajah Sittampalam, Proctor, on the part of the petitioner, James Aubrey Martensz of Messrs. F. J. & G. de Saram, Colombo; and (1) the affidavit of the said petitioner dated January 8, 1947, (2) the affidavit of Maclean Newsom Burder dated July 16, 1946, and (3) the affidavit of Capt. Frederic Henry Burnett dated November 23, 1946, having been read: It is ordered that the will of the said Beronice Inglis, deceased, dated August 11, 1945, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved; And it is further declared that the said James Aubrey Martensz is the attorney in Ceylon of the sole beneficiary named in the said last will and testament 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 February 6, 1947, show sufficient cause to the satisfaction of this Court to the contrary.

January 15, 1947. S. C. SWAN,  
Additional District Judge.

In the District Court of Colombo.

*Notice of Application.*

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Edith Jane Barclay Noyes of Whinbrae,  
No. 12,290. Sheringham, in the County of Norfolk, 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 letters of administration (with Will annexed) of all the estate which by law devolves to and vests in the personal representative of Edith Jane Barclay Noyes of Whinbrae, Sheringham, in the County of Norfolk, England, widow, deceased, granted by His Majesty's High Court of Justice at the Principal Probate Registry thereof on the 28th day of April one thousand nine hundred and forty-four.

P. R. SITTAMPALAM,  
Proctor for Lieutenant-Commander Edwin Thomas  
Smith, the Administrator (with Will annexed)  
of the estate of Edith Jane Barclay Noyes, deceased,  
c/o Messrs. F. J. & G. de Saram, Proctors,  
Colombo.

January 24, 1947.

In the District Court of Colombo.

*Order Nisi in Intestacy*

Testamentary In the Matter of the Intestate Estate of Frederick  
Jurisdiction. James Ingleby of Myrtle Cottage, West Looe in  
No. 12,291. the County of Cornwall, England, deceased.

THIS matter coming on for disposal before V. L. St. Clair Swan, Esq., Additional District Judge of Colombo, on January 15, 1947, in the presence of Messrs. F. J. & G. de Saram, Proctors, on behalf of the petitioner, Leslie Reuben Atkins of Colombo; and (1) the affidavit of the said petitioner dated January 10, 1947, (2) the power of attorney dated July 19, 1946, and (3) the order of the Supreme Court dated December 13, 1946, having been read: It is ordered that the said Leslie Reuben Atkins is the attorney in Ceylon of Edith Mary Bell, the administratrix with will of the unadministered estate of Isabel Mary Ingleby, deceased, and that as such he is entitled to have letters of administration issued to him accordingly, unless any person or persons interested shall, on or before February 6, 1947, show sufficient cause to the satisfaction of this court to the contrary.

January 17, 1947. S. C. SWAN,  
Additional District Judge.

In the District Court of Panadura.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of the late  
Jurisdiction. Gamage Yohanis Perera of Alubomulla, deceased  
No. 58.

Madavita Vithanage Dona Francina Perera of Alubo-  
mulla . . . . . Petitioner  
Vs.

(1) Gamage Karunawathie Piyaseeli Perera, (2) Madavita  
Vithanage John Perera, both of Alubomulla . . . Respondents.

THIS matter coming on for disposal before L. W. de Silva, Esq.,  
District Judge of Panadura, on December 23, 1946, in the presence  
of Mr Herbert D. Perera, Proctor, on the part of the petitioner;  
and the affidavit of the above-named petitioner dated December 16,  
1946, having been read :

It is ordered that the petitioner above named be and she is hereby  
declared, as widow of the deceased, to claim letters of administration  
and that the same be issued to her, unless the respondents above  
named or any other person or persons interested in the estate shall,  
on or before February 12, 1947, show sufficient cause to the satis-  
faction of this court to the contrary.

It is also ordered that the above-named 2nd respondent be and  
he is hereby appointed guardian *ad litem* over the 1st respondent,  
who is a minor for all the purposes of this action, unless sufficient  
cause be shown to the satisfaction of this court on or before  
February 12, 1947, to the contrary.

December 23, 1947.

L. W. DE SILVA,  
District Judge.

In the District Court of Kalutara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Busabaduge  
Jurisdiction. Nonno Hamy Fernando, deceased, of Bappugoda  
No. 3,292.

Nallahewage Arnolis Silva of Bappugoda . . . . . Petitioner.  
Vs.

(1) Nallahewage Martin Silva of Nakandalagoda, (2) ditto  
Richard Silva of Bappugoda, (3) ditto Gerty Silva of  
Ambalangoda, (4) Nakandalage Gerley Vinita Wansawathie  
Silva, (5) ditto Kamalawathie Silva, (6) ditto Amarawathie  
Silva, (7) ditto Sumithra Chandrasena Silva, all of Dewagoda,  
minors, by their guardian *ad litem* the 8th respondent, (8)  
Karunakalage Somi Nona *alias* Sudu Nona of Dewagoda  
guardian *ad litem* over 4th to 7th respondents . . . Respondents.

THIS matter coming on before disposal before J. H. V. S. Jaya-  
wickrama, Esq., District Judge of Kalutara, on November 21, 1946, in  
the presence of Mr. A. D. de Fonseka, Proctor, on the part of  
petitioner and the affidavit of the above-named petitioner dated  
November 21, 1946, having been read :

It is ordered that the petitioner be declared entitled, as the eldest  
son of the deceased, to claim letters of administration and the same  
be issued to him, unless the respondents or persons or persons  
interested in the estate shall, on or before January 31, 1947, show  
sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 8th respondent be appointed  
guardian *ad litem* over the 4th to 7th respondents and for the  
purpose of this action the letters of administration be issued to the  
petitioner accordingly, unless the respondents or others interested  
in the estate shall, on or before January 31, 1947, show sufficient  
cause to the satisfaction of this court to the contrary

November 21, 1947.

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

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Panditha-  
Jurisdiction. ratne Gamage Dona Margaret de Silva Abhaya-  
No. T. 600 nayake of Peradeniya, deceased.

Dehiwala Liyanage Dona Chandra de Silva Abhayanako  
of Bokkawala in Harispattu . . . . . Petitioner.  
And.

(1) H. A. R. Atapattu of Bokkawala aforesaid, (2) Dehiwala  
Liyanage Malim Sumethra de Silva Abhayanayake, (3) Dehi-  
wala Liyanage Wimala Irangani de Silva Abhayanaké, (4)  
Dehiwala Liyanage Ananda Jayatileke de Silva Abhayanaya-  
yake, (5) Panditharatne Gamage Maya Yasmin de Silva, all  
of Dehiwala in Colombo . . . . . Respondents.

THIS Matter coming on for disposal before H. A. de Silva, Esq.,  
District Judge, Kandy, on January 9, 1947, in the presence of  
Messrs. Coomaraswamy and Vijayarajnam, Proctors, on the part  
of the petitioner; and the affidavit of the said petitioner dated  
November 14, 1946, having been read. It is ordered that the  
petitioner as the eldest daughter of the above-named deceased,  
be declared entitled to letters of administration to the estate of  
the above-named deceased issued to her accordingly, unless the  
respondents above named or any other person or persons interested  
shall, on or before January 30, 1947, show sufficient cause to the  
satisfaction of this court to the contrary.

It is further ordered that the 1st respondent above named be  
appointed guardian *ad litem* over the minors, the 2nd to 5th res-  
pondents above named, unless the respondents or any other person  
or persons interested shall, on or before January 30, 1947, show  
sufficient cause to the satisfaction of this court to the contrary

January 9, 1947.

H. A. DE SILVA,  
District Judge.

In the District Court of Kandy

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of David  
Jurisdiction. Jayasekera Gunawardena of Gampola, do-  
No. T. 643. ceased.

Mrs. Eugenio Maggio Jayasekera Gunawardena of No. 160,  
Kandy road, Gampola . . . . . Petitioner.  
Vs.

(1) Herbert David Gunawardena of Gampola, (2) Helen Eugenio  
Gertrude Gunawardena of Gampola and (3) Irene Felicia  
Gunawardena of Gampola, (4) E. F. Jayasekera of Gam-  
pola . . . . . Respondents.

THIS matter coming on for disposal before H. A. de Silva,  
Esq., District Judge, Kandy, on December 9, 1946, in the presence  
of Mr. A. M. I. Gunaratna, Proctor, on the part of the petitioner,  
and the affidavit of the said petitioner dated December 8, 1946,  
having been read :

It is ordered that the said petitioner, as the widow of the above-  
named deceased, be declared entitled to letters of administration to  
the said estate issued to her accordingly, unless the respondents above  
named or any other person or persons interested shall, on or before  
February 3, 1947, show sufficient cause to the satisfaction of this  
court to the contrary.

It is further ordered that the 4th respondent above named be  
appointed guardian *ad litem* over the minor, the 3rd respondent  
above named, unless the respondents or any other person or persons  
interested shall, on or before February 3, 1947, show sufficient  
cause to the satisfaction of this court to the contrary.

December 9, 1946.

H. A. DE SILVA,  
District Judge.

In the District Court of Balapitiya.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Kirahandi Catherine de Silva of Middaramulla in  
No. T 9. Kosgoda, deceased.

Wijemuni Gunawardana Granial de Silva Rajakaruna of  
Middaramulla . . . . . Petitioner.  
And

(1) Wahneththi Somawathie Amarasingha, (2) ditto, Indra-  
dasa Amarasingha, both of Ahungalla in Kosgoda . . Respondents.

THIS matter coming on for disposal before W. Talgodapitiya,  
Esq., District Judge of Balapitiya, on October 16, 1946, in the  
presence of Mr. P. K. de Silva, Proctor, on the part of the petitioner  
above named and the affidavit and petition of the petitioner dated  
October 7, and October 16, 1946, having been read :

It is ordered that the last will and testament of Kirihandi Catherine  
de Silva, 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 is hereby entitled, as husband of the said deceased, to have  
letters of administration issued to him with copy of the will annexed,  
unless the respondents above named or any person or persons  
interested shall, on or before January 29, 1947, show sufficient  
cause to the satisfaction of this court to the contrary.

November 27, 1946.

W. TALGODAPITIYA,  
District Judge.

In the District Court of Galle.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction. Koralege Cornelia, late of Kahanda, deceased.  
No. 8,214.

Kahanda Koralege Jayanhamy of Kahanda . . . . . Petitioner.  
Vs.

(1) Ilamperuma Aratchigo Nandawathie of Kodagoda, (2)  
Koralege Babynona of Kahanda, (3) Koralege Wimalawathie,  
a minor appearing by her guardian *ad litem*, (4) Ranawake  
Aratchiego Siman of Jamburegoda . . . . . Respondents,

THIS matter coming on for disposal before S. J. C. Schokman,  
Esq., District Judge of Galle, on November 11, 1946, in the presence  
of Mr. P. W. Goonewardena, Proctor, on the part of the petitioner;  
and the affidavit of the said petitioner dated November 7, 1946, and  
his petition dated November 9, 1946, and the motion of the said  
proctor having been read :

It is ordered that the will of the said deceased, No. 838 dated  
July 2, 1946 (and now deposited in this court), be and the same is  
hereby declared proved, unless the above-named respondents or  
any other person shall, on or before January 10, 1947, show suffi-  
cient cause to the satisfaction of this court to the contrary.

And it is further declared that the said petitioner is the executor  
named in the said will and that he is entitled to have probate of the  
same issued to him accordingly.

And it is further ordered that the said 4th respondent be and he  
is hereby appointed guardian *ad litem* over the 3rd minor respondent,  
for the purpose of this action, unless sufficient cause is shown to the  
contrary on the said date.

November 11, 1946.

S. J. C. SCHOKMAN,  
District Judge.

Extended to February 21, 1947.

S. J. C. SCHOKMAN,  
District Judge.

In the District Court of Matara.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Abdul Hyyon Mohamed Abubacker Hadjar of Weligama, deceased.

(1) Mohamed Ismaul Mohamed and (2) Mohamed Abubacker Hadjar Mohamed Hafeel, both of Galbokka in Weligama ..... Petitioners.

And

(1) Abdul Wahid Amina Umma, (2) Mohamed Abubacker Hadjar Abdul Cader, (3) Mohamed Abubacker Hadjar Sitti Aysha, all of Galbokka in Weligama, the 2nd and 3rd are minors by their proposed guardian *ad litem* the 1st respondent, (4) Mohamed Abubacker Hadjar Umma Salama, (5) Mohamed Abubacker Hadjar Umma Salaha, (6) Mohamed Abubacker Hadjar Marian Beebi, (7) Mohamed Abubacker Hadjar Noorul Karima, (8) Mohamed Abubacker Hadjar Sitti Kadija, all of Galbokka, (9) Mohamed Abubacker Hadjar Mohamed Hussam of ditto, the 5th to 9th are minors by their proposed guardian *ad litem*, the 4th respondent, (10) Mohamed Hamdoon Hadjar Mohamed of Galbokka in Weligama. .... Respondents.

THIS matter coming on for disposal before K. D. de Silva, Esq., District Judge of Matara, on October 15, 1946, in the presence of Mr. A. M. Buhari, Proctor, on the part of the petitioners above named; and the affidavit of the said, petitioner dated August 10, 1946, and that of the attesting notary and witnesses dated September 10, 1946:

It is ordered that the last will and testament of Abdul Hyyon Mohamed Abubacker Hadjar, 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 that the petitioners are the executors named in the said will and that the said petitioners be and they are hereby declared entitled, as the executors to have probate of the said will issued to them accordingly, unless the respondents above named or any other person or persons interested shall, on or before November 25, 1946, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 1st respondent be and she is hereby appointed guardian *ad litem* over the 2nd and 3rd minor respondents and that the 4th respondent be and she is hereby appointed guardian *ad litem* over the 5th to 9th minor respondents, unless the respondents above named or any other person or persons interested shall, on or before November 25, 1946, show sufficient cause to the satisfaction of this court to the contrary.

October 16, 1946.

K. D. DE SILVA,  
District Judge.

Extended for February 3, 1947.

November 25, 1946.

K. D. DE SILVA,  
District Judge.

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

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of the Late Sithambarappillai Ponniah of No. 334 P. T. Thambakamam in Pallar, deceased.

Muttachchipillai, widow of Sithambarappillai Ponniah of Karanavai North ..... Petitioner.

Vs.

Veluppillai Thamothersampillai of Periapallai in Pallar. Respondent.

THIS matter coming for disposal before G. C. T. A. de Silva, Esq., Additional District Judge of Jaffna, on January 13, 1947, in the presence of Mr. P. Kanapadhipillai, Proctor, on the part of the petitioner and the petition and affidavit of the petitioner having been read:

It is ordered that the petitioner be and he is hereby declared entitled to take out letters of administration with the copy of will annexed and that letters of administration be issued to her accordingly, unless the respondent or any other person or persons shall, appear before this court on February 6, 1947, and show sufficient cause to the satisfaction of this Court to the contrary.

January 13, 1947.

G. C. T. A. DE SILVA,  
Additional District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. In the matter of the Last Will and Testament of the late Thayalnayakiammah, wife of Veluppillai No. 448. Thirugnana-Sambanthar of Irupalai, deceased.

Thirugnanasambanthar Aruchuna Rajah of Irupalai .. Petitioner.

Vs.

(1) Thirugnanasambanthar Sanmugasuntharam of ditto, presently of Kilmochechi, (2) Thirugnanasambanthar Gnana-kuru of Irupalai, (3) Thirugnanasambanthar Balasubramaniam of ditto, (4) Veluppillai Thirugnanasambanthar of Vanniarpollai ..... Respondents.

THIS matter of the petition of the above named petitioner, praying for the appointment of the 4th respondent guardian *ad litem* over the minors, 2nd and 3rd respondents and for grant of probate to the last will of the above-named deceased, coming on for disposal before S. S. J. Gunasegara, Esq., District Judge, Jaffna, on August 22, 1945, in the presence of Mr. C. Subramaniam, Proctor,

on the part of the petitioner and the affidavit of the petitioner and that of the witnesses and notary of the last will dated February 6, 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 the purpose of representing them in this case and that the last will and testament of the above-named deceased and filed of record in this case be declared proved, unless the above named respondents or any other person shall, on or before October 31, 1945, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the petitioner is the executor named in the said will and he is entitled to have probate of the said will issued to him accordingly.

September 21, 1945.

S. S. J. GUNASEKERE,  
District Judge.

*Order Nisi* extended January 30, 1947.

R. R. SELVADURAI,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary. In the Matter of the Intestate Estate of Princess No. 607. Kirupaimalai, wife of Asirwatham Selvanayagam of Chundikul, deceased.

Asirwatham Selvanayagam of Chundikul ..... Petitioner.

Vs.

(1) Prince Selvaratnam, a minor appearing by his guardian *ad litem*, (2) Joseph Ananthanayagam of Chundikul ..... Respondents.

THE above matter coming up for disposal on September 21, 1946, before R. R. Selvadurai, Esq., District Judge of Jaffna, in the presence of Mr. S. R. Ariyanayakam, Proctor, for petitioner, and the petition and affidavit dated September 17, 1946, having been read: It is hereby ordered that the 2nd named respondent be and he is hereby appointed guardian *ad litem* over the minor, the said 1st respondent, unless the said respondents or any person or persons interested in the estate shall, on October 30, 1946, show sufficient cause to the contrary.

It is further ordered that the petitioner, as husband of the deceased, be declared entitled and he is hereby declared entitled to letters of administration to the estate of the deceased, unless the respondents or any persons interested shall, show cause on October 30, 1946, to the contrary.

September 21, 1946.

R. R. SELVADURAI,  
District Judge.

Extended for January 29, 1947.

R. R. SELVADURAI,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of the late Chellammah, wife of Sellappah No. 621. Elaguppillai of Chankanai, Jaffna, deceased.

Chellappah Elaguppillai of Chankanai ..... Petitioner.

Vs.

(1) Elaguppillai Vijayaratham of ditto, (2) Elaguppillai Vijayathan of ditto, (3) Elaguppillai Vijayapalan of ditto, (4) Elaguppillai Vijayaladchumy of ditto, minors; (5) Muttupillai, widow of Nagamuttu Chittampalam of ditto ..... Respondents.

THIS matter of the petition of the above-named petitioner, coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on October 7, 1946, in the presence of Mr. V. Nagalingam, Proctor, for petitioner; and the affidavits of the petitioner, the notary and witnesses having been read: It is ordered that the above-named 5th respondent be appointed guardian *ad litem* over the minors 1-4 respondents, and that the will of the above-named deceased dated September 28, 1932, be and the same is hereby declared proved, unless the above-named respondents, shall, appear before this court on or before December 13, 1946, and show cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said last will and that he is entitled to have probate of the same issued to him accordingly, unless the said respondents shall, appear before this court on or before the said date and show cause to the satisfaction of this court to the contrary.

November 15, 1946.

R. R. SELVADURAI,  
District Judge.

Extended to January 31, 1947.

R. R. SELVADURAI,  
District Judge.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Kanagammah, wife of Veerakutty Nadarajah of Karainagar late of Sedenak, Johore

Veerakutty Nadarajah of Karainagar North ..... Petitioner.

Vs.

(1) Kanagammah, (2) Sivanesam, both daughters of Nadarajah and (3) Namasivayam Aruliah, all of Karainagar North; the 1st and 2nd respondents are minors by their guardian *ad litem* the 3rd respondent ..... Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on December 12, 1946, in the presence

of Mr. A. Kanagasabai, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated December 11, 1946, having been read:

It is ordered that the above-named 3rd respondent be appointed guardian *ad litem* over the minor, 1st and 2nd respondents for the purpose of this action.

It is further declared that the said petitioner be declared entitled to have letters of administration to the estate of the said intestate, as her lawful husband, unless the respondents or others interested shall, on or before January 30, 1947, show sufficient cause to the satisfaction of this court to the contrary.

December 12, 1946.

R. R. SELVADURAI,  
District Judge.

In the District Court of Jaffna.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Last Will and Testament of the Jurisdiction. late Rasammah, wife of A. Sinnappoo Coomarasamy of Karainagar East, deceased.

A. Sinnappoo Coomarasamy of Karainagar East . . . . . Petitioner.  
Vs.

(1) Parameswary, (2) Sundramoorthy, (3) Ledchumanan, (4) Thevarani, all children of A. Sinnappoo, (5) Coomarasamy and Thamotherampillai Ponnampalam, all of Karainagar East . . . . . Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on December 18, 1946, in the presence of Mr. A. Kanagasabai, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner and of the witnesses to the last will dated December 12 and 17, 1946, having been read.

It is ordered that the will of the above-named deceased dated February 14, 1946, and numbered 7849 and attested by K. S. Mahesa Sarma, Notary Public, be and the same is hereby declared proved, unless the respondents or others interested shall, on or before January 30, 1947, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 5th respondent be appointed guardian *ad litem* over the minors, 1st to 4th respondents and that the said petitioner be declared entitled to have probate of the last will and testament of the above-named deceased, as executor named in the said will, and that he is entitled to have probate of the same issued to him accordingly, unless the respondents or others interested shall, on or before January 30, 1947, show sufficient cause to the satisfaction of this court to the contrary.

December 18, 1946.

R. R. SELVADURAI,  
District Judge.

In the District Court of Batticaloa.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. of the Late Velupillai Arambamuthaly of Tamarakerny in Batticaloa, deceased.

Batticaloa.

(1) Vellaiyamuthaliar Thirunavukarasu and wife, (2) Arambamuthaly Kamalapooshany, (3) Thambimuttu Thevarasy, widow of the late V. Arambamuthaly of Tamarakerny . . . . . Petitioners.

And.

(1) Arambamuthaly Ramalingam, (2) Arambamuthaly Arunasalem, (3) Arambamudaly Mohonadas, (4) Arambamudaly Ghandimathi, (5) Arambamudaly Thevarasi, (6) Arambamudaly Theiveni, minors, all of Tamarakerny, Batticaloa, (7) T. Rajeswaramudaly N. P. of Eraur . . . . . Respondents.

THIS matter coming on for disposal before G. C. T. A. de Silva, Esq., District Judge of Batticaloa, on November 25, 1946, in the presence of Mr. K. V. M. Subramaniam, Proctor, on the part of the petitioners and the affidavit of the petitioners dated November 5, 1946, and the affidavit of the witnesses and notary dated May 15, 1946, having been read:

It is ordered that the 7th respondent above named be and he is hereby appointed guardian *ad litem* over the minors the 3rd to 6th respondents above named for the purpose of this action, unless the respondents or any person or persons shall, on or before January 28, 1947, show sufficient cause to the satisfaction of this court to the contrary.

It is ordered that the will of Velupillai Arambamudaly, deceased, dated October 22, 1945, (and now deposited in this court, be and the same is hereby declared proved, unless the respondents or any person or persons shall, on or before January 28, 1947, show sufficient cause to the the satisfaction of this court to the contrary.

It is further ordered that the said petitioners are the executors named in the said will, and that they are entitled to have probate of the same issued to them accordingly, unless the respondents or any person or persons shall, on or before January 28, 1947, show sufficient cause to the satisfaction of this court to the contrary.

S. N. VELUPILLAI,  
District Judge.

November 25, 1946.

In the District Court of Chilaw.

*Order Nisi.*

Testamentary. In the Matter of the Intestate Estate of the late No. 2,376. Warnakulasuriya Gregoris Daborera of Marahena Agara, deceased.

Warnakula Aditta Arsanila Itta Dona Elizabeth Perera of Marahena Agara . . . . . Petitioner.

And.

(1) Warnakulasuriya Anthony Lawrence Daborera, (2) Warnakulasuriya Lucas Daborera (minors), both of Marahena Agara, appearing by their guardian *ad litem*, (3) Warnakula Aditta Arsanila Itta Sylvestry Perera of Muruthenna in Negombo District . . . . . Respondents.

THIS matter coming on for disposal before E. Wijewardene, Esq., District Judge of Chilaw, on September 21, 1946, in the presence of Mr. Albert F. Peries, Proctor, on the part of the petitioner above named and the affidavit of the said petitioner filed of record in the above case having been read:

It is ordered that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* over the aforesaid minors, the 1st and 2nd respondents, and the petitioner above named be and she is hereby declared entitled, as the widow of the said 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 January 30, 1947, show sufficient cause to the satisfaction of this court to the contrary.

September 29, 1946.

E. WIJEWARDENE,  
District Judge.

In the District Court of Anuradhapura.

*Order Nisi.*

No. 529. In the Matter of the Estate and Effects of Gardia Punchi Hewage John Silva of Anuradhapura, deceased.

Gardia Punchi Hewage Punchihamy of Anuradhapura . . . . . Petitioner.  
Vs.

(1) Gardia Balage Sopinona of Ahangama in Galle District, (2) Gardia Punchi Hewage Somawathy of Magalla, Galle, (3) Gardia Punchi Hewage Seelawathy of 53, High street, Singapore, (4) Gardia Punchi Hewage Sumithipala of 53, High street, Singapore, (5) Gardia Punchi Hewage Caroline of Magalla, Galle, (6) M. G. P. Millie of Keremunia, Ambalangoda, (7) M. G. P. Daise of Modera pattuwa, Dodanduwa, (8) Gardia Balage Megi Nona of Harumalgoda, Koggala, (9) Gardia Balage Aladia of Magalla, Galle, (10) G. B. Pentis de Silva of ditto, (11) G. B. Dennie de Silva of Unawatuna, Galle, (12) Philip Ediriweera of 810, Second Division, Maradana, Colombo . . . . . Respondents.

THIS matter coming on for disposal before N. Krishnadasan, Esq., District Judge of Anuradhapura, on October 16, 1946, in the presence of Mr. S. Nataraja, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 27, 1946, having been read:

It is ordered that the petitioner as a sister of the above named deceased, is entitled to have letters of administration to the estate of the said deceased issued to her, unless the respondents or any other person shall, show sufficient cause to the satisfaction of this court on or before November 8, 1946.

October 16, 1946.

N. KRISHNADASAN,  
District Judge.

Time to show cause against the *Order Nisi* extended to December 20, 1946.

November 8, 1946.

N. KRISHNADASAN,  
District Judge.

Time to show cause against the *Order Nisi* extended to January 31, 1947.

December 20, 1946.

N. KRISHNADASAN,  
District Judge.