



# THE CEYLON GOVERNMENT GAZETTE

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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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### NOTICES OF INSOLVENCY

In the District Court of Colombo  
 Insolvency In the matter of the insolvency of M. Kachi Mohi No 5,795  
 decn of 98, Silversmith Street, Colombo, 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 at 10.45 in the forenoon on March 15 1949 to consider the grant of a certificate of conformity to the above-named insolvent  
 By order of court, M. N. PIERIS  
 February 16, 1949  
 Secretary

In the District Court of Colombo  
 Insolvency In the matter of the insolvency of A. K. Haniffa of No 5,802, 46 New Moor Street, Colombo, insolvent  
 NOTICE is hereby given that the 2nd sittings and examination of the above-named insolvent will take place at the sitting of this court on March 8, 1949, at 10.45 a.m.  
 By order of court M. N. PIERIS,  
 February 9, 1949  
 Secretary

In the District Court of Colombo  
 Insolvency In the matter of the insolvency of Francis Joseph No 5,809  
 Jesudasan of 17 Forbes Road, Maradana insolvent  
 NOTICE is hereby given that the 2nd sittings and examination of the above-named insolvent will take place at a sitting of this court on March 1 1949 at 10.15 a.m.  
 By order of court M. N. PIERIS  
 February 15, 1949  
 Secretary

In the District Court of Colombo  
 Insolvency In the matter of the insolvency of Carl Neydorff of No 5,812  
 19, Mayfield Road, Kotahena 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, at 10.45 in the forenoon of March 15 1949, for the examination of the insolvent  
 By order of court M. N. PIERIS  
 February 11 1949  
 Secretary

In the District Court of Colombo  
 Insolvency In the matter of the insolvency of Kottachchige Don No 5,828  
 Ails Karunadasa of 25/2 4th Lane Nawala Rajagiriya. insolvent  
 WHEREAS the above-named Kottachchige Don Ails Karunadasa has filed a declaration of insolvency and a petition for the sequestration of his estate has also been filed by W. S. Pereira of 143 Dutugemunu Street Nugegoda under the Ordinance No 7 of 1853. Notice is hereby given that the said court has adjudged the said Kottachchige Don Ails Karunadasa, insolvent accordingly and that two public sittings of the court to wit on March 22, 1949 and on April 5, 1949, 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 M. A. FERNANDO,  
 February 15, 1949  
 Acting Secretary

In the District Court of Kandy  
 No 1136 In the matter of the insolvency of D. J. Perusinghe of Hewa Nivasa, Lady McCarthy's Road, Kandy.  
 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 April 12 1949, to grant the insolvent a certificate  
 By order of court, M. G. ARIYASENA,  
 February 11, 1949  
 Secretary

In the District Court of Jaffna  
 Insolvency In the matter of the insolvency of S. K. Manickam No 204  
 pillai of Vaddukoddai West, Jaffna, insolvent  
 NOTICE is hereby given that a public sitting of this court shall be held on March 18, 1949, at 10 a.m., for the examination of the above named insolvent  
 By order of court, T. SIVASUBRAMANIAM,  
 February 10, 1949  
 Secretary

### NOTICES OF FISCAL'S SALES

#### Western Province

In the District Court of Colombo  
 Bank of Ceylon Plaintiff  
 No 2 108/M B Vs  
 (1) Helen Roshkowsky and (2) Gzregor Jozef Roshkowsky, both carrying on business under the name of Polski Hotel and Restaurant at 41, Manning Mansions, Slave Island, Colombo Defendants

NOTICE is hereby given that on Tuesday, March 1, 1949, at 9 a.m., will be sold by public auction at Polski Hotel and Restaurant 41, Manning Mansions, Slave Island, Colombo, the following movable property mortgaged with the plaintiff by bond or obligation No 867 dated July 11, 1946, and ordered to be sold by the order of court dated January 18/21 1949, and declared specially bound and executable under the decree entered in the above case, for the recovery of the sum of Rs 18,908 56 together with further interest on Rs 18,500 at the rate of 6 per cent per annum from September 1, 1948, till date of decree and thereafter on the aggregate amount of the decree at the rate of 5 per cent per annum till date of payment in full and costs of suit, viz —

Four nedun beds with spring mattresses 12 modern ski beds with head and foot panels, 1 Rangoon teak bed with box spring, 2 twin beds, 2 beds, 2 ordinary beds, 14 ordinary beds, 2 double beds 17 full length sofas, 6 teak beds, 4 mirrored wardrobes, 1 mirrored wardrobes, 2 modern teak wardrobes polished, 1 modern modern wardrobe, 8 wardrobes without mirrors 10 wardrobes (jak), 2 small wardrobes (jak), 2 three compartment giant wardrobes, 1 three compartment giant wardrobe of superior quality, 1 three compartment giant wardrobe of superior quality with oversize full length mirror, 2 modern polished wardrobes, 1 triple mirrored best quality ladies' dressing table, 6 gents chest of drawers and dressing tables combined, 5 good quality teak or nedun ladies' dressing tables, 1 modern dressing table with full length mirror, 1 modern nedun dressing table, 4 dressing tables with large mirrors, 3 dressing tables, 3 dressing tables, 1 combined writing desk and dressing table, 1 complete suit of bed room furniture consisting of twin beds, wardrobe, dressing tables, side wagon (all in polished grained nedun), 1 upholstered spring easy chair, 2 sets upholstered rattened chairs, 4 cane chairs 68 arm chairs (rattan), 9 nedun chairs, 18 bentwood chairs 7 assorted chairs, 30 partitions and screens,

1 writing table, 4 ladies' writing cabinets, 2 small writing desks, 8 ordinary writing desks, 39 carpets, 30 cloth horses, 8 cloth cup boards, 33 cloth racks, 5 dining tables, 30 centre tables, 19 bed side tables, 3 beds with rails for children, 3 fancy almshouses for children, 3 bedside cupboards, 16 waste paper baskets, 14 dirty linen baskets, 10 washstands, 8 shoe racks, 1 modern side cupboard, 3 hanging mirrors, 1 book shelf, 2 easy chairs, 12 lounge chairs, 3 tea-pots, 19 tables square, 1 bar counter, 6 screens, 3 wall clocks, 11 brass flowerpots, 3 refrigerators, 2 side boards, 1 cash register, 5 deer heads, 10 dining chairs, 3 bentwood chairs, 2 large dining tables, 5 large mirrors, 3 rattan lounge chairs, 1 rattan tea-poy, 6 brass flower vases, 12 ceiling fans, 1 radio set, 1 singer sewing machine, 1 underwood typewriter, 6 long tables, 2 large square tables, 5 ordinary tables, 30 bentwood chairs, 50 cheese plates, 5 salad bowls, 38 plates, 1 gas cooker, spoons, forks, table cloths, waiters' coats, 30 picture frames, 3 side boards, 2 counter tops, 1 iron safe, 3 wooden boxes, 5 large wall mirrors, 2 statues (potcelain), 15 table cloths, 1 lot sundries, &c

Fiscal's Office,  
Colombo, February 15, 1949.

T THIAGARAJAH,  
Deputy Fiscal

In the Court of Requests of Colombo

L M Sahul Hameed of 285, Sea Street, Colombo Plaintiff  
No 8,132 Vs  
Don Walter Jayasinghe of Ehela, Bivanwela, Kadewatta Defendant

NOTICE is hereby given that on Friday, March 11, 1949, at 2.30 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs 179 with interest on Rs 160 at 18 per cent per annum from July 22, 1947, to date of decree (January 13, 1948), and thereafter legal interest on the aggregate amount of the decree till payment in full and costs of suit, to wit, Rs 22.75 and Rs 11 being prospective costs, viz —

All that divided lot marked E in plan No 785 dated October 26, 1925, made by E L Schokman, Licensed Surveyor, with the buildings, trees and plantations standing thereon bearing former assessment Nos 28 (1), 28 (2-6), 28 (8-12), and 28 (13-16), and presently Nos 41 (20-27), 41 (28-32), 41 (33-41), and 41 (43-45) from and out of premises bearing assessment Nos 28 (1) to 28 (123), situated at Pickering's Road, Kotahena, within the Municipality and District of Colombo, Western Province, which said lot marked E with the buildings and trees thereon is bounded on the north by Messrs Delmege Forsyth & Co's oil stores and tenements, on the east by the properties of the late Mr Casie Chetty, Miss Ascappa and of the late Wappu Mudalali, on the south by Pickering's Road, and on the west by lot marked D, and containing in extent 1 rood and 11 16/100 perches

Fiscal's Office,  
Colombo, February 15, 1949

T THIAGARAJAH,  
Deputy Fiscal

In the District Court of Colombo

P. C. Kathravel of 121, Silvanismith Street, Colombo Plaintiff  
No 9,437/S Vs

(1) Antony Louis Moraes carrying on business under the name, and style of A L Moraes & Co., of 157, Chekku Street, Colombo, also of 2, Sea View Avenue, Colpetty, Colombo Defendants

NOTICE is hereby given that on Monday, March 14, 1949, will be sold by public auction at the respective premises the right, title, and interest of the said 1st defendant in the following property, for the recovery of the sum of Rs 1,500 with legal interest thereon at the rate of 5 per cent per annum from July 1, 1948, till payment in full, viz —

At 2 p.m.

1. All that allotment of land with the buildings thereon bearing assessment No 48, presently bearing assessment No 165 (1-16), situated at Chekku Street within the Municipality and District of Colombo, Western Province, bounded on the north by premises bearing assessment No 49 of P Bamanathan, Esq., K.C., on the east by pavement along the Chekku Street, on the south by premises bearing assessment No 47 belonging to the estate of Ramalingam Schroff, and on the west by premises bearing assessment No 147 Sea Street, of Ananda K. Coomarasamy, Esq., containing in extent 22 75/100 perches according to the survey plan thereof No 562 dated October 6, 1910, made by H G Dias, Licensed Surveyor and Leveller, registered in the Colombo Land Registry in Volume 180, Folio 324

At 2.15 p.m.

2. All that allotment of land with the buildings standing thereon bearing assessment No 47 and Waid No 388, presently bearing assessment No 157, situated at Chekku Street in Pettah within the Municipality of Colombo aforesaid, bounded on the north east by the property belonging to Kurugal, bearing assessment No 48 on the south-east by Chekku Street, on the south-west by the property belonging to Mrs T Sanmugam, bearing assessment No 46, and on the north-west by the property belonging to F X Perera, bearing assessment No 150, Sea Street, containing in extent 19 95/100 perches according to the survey thereof No 385 dated May 18, 1916, made by S Sbaratnam, Registered Licensed Surveyor; registered in the Colombo Land Registry Volume 271, Folio 288.

At 2.45 p.m.

3. All that allotment of land together with the buildings standing thereon marked B, situated at Jampettah Street in Colombo, bearing assessment Nos 35 and 36, Jampettah Street within the Municipality and District of Colombo, Western Province, and bounded on the north and west by the other part of this property marked letter A bearing assessment Nos. 24, 25, 26, 27, 28, 29, 30, 31, 32

and 34, on the east by premises bearing assessment Nos 37 and 38 of Rawanna Moona Chena Sinna Cannu, on the south by Jampettah Street, containing in extent 24 44 perches, and registered in the Colombo Land Registry in Volume A 297, Folio 40

Fiscal's Office,  
Colombo, February 15, 1949

T THIAGARAJAH,  
Deputy Fiscal

Central Province

In the District Court of Kandy

Kadnaval's, daughter Nagaratnam of Kegalla Plaintiff  
— No P 1086 Vs

(1) Hendeniye Tennegedela Punchihamy, (2) ditto Menik Etiana by her guardian *ad litem* the 1st, both of Gomagoda Palispatu Kotale, Lower Dumbura, and (3) V V Kandiah of Teldeniya Defendants

NOTICE is hereby given that on Thursday, March 24, 1949 commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st and 2nd defendants in the following property, for the recovery of the sum of Rs 227 12 and poundage, viz —

The divided portion marked lot 1 of the land called Katuhena, situated at Gomagoda village, Palispatu West of Pata Dumbura, in extent 2 acres 2 roods 68 perches, and which said divided portion of lot 1 is bounded on the north by lot 2, east by D R C Road, south by Panikotuwawatta, and west by Kotuwawatta, Gansabhawa Road and Yapagodeawatta belonging to the 1st and 2nd defendants

Fiscal's Office,  
Kandy, February 15, 1949

H F RATWATTE,  
Deputy Fiscal

In the District Court of Kegalla

Muthelle Warakapitiye Mudiyansele Tikiri Banda of Mawela in Ganne Pattu Plaintiff  
No 3,494 Vs

Balane Wagapedigodera Gunadasa Veda of Kadugannawa (dead) Defendant  
By W Subasiri of 23, Pavilion Street, Kandy Subd Defendant

NOTICE is hereby given that on Saturday, March 26, 1949, commencing at 1 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs 3,002 35 and poundage, viz —

1. All that allotment of land called Imbulpitiye Megodabittalapakumbura and Wanata (portion out of eastern portion), containing in extent 21 perches, bounded on the south by Imbulpitiyewakumbura, east by remaining portion of this land, west by limit of land reserved for road leading to the well being 6 feet in breadth from the wall of upstairs house erected on the remaining portion, and north by Colombo Road, together with tiled houses Nos 134, 135, and 136, now 188, 181, and 185, situated at Kadugannawa, within the Sanitary Board limit in Kandupalata of Yalnuwara in Kandy District, and registered in B 158/128 (Kandy)

2. All that allotment of land called Dehangokumburawatta alias Dehangokumburawatta, 24 feet in length and 55 feet in breadth bounded on the east by remaining portion south by Dehange Kahapawelagalakumbura, west by land in plan No 137,217, and north by high road, situated at Kadugannawa aforesaid, together with houses Nos 47 and 48 thereon, and registered in B 158/127

Fiscal's Office,  
Kandy, February 15, 1949

H F RATWATTE,  
Deputy Fiscal

In the District Court of Matale

The Attorney General of Ceylon Plaintiff  
No M R 68 Vs

M Kiru Banda, ex-Village Headman of Kalunganga, Attaragallawa in Laggala, Matale East Defendant

NOTICE is hereby given that on Friday, March 18, 1949 commencing at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs 865 15 together with interest thereon from August 7, 1947 till payment in full, viz —

1. The field called Dewatewela Peragaharekumbure of the extent of 1 pela, 4 lahas paddy sowing, situated at Elahera in Gangala Pallesiya Pattu, Matale East, in the District of Matale Central Province, and bounded on the north by Kongete-oya and manyaris of R M Dingiri Banda's field, east by boundary ridge of the paddy field belonging to H M Ukku Banda, ex Village Headman of Helambagahawatte, south by boundary ridge of the paddy field belonging to H M Dingiri Banda, and on the west by Yoda-ela

2. An undivided  $\frac{1}{2}$  share of the field called Medawela Meegahaakumbure, in extent 15 lahas paddy sowing, situated at Elahera aforesaid, and bounded on the north by boundary ridge of paddy field belonging to Guneris, east by Pillawa of Ambanganga, south by boundary ridge of Dambagaharekumbure, and on the west by boundary ridge of Atalahu-ela

3. An undivided  $\frac{1}{2}$  share of the field called Horowwela Kotte Issaahakumbure: in extent 2 pelaw paddy sowing, situated at Elahera aforesaid, and bounded on the north by Gurunnehelakumbure, and boundary ridge of Atalahuwa, east by Henayakumbure Heendenduwa, south and west by Medawee Amuna and Heendenduwa

4. The field called Galvetikinde Mailagahakumbure; in extent 1 pela paddy sowing, situated at Elahera aforesaid; and bounded

on the north by reservation of Ambangana, east by boundary ridge of Millagahakumbure, south by boundary ridge of the divided portion of Millagahakumbure, and on the west by ela

5. The field called Galvetikinde Kadunusahanekumbure, in extent 1 pela paddy sowing, situated at Elahera aforesaid, and bounded on the north by boundary ridge of Gambuniyagahakumbure, east by Pillawa, south by boundary ridge of Kotuwa Gurunehelkumbure, and on the west by Heendenduwa (stream) to Gambuniyagahakumbure

6. The field called Galvetikinde Mailagahakumbure Adupanguwa, in extent 1 pela paddy sowing, situated at Elahera aforesaid, and bounded on the north by boundary ridge of Mailagahakumbure, east by Channel bund, south by boundary ridge of Welangahakumbure, and on the west by reservation of Ambangana

Deputy Fiscal's Office,  
Matale, February 15, 1949

A A CHELLAPPAH,  
Additional Deputy Fiscal

### Southern Province

In the District Court of Tangalla

Chandrasa Atapatu of Tangalla Plaintiff  
No 5,830. Vs

Edriwickramasuriya Patabendige Alcenona of Nakulugamuwa East, legal representative of the estate of the late Kokkunenendige Lulinona of Mawella, deceased Defendant

NOTICE is hereby given that on Thursday, March 17, 1949 at 2.30 p.m., 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 Rs 617,373 with legal interest on Rs 507,350 from January 10, 1949, till payment in full, viz —

#### At Galbokka in Mawella

All that undivided 5/6 shares of the soil and of the plantations of the land called Galpottchena, situated at Galbokka in Mawella in West Gnuwa Pattu of Hambantota District, Southern Province, bounded on the north and south by Galwetiya, east by Tuduwemalalalshena, and west by agala and galweta, and containing in extent about 6 acres or 12 kurumies of kurakkan sowing

Fiscal's Office,  
Tangalla, February 12, 1949

E V SAMARAJIWA,  
Additional Deputy Fiscal

### Northern Province

In the District Court of Jaffna

Murugesu Chelliah of Van North-East, Jaffna Plaintiff  
No 4,232. Vs

P. Veeravagu Ponnudurai of Oddumadam, Jaffna Defendant

NOTICE is hereby given that on Wednesday, March 16, 1949, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, for the recovery of the sum of Rs 1,623 with interest on Rs 1,500 at 8 per cent per annum from February 17, 1948, till payment in full and costs of suit reserved less Rs 1,000 paid after decree, and poundage and charges, viz —

#### S R A

That piece of land with its appurtenances, situated at Vannarponnai West in Vannarponnai Parish, Jaffna Division of the Jaffna District, Northern Province, called Kuruththupidunkeyvayal, in extent 19 3/16 iachams p.c. with shops, houses and cultivated and spontaneous plantations, and bounded on the east and south by road, north by the property of P V Visvaretnam, and on the west by Thurumpukulam

Fiscal's Office,  
Jaffna, February 14, 1949

T KANDIAH,  
for Fiscal

### North-Western Province

In the District Court of Kurunegala

Wijesinghe Boparatnage Cornelis Appuhamy of Etadombagare, now of Metiyagane Plaintiff  
No 3,566 Vs

(1) Sandara Durage Mei Silva, (2) Dewamuni Jane Nona, (3) ditto Julhamy, (4) Sandara Durage Andris Silva, all of Etadombe Agare Defendants

NOTICE is hereby given that on Wednesday, March 23, 1949, 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, viz —

1. An undivided 3/4 share of the land called Kahatagahamulawatta of about 2 acres in extent, situated at Etadombagare in Katugampola Medapattu Korale West of Katugampola Hatpattu in the District of Kurunegala, North-Western Province, and bounded on the north by Gansabawa Road and Benowatta, east and south by the Diyabasaala of the field of the plaintiff and others west by the land of Hunuwila Francis Mahatruaya and others, with the plantations, and buildings thereon

2. An undivided 1/2 share of the field called Kumbukgahakumbura alias Pahalawela of about 2 pelas paddy sowing in extent, situated at Etadombagare aforesaid, and bounded on the north by the field of Dingirhamy, east by the garden of Dingirhamy, south and west by the barbed wire fence of Benowatta

3. An undivided 1/2 share of Bemmakumbura of 2 pelas paddy sowing extent, situated at Etadombagare aforesaid, and bounded on the north by the field of Aratchi Naide, east by the garden of Dinappu Naide, south by Gorakgahamulakumbura of Koranelis Appuhamy, west by Gorokgahamulahena and Kahatagahamulawatta with everything thereon

Amount to be recovered Rs 100 being damages up to date of action, viz, June 4, 1946, and thereafter damages at Rs 50 per annum till plaintiff is restored to possession and costs Rs 398 56 and Rs 18 50 incurred for affidavit, &c. and poundage

Fiscal's Office,  
Kurunegala, February 8, 1949

L A POTUHERA,  
Additional Deputy Fiscal.

In the Court of Requests of Kurunegala

Mahawasala Lyanage Jeen Singho of Kuliyapitiya Plaintiff  
No 14,032 Vs

(1) Abubakkar Udayarilage Ponni Umma and her husband, (2) Assana Vidanelage Adam Pulle, both of Assanakotuwa Defendants

NOTICE is hereby given that on Wednesday, March 30, 1949, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, mortgaged with the plaintiff by bond No 8,648 dated February 24, 1910, and attested by A. G. Sandaratne, Notary Public, and declared specially bound and executable under decree dated November 14, 1946, and ordered to be sold by order of court dated November 28, 1948, for the recovery of the sum of Rs 300 with interest thereon at the rate of 8 per cent per annum from October 2, 1946, till payment in full and costs of this action, Rs 34 50 viz —

An undivided 7/10 share of the land called Kongahamulawatta about one pela kurakkan sowing in extent of soil, situate at Assanakotuwa in Girathalana Korale of Dewamedu Hatpattu in the District of Kurunegala, North-Western Province, and bounded on the north by Kahatagahamulawatta, east by the land of Moera Lebbe and the Gansabhawa road, south by village limit of Udagama, and west by the Crown jungle

Fiscal's Office,  
Kurunegala, February 15, 1949

L A POTUHERA,  
Additional Deputy Fiscal

### Province of Sabaragamuwa

In the District Court of Ratnapura

S W Dimoris of Udagama in Pinnawela Plaintiff  
No 8,688 Vs

D M Lokubanda of Tanayamwatte Walauwa, Opaina Defendant

NOTICE is hereby given that on Thursday, March 17, 1949, at 2 o'clock in the afternoon, commencing from the 1st land, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property, for the recovery of Rs 4,508 85 with interest on Rs 4,500 at 10 per cent per annum from September 30, 1948, to November 2, 1948, and thereafter with legal interest on the aggregate till payment in full and poundage, less Rs 650, viz —

1. An undivided 1/2 share of the contiguous lands called Kendamandiye Paulahena alias Tammettagodahena, Galkanugodella and Hompolagodella together with the buildings and the plantations standing thereon, situate at Opanaiko in Hclapalla Palata of Meda Korale in the District of Ratnapura of the Province of Sabaragamuwa, and bounded on the north by Gansabawa Road, east by Pitapurawatta and Udahagerawatta, south by High Road, Misanakolatennewatic Ima, High Road, Kadewatta lot 423, west by Migahawela, Matantotayaye Kumbura and Icen-ela, and containing in extent about 25 acres

2. An undivided 1/2 share of the land called Magurawakagodawatta Paradeppette Bimkattiya alias Ambagahagodahena together with the plantations and the house standing thereon, situate at Opanaiko aforesaid, and bounded on the north by Beupita Mukalana, east by Wella and High Road, south by Bogahayataliyadda and Kitulayatakumbure Ima, west by Rattalagewatta, and lot No 428, and containing in extent about 2 1/2 acres

3. An undivided 1/2 share of the land called Andiarawegodahena, situate at Opanaiko aforesaid, and bounded on the north by Pettaragawahena Wella and Malmi-ela, east by Pansalawatta alias Unguhamgawatte Agala and Tanayangodollehena, south by Wataliyadewatta-pelamuweta, west by chena belonging to Weragama Korale and Pitapurane Dingirhamgehene Ima, and containing in extent about 3 acres

4. An undivided 1/2 share of the field called Andiarawe Kumbura, situate at Opanaiko aforesaid, and bounded on the north by Malmi-ela, east by Malmi-ela, south and west by Uda Amunata Watuna bandina Mahawella, and containing in extent about 3 pelas and 6 kurumies of paddy sowing

5. An undivided 1/2 share of the field called Debaragahakumbura, situate at Opanaiko aforesaid, and bounded on the north by Pahala Walauwatta Ima, east by Vidane Muttettuva and Waduwege Kumbure Ima, south by Pitapurane Kumbure Inniyara, west by Dombagaha Kumbure Ima, and containing in extent 2 pelas of paddy sowing

6. An undivided 1/2 share of the land called Palamagawawatta, together with the plantations standing thereon, situate at Opanaiko aforesaid, and bounded on the north by High Road, east by Malmi-ela, south by Malmi-ela, west by Puhulwatta Owita, and containing in extent about 1 acre

Fiscal's Office,  
Ratnapura, February 11, 1949

A B KARALLIADDE,  
Additional Deputy Fiscal

I, Noel Edward Ernst, Fiscal for the Central Province, do hereby appoint Mr. W D E Weeratne, Interpreter Mudaliyar of Gampola Courts to act as Fiscal's Marshal, Gampola, under Ordinance No 4 of 1867, whenever the Fiscal's Marshal is absent on casual leave and authorise him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant

No R 20,  
Fiscal's Office,  
Kandy, February 11, 1949

N E ERNST,  
Fiscal

## NOTICES IN TESTAMENTARY ACTIONS

In the District Court of Colombo

## Order Nisi

No 13,151/T In the Matter of the Intestate Estate of Senanayake Arachchige Don Buddhadasa Senanayake of Wigoda in Dasiya Pattu of Alut Kuru Korale North, in Colombo District, deceased

Don Hemachandira Senanayake of Wigoda aforesaid Petitioner  
And

(1) Asida Cornelia Senanayake, (2) Lalitha Senanayake, (3) Lionel Senanayake, all of Wigoda aforesaid (the 2nd and 3rd respondents being minors, appearing by their guardian *ad litem* the 1st respondent) Respondents.

THIS matter coming on for disposal before N Sinnnetamby, Esq., Additional District Judge, Colombo, on October 6, 1948, in the presence of Mr D P Samarajewa, Proctor, on the part of the petitioner, and the affidavit of the petitioner dated July 8, 1948, having been read

It is ordered that the 1st respondent above named be and she is hereby declared appointed guardian *ad litem* and the 2nd and 3rd respondents above named, minors, and that the petitioner be and he is hereby declared entitled, as elder brother of the deceased above named, to have letters of administration to the estate of the deceased issued to him, unless the respondents above named or anyone else shall, on or before November 11, 1948, show sufficient cause to the satisfaction of the court to the contrary

October 15, 1948 N SINNETAMBY,  
Additional District Judge

This Order Nisi is extended until January 20, 1949

November 15, 1948 N SINNETAMBY,  
Additional District Judge

This Order Nisi is further extended until February 24, 1949

January 25, 1949 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 Wannakuwattemitwaduge John Simon Fernando No. 13,201 of Nantial, Idama in Moratuwa, deceased

Wannakuwattemitwaduge Leslie George Wilton Fernando of Nantial, Idama in Moratuwa Petitioner

And

(1) L G C Fernando of the Kachcheri, Matale, (2) Wannakuwattemitwaduge Ethelene Clarita Fernando, (3) ditto Patrick Joseph Fernando, (4) ditto Melison Rufus Fernando, (5) ditto Alaric Lucius Fernando (minor), (6) ditto Pansy Rose Fernando (minor), all of Nantial, Idama in Moratuwa, the 5th and 6th respondents, minors, appearing by their guardian *ad litem* the 7th respondent, (7) Wannakuwattemitwaduge Martin Fernando of Manel, Uyana, Moratuwa Respondents

THIS matter coming on for disposal before N Sinnnetamby, Esq., Additional District Judge of Colombo, on November 1, 1948, in the presence of Mr P. E. S. Wijeyesekera, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated October 11, 1948, having been read.

It is ordered that the 7th respondent above named be and he is hereby declared appointed guardian *ad litem* over the 5th and 6th respondents above named, minors, and that the petitioner be and he is hereby declared entitled, as son of deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents above named or any other person or persons interested shall, on or before December 9, 1948, show sufficient cause to the satisfaction of this court to the contrary

November 2, 1948 N SINNETAMBY,  
Additional District Judge

The above Order Nisi is extended to January 20, 1949

December 9, 1948 D A LEANAGE,  
Additional District Judge

This Order Nisi is further extended till February 24, 1949

January 18, 1949 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 Thummadurage Albert Appuhamy of Narahenpita No. 13,309 Road, Colombo, deceased

Thummadurage Davith Appuhamy of 451/18, Narahenpita Road, Colombo Petitioner

And

Kottagodage Kallina Peiris of 451/18, Narahenpita Road, Colombo ... Respondent

THIS matter coming on for disposal before N Sinnnetamby, Esq., Additional District Judge of Colombo, on January 25, 1949, in the presence of Mr. P. E. P. Sugathadasa, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated October 11, 1948, having been read.

It is ordered that the petitioner above named be and he is hereby declared entitled, as father of the deceased above named, to have letters of administration to the estate of the deceased issued to

him unless the respondent or any person or persons interested shall, on or before March 3, 1949, show sufficient cause to the satisfaction of this court to the contrary

February 3, 1949 N SINNETAMBY,  
Additional District Judge

In the District Court of Colombo

## Order Nisi

Testamentary In the Matter of the Last Will and Testament of Jurisdiction Kotiwila Kankanamalage Abraham Perera of No 13,217 Gonawela, deceased

Kotiwila Kankanamalage Cyril Benedict Perera of Gonawela Petitioner

And

Kunkiri Hettiaratchige Margaret Mary Perera Hamme of Gonawela Respondent

THIS matter coming on for disposal before N Sinnnetamby, Esq., Additional District Judge of Colombo, on November 9, 1948, in the presence of Mr. L. Somaratne, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner, the affidavit of the attesting notary, and the affidavit of the subscribing witnesses, all dated November 3, 1948, having been read

It is ordered that the last will and testament No 4,066 made by Kotiwila Kankanamalage Abraham Perera, the deceased above named, and attested by Mr. D A S Amararatna, Notary Public, on May 8, 1948, 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 executor named in the said will, and he is hereby declared entitled to have probate thereof issued to him accordingly unless the respondent above named or anyone else interested shall, on or before December 16, 1948, show sufficient cause to the satisfaction of this court to the contrary

November 15, 1948 N SINNETAMBY,  
Additional District Judge

Order Nisi extended and returnable on February 24, 1949

N SINNETAMBY,  
Additional District Judge

In the District Court of Colombo

## Order Nisi

Testamentary In the Matter of the Intestate Estate of Henric Jurisdiction Alfred Bettie Weerappah of Maharagama No 13,223 deceased

Clanibel Elvina Weerappah of Maharagama Petitioner

And

(1) Henrietta Florence Ouida de Zilva of the Mental Home, Angoda, (2) Robert Patrick Leopold Weerappah of Pimaduru Respondents

THIS matter coming on for disposal before N Sinnnetamby, Esq., Additional District Judge of Colombo, on November 11, 1948, in the presence of Mr. T. H. Jansz, Proctor, on the part of the petitioner, and the affidavit of the petitioner dated October 30, 1948, having been read

It is ordered that the petitioner above named be and she is hereby declared entitled, as widow of the deceased above named to have letters of administration to the estate of the deceased issued to her, unless the respondents above named or anyone else interested shall, on or before December 16, 1948, show sufficient cause to the satisfaction of this court to the contrary

November 17, 1948 N SINNETAMBY,  
Additional District Judge

This order is extended till February 24, 1949

December 16, 1948 N SINNETAMBY,  
Additional District Judge

In the District Court of Colombo

## Order Nisi

Testamentary In the Matter of the Intestate Estate of Wannakuwattemitwaduge Mildred Clotilda Fernando of No 13,254 53, Gongawela Road, Matale, deceased

Weerahennedige Linton Gilbert Clement Fernando of 53, Gongawela Road, Matale Petitioner

And

(1) Wannakuwattemitwaduge Leslie George Wilton Fernando, (2) Wannakuwattemitwaduge Ethelene Clarita Fernando, (3) Wannakuwattemitwaduge Patrick Joseph Fernando, (4) Wannakuwattemitwaduge Melison Rufus Fernando, (5) Wannakuwattemitwaduge Alaric Lucius Fernando (minor), (6) Wannakuwattemitwaduge Pansy Rose Fernando (minor), all of Nantial, Idama in Moratuwa, the 5th and 6th respondents, appearing by their guardian *ad litem* the 1st respondent Respondents

THIS matter coming on for disposal before N Sinnnetamby, Esq., Additional District Judge of Colombo, on December 1, 1948, in the presence of Mr. P. E. S. Wijeyesekera, Proctor, on the part of the petitioner; and the affidavit of the petitioner above named dated November 29, 1948, having been read.

It is ordered that the 1st respondent above named be and he is hereby declared appointed guardian *ad litem* over the 5th and 6th respondents above named, minors, and that the petitioner be and he is hereby declared entitled, as widower of the deceased, to have letters of administration to the estate of the deceased issued to

him, unless the respondents above named or anyone else interested shall, on or before January 20, 1949, show sufficient cause to the satisfaction of this court to the contrary

December 15, 1948

D A LEANAGE,  
Additional District Judge

The above *Order Nisi* is extended until February 24, 1949

January 18, 1949

N SINNETAMBY,  
Additional District Judge

In the District Court of Colombo

*Order Nisi*

No 13,317 In the Matter of the Last Will and Testament of the late Julius Francis Van Ranzow of Mount Lavinia, deceased

Basil Hermann Van Ranzow of 40, Temple Road Mount Lavinia Petitioner

And

(1) Mercy Matilda Van Ranzow, (2) Victor Osmand Van Ranzow, (3) Danzil Noah Van Ranzow, (4) Preston Maxwell Backhouse, (5) Norma Tidelwas Herat *nee* Backhouse, all of Mount Lavinia Respondents

THIS matter coming on for disposal before N Sinnetamby, Esq, Additional District Judge of Colombo, on January 26, 1949 in the presence of Mr D I Paul Pereira, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated January 18, 1949, and the affidavit of the attesting notary dated January 25, 1949, having been read

It is ordered that the last will and testament No 679 made by Julius Francis Van Ranzow, the deceased above named, and attested by Mr D I Paul Pereira Notary Public, on January 7, 1929, a certified copy 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 be and he is hereby declared entitled, as a son and heir of the deceased above named (the executrix 1st respondent having filed a minute of consent), to have letters of administration with will annexed to the estate of the deceased issued to him, unless the respondents above named or any person or persons interested shall, on or before March 3, 1949, show sufficient cause to the satisfaction of this court to the contrary

February 3 1949

N SINNETAMBY,  
Additional District Judge

In the District Court of Colombo

*Order Nisi*

Testamentary Jurisdiction In the Matter of the Intestate Estate of the late Muthupothage Mabel Pereira of Hunupitiya Road, Colombo, deceased

Wattage Don Anthony Pereira of 34 Hunupitiya Road, Colombo Petitioner

And

(1) Wattage Dona Mary Anesta Paul Pereira, (2) Wattage Dona Mary Iriany Carmel Pereira (1st and 2nd respondents minors, by then guardian *ad litem*) (3) Muthupothage Solomon Pereira, all of 34 Hunupitiya Road, Colombo Respondents

THIS matter coming on for disposal before N Sinnetamby, Esq, Additional District Judge of Colombo, on January 28, 1949, in the presence of Mr D E Weerasoon, Proctor, on the part of the petitioner above named and the affidavit of the petitioner dated January 24, 1949, having been read

It is ordered that the 3rd respondent above named be and he is hereby declared appointed guardian *ad litem* over the 1st and 2nd respondents above named, minors, and that the petitioner be and he is hereby declared entitled as husband of the deceased above named, to have letters of administration to the estate of the deceased issued to him, unless the respondents above named or anyone else interested shall, on or before March 10, 1949, show sufficient cause to the satisfaction of this court to the contrary

February 3, 1949

N SINNETAMBY,  
Additional District Judge

In the District Court of Colombo

*Order Nisi*

Testamentary Jurisdiction In the Matter of the Last Will and Testament of Dr Donald Schokman of Colpetty, retired, Medical Superintendent of Mandapam Camp, South India, deceased

Millicent Florence Felsingel of Alexandra Road Wellawatte Petitioner

THIS matter coming on for disposal before N Sinnetamby, Esq, Additional District Judge of Colombo, on February 1, 1949, in the presence of Mr T H Jansz, Proctor, on the part of the petitioner above named; and (1) the affidavit of the petitioner dated January 26, 1949, (2) the affidavit of the attesting notary dated January 28, 1949, and the affidavit (3) of one of the subscribing witnesses, namely, Wijepala Gumaratne, dated January 21, 1949, having been read

It is ordered that the last will and testament No 8 made by Donald Schokman, the deceased above named, and attested by Mr H J C Perera, Notary Public, on June 1, 1948, 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, unless any person or persons interested shall, on or before February 24, 1949, show sufficient cause to the satisfaction of this court to the contrary

February 2, 1949

N SINNETAMBY,  
Additional District Judge

In the District Court of Colombo

*Order Nisi*

No 13,325/T In the Matter of the Intestate Estate and Effects of Mohamed Madar Mohamed Samsudeen, deceased  
Zainul Abdeen Ummul Marzooka of 42, Nelson Place, Wellawatta Petitioner

vs.

(1) M S M Kamil (2) M S M Hassan, (3) M S M Aliya, (4) M S M Fouwez (5) M S M Zainul Abdeen, (6) M S A Zaroek Noorideen and (7) A L M Yusoff, all of 42, Nelson Place, Wellawatta Respondents

THIS matter coming on for disposal before N Sinnetamby, Esq, Additional District Judge of Colombo, on February 1, 1949, in the presence of Mr C D Thillayasan, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated February 1, 1949 having been read

It is ordered that the 7th respondent be and he is hereby declared appointed guardian *ad litem* over the minors, 1st, 2nd, 3rd, 4th, 5th and 6th respondents above named, and the petitioner be and she is hereby declared entitled, as widow of the deceased above named to have letters of administration to the estate of the deceased issued to her, until the respondents above named or any person or persons interested shall, on or before February 24, 1949, show sufficient cause to the satisfaction of this court to the contrary

February 7, 1949

N SINNETAMBY,  
Additional District Judge

In the District Court of Colombo

*Order Nisi*

Testamentary Jurisdiction In the Matter of the Last Will and Testament and Codicils of Hamish Skinner Cameron, late of "Inkerman", Coonoor, in the District of the Nilgiris, South India, planter, deceased

THIS matter coming on for disposal before N Sinnetamby, Esq, Additional District Judge of Colombo, on February 1, 1949, in the presence of Mr Behnam Kalkhushloo Billmoria of Colombo, Proctor, on the part of the petitioner Geoffrey Thomas Hale of Colombo, and the affidavit of the said petitioner dated January 29, 1949, exemplification of probate of the last will and testament and codicils of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated January 24, 1949, having been read

It is ordered that the will of the said deceased dated April 9, 1946, and two codicils thereto dated respectively July 31, 1947, and May 4, 1948, of which an exemplification of probate has been produced and is now deposited in this court, be and the same are hereby declared proved, and it is further declared that the said petitioner is one of the attorneys of the sole executor named in the second codicil, and that he is entitled, to have letters of administration with a copy of the said will and codicils annexed, issued to him accordingly, unless any person or persons interested shall, on or before March 10, 1949, show sufficient cause to the satisfaction of this court to the contrary

February 5, 1949

N SINNETAMBY,  
Additional District Judge

In the District Court of Colombo

*Notice of Application*

Testamentary Jurisdiction In the Matter of the Last Will and Testament of Minocher Pestonjee Erancee alias Mino P Erancee alias Minocher Pestonjee Erancee alias M P Erancee alias Mino P Erancee alias M P Erancee alias Minocher Pestonjee alias M P Erancee alias Mino P Erancee alias M P Erancee alias Minocher Pestonjee Erancee of Sherbanoo Villa (then known as Khoreshed Villa), Club Back Road, Byculla, Bombay, India, Parsi (Irani) inhabitant, a bachelor and a businessman, 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 last will and testament of Minocher Pestonjee Erancee alias Mino P Erancee alias M P Erancee alias Minocher Pestonjee Erancee alias M P Erancee alias Mino P Erancee alias M P Erancee alias Minocher Pestonjee Erancee alias M P Erancee alias Mino P Erancee alias M P Erancee alias Minocher Pestonjee Erancee of Sherbanoo Villa, (then known as Khoreshed Villa), Club Back Road, Byculla, Bombay, India, Parsi (Irani) Inhabitant, a bachelor and a business man, deceased, granted by the High Court of Judicature at Bombay, India, in its Testamentary and Intestate Jurisdiction on the eighteenth day of May, one thousand nine hundred and forty-eight

Colombo, February 18, 1949

P R SITTAMPALAN

Proctor for William Henry Edwin Ludovick of Messrs F J & G de Saaram Colombo, the attorney of Noshur Pestonjee Erancee and Soli Pestonjee Erancee, both of Sherbanoo Villa, Club Back Road, Byculla aforesaid, India merchants, and Framroze Pestonji Kapadia of Fanaswady Bombay aforesaid, Accountant, three of the executors named in the said will.

In the District Court of Panadura  
Order Absolute in the First Instance

Testamentary In the Matter of the Last Will and Testament of  
Jurisdiction Yalagalage John Simon Peris of Uyana in  
No 139 Moratuwa, deceased  
Tennangara Patabandige Harnet Lydie Peris *nee* Péreira of  
Uyana in Moratuwa Petitioner

THIS matter coming on for final determination before C X Martyn, Esq., District Judge of Panadura, on December 9, 1948, in the presence of Mr Alfred V Fernando, Proctor, on the part of the petitioner above named, and the affidavit of (1) the said petitioner dated December 9, 1948, and (2) the attesting witness to the last will and testament dated December 9, 1948, having been read

It is ordered that the last will and testament of the above-named deceased, bearing No 191 dated June 19, 1920, and attested by Roland E W Perera of Moratuwa Notary Public, the original of which has been produced and is now deposited in court, be and the same is hereby declared proved

And it is further declared that the said petitioner is the executrix named in the said last will and testament and that she is entitled to have probate of the said last will and testament issued to her accordingly on her taking the usual oath, unless sufficient cause is shown to the contrary to the satisfaction of this court, on or before February 23, 1949

December 9, 1948

C X MARTYN,  
District Judge

In the District Court of Negombo  
Order Nisi

Testamentary In the Matter of the Last Will and Testament of  
No 3,486 Wattage Goidianu Fernando of Dandugama  
deceased

Kurugamago Rosaline Perera of Dandugama, Ja-ela Petitioner

THIS matter coming on for disposal before N. Krishnadasan, Esq., District Judge of Negombo, on January 25, 1949, in the presence of Mr T P C Carron, Proctor, on the part of the petitioner, dated January 25, 1949, and the affidavit of the attesting notary and witnesses dated January 25, 1949, having been read

It is ordered that the last will and testament of the deceased above named bearing No 313, attested by Mr T P C Carron Proctor, S C, and Notary Public, the original of which has been produced in court and is now deposited in this court be and the same is hereby declared proved, and the petitioner is the executor named in the said will and the said petitioner be and she is hereby declared entitled, to have probate of the said will issued to her accordingly, unless any other person or persons interested shall, on or before February 23, 1949, show sufficient cause to the satisfaction of this court to the contrary

January 25, 1949

N. KRISHNADASAN,  
District Judge

In the District Court of Negombo  
Order Nisi

Testamentary In the Matter of the Last Will and Testament of  
No 3,487 Senapathige Danes Rodrigo, deceased

Senapathige Manuel Stephen Bernard Rodrigo of Main Street,  
Negombo . . . . . Petitioner

Vs

(1) Senapathige Philip Rodrigo, (2) Senapathige Mary Benedicta Charlotte Rodrigo, both of 303, Main Street, Negombo, (3) Senapathige Mary Margaret Adeline Rodrigo of 48, Grand Street, Negombo, (4) Senapathige Emmanuel Nicholas Herbert Rodrigo of Munnakkara, Negombo . . . . . Respondents

THIS matter coming on for disposal before N. Krishnadasan, Esq., District Judge of Negombo, on January 27, 1949, in the presence of Messrs de Zoysa & Loos, Proctors, on the part of the petitioner, and the affidavit of the petitioner dated January 26, 1949, and the affidavit of the witnesses dated January 26, 1949, having been read

It is ordered that the last will and testament of the deceased above named, dated December 26, 1948, 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 the executor named in the said will and the said petitioner be and he is hereby declared to have probate of the said will issued to him accordingly, unless the respondents or any person or persons interested shall, on or before February 23, 1949, show sufficient cause to the satisfaction of this court to the contrary

January 27, 1949

N. KRISHNADASAN,  
District Judge

In the District Court of Negombo  
Order Nisi

No 3,488/T In the Matter of the Last Will and Testament of  
Kowlage Benjamin de Silva Kumaranatunge of  
Seeduwa, deceased

(1) Kowlage Richard Michael de Silva Kumaranatunge, (2) Don John Edwin Karunaratne, (3) Manamalage John George Fernando, all of Seeduwa . . . . . Petitioners

Vs

(1) Kowlage Joseph Sydney de Silva Kumaranatunge, (2) Kowlage Vivian Pathmawathie de Silva Kumaranatunge, (3) Kowlage Meraya Rupawathie de Silva Kumaranatunge, (4) Kowlage Wijaya Anthony de Silva Kumaranatunge, (5) Clara Beatrice Perera, all of Seeduwa . . . . . Respondents

THIS matter coming on for disposal before N. Krishnadasan, Esq., District Judge of Negombo, on February 1, 1949, in the presence of Mr D C E V Karunaratne, Proctor, on the part

of the petitioners above named; and the affidavit of the said petitioners dated January 24, 1949, and the affidavit of the attesting notary and witnesses dated January 26, 1949, having been read

It is ordered that the last will and testament of the deceased above named, bearing No 2,392 attested by Mr D. C. E. V. Karunaratne, Proctor, S C., and 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 the petitioners are the executors named in the said will and the said petitioners be and they are hereby declared to have probate of the said will issued to them accordingly, unless the respondents or any other person or persons interested shall, on or before February 23, 1949, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that the 5th respondent above named be appointed guardian *ad litem* over the 1st to 4th respondents, minors above named, unless the respondents or any other person or persons interested shall, before the said date, show sufficient cause to the satisfaction of this court to the contrary

February 1, 1949

N. KRISHNADASAN,  
District Judge

In the District Court of Kandy  
Order Nisi

Testamentary In the Matter of the Estate of the late Victor  
Jurisdiction Vadivel Pillai, of Nawalapitiya, deceased  
No T 738

Francis Joseph of Trincomalee Street in Kandy . . . . . Petitioner  
Vs

(1) Sesu Puranani, (2) George Pillai, (3) Isabella Pillai, (4) Bridget Pillai, (5) Puspa Violet Pillai, all of Trincomalee Street in Kandy . . . . . Respondents

THIS matter coming on for disposal before H A de Silva, Esq., District Judge of Kandy, on April 7, 1948, in the presence of Mr M Amcen, Proctor, for the petitioner above named, and the affidavit of the said petitioner dated April 3, 1948, having been read

It is ordered that the 1st respondent be and she is hereby appointed guardian *ad litem* over the 2nd to 5th minor respondents, for the purpose of these proceedings, unless the respondents shall, on or before June 3, 1948, show sufficient cause to the satisfaction of this court to the contrary

It is ordered that the said petitioner be and he is hereby declared entitled, as the father-in-law of the above-named deceased, to have letters of administration to the said estate issued to him, unless the respondents or any other person or persons interested shall, on or before June 3, 1948, show sufficient cause to the satisfaction of this court to the contrary

April 7, 1948

H A DE SILVA,  
District Judge

The date for showing cause against this Order Nisi is extended to July 29, 1948

June 3, 1948

A JAYARATNE,  
Additional District Judge

The date for showing cause against this Order Nisi is extended to September 20, 1948

July 29, 1948

A JAYARATNE,  
Additional District Judge.

The date for showing cause against this Order Nisi is extended to November 8, 1948

September 20, 1948

A. JAYARATNE,  
Additional District Judge

The date for showing cause against this Order Nisi is extended to December 16, 1948

November 8, 1948

A JAYARATNE,  
Additional District Judge

The date for showing cause against this Order Nisi is extended to February 10, 1949

December 16, 1948

A JAYARATNE,  
Additional District Judge.

The date for showing cause against this Order Nisi is extended to March 21, 1949

February 10, 1949

A. JAYARATNE,  
Additional District Judge

In the District Court of Kandy  
Order Nisi

Testamentary In the Matter of Estate of the late Madugalle Dunu-  
Jurisdiction willie Medduma Kumarihamy of Dunuwilla,  
T 774. deceased

Bernad Dunuwilla of Dunuwilla Walauwa in Dunuwilla . . . . . Petitioner  
Vs

(1) Sumana Dunuwilla Bogahalande Kumarihamy, (2) Kuda Banda Dunuwilla, both of Dunuwilla Walauwa, (3) Chitra Dunuwilla Arawawela Kumarihamy of Talagoda Walauwa in Badulla, (4) Tikiri Banda Dunuwilla of Dunuwilla Walauwa . . . . . Respondents

THIS matter coming on for disposal before H A de Silva, Esq., District Judge of Kandy, on October 4, 1948, in the presence of Mr A R M Shauff, Proctor for the petitioner above named, and the affidavit of the said petitioner dated October 2, 1948, having been read

It is ordered that the said petitioner be and he is hereby declared entitled, as son of the above-named deceased, to have letters of administration to her estate issued to him, unless the respondents

or any other person or persons interested shall, on or before November 22, 1948, show sufficient cause to the satisfaction of this court to the contrary

November 22, 1948

H A DE SILVA,  
District Judge

The date for showing cause against this *Order Nisi* is extended to January 10, 1949

November 22, 1948

A JAYARATNE,  
A D J

The date for showing cause against this *Order Nisi* is extended to February 24, 1949

January 10, 1949

A JAYARATNE,  
A D J

In the District Court of Kandy  
*Order Nisi*

Testamentary In the Matter of the Estate of the late E W A. do Silva of Rikillagaskada, deceased  
Jurisdiction  
No T. 789

Mrs E W A de Silva of Rikillagaskada in Udahewaheta  
Petitioner.

Vs

- (1) Srimathie Swarna Kumari Chandralatha de Silva, (2) Srimathie Chitralatha Nelundevi de Silva, (3) Srimathie Subitha Devi Arandalatha de Silva, (4) Srimathi Ratna Kumari Indrialatha de Silva, (5) Srimathie Maurulatha Shanthi Kumari de Silva, (6) Suriyawansa Wiswa Kumara Preethdewa Manukularatne de Silva and (7) Suriyawansa Anura Kumara Dewapriya Manukularatne de Silva, all of Rikillagaskada  
Respondents

THIS matter coming on for disposal before A Jayaratne, Esq., District Judge of Kandy, on January 10, 1949, in the presence of Mr P Mapalagama, Proctor, for the petitioner above named, and the affidavit of the said petitioner dated January 10, 1949, having been read.

It is ordered that the 1st respondent be and she is hereby appointed guardian *ad litem* over the 2nd to 7th minor respondents for the purpose of these proceedings, unless the respondents shall, on or before February 24, 1949, show sufficient cause to the satisfaction of this court to the contrary.

It is ordered that the said 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 or any other person or persons interested shall, on or before February 24, 1949, show sufficient cause to the satisfaction of this court to the contrary.

January 10, 1949

A JAYARATNE  
District Judge

In the District Court of Matale  
*Order Nisi*

No T 20 In the Matter of the Estate of the late Ratnayake Mudiyan-selagodera Kiri Banda, Village Headman of Ambokka deceased

Ratnayake Mudiyan-selaye Adikamudiyan-selagodera Kalu Menika of Ambokka, widow of the deceased  
Petitioner.

Vs

- (1) Ratnayake Mudiyan-selaye Ukkumamma of Medabedda, (2) R M Punchi Banda of Ragama Chest Hospital, Ragama, (3) R M Tilakarathne, V M Ambokka (4) R M Yasu Menika of Talahengoda (5) R M Wansa Menika of Ambokka, (6) R M Panhitharatne Ratnayake, (7) R M Kalu Banda, V M, Ambokka  
Respondents.

THIS matter coming on for final disposal before P R Gunasekara, Esq., District Judge of Matale, on December 7 1948, in the presence of Mr B R G. Wijeyekoon, Proctor, on the part of the petitioner, and the affidavit of the above-named petitioner dated November 20, 1948, having been read.

It is ordered that the petitioner above named be and she is hereby declared entitled, as widow of the said deceased, to have letters of administration to his estate issued to her, unless the above-named respondents or any other person or persons interested shall, on or before February 24, 1949, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 7th respondent be appointed guardian *ad litem* over the 5th and 6th respondents, the respondents or others shall, on or before February 24, 1949, show sufficient cause to the satisfaction of this court to the contrary.

February 3, 1949

P. R. GUNASEKARA  
District Judge

In the District Court of Nuwara Eliya holden at Hatton  
*Order Nisi*

Testamentary In the Matter of the Intestate Estate and Effects of Jurisdiction Pena Anaikutiyapillai, son of Perinappillai of No 245 Cleveland Estate, Upcot, deceased

Mookaemammal, widow of Pena Anaikutiyapillai, by her attorney S Palaniyandipillai of Hatton  
Petitioner

Vs

- (1) Saraswathie, (2) Kanapathy, (3) Parvathia, (4) Maheswari, (minors), and (5) P Sadayapillai, guardian *ad litem* of the four respondents, who are all minors, all of Cleveland Estate Upcot.  
Respondents.

THIS matter coming on for disposal before T Quentin Fernando, Esq., District Judge of Nuwara Eliya, holden at Hatton, on February 1, 1949, in the presence of Mr S. Sellathurai, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated January 21, 1949, having been read.

It is ordered that the petitioner above named be and he is hereby declared, as attorney of the said widow of the deceased above named, to have letters of administration to the above estate issued to him accordingly, and the 5th respondent above named be appointed guardian *ad litem* over the 1st to 4th respondents, minors above named, unless the respondents or any other person or persons interested shall, on or before February 22, 1949, show sufficient cause to the satisfaction of the court to the contrary.

February 8, 1949

T QUENTIN FERNANDO,  
District Judge

In the District Court of Balapitiya  
*Order Absolute*

Testamentary In the Matter of the Last Will and Testament of Jurisdiction Appuwadura Podisingho de Zoysa of Paratarakagoda in Kosgoda, deceased  
No T 55  
Appuwadura Bennie de Zoysa of Paratarakagoda in Kosgoda  
Petitioner

THIS matter coming on for final determination before T P P Goonatilke, Esq., District Judge of Balapitiya, on July 14, 1948, in the presence of Mr P K. de Silva, Proctor, on the part of the petitioner, and the affidavit of the said petitioner dated June 3, 1948, having been read.

And it appearing to this court that the said petitioner has established his right thereto, it is ordered that the will of the above-named deceased dated June 28, 1943, attested by D M Gunasekera, Notary Public, be deposited in this court be and the same is hereby declared proved and that the petitioner be and the executor named in the last will and that probate of the said will be issued to the petitioner above named accordingly, on his taking the usual oath and tendering the security bond.

August 16, 1948

T P P GOONATILLEKE,  
District Judge

Time extended to October 20, 1948

Time extended to December 1, 1948

Time extended to March 2, 1949

T P P GOONATILLEKE,  
District Judge

In the District Court of Jaffna  
*Order Nisi Declaring Will Proved, etc*

Testamentary In the Matter of the Estate of the late S Sinna- Jurisdiction durai, deceased, of Mahiappiddi  
No 985

Nagamuthu Sangarappillai of Mahiappiddi  
Petitioner

Vs

- (1) Sathiapama alias Basammah, a minor, appearing by her guardian *ad litem* the 2nd respondent, (2) Nagammah, widow of Sinnathurai of Mahiappiddi in Jaffna  
Respondents

THIS matter coming on for disposal before R R Selvadurai, Esq., District Judge, Jaffna, on January 17, 1949, in the presence of Mr. S T Nadarajah, Proctor, on the part of the petitioner, and the affidavit of the above-mentioned petitioner dated December 28, 1948, having been read, and the evidence of the witnesses and the notary (per affidavit) taken and all parties heard.

It is ordered that the will of the late S Sinnathurai of Mahiappiddi, deceased, dated October 4, 1948, and numbered 2,869 be and the same is hereby declared proved, unless the respondents or any other persons shall, on or before February 24, 1949, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Nagammah, widow of S Sinnathurai, 2nd respondent, be appointed guardian *ad litem* over the 1st respondent and that the said Nagamuthu Sangarappillai, 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 others shall, on or before February 24, 1949, show sufficient cause to the satisfaction of this court to the contrary.

January 17, 1949

R R SELVADURAI,  
District Judge

In the District Court of Jaffna  
*Order Nisi*

Testamentary In the Matter of the Last Will and Testament of Jurisdiction the late Maheswari, wife of Vaitialingam Nadarajah of Vannarponnai East, Jaffna, deceased  
No 987

Vaitialingam Nadarajah of Vannarponnai East  
Petitioner

Vs

- (1) Nadarajah Suskanda Rajah, (2) Vasantha, and (3) Santha daughters of Nadarajah, 1st to 3rd respondents being minors appearing by their guardian *ad litem* the 5th respondent. (4) Rasammah, daughter of Sinnadurai, (5) Ramaswathar Kandiah Subramaniam, all of Vannarponnai East, Jaffna  
Respondents

THIS matter coming on for final disposal before R R Selvadurai, Esq., District Judge, Jaffna, on January 17, 1949, in the presence of Mr M R Karalasingham, Proctor, on the part of the petitioner, and his affidavit and the affidavit of the witnesses having been read.

It is ordered that the above-named 5th respondent be appointed guardian *ad litem* over the minors, the 1st to 3rd respondents, and that probate be issued to the petitioner to the estate of the above named deceased, unless the respondents or any other person or persons interested in the subject matter shall, appear before this court, on or before February 28, 1949, and show cause to the satisfaction of this court to the contrary.

The minors are to be produced on the said date

January 17, 1949

R. R. SELVADURAI,  
District Judge.

In the District Court of Jaffna

## Order Nisi

Testamentary In the Matter of the Estate of the late Murugesai  
Jurisdiction Kanapathipillai of Manipay, Jaffna deceased  
No 991

Kanapathipillai Rajaratnam of Nallur, Jaffna

Petitioner

Vs

(1) Kanapathipillai Sabaratnam, (2) Kanapathipillai Vijayatnam,  
(3) Kanapathipillai Thunianajah, (4) Yoganani, daughter  
of Kanapathipillai, (5) Jeyarani, daughter of Kana-  
pathipillai, and (6) N Konthai Rasa all of Nallur,  
Jaffna Respondents

THIS matter coming on for disposal before R R Selvadurai,  
Esq., District Judge of Jaffna, on January 27, 1949 in the presence  
of Mr S Visuvalingam, Proctor, on the part of the petitioner  
and the affidavit of the petitioner dated January 27, having been read

It is ordered that the above-named 6th respondent be appointed  
guardian *ad litem* over the minors, the 2nd to 5th respondents, and  
that letters of administration to the estate of the late Murugesai  
Kanapathipillai be issued to the petitioner, unless the respondents  
or any other person or persons interested shall, appear before this  
court on March 7, 1949, and show cause to the satisfaction of this  
court to the contrary

It is further ordered that the said minors be produced in court  
on the said date

January 27, 1949

R R SELVADURAI  
District Judge

In the District Court of Jaffna

## Order Nisi

Testamentary In the Matter of the Intestate Estate of the late  
Jurisdiction Seganather Ganesh of Kannathiddy Street, Jaffna  
deceased  
No 992

Mayappan Pathai Sivasubramaniam of Kannathiddy,  
Jaffna Petitioner

Vs

(1) Maheswary, daughter of Ganesh, (2) Jegathesvaran,  
son of Ganesh, (3) Sarojini, daughter of Ganesh, (4) Jeka-  
nathan, son of Ganesh (5) Vaithesparan, son of Ganesh,  
minors, appearing by their guardian *ad litem* (6) Marappapathi  
Kumaraswamy Pathai, all of Kannathiddy, Jaffna Respondents

THIS matter coming on for determination before R R Selva-  
durai, Esq., District Judge, Jaffna, on January 27, 1949, in the  
presence of Mr M. R. Rajalingham, Proctor, on the part of the  
petitioner, and the affidavit of the petitioner dated January 25, 1949,  
having been read

It is ordered that the above named 6th respondent be appointed  
guardian *ad litem* over the minors, the 1st to 5th respondents above  
named, for the purpose of watching their interests in the above  
testamentary proceedings, and that letters of administration to the  
intestate estate of the above-named deceased be granted to the  
petitioner, unless the respondents or any other person or persons  
interested shall, appear before this court on or before March 7, 1949  
and show sufficient cause to the satisfaction of this court to the  
contrary

January 27, 1949

R R SELVADURAI,  
District Judge

In the District Court of Kurunegala

## Order Nisi

Testamentary In the Matter of the Estate of the late Jayaweera  
Jurisdiction Arachchige Maryanu Perera of Koshena-  
No 4,775 Agare in Kinyama Korale in Katugampola  
Hatpattu in Kurunegala District, deceased

Between

Seelmaguruge Engrasia Fernarido of Koshena-Agare afore-  
said Petitioner

And

(1) Jayaweera Arachchige Francis Michael Perera, (2) ditto  
Wilson Perera, (3) ditto Alfred Perera, (4) ditto Cyril  
Perera, (5) ditto Harry Perera, all of Koshena-Agare afore-  
said, (6) Seelmaguruge Jokinny Fernando of Hendiyapola in  
Kinyama Korale Respondents

THIS matter coming on for disposal before S Rajaratnam, Esq  
District Judge of Kurunegala, on January 24, 1949 in the presence  
of Mr H. Bode Perera, Proctor, for the petitioner above named,  
and the affidavit of the said petitioner dated January 21, 1949,  
having been read

It is ordered that the 6th respondent be and he is hereby  
appointed guardian *ad litem* over 1st to 5th minor respondents  
for the purpose of these proceedings, unless the respondents shall,  
on or before March 18, 1949, show sufficient cause to the satisfaction  
of this court to the contrary

It is ordered that the said 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 or any other person or persons interested shall, on  
or before March 18, 1949, show sufficient cause to the satisfaction  
of this court to the contrary

January 24, 1949

W G SPENCER,  
District Judge

In the District Court of Badulla

## Order Nisi

Testamentary In the Matter of the Intestate Estate of Muthiah  
Jurisdiction Ramanathan Chettiar, also known as Muthiah  
No B/1,180 Ramanamy Chettiar of Badulla, deceased

Between

Ramiah Chettiar, son of Ramanathan Chettiar *alias* Ramanamy  
Chettiar, presently of Pallatur in Ramnad District, South  
India, by his attorney S. K. R. N. Nachappa Chettiar of  
Lower Street, Badulla Petitioner

And

(1) Alamelu Achi, (2) Vallamunai Achi and (3) Sigappi Achi,  
all of Pallatur, Ramnad District aforesaid Respondents

THIS matter coming on for disposal before G M de Silva, Esq.,  
District Judge of Badulla, on November 23, 1948, in the presence  
of Mr K V Nadarajah, Proctor, on the part of the petitioner,  
and his affidavit dated November 22, 1948, having been read

It is ordered that letters of administration in respect of the  
estate of the deceased aforesaid, be issued to petitioner, as the male  
member and as co-owner of the estate of the said deceased, unless  
sufficient cause be shown to the contrary on or before February 24,  
1949, by the respondents above named or any person or persons  
lawfully interested in the said estate

November 23 1948

G M DE SILVA  
District Judge

In the District Court of Badulla

## Order Nisi

No B/1,183 In the Matter of the Intestate Estate of P B  
Katugaha, late of Katugaha Walawwa Pattiyogedara in the District of Badulla, deceased

Between

P B Katugaha of Katugaha Walawwa, Katugaha Petitioner

And

(1) L B Katugaha of Nannapurawa, Bibilo, (2) Malika  
Katugaha of Kattakotte Kinnarhamy of Mahayaya,  
Kandy Respondents

THIS matter coming on for disposal before G M de Silva, Esq.,  
District Judge of Badulla, on February 11, 1949 in the presence of  
Mr K V Nadarajah, Proctor, on the part of the petitioner, and  
his affidavit dated January 17, 1949, having been read

It is ordered that the petitioner above named be and he is hereby  
appointed administrator of the estate of the deceased above named,  
as a grand-son and an heir of the intestate, and that letters of  
administration in respect of the said estate be issued to the said  
petitioner accordingly, unless the respondents above named or any  
person or persons lawfully interested therein shall, on or before  
February 25, 1949, show sufficient cause to the satisfaction of this  
court to the contrary

February 11, 1949

G M DE SILVA,  
District Judge

In the District Court of Kegalla

## Order Nisi

Testamentary In the Matter of the Intestate Estate of the late  
Jurisdiction Tammita Aracillage Diyonis Appuhamy, deceased  
No 1,768 of Yakella

Pathirage Manis Perera of Yakella

Petitioner

Vs

(1) Ranasinghe Aracillage Punchumanika, (2) Tammita Arac-  
cillage Podihamine, (3) ditto Asiline Nona, all of Yakella,  
(4) ditto Podimona of Karawahella, (5) ditto Haminona  
(6) Tanappuli Aracillage Sediya Singho, both of Yak-  
ella Respondents

THIS matter coming on for disposal before W Thalpodappitiya  
Esq., District Judge of Kegalla, on January 18, 1949, in the  
presence of Mr E A Perera, Proctor, on the part of the peti-  
tioner, and the affidavit of the above-named petitioner dated  
November 19, 1949, having been read

It is ordered that the said Pathirage Manis Perera, petitioner  
be and he is hereby declared entitled, to have letters of adminis-  
tration to the estate of Tammita Aracillage Diyonis Appuhamy of  
Yakella, deceased, issued to him, unless the respondents or others  
interested shall, on or before February 24, 1949, show sufficient  
cause to the satisfaction of this court to the contrary

January 18, 1949

W THALPODAPITIYA,  
District Judge



## PASSED ACTS

*Income Tax (Amendment) Act, No. 1 of 1949*

No 4/7/37 (MFG)

L.D.-O.29/48

## AN ACT TO AMEND THE INCOME TAX ORDINANCE.

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

[Date of Assent: February 16 1949.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Income Tax (Amendment) Act, No 1 of 1949.

Short title.

2. (1) Section 7 of the Income Tax Ordinance (hereinafter referred to as "the principal Ordinance") is hereby amended as follows:—

Amendment of  
section 7 of  
Chapter 188.

(a) in sub-section (1)—

(i) by the substitution, for paragraph (g), of the following paragraph:—

"(g) the official emoluments and any income not arising in or derived from Ceylon of—

(i) the Diplomatic Representative in Ceylon (by whatever name or title designated) of the Government of any foreign country and the High Commissioner in Ceylon of the Government of any part of His Majesty's dominions;

(ii) any member of the staff of any such Representative or High Commissioner, any consul or trade commissioner, and any member of the staff of any consul or trade commissioner, who is a citizen or a subject of the country represented by him and does not carry on or exercise in Ceylon any other employment or any trade, business, profession or vocation:

As regards other income, the liability to tax of any person hereinbefore mentioned shall be the same as though he were a non-resident person;"

(ii) by the omission of paragraph (gg) (inserted by Ordinance No. 18 of 1946) and the substitution therefor of the following:—

“(gg) any overseas allowance or representational allowance granted by the Government of Ceylon to any individual who is deemed by sub-section (6) of section 33 to be resident in Ceylon;”;  
and

(iii) by the omission of paragraph (jj) (inserted by Ordinance No. 52 of 1946);

(b) by the repeal of sub-section (3) (inserted by Ordinance No. 52 of 1946) and the substitution therefor of the following sub-section:—

“(3) The exemption conferred by sub-paragraph (g) (ii) of sub-section (1) shall not apply in the case of any person referred to in that sub-paragraph unless the Minister, being satisfied that a corresponding official of the Government of Ceylon resident in the country represented by that person is or would be granted similar exemption from income tax by that country, declares that the exemption shall apply in that case.”

(2) The amendment made in section 7 of the principal Ordinance by sub-section (1) of this section shall be deemed to have come into force on the first day of April, 1943

Amendment of  
section 33  
of the  
principal  
Ordinance.

3. (1) Section 33 of the principal Ordinance is hereby amended, by the addition, at the end thereof, of the following new sub-section:—

“(6) An individual who is in the employment of the Government of Ceylon and who is resident in any other country during any period for the purposes of such employment shall, for the purposes of this Ordinance, be deemed to be resident in Ceylon during that period if income tax or any tax of a corresponding nature is not payable in that country in respect of the official emoluments payable to him for such period.

Provided that any such individual who is a citizen or subject of any country other than Ceylon shall not, by reason of his being so deemed to be resident in Ceylon, be liable to tax as a resident as respects any income, other than his official emoluments or other income arising in or derived from Ceylon.”

(2) The amendment made in section 33 of the principal Ordinance by sub-section (1) of this section shall come into force on the first day of April, 1949.

4. (1) Sub-section (5) of section 44 of the principal Ordinance (as amended by section 4 of Act No. 2 of 1948) is hereby further amended by the addition, at the end of that sub-section, of the following:—

Amendment of  
section 44  
of the  
principal  
Ordinance

“ In any case where tax is, under the preceding provisions of this sub-section, deemed to have been deducted at a rate higher than the rate at which tax was actually deducted, no person shall be entitled to any repayment by reason only that such tax is so deemed to have been deducted at such higher rate.”

(2) The amendment made in section 44 of the principal Ordinance by sub-section (1) of this section shall be deemed to have come into force on the twenty-eighth day of January, 1948, being the date on which the Income Tax (Amendment) Act, No 2 of 1948, came into operation.

5. Section 80 of the principal Ordinance is hereby amended, by the insertion, immediately after sub-section (1), of the following new sub-sections:—

Amendment of  
section 80  
of the  
principal  
Ordinance

“ (1A) Nothing in sub-sections (2) to (5) of section 312 of the Criminal Procedure Code shall apply in any case referred to in sub-section (1) of this section

Cap 16

(1B) In any case referred to in sub-section (1) in which the defaulter is sentenced to imprisonment in default of payment of the fine deemed by that sub-section to have been imposed on him, the Magistrate may allow time for the payment of the amount of the said fine or direct payment of that amount to be made by instalments.

(1C) The court may require bail to be given as a condition precedent to allowing time under sub-section (1) for showing cause as therein provided, or under sub-section (1B) for the payment of the fine; and the provisions of Chapter XXXVI. of the Criminal Procedure Code shall apply where the defaulter is so required to give bail

(1D) Where payment in instalments is directed under sub-section (1B) and default is made in the payment of any one instalment, the same proceedings may be taken as if default had been made in payment of all the instalments then remaining unpaid.”

6. Section 83 of the principal Ordinance is hereby amended, by the substitution, for the words “ save where ”, of the words “ notwithstanding that”.

Amendment of  
section 83  
of the  
principal  
Ordinance

7. Section 87 of the principal Ordinance is hereby amended, by the substitution, for the words “ treble the amount of tax for which he is liable ”, of the words “ treble the amount of tax for which he, or as the case may be the other person so assisted, is liable ”.

Amendment of  
section 87  
of the  
principal  
Ordinance.

*Tea Propaganda (Amendment) Act, No. 2 of 1949*

(Chapter 180.  
Vol. III.,  
p. 561)

## AN ACT TO AMEND THE TEA PROPAGANDA ORDINANCE.

[Date of Assent: February 16, 1949.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same as follows:—

Short title

1. This Act may be cited as the Tea Propaganda (Amendment) Act, No. 2 of 1949.

Amendment of  
section 2 of  
Chapter 180.

2. Section 2 of the Tea Propaganda Ordinance (hereinafter referred to as the "principal enactment") is hereby amended, in the definition of "Association", by the omission of the words "The Ceylon Estates Proprietary Association".

Amendment of  
section 4 of the  
principal  
enactment

3. Section 4 of the principal enactment is hereby amended; in sub-section (1) of that section, as follows:—

(1) under the heading "*Ex officio members*"—

(a) by the substitution, for the words "The Minister or a person deputed by him", of the words "The Permanent Secretary to the Ministry or a person deputed by him";

(b) by the insertion, immediately after the words substituted by paragraph (a), of the words "The Director of Commerce"; and

(c) by the substitution, for the words "The Chairman or Deputy Chairman of the Ceylon Estates Proprietary Association", of the words "The Chairman of the Agency Section of the Planters' Association of Ceylon";

and

(2) under the heading "Nominated Members"—

(a) by the substitution, for the words "One member nominated by the Planters' Association of Ceylon from among its members", of the words "Two members nominated by the Planters' Association of Ceylon from among its members"; and

(b) by the omission of the words "One Member nominated by the Ceylon Estates Proprietary Association from among its members".