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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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PASSED ACTS

L D — O 3/49.

Local Authorities Elections (Amendment) Act, No. 5 of 1949

AN ACT TO AMEND THE LOCAL AUTHORITIES ELECTIONS
ORDINANCE, No. 53 OF 1946.

[Date of Assent: March 10, 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 Local Authorities Elections (Amendment) Act, No 5 of 1949

Short title.

2. Section 27 of the Local Authorities Elections Ordinance, No 53 of 1946 (hereinafter referred to as "the principal enactment"), is hereby amended as follows:—

Amendment
of section 27
of Ordinance
No 53 of
1946.

- (1) in paragraph (a) of sub-section (1), by the substitution, for the words "on which, and the place at which," of the words and figures "on which, the hour (commencing not earlier than 9 A.M. nor later than 4 P.M.) during which, and the place at which,";
- (2) in paragraph (a) of sub-section (2), by the substitution, for the words "on which, and the place at which," of the words and figures "on which, the hour (commencing not earlier than 9 A.M. nor later than 4 P.M.) during which, and the place at which,"; and
- (3) in sub-section (3), by the substitution, for the words 'the "nomination day" and', of the words 'the "nomination day"', and the hour so specified as the hour during which candidates for election must be nominated is hereinafter referred to as the "hour of nomination", and '.

Amendment
of section 29
of the
principal
enactment

3. Section 29 of the principal enactment is hereby amended in sub-section (5) thereof, by the substitution for the words and figure "and before 1 P.M.", of the words "and before the expiry of the hour of nomination".

Amendment
of section 30
of the
principal
enactment

4. Section 30 of the principal enactment is hereby amended in sub-section (1) as follows:—

- (1) by the re-numbering of paragraph (b) of that sub-section as paragraph (c); and
- (2) by the insertion immediately after paragraph (a) of that sub-section, of the following new paragraph:—

"(b) Where the day immediately preceding the nomination day for a ward is a Sunday or a public holiday, the deposit required by paragraph (a) shall be made before 1 P.M. on the day (not being a public holiday or Sunday) immediately preceding such Sunday or public holiday"

Amendment
of section 32
of the
principal
enactment

5. Section 32 of the principal enactment is hereby amended as follows:—

- (1) in sub-section (1), by the substitution, for the words and figures "from 12 noon to 1 P.M.", of the words "during the hour of nomination";
- (2) in sub-section (2), by the substitution, for the words and figures "between 12 noon and 1 P.M.", of the words "during the hour of nomination," and
- (3) in sub-section (4), by the substitution, for the words and figures "between 12 noon and 1.30 P.M. and to examine there and between those hours", of the words "during the hour of nomination and the half hour immediately succeeding the hour of nomination and to examine there and during the said period"

Amendment
of section 33
of the
principal
enactment

6. Section 33 of the principal enactment is hereby amended in sub-section (2), by the substitution, for the words and figures "between 12 noon and 1.30 P.M.", of the words "during the hour of nomination and the half hour immediately succeeding the hour of nomination".

Amendment
of section 35
of the
principal
enactment

7. Section 35 of the principal enactment is hereby amended in sub-section (1), by the substitution, for the words and figure "Before 1 P.M.", of the words "Before the expiry of the hour of nomination"

Amendment
of section 36
of the
principal
enactment

8. Section 36 of the principal enactment is hereby amended in sub-section (1), as follows:—

- (1) by the substitution, in paragraph (a) of that sub-section, for the words and figure "that at 1 P.M.", of the words "that at the expiry of the hour of nomination"; and
- (2) by the substitution, for all the words from "and the place at which" to the end of that sub-section, of the following:—
"and the hour during which and the place at which such nomination must be made; and all the provisions of this Ordinance, except the provisions of paragraph (b) of section 27 (1), shall thereupon apply as though such second nomination day were the nomination

day referred to in section 27 (3) and as though the hour specified in the notice published under this sub-section was the hour of nomination referred to in section 27 (3) and as though the place prescribed in such notice was the place of nomination referred to in section 27 (3)."

9. Section 38 of the principal enactment is hereby amended in sub-section (1), by the substitution, for the words and figure "If at 1 P M.", of the words "If at the expiry of the hour of nomination".

Amendment
of section 38
of the
principal
enactment.

10. Section 62 of the principal enactment is hereby amended, by the substitution, for the words "at which he will begin to count the votes.", of the words "at which the count of the votes will be commenced."

Amendment
of section 62
of the
principal
enactment

11. The following new section shall be inserted immediately after section 68, and shall have effect as section 68A, of the principal enactment:—

Insertion
of new
section 68A
in the
principal
enactment

68A. (1) The returning officer may appoint any presiding officer of a polling station for any ward to count the votes for that ward and a presiding officer so appointed to count the votes is hereinafter referred to as a "counting officer".

Appointment
of counting
officers

(2) Where a counting officer is appointed under sub-section (1), the sections of this Ordinance which are specified in the first column of the Eighth Schedule to this Ordinance shall have effect subject to the additions, amendments and modifications set out respectively in the corresponding entries in the second column of that Schedule.

12. Section 74 of the principal enactment is hereby amended as follows —

Amendment
of section 74
of the
principal
enactment

(1) in sub-section (1), by the substitution, for the words "returning officer" at the end of that sub-section, of the words "returning officer or presiding officer", and

(2) by the re-numbering of the sub-section immediately following sub-section (4), as sub-section (5)

13. (1) The EIGHTH SCHEDULE to the principal enactment is hereby amended by the substitution, for the title "EIGHTH SCHEDULE" appearing at the head thereof, of the title "SEVENTH SCHEDULE".

Alteration
of Schedule
and addition
of new
Schedule

(2) The following new Schedule is hereby added at the end of the principal enactment, and shall have effect as the EIGHTH SCHEDULE thereto.—

" EIGHTH SCHEDULE

(Section 68A)

Column I	Column II.
Section of Ordinance	Additions, amendments or modifications applicable where counting officer is appointed under section 68A
1 Section 60	(1) Nothing in sub-section (1) shall be deemed to require the counting officer to deliver the packets accompanied by the ballot paper account to the returning officer

Column I
Section of Ordinance.

Column II
Additions, amendments or modifications applicable where counting officer is appointed under section 68A

2. Section 63

(2) Each presiding officer of the ward for which the counting officer has been appointed, under the provisions of section 68A (1), shall deliver the packets and the ballot paper account referred to in the section to such counting officer and not to the returning officer

3. Section 64

Every reference to a returning officer shall be deemed to include a reference to a counting officer

4. Section 65

Every reference to a returning officer shall be deemed to include a reference to a counting officer

5. Section 66

The reference to a returning officer shall be deemed to include a reference to a counting officer.

6. Section 67

Every reference to a returning officer shall be deemed to include a reference to a counting officer

For the purpose of enabling the returning officer to publish the notice and to make the report required by the section, the counting officer shall forthwith communicate the result to the returning officer.

7. Section 68

(1) Every reference to a returning officer in sub-section (1) shall be deemed to include a reference to a counting officer.

(2) The counting officer shall forward all documents referred to in sub-section (2) to the returning officer for the purpose of enabling him to comply with the provisions of that sub-section "

NOTICES OF INSOLVENCY

In the District Court of Colombo

Insolvency In the matter of the insolvency of B W Pereira of No 5,770 151/3, Mahawatte Road, 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 on April 12, 1949 at 10 45 a.m. to consider the grant of a certificate of conformity to the above-named insolvent

March 14, 1949

By order of court, M N PIERIS,
Secretary

In the District Court of Colombo

Insolvency In the matter of the insolvency of Siddi Aratchige No 5,835 Antony Stanley Wellington de Silva of Kurunduwatte, Wanawahala, Kelaniya, insolvent

WHEREAS the above-named Siddi Aratchige Antony Stanley Wellington de Silva, has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Pelpolage Robert Perera of 70, Armour Street, Colombo, under the Ordinance No 7 of 1853 Notice is hereby given that the said court has adjudged the said Siddi Aratchige Antony Stanley Wellington de Silva, insolvent, accordingly, and that two public sittings of the court, to wit, on May 10, 1949 and May 31, 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

March 14, 1949

By order of court, M N PIERIS
Secretary

NOTICES OF FISCALS' SALES

Western Province

In the District Court of Colombo

Kanagasabai Chettiar, son of Thiagarajan Chettiar of 285, Sea Street, Colombo Plaintiff
No 8 466/S

D W Wangasekera of Mirihana, Colombo Defendant
NOTICE is hereby given that on Monday, April 11, 1949 at 2 30 p.m., will be sold by public auction at the premises the right,

title and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs 2,000 together with legal interest thereon at 5 per cent per annum from October 24 1947, up to the date of decree January 10, 1948, and thereafter legal interest on the aggregate amount of the decree at 5 per cent per annum till payment in full, less Rs 1,000, viz —

All that lot E of the land called divided 2/8 portion of Maragahawatta, with the tiled house standing thereon, situated at Mirihana in the Palle pattu of Salpiti korale in the District of Colombo, Western Province, and bounded on the north by Rosneath of Mrs Drieberg, on the east by lot F on the south by cart road to the quarry and on the west by lot D, containing in extent 24 perches according to plan No 1 449 dated November 7, 1939, made by W B Perera, Licensed Surveyor, together with the trees, plantations and all other appurtenances thereunto belonging

Fiscal's Office,
Colombo, March 15, 1949

G. M CHINNATAMBY,
Deputy Fiscal

In the District Court of Colombo

D Joseph Nadar of 50, Maliban Street, Colombo Plaintiff
No 16,818/M Vs.

V Periya Nadar of 65, Dan Street, Colombo, presently of 17, Skinner's Road South, Colombo Defendant

NOTICE is hereby given that on Friday, April 8, 1949 at 10 a.m., will be sold by public auction at 251/20, Skinner's Road South, Colombo, the following immovable property belonging to the defendant for the recovery of the sum of Rs 900 with legal interest thereon from March 12, 1946, the date of decree July 3, 1947, and thereafter with legal interest on the aggregate amount of the decree till payment in full and costs of suit, viz —

Four old dismantled lorries, 15 dismantled engines of different types, 1 lot old nails of different types, 1 lot rings of old cars and lorries, 4 racks containing 4 lots of parts of cars and lorries, 1 partition case containing motor car bolts, 1 lot old petrol tanks, 1 lot of springs of cars and lorries, 1 lot motor car and lorry ball racers of different types, 13 gear boxes of cars and lorries, 2 lots axles of cars and lorries, 1 lot sundries.

Fiscal's Office,
Colombo March 15, 1949

G M CHINNATAMBY
Deputy Fiscal

In the District Court of Colombo

S. Paradeen Bhai of 127, New Road, Slave Island, Colombo ... Plaintiff
No. 9,797/S

P. T. Samuel of 27, Mullitsoop Street, Colombo Defendant

NOTICE is hereby given that on Friday, April 8, 1949, at 2.30 p.m., will be sold by public auction at Prince's Garage, Prince of Wales Avenue, Colombo, the following movable property belonging to the defendant, for the recovery of the sum of Rs. 792.87 with legal interest thereon at 5 per cent per annum from September 23, 1948, till payment in full, viz —

One Vauxhall car bearing No. Z 8148 together with the following accessories:—1 Firestone tyre bearing No. N Z 050650, 1 Super India tyre 798817, 1 Firestone tyre bearing No. N Z 053955, 1 Firestone tyre of which number is not clear

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

G. M. CHINNATAMBY,
Deputy Fiscal

Southern Province

In the District Court of Galle

Pana Lānā Suppiā of Kaluwella in Galle Plaintiff
No. S-418.

U. P. A. de Silva of Uswellewatta in Ambalangoda Defendant

NOTICE is hereby given that on Wednesday, April 20, 1949, at 4.30 in the afternoon, will be sold by public auction at premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 2,226.27 together with legal interest thereon at 5 per cent per annum from November 27, 1947, till payment in full and Rs. 105.90 being costs of suit and Rs. 720 value of fresh stamps, viz. —

1. All that defined lot marked No. 29 with everything standing thereon of the land called Uswellewatta, situated at Ambalangoda in Wellaboda pattu of Galle District, Southern Province, and bounded on the north by lots Nos. 28 and 27 of the same land, east by High Road, south by lot No. 30 of the same land, and west by lot No. 52 of the same land, and containing in extent 36 perches.

2. All that defined lot marked No. 51 with everything standing thereon of the land called Uswellewatta, situated at Ambalangoda aforesaid, and bounded on the north by lot No. 52 of the same land, east by lots Nos. 31, 32, 33, 34, 35 and 36 of the same land, south by lot No. 50 of the same land, and west by seashore, and containing in extent 32.50 perches.

3. All that defined lot marked No. 52 with everything standing thereon of the land called Uswellewatta, situated at Ambalangoda aforesaid, and bounded on the north by lot No. 53 of the same land, east by lots Nos. 29 and 30 of the same land, south by lot No. 51 of the same land, and west by seashore, and containing in extent 27.60 perches.

4. All that defined lot marked No. 53 with everything standing thereon of the land called Uswellewatta, situated at Ambalangoda aforesaid, and bounded on the north by lot No. 54 of the same land, east by lot No. 28 of the same land, south by lot No. 52 of the same land and west by seashore, and containing in extent 30 perches.

Deputy Fiscal's Office,
Balapitiya, March 14, 1949.

SAM RANASOORIYA
Additional Deputy Fiscal

In the District Court of Galle

(1) A. L. Singaram Chettiar, son of Alagappa Chettiar, and
(2) L. Ramanathan Chettiar, son of Letchumanan Chettiar, both of S India, carrying on business at Kaluwella, Galle under the name, firm and style of vilasam of S. R. V. Singaram Chettiar, by their attorney, S. P. Kaippiā Pillai of Kaluwella, Galle ... Plaintiff
No. S. 533.

U. P. A. de Silva of Main Street, Ambalangoda Defendant

NOTICE is hereby given that on Wednesday, April 20, 1949 at 3.30 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. 1,454.20 together with legal interest thereon at 5 per cent per annum from August 21, 1948, till payment in full and costs Rs. 98.52 less Rs. 450 viz. —

1. All that defined lot marked No. 29 with everything standing thereon of the land called Uswellewatta, situated at Ambalangoda in Wellaboda pattu of Galle District, Southern Province, and bounded on the north by lots Nos. 28 and 27 of the same land, east by High Road, south by lot No. 30 of the same land and west by lot No. 52 of the same land; and containing in extent 36 perches.

2. All that defined lot marked No. 51 with everything standing thereon of the land called Uswellewatta, situated at Ambalangoda aforesaid, and bounded on the north by lot No. 52 of the same land, east by lots Nos. 31, 32, 33, 34, 35 and 36 of the same land, south by lot No. 50 of the same land, and west by seashore, and containing in extent 32.50 perches.

3. All that defined lot marked No. 52 with everything standing thereon of the land called Uswellewatta, situated at Ambalangoda aforesaid, and bounded on the north by lot No. 53 of the same land, east by lots Nos. 29 and 30 of the same land, south by lot No. 51 of the same land, and west seashore; and containing in extent 27.60 perches.

B 2

4. All that defined lot marked No. 53 with everything standing thereon of the land called Uswellewatta, situated at Ambalangoda aforesaid, and bounded on the north by lot No. 54 of the same land, east by lot No. 28 of the same land, south by lot No. 52 of the same land and west by seashore, and containing in extent 30 perches.

Deputy Fiscal's Office,
Balapitiya, March 14, 1949.

SAM RANASOORIYA,
Additional Deputy Fiscal.

In the District Court of Galle

S. Ramasamy Chettiar and others, carrying on business at Galle under the name, firm, style and Velasam of S. S. M. S. Ramasamy Chettiar Plaintiff

No. S 605

Vs

A. L. Mohamed of Kaluwella in Galle Defendant

NOTICE is hereby given that on Saturday, April 23, 1949, at 10 o'clock in the forenoon, will be sold by public auction at the Galle Fiscal's Office, the right, title, and interest of the said defendant in the following property for the recovery of Rs. 4,310 together with legal interest thereon at 5 per centum per annum from October 18, 1948, till payment in full and Rs. 105.90 costs, viz. —

The right, title, and interest of the defendant to obtain a retransfer of the property mentioned in the deed of conditional transfer No. 2,464 dated January 27, 1948, and attested by Mr. A. M. M. Thahar, Notary Public of Galle, for a sum of Rs. 12,000 subject to the following provisos:—

It is expressly agreed that in the event of Abdul Latiff Mohamed the vendor in the above deed, his heirs, executors, administrators or assigns shall, before the expiration of three years from the date of the above deed, desire to obtain a retransfer of the said premises, then the vendees of the said deed or their assignees shall, retransfer the sale at Galle, on payment of rupees thirteen thousand four hundred and forty if the retransfer is desired within 18 months, if the retransfer is desired after the said period of 18 months and before the expiration of two years then the retransfer shall be given on payment of Rs. 13,920, if the retransfer is desired after the said period of two years and before the expiration of two and half years then the retransfer shall be given on payment of Rs. 14,400, if the retransfer is desired after the said period of two and half years and before the expiration of the said term of three years the retransfer shall be given on payment of Rs. 14,880. The expenses of the retransfer shall be borne by the said vendor and his assignees and the said deed of retransfer shall expressly state that the said vendees or their assignees shall and will not warrant or defend the title to the said premises or any part thereof.

Fiscal's Office,
Galle, March 15, 1949

N. G. DE SILVA,
Deputy Fiscal.

In the District Court of Matara

P. I. Wickrematunga Ratnayaka of Kohuwadda Plaintiff
No. 18,173

Vs

W. G. Kirigoris Appuhamy of Gabada-weediya, Matara Defendant.

NOTICE is hereby given that on Monday, April 11, 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 a sum of Rs. 1,363.36 with legal interest from March 22, 1949, till payment in full, viz. —

All that the soil, plantations and all the buildings standing thereon of the land called lot 1 of Wewelpokunewatta alias Saha-bandu Walauwewatta, situated at Gabada-weediya within the Urban Council limits of Matara, Matara District, Southern Province, bearing assessment No. 1,459, and bounded on the north by canal, east by Kandyawatta, south by lot 2 of the same land, and on the west by High Road, and containing in extent 2 roods and 30.25 perches, and registered in the Matara Land Registry in A 172/96

Deputy Fiscal's Office,
Matara, March 15, 1949

D. L. P. KARAWITA,
Additional Deputy Fiscal.

In the District Court of Matara

Don Andrayas Wickrematunga Ratnayaka of Kohuwadda Plaintiff
No. 18,174

Vs

W. G. Kirigoris Appuhamy of Gabada-weediya, Matara Defendant

NOTICE is hereby given that on Tuesday, April 12, 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 a sum of Rs. 2,008.58 with legal interest from March 22, 1949, till payment in full, viz. —

All that the soil, plantations and all the buildings standing thereon of the land called lot 1 of Wewelpokunewatta alias Saha-bandu Walauwewatta, situated at Gabada-weediya within the Urban Council limits of Matara, Matara District, Southern Province, bearing assessment No. 1,459, and bounded on the north by canal, east by Kandyawatta, south by lot 2 of the same land, and on the west by High Road; and containing in extent 2 roods and 30.25 perches, and registered in the Matara Land Registry in A 172/96

Deputy Fiscal's Office,
Matara, March 15, 1949.

D. L. P. KARAWITA,
Additional Deputy Fiscal.

In the Court of Requests of Tangalla

Nakulugamwegamage Don Andris Appuhamy of Ihala Belgalla, administrator over the estate of the deceased, N G Don Juwans Appuhamy Substituted Plaintiff
No 13,946 Vs

- (1) Batigama Gammacharige Panchinammy of Paddapitiya,
(2) ditto Nancinammy of Pahalabeligalla, (3) ditto
Alice of Paddapitiya, (4) ditto Pannona of Pandat-
tara Substituted Defendants

NOTICE is hereby given that on Monday, April 11, 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 substituted-defendants in the following property for the recovery of the sum of Rs 236 95 with 9 per cent legal interest on Rs 80 from November 23, 1948, till payment in full, viz —

At Ihala Belgalla

An undivided 1/5 share of the remaining soil and fruit trees (save and except an undivided 1 acre extent) of the contiguous land called Welmandiyehena and Komehena, in extent 10 acres 1 rood and 22 perches, situated at Ihala Belgalla in West Gnuwa Pattu of the Hambantota District, Southern Province, bounded on the north by lands in plan Nos. 330,729 and 316,251, east by lands in plans Nos. 327,257 and 327,264, south by a road, west by lot No 9A and lands in plans Nos. 315,958 and 330,729

Fiscal's Office,
Tangalla, March 11, 1949

E. V. SAMARAJIWA,
Additional Deputy Fiscal

Northern Province

In the District Court of Jaffna

Achippillai, widow of Krishnar of Chankana West . . . Plaintiff
No 4,240 Vs

Thambiah Chelliah of Pannakam in Chankana West, administrator of the estate of the late Chinniah Vinasthamby in testamentary case No 524 District Court of Jaffna . . . Defendant

NOTICE is hereby given that, on Friday, April 8, 1949, at 2 30 p.m., will be sold by public auction at the premises the right, title, and interest of the late Sinniah Vinasthamby in the following property for the recovery of the sum of Rs. 500 with legal interest thereon at the rate of 5 per cent per annum from February 19, 1948, till payment in full and costs of suit being Rs 117 75 and poundage and charges, viz —

S. R. A.
The right, title, and interest of the late Chinniah Vinasthamby, in that piece of land situated at Chankana, in Chankana Parish, Valikamam, West Division of the Jaffna District, Northern Province, called Ellaislumpal, in extent 12 lachams varagu culture with well, house and cultivated and spontaneous plantations; and bounded on the east and south by lane, north by the property of Nallapillai wife of Veluppillai and shareholders and west by the property of Vaitilingam Sellathura

This land is also seized under writ No 4,043 D C Jaffna

Fiscal's Office,
Jaffna, March 11, 1949.

T. KANDIAH,
for Fiscal

Eastern Province

In the District Court of Batticaloa

Kannapper Kandiah of Valaichenai Plaintiff
No 819 M Vs

- (1) Ibrahimve Seenumohamadu, (2) S P H Mohamadu Yassim,
both of Kalmunakudy, Division No 3 Defendants

NOTICE is hereby given that on Saturday, April 9, 1949, commencing at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs 2,486 25 with interest thereon at 5 per cent per annum from January 29, 1948, till payment in full and costs, viz —

1. A garden bearing assessment No 196, situated at Kalmunakudy, Division No. 3 in Karayak Pattu, Batticaloa District, Eastern Province; and bounded on the north by the garden of Levvai Thambilevve Asiyammah, east by the garden of Elhatamby and wife, south by the garden of Avvaummah, and west by minor road; in extent north to south 11½ fathoms; and east to west 10½ fathoms with house, mandapam, well, coconut trees, plantations, produce and rights

2. The southern ¼ share of the garden bearing assessment No 185, situated at the aforesaid place, and bounded on the north by the other share of this belonging to the defendant, east by the garden of A. Mohamadubrahim, south by road, and west by the dowry garden of S. Sellakkando and husband, in extent north to south 7½ fathoms and east to west 11 fathoms and 1 cubit with coconut trees and other rights.

Fiscal's Office,
Batticaloa, March 14, 1949

S M J LOUIS,
for Fiscal

In the Court of Requests of Trincomalee

D. H. Podisingho of Division 8, Trincomalee Plaintiff
No 7,913 Vs

Kalappu Ambalavanapilla, Tamblegam Defendant.

NOTICE is hereby given that on Saturday April 30, 1949, at 10 o'clock in the forenoon, will be sold by public auction at the

spot the following property for the recovery of the sum of Rs 175 and costs of suit Rs. 23 25, Fiscal's fees, and charges and-poundage, viz. :—

An undivided ½ share in all that piece of field called and known as Sambupothana, situated at Tamblegam, Tamblegampattu, Trincomalee District, Eastern Province, boundaries of the whole land are.—North by lands of the heirs of Erampu Kanapathupilla and land of Vyamuttu Kanapathupilla, east by reservation along Peraru, and south and west by Crown lands, extent of the whole land is 7 acres, 2 roods and 13 perches.

Deputy Fiscal's Office,
Trincomalee, March 2, 1949

K V RANGANATHAN,
Additional Deputy Fiscal

Province of Sabaragamuwa

In the District Court of Ratnapura

R N Anuwatham of Ratnapura Plaintiff
No. 8,451 Vs

A L A Peter Dharmadasa of Mudduwa, Ratnapura Defendant

NOTICE is hereby given that on Wednesday, April 27, 1949, at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs 400 together with further interest on Rs 250 at 12 per cent per annum from November 23, 1947, till date of decree and thereafter with legal interest on the aggregate amount till payment in full and poundage, viz. :—

All the right, title and interest of the defendant in and to the land called and known as Botalugodawatta, situate at Mudduwa in the Modu Pattu of Nawadun Korle in the District of Ratnapura of the Province of Sabaragamuwa; and bounded on the north by Digana and Tumbolwala, east by Digana and Elabodawatte Owita, south by Maluwewatta and Watuwa, west by Koratuwewatta, containing in extent about 16 seers of kurakkan sowing, together with the tiled house bearing assessment No 90 standing thereon, and registered in B. 252/188 of the Ratnapura Land Registry.

Fiscal's Office,
Ratnapura, March 11, 1949

A B KARALLIADDE,
Additional Deputy Fiscal

NOTICES IN TESTAMENTARY ACTIONS

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Amarakoon Appuhamilage Don Davith Appu
No 13,827 hamy of Byiyagama, deceased.
Sooriyapperuma Vidanelage Ehipina Amarakoon nee Peiris of
Byiyagama Petitioner-Executrix

Vs

- (1) Amarakoon Appuhamilage Don Richard Appuhamy, (2)
Amarakoon Appuhamilage Nandaseeli, both of Byiyagama,
(3) Amarakoon Appuhamilage Don Marthun Appuhamy of
Byiyagama, (4) Amarakoon Appuhamilage Chalona, wife of
S Kumarasamy of Police Barracks, Kandy Respondents

THIS matter coming on for disposal before N. Sinnatamby, Esq., Additional District Judge of Colombo, on February 1, 1949, and March 2, 1949, in the presence of Mr Winston Rajapaksa, Proctor, on the part of the petitioner, and (1) the affidavit of the petitioner dated April 8, 1948, and February 26, 1949, and (2) the affidavit of the attesting notary and one of the subscribing witnesses named Halahapperunage Ignatius Hilario Fonseka dated January 17, 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

It is further ordered that the last will and testament No. 904 made by Amarakoon Appuhamilage Don Davith Appuhamy and attested by Mr M O Fernando, Notary Public, on July 31, 1942, 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 petitioner above named is the executrix named in the said last will and she is hereby declared entitled to have probate thereof issued to her accordingly, unless any person or persons interested or the respondents above named shall, on or before April 7, 1949, show sufficient cause to the satisfaction of this court to the contrary

April 4, 1949

-N. SINNETAMBY,
Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Intestate Estate and Effects
Jurisdiction. of Layanage Laksammy of Brahmanagama,
No 13,940 Homagama, deceased.

Hewage Peter Dabare of Brahmanagama, Homagama Petitioner.

And

- (1) Hewage Alice Nona Dabare, (2) Hewage Babun Nona
Dabare, and (3) Hewage Dayawathie Dabare, all of Brah-
managama, Homagama; the 2nd and 3rd respondents,
minors, by their guardian *ad litem* the 1st respondent
above named Respondents.

THIS matter coming on for disposal before N. Sinnatamby, Esq., Additional District Judge of Colombo, on February 11, 1949, in

the presence of Messrs. Moonesinghe & Jayamaha, Proctors, on the part of the petitioner above named, and the affidavit of the petitioner dated February 17, 1949, having been read

It is ordered that the 1st respondent above named be and she is hereby declared appointed guardian *ad litem* over the 2nd and 3rd respondents, minors above named, and that the petitioner above named 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 any person or persons interested shall, on or before March 24, 1949, show sufficient cause to the satisfaction of this court to the contrary

February 17, 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 Oduna Lebbe Mohamadu Lebbe of Kahata- No 13,344 owita, deceased

Sehu Lebbe Leila Umma of Kahataowita in Siyane Korale .. Petitioner

Vs

(1) Mohamed Razeen Uduman, 19 years, (2) Mohamed Malihu Uduman, 17 years, (3) Zitti Fatuma, 12 years, (4) Kamila Umma, 10 years, (5) Zamsul Hidayat, 8 years, and (6) Sehu Lebbe Mubarak of Warapalana, guardian *ad litem* over the said 1st to 5th minor respondents Respondents

THIS matter coming on for disposal before N Sinnetamby, Esq., Additional District Judge of Colombo, on February 18, 1949, in the presence of Mr D F J. Pereira, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated January 27, 1949, having been read.

It is ordered that the petitioner above named be and she is hereby declared appointed guardian *ad litem* over the 1st, 2nd, 3rd, 4th and 5th respondents above named, minors, and 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 any person or persons interested shall, on or before March 24, 1949, show sufficient cause to the satisfaction of this court to the contrary

March 4, 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 Clement de Andrade of 136, Mahawatte Road, No 13,352 Colombo, deceased

(1) Emmanuel de Andrade, and (2) Benedict de Andrade, both of 136, Mahawatte Road, Colombo .. Petitioners.

THIS matter coming on for disposal before N Sinnetamby, Esq., Additional District Judge of Colombo, on February 18, 1949, in the presence of Mr A R M Razeen, Proctor, on the part of the petitioners above named, and (1) the affidavit of the petitioners dated February 14, 1949, and (2) the affidavit of the attesting notary and the subscribing witnesses, having been read

It is ordered that the last will and testament No 1834, made by Clement de Andrade, the deceased above named and attested by Mr A R M Razeen, Notary Public, on May 31, 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 petitioners above named and the executors named in the said will and they are hereby declared entitled to have probate thereof issued to them accordingly, unless any person or persons interested shall, on or before March 24, 1949, show sufficient cause to the satisfaction of this court to the contrary

March 2, 1949
N SINNETAMBY,
Additional District Judge.

In the District Court of Colombo

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

Testamentary In the Matter of the Last Will and Testament of Jurisdiction the late Tantrige Don George Perera Senanayake No 13,360 of Hunupitya, Lake Road, Colombo, deceased

Tantrige Don Maitripala Perera Senanayake of 111/15, Hunupitya Lake Road, Colombo .. Petitioner

THIS matter coming on for final disposal before N Sinnetamby Esq., Additional District Judge of Colombo, on February 24, 1949, in the presence of Messrs Jayasekera & Jayasekera, Proctors, on the part of the petitioner above named, and (1) the affidavit of the petitioner dated February 22, 1949, and (2) the affidavit of the attesting notary and the subscribing witnesses dated February 22, 1949, having been read

It is ordered that the will of the said Tantrige Don George Perera Senanayake, deceased, bearing No 1,735 attested by L D A Jayasekera, Notary Public on August 22, 1947 (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 Tantrige Don Maitripala Perera Senanayake, the petitioner above named, is the executor named in the said will and he is entitled to have probate thereof issued to him accordingly subject to his tendering the usual oath

November 9, 1949
N SINNETAMBY,
Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Intestate Estate of Don Paulus Jurisdiction Banasinghe Weerasakera Appuhamy of Yakkala in No 13,364 Meda Pattu of Siyane Korale in the District of Colombo, deceased.

Roshni Perera Weerasakera nee Wickramanayake of Yakkala aforesaid .. Petitioner

Vs.

(1) Chandia Harold Weerasakera, (2) Jothipala Lionel Weerasakera, minors, appearing by their guardian *ad litem* (3) Porlentina Gunasekera Hanime, all of Yakkala aforesaid Respondents

THIS action coming on for disposal before N Sinnetamby, Esq., Additional District Judge of Colombo, on February 24, 1949, in the presence of Mr D S Ganegoda, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated February 18, 1949, having been read

It is ordered that the 3rd respondent above named be and she is hereby declared appointed guardian *ad litem* over the 1st and 2nd respondents above named, minors, and that 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, unless the respondents above named or any person or persons interested shall, on or before March 31, 1949, show sufficient cause to the satisfaction of this court to the contrary

March 10, 1949
N SINNETAMBY,
Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Intestate Estate of Heiyantudu- Jurisdiction patrennehelage Don Karunaratne of Lolnagoda No 13,365 the Udugaha Pattu of Hapitigam Korale, deceased

Kahatapiti Patrennehelage Lillian Somalatha of Weweldeniya in the Udugaha Pattu aforesaid .. Petitioner

And

(1) Heiyantudu Patrennehelage Dona Rohani Karunaratne, a minor, (2) Kahatapiti Patrennehelage Siliwardene, both of Weweldeniya aforesaid Respondents

THIS matter coming on for disposal before N Sinnetamby, Esq., Additional District Judge of Colombo, on February 24, 1949, in the presence of Mr H A Apeywardene, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated February 21, 1949, having been read

It is ordered that the 2nd respondent above named be and he is hereby declared appointed guardian *ad litem* over the 1st respondent above named, a minor, and that 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, unless the respondents above named or any person or persons interested shall, on or before March 31, 1949, show sufficient cause to the satisfaction of this court to the contrary

March 11, 1949
N SINNETAMBY,
Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Intestate Estate of Palihawadana Jurisdiction wadana Aratchige Rosaline Perera of Dippitigoda No 13,372 in the Adicari Pattu of Siyane Korale, deceased

Tantrige Julian Perera of 180/53, Layards Broadway, Colombo .. Petitioner

And

(1) Heenetimullage Babanona, (2) Palihawadana Aratchige William Perera, (3) Palihawadana Aratchige Hendrick Perera, (4) Palihawadana Aratchige Asin Nona, (5) Palihawadana Aratchige Albert Perera, (6) Palihawadana Aratchige Mary Nona, (7) Palihawadana Aratchige Jane Nona, all of Dippitigoda aforesaid, (8) Palihawadana Aratchige Cecie Perera of Gampaha .. Respondents

THIS matter coming on for disposal before N Sinnetamby, Esq., Additional District Judge of Colombo, on March 1, 1949, in the presence of Mr Q M R Jayamanna, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated February 9, 1949, having been read:

It is ordered 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 any person or persons interested shall, on or before April 7, 1949, show sufficient cause to the satisfaction of this court to the contrary.

March 9, 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 Dr Edwin Amarasinghe, late of Gregory's Road, No 13,370 in Colombo, deceased

(1) Edirisuri Mohottige Richard de Saram of Simalwatta, Talangama, (2) Percy U Ratnatunga, presently of Kandy .. Petitioners

THIS matter coming on for disposal before N Sinnetamby, Esq., Additional District Judge of Colombo, on March 1, 1949, in the

presence of Mr. H. A. Abeyewardene, Proctor, on the part of the petitioners above named, and (1) the affidavit of the petitioners dated February 12, 1949, and (2) the affidavit of the attesting witnesses to the will dated February 23, 1949, having been read.

It is ordered that the last will and testament No. 2,881 made by Dr. Edwin Amarasinghe, the deceased above named, and attested by Mr. N. I. Lee, Notary Public of Kandy, on December 20, 1944, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved.

It is further ordered that the petitioners above named are the executors named in the said will and they are hereby declared entitled to have probate thereof issued to them accordingly, unless any person or persons interested shall, on or before March 31, 1949, show sufficient cause to the satisfaction of this court to the contrary.

March 11, 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 Edward Horatio Berenger, late of 431/2, Havelock
No 13,381. Road, Colombo, deceased

Esme Berenger *nee* Koelmeyer of Colombo Petitioner

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on March 4 and 14, 1949, respectively, in the presence of Messrs. De Kretser & De Kretser, Proctors, on the part of the petitioner above named, and the affidavit of (1) the petitioner dated March 3, 1949, March 9, 1949, respectively, and the affidavit of (2) of the witnesses dated March 4, 1949, having been read:

It is ordered that the last will No. 613 made by Edward Horatio Berenger, the deceased above named, and attested by P. S. de Kretser, Notary Public, on March 3, 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 April 7, 1949, show sufficient cause to the satisfaction of this court to the contrary:

March 15, 1949
N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo

Order Absolute in the First Instance

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction Frances Evangeline Foenander of Choice Ville,
No 13,386 N T, 25, Clifford Place, Bambalapitiya, Colombo, in
the Island of Ceylon, widow, deceased

And

In the Matter of the Civil Procedure Code (Cap. 86),
Chapter xxxviii

Frederick James Theodore Foenander of 37, Layards Road,
Havelock Town, Colombo, and Gwendoline Leembruggen of 3,
Alexandra Road, Wellawatta, Colombo Petitioners

THIS matter coming on for final determination before N. Sinnetamby, Esq., Additional District Judge of Colombo, on March 7, 1949, in the presence of Clifford Trevor de Saram, Proctor, on the part of the petitioners, Frederick James Theodore Foenander of 37, Layards Road, Havelock Town, Colombo, and Gwendoline Leembruggen of 3, Alexandra Road, Wellawatta, Colombo, and (1) the affidavit of the said petitioners dated February 9 and 11, 1949, (2) the affidavit of the attesting notary of the will dated February 24, 1949, and (3) the affidavit of the attesting witnesses of the will dated February 24, 1949, having been read:

It is ordered that the will of the said Frances Evangeline Foenander, deceased, dated November 18, 1945 (the original of which will 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 Frederick James Theodore Foenander and Gwendoline Leembruggen are the executors named in the said will, and that they are entitled to have probate thereof issued to them accordingly, subject to their tendering the usual oath.

March 9, 1949
N. SINNETAMBY,
Additional District Judge.

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Intestate Estate and Effects of
Jurisdiction Thayil Kedarani Aboc, late of T. Gandiapuram
No 13,387 within the Municipality of Coimbatore, India
deceased.

Cathiri Kanakapillandakath Ibrahim Kunhi of 190, Bankshall
Street, Colombo Petitioner.

And

(1) Cathiri Kanakapillandakath Ayishabi, (2) Abdurrahman, (3) Kaderkutty, (4) Hasim, (5) Maria Umar, and (6) Rania, all of Cannanore in India, (the 2nd to 6th respondents minors, by their guardian *ad litem*) (7) Thayil Kedarani Aboc of 212, Bankshall Street, Colombo Respondents.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on March 11, 1949, in the presence of Mr. John Wilson, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated March 8, 1949, having been read:

It is ordered that the 7th respondent be and he is hereby declared appointed guardian *ad litem* over the 2nd, 3rd, 4th, 5th and 6th respondents above named, minors, and that the petitioner be and he is hereby declared entitled, as attorney of the widow 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 any person or persons interested shall, on or before April 7, 1949, show sufficient cause to the satisfaction of this court to the contrary.

March 14, 1949
N. SINNETAMBY,
Additional District Judge

In the District Court of Panadura

Order Nisi

Testamentary In the Matter of the Estate of the late Munidasa
Jurisdiction Cumaratunga, deceased of Pallimulla.
No 142

Gomin Cumaratunga of Pallimulla in Panadura, Petitioner
Vs

(1) Lily Cumaratunga, (2) Ruwan Cumaratunga, (3) Punu Cumaratunga, (4) Bindu Cumaratunga, all of Pallimulla in Panadura, (the 3rd and 4th are minors by their guardian *ad litem* the 1st respondent) Respondents

THIS matter coming on for disposal before P. Malalgoda, Esq., Additional District Judge, Panadura, on January 27, 1949, in the presence of Messrs. Tirimanne & Meegama, Proctors, on the part of the petitioner, and the affidavit of the above-mentioned petitioner dated January 20, 1949, having been read, and the evidence of respondents taken and all parties heard:

It is ordered that the said Lily Cumaratunga, 1st respondent, be appointed guardian *ad litem* over the 3rd and 4th respondents, and that the said Gomin Cumaratunga, petitioner, is the administrator and that he is entitled to have letters of administration of the said estate issued to him accordingly, unless the respondents or others shall, on or before April 6, 1949, show sufficient cause to the satisfaction of this court to the contrary.

January 27, 1949
P. MALALGODA,
Additional District Judge

In the District Court of Kalutara

Order Nisi

Testamentary In the Matter of the Estate of the late Don Abraham
Jurisdiction Wijemanne, deceased of Kalutara North
No 3,956

Vincent Leonard Wijemanne of Kalutara Petitioner
Vs

(1) Bernard Justin Wijemanne of Kalutara North, (2) Milton Christopher Wijemanne of Dehiwala, (3) Walter Kynsey Wijemanne, (4) Eugene Grace Wijemanne, (5) Donny Cecelia Wijemanne, all of Kalutara North, (6) Sunimal Jaysinghe of Kalutara North, by her guardian *ad litem* (7) Mahavira Jaysinghe of Galle Respondents

THIS matter coming on for disposal before M. C. Sansoni, Esq., District Judge, Kalutara, on February 7, 1949, in the presence of Messrs. De Abrew & de Silva, Proctors, on the part of the petitioner, and the affidavit of the above-mentioned petitioner dated February 5, 1949, having been read:

It is ordered that the petitioner be declared entitled, as son of the deceased to claim letters of administration and that the same be issued, unless the respondents or person or persons interested in the estate shall, on or before April 1, 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 6th respondent, and that the said petitioner and that he is entitled to have letters of administration, the same issued to him accordingly, unless the respondents or others interested in the estate shall, on or before April 1, 1949, show sufficient cause to the satisfaction of this court to the contrary.

February 7, 1949
M. C. SANSONI,
District Judge

In the District Court of Kalutara

Order Nisi

Testamentary In the Matter of the Estate of the late Gangaboda-
Jurisdiction korallage Don Lewis Appuhamy, deceased of
No 3,958 Wiligoda, Kalutara North

Gangabodakorallage Piyadasa Sirisena Perera of Wiligoda,
Kalutara North Petitioner

THIS matter coming on for disposal before M. C. Sansoni, Esq., District Judge of Kalutara, on February 14, 1949, in the presence of Messrs. De Abrew & de Silva, Proctors, on the part of the petitioner, and the affidavits of the above-mentioned petitioner dated February 9, 1949, and the affidavits of the notary and the attesting witnesses dated February 9, 1949, having been read:

It is ordered that the will of Gangabodakorallage Don Lewis Appuhamy of Wiligoda, Kalutara North, deceased, dated June 25, 1946, and numbered 1,131, be and the same is hereby declared proved, unless any person or persons interested shall, on or before April 1, 1949, show sufficient cause to the satisfaction of this court to the contrary.

February 14, 1949
M. C. SANSONI,
District Judge.

In the District Court of Kandy

Order Nisi

Testamentary Jurisdiction In the Matter of the Joint Last Will and Testament of Francis Ernest Jolliffe, deceased, and No T-784 Grace Christabel Jolliffe, both of Castle Hill, Kandy

Grace Christabel Jolliffe of Castle Hill, Kandy Petitioner
And

Crystal Maud Jolliffe of Castle Hill, Kandy Respondent

THIS matter coming on for disposal before L W de Silva, Esq., Additional District Judge, Kandy, on November 30, 1948, in the presence of Messrs Luesching and Lee, Proctors, on the part of the petitioner, and the affidavits of (1) the petitioner dated November 17, 1948, and (2) the attesting/notary dated November 29, 1948, having been read.

It is ordered that the last will and testament of Francis Ernest Jolliffe, the deceased above named, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved, and the petitioner is the executrix named in the said will and she is hereby declared entitled to have probate thereof issued to her accordingly, unless the respondent above named or any other person or persons interested shall, on or before February 3, 1949, show sufficient cause to the satisfaction of this court to the contrary.

November 30, 1948
H A DE SILVA,
District Judge

The date for showing cause against this *Order Nisi* is extended to March 14, 1949

February 3, 1949
H A DE SILVA
District Judge

The date for showing cause against this *Order Nisi* is extended to May 5 1949

March 14 1949
A JAYARATNE,
Additional District Judge

In the District Court of Kandy

Order Nisi

Testamentary Jurisdiction In the Matter of the Estate of the late Charles Mai of Portmore Estate, Agrapatana, deceased No 801

Alick Mar of Portmore Estate, Agrapatana Petitioner
And

(1) Kamalambal Thambinayagam of Nagolle, Matale, (2) Poora nam Mai of Portmore Estate, Agrapatana, (3) Helen Mar, (4) Janani Mar, (5) Lesli Mar, (6) Eric Mar, (7) Manomani Mar, (8) Herbert Arthur Mai, (9) Dora *alias* Meenambiki Mai, the 3rd to 9th of Nagolle, Matale, (10) R Soma-sunderam Pillai of Matale Respondents

THIS matter coming on for disposal before A Jayaratne Esq., Additional District Judge of Kandy, on January 31, 1949, in the presence of Messrs Coomaraswamy & Vijayarajnam, Proctors for the petitioner above named, and the affidavit of the said petitioner dated February 26, 1949, having been read.

It is ordered that the 10th respondent be and he is hereby appointed guardian *ad litem* over the 3rd to 9th minor respondents for the purpose of these proceedings, unless the respondents shall, on or before March 7, 1949, 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 son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents or any other person or persons interested shall, on or before March 7, 1949, show sufficient cause to the satisfaction of this court to the contrary.

January 31, 1949
A JAYARATNE,
Additional District Judge

Time for showing cause is extended for April 28, 1949

March 7, 1949
A JAYARATNE,
Additional District Judge

In the District Court of Kandy

Order Nisi

Testamentary Jurisdiction In the Matter of the Estate of the late Hambage Don David Goonewardena of Malanee, Wattergama, deceased No T 804

Ellewala Liyanage Winifred Goonewardena *nee* Gunasekera of Malanee, Wattergama Petitioner

Vs

(1) Beatrice Mallika Goonewardena, (2) Daphne Gertrude Goonewardena, (3) Olivia Malanee Goonewardena, (4) Gamini Mervyn Goonewardena, (5) Swarna Padmini Goonewardena, and (6) Upali Nihal Goonewardena, all of Malanee, Wattergama, and (7) Ellewala Liyanage Stanley Thomas Gunasekera of Carmel, Colombo Road, Kurunegala Respondents.

THIS matter coming on for disposal before H A de Silva, Esq., District Judge of Kandy, on February 14, 1949, in the presence of Mr E Dias Desinghe, Proctor for the petitioner above named, and the affidavit of the said petitioner dated February 9, 1949, having been read.

It is ordered that the 7th respondent be and he is hereby appointed guardian *ad litem* over the 3rd to 6th minor respondents for the

purpose of these proceedings, unless the respondents shall, on or before March 31, 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 31, 1949, show sufficient cause to the satisfaction of this court to the contrary.

February 14, 1949

H A DE SILVA,
District Judge

In the District Court of Kandy

Order Nisi

Testamentary Jurisdiction In the Matter of the Estate of the late Rajapaksa Mudiyan-cagedera Mudiyan-c of Kahalla, No T 802 deceased

U B Ratnayake of Kandy Petitioner

THIS matter coming on for disposal before H A de Silva, Esq., District Judge of Kandy, on February 7, 1949, in the presence of Messrs Coomaraswamy & Vijayarajnam, Proctors for the petitioner above named, and the affidavit of the said petitioner dated February 5, 1949, having been read.

It is ordered that the petitioner be and he is hereby declared entitled, as only child and sole heir-at-law of the above-named deceased, to have letters of administration to his estate issued to him, unless any other person or persons interested shall, on or before March 24, 1949, show sufficient cause to the satisfaction of this court to the contrary.

February 7, 1949

H A DE SILVA,
District Judge.

In the District Court of Kandy

Order Nisi

Testamentary Jurisdiction In the Matter of the Estate of the late Ramapillai's son, Sewendiyia Pillai of Ampitiya, No T 805 deceased.

R. M S Ramasamy of Ampitiya Petitioner
And

(1) R M S Kauppiyah, (2) R M S Vythulingam, both of Ampitiya, (3) E M Ammawasiyapillai of Kotagala Respondents

THIS matter coming on for disposal before H. A de Silva, Esq., District Judge of Kandy, on February 14, 1949, in the presence of Messrs Coomaraswamy & Vijayarajnam, Proctors, for the petitioner above named; and the affidavit of the said petitioner dated February 14, 1949, having been read.

It is ordered that the 3rd respondent be and he is hereby appointed guardian *ad litem* over the 1st and 2nd minor respondents, for the purpose of these proceedings, unless the respondents shall, on or before March 31, 1949, 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 eldest son of the above-named deceased, to have letters of administration to his estate issued to him, unless the respondents or any other person or persons interested shall, on or before March 31, 1949, show sufficient cause to the satisfaction of this court to the contrary.

February 14, 1949

H A DE SILVA,
District Judge.

In the District Court of Kandy

Order Nisi

Testamentary Jurisdiction In the Matter of the Estate of the late Arunasalam Pillai's son, Maruthapillai of Henegehewela, No T 806 Teldemya, deceased

Meenatchi Amma, wife of Maruthapillai of Henegehewela, Teldemya Petitioner

And

(1) Maruthapillai's son, Thangaveloo, (2) ditto daughter, Thanapakiam, (3) ditto son, Sellathurai, (4) ditto daughter, Sivapakiam, (5) ditto son, Nagarajnam, (6) V. K Maruthapillai, all of Henegehewela aforesaid Respondents

THIS matter coming on for disposal before H A de Silva, Esq., District Judge of Kandy, on February 18, 1949, in the presence of Messrs Coomaraswamy & Vijayarajnam, Proctors for the petitioner above named, and the affidavit of the said petitioner dated February 18, 1949, having been read.

It is ordered that the 6th respondent be and he is hereby appointed guardian *ad litem* over the 1st to 5th minor respondents, for the purpose of these proceedings, unless the respondents shall, on or before April 4, 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 April 4, 1949, show sufficient cause to the satisfaction of this court to the contrary.

February 18, 1949

H. A. DE SILVA,
District Judge.

In the District Court of Galle

Order Nisi

Testamentary In the Matter of the Intestate Estate of Gan-
No 8,305 hewage Andrus de Silva of Kataluwa, deceased
Kariyawassan Singappuli Tantirige Pinchohamy of Kata-
luwa Petitioner

Vs

(1) Ganhewage Ariyadasa de Silva of Kataluwa, (2) Ganhewage Pemadassa de Silva of Maskeliya, (3) Ganhewage Dharmadasa de Silva of Kataluwa, (4) Ganhewage Priyadasa de Silva of Kataluwa, (5) Ganhewage Dayaawathie, wife of P A Ediriweera, presently of Bambalapitiya, (6) Ganhewage Soma-wathie of Kataluwa Respondents

THIS matter coming on for disposal before Victor E Rajakariar, Esq., District Judge of Galle, on November 24, 1948, and again on January 21, 1949, in the presence of Mr R Wickramasinha, Proctor, on the part of the petitioner, and the petition and affidavit of the petitioner having been read

It is ordered that the 1st respondent above named be and he is hereby declared appointed guardian *ad litem* over the 3rd, 4th and 6th respondents for the purpose of these proceedings

And it is further ordered that the petitioner, as widow of the deceased, be declared entitled to have letters of administration to the estate of the above-named deceased, and that letters of administration be issued to her accordingly, unless the above-named respondents or any other person or persons shall, on or before March 4, 1949, show sufficient cause to the satisfaction of this court to the contrary.

January 21, 1949

VICTOR E RAJAKARIAR,
District Judge

Date for showing cause is extended to April 8, 1949

VICTOR E RAJAKARIAR,
District Judge

In the District Court of Galle

Order Nisi

No 8,312 Testy In the Matter of the Intestate Estate of the late
Chandrapala of Kaluwella, Galle, deceased
Kadawatha Aratchige Hinnihamine of Kaluwella, Galle Petitioner

Against

(1) Nanayakkariyawassan Hinniduma Lyanage Kulasena, (2) ditto Anulawathie, (3) ditto Emmena, (4) ditto Nandasena, all of Kaluwella, Galle, (5) Kadawatha Aratchige Karunatilekka of Weligama Respondents

THIS matter coming on for disposal before V E Rajakariar, Esq., District Judge of Galle, on February 11, 1949, in the presence of Mr M S A Hamid, Proctor, on the part of the petitioner, Kadawatha Aratchige Hinnihamine, and the affidavit of the said petitioner dated October 21, 1948

It is ordered (a) that the 5th respondent be and he is hereby appointed guardian *ad litem* of the minors, the 2nd to 4th respondents above named, to represent them for all the purposes of this action, and (b) that the petitioner be and she is hereby declared entitled, as mother of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondent above named or any other person or persons interested shall, on or before March 25, 1949, show sufficient cause to the satisfaction of the court to the contrary

February 11, 1949

V E RAJAKARIAR,
District Judge

In the District Court of Galle

Order Nisi

Testamentary In the Matter of the Intestate Estate of Lelwala
Jurisdiction. Gurugamage Ovisina of Lelwala, deceased
No 8,321.

Lelwala Guruge William de Silva of Lelwala Petitioner

Vs

(1) Lelwala Guruge Anulawathie, (2) Lelwala Guruge Karunasena, (3) Lelwala Guruge Karunawathie, (4) Lelwala Guruge Bandusena, all of Lelwala Respondents

THIS matter coming on for disposal before Victor E. Rajakariar, Esq., District Judge of Galle, on March 5, 1949, in the presence of Mr. Percy Perera, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated March 1, 1949, having been taken into consideration

It is ordered that the 4th respondent above named be appointed guardian *ad litem* over the 1st, 2nd and 3rd respondents, minors above named, and the petitioner above named be and he is hereby declared entitled, as the widower of the said deceased above named, to have letters of administration issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before April 8, 1949, show sufficient cause to the satisfaction of this court to the contrary

March 5, 1949.

V. E. RAJAKARIAR,
District Judge

In the District Court of Matara

Order Nisi

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Wilmot Stephen Weerakoon of Maramba, deceased
No 4,399'

Adolphus Bairoff Weerakoon of Kachcheri, Colombo Petitioner

Vs

(1) Agnes Beatrice Weerakoon, (2) Mrs L Weerakoon (*nee de Silva*), both of Akurugoda Respondents

THIS matter coming on for disposal before L B. de Silva, Esq., District Judge of Matara, on January 13, 1949, in the presence of Mr D N J Weerasuriya, Proctor, on the part of the petitioner above named, and the affidavit of the subscribing witnesses dated July 13, 1948, and the affidavit of the said petitioner dated December 21, 1948, having been read

It is ordered that the last will and testament of deceased, the original of which has been deposited in this court, be and the same is hereby declared proved and 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 any person or persons interested shall, on or before February 21, 1949, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that the said 2nd respondent be and she is hereby appointed guardian *ad litem* over the 1st minor respondent, unless the respondents or any others interested in the estate shall, on or before February 21, 1949, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that the said 2nd respondent do produce the said 1st minor respondent before this court on February 21, 1949

January 13, 1949

L B. DE SILVA,
District Judge

The date for showing cause is extended to April 4, 1949

L B. DE SILVA,
District Judge

February 21, 1949

In the District Court of Matara

Order Nisi

Testamentary In the Matter of the Intestate of the late Sheikh
Jurisdiction. Mohamed Ibrahim Alim Sahib Mohammad
No 4,401 Abdussalam Alim of Galbokke, Weligama, deceased.

Sheikh Junaid Marikka Durraathul Bala of Galbokke, Weligama Petitioner

And

(1) Muhammad Fakhir, (2) Fathuma Jezrab, (3) Sithi Fathima, (4) Mohammad Kari, (5) Saathul Jailani, all of Galbokke, Weligama, (6) Sheikh Junaid, Sheikh Margot of Kotuwegoda, Matara Respondents

THIS matter coming on for disposal before L B de Silva, Esq., District Judge of Matara, on January 20, 1949, in the presence of Messrs. Issacoen & Anvel, Proctors, on the part of the petitioner, and the affidavit of the above-named petitioner dated December 16, 1948, having been read

It is ordered that the said petitioner be and she is hereby declared entitled, as widow of the deceased, to have letters of administration to the estate of the deceased issued to her, unless the respondents or any other person or persons interested in the estate shall, on or before February 21, 1949, show sufficient cause to the satisfaction of this court to the contrary

It is further ordered that the said 6th respondent be appointed guardian *ad litem* over the 2nd to 5th minor respondents, unless the respondents or any other interested in the estate shall, on or before February 21, 1949, show sufficient cause to the satisfaction of this court to the contrary.

January 20, 1949

L B DE SILVA,
District Judge

The Order Nisi extended till March 21, 1949

February 21, 1949

L B DE SILVA,
District Judge

In the District Court of Matara

Order Nisi

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Nigamuni Dadallege Rhomus Mendis of Bateegama, deceased

Dadallege Pousahmy Nandawathie of Bateegama Petitioner

Vs.

(1) Dadallege Babasingho, (2) ditto Manuel Surasena, (3) ditto Pedrick Sugathadasa, (4) ditto Leelawathie, (5) ditto Mendis, (6) ditto Somalatha, (7) ditto Barishamy, (8) Naurunnege Manohamy, all of Bateegama Respondents

THIS matter coming on for disposal before L B de Silva, Esq., District Judge of Matara, on February 24, 1949, in the presence of Mr C E Wickramasinghe, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated February 9, 1949, having been read

It is ordered that the last will and testament, the original of which is deposited in this court, be and the same is hereby declared proved, and 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 April 4, 1949, show sufficient cause to the satisfaction of this court to the contrary

February 24, 1949

L B DE SILVA,
District Judge.

In the District Court of Jaffna

Order Nisi

Testamentary In the Matter of the Intestate Estate of Mailvaga-
Jurisdiction nam Ratnasingam of Irupalai, deceased.
No 997

Ratnasingam Thamby of Taunpalai South Petitioner

Vs

Parupathapathupathmah, widow of Ratnasingam of Irupalai,
Kopay Respondent

THIS matter coming on for disposal before R. R. Selvadurai, Esq.,
District Judge of Jaffna, on February 8, 1949, in the presence of
Messrs Rajaratnam & Nadaraja Sundram, Proctors, on the part
of the petitioner; and the affidavit of the petitioner dated February 8,
1949, having been read.

It is ordered that the petitioner is entitled to letters of adminis-
tration, as the sole heir of the deceased, unless the respondent or
any person shall, on or before April 25, 1949, show sufficient cause
to the satisfaction of this court to the contrary

R. R. SELVADURAI,
District Judge

February 8, 1949

In the District Court of Jaffna

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction Vary Sinnaddy of Chivatheru, deceased
No 1,008

Nallapillai, widow of Vary Sinnaddy of Chivatheru Petitioner

Vs

(1) Sinnaddy Chelliah, and (2) Sinnaddy Sinnathurai, both of
Chivatheru Respondents

THIS matter coming on for disposal before R. R. Selvadurai,
Esq., District Judge, Jaffna, on February 22, 1949, in the presence
of Mr S. C. Mahadeva, Proctor, on the part of the petitioner; and
on reading the affidavit and petition of the petitioner:

It is ordered that letters of administration to the estate of the
above-named deceased be issued to the petitioner, as the lawful
widow of the above-named deceased, unless the above-named res-
pondents or any others appear before this court on March 23, 1949,
and show sufficient cause to the satisfaction of this court to the
contrary.

February 22 1949

R. R. SELVADURAI,
District Judge.

In the District Court of Ratnapura

Order Nisi

Testamentary In the Matter of the Intestate Estate of Wisman
Jurisdiction Acharige Manuel Silva of Gorakaela, deceased
No 1,280

Between

Dewundara Liyanawaduge Dinohamy of Elliot Road,
Galle Petitioner

And

(1) Wisman Acharige Engo Nona, (2) ditto Alice Nona, (3)
ditto Podisingho, (4) Anangama Acharige Stephen Perera,
(5) ditto Leelayathie, all of Mahara, Dalupitiya, Kada-
wata Respondents

THIS matter coming on for disposal before T. C. P. Fernando,
Esq., Additional District Judge, Ratnapura, on February 22, 1949,
in the presence of Mr R. Dambawinne, Proctor, on the part of the
petitioner, the petition and affidavit of the petitioner above named
dated February 22 and 21, 1949, respectively, having been read.

It is ordered that Dewundara Liyanawaduge Dinohamy of Elliot
Road, Galle, the petitioner above named, as the widow of the
deceased, is entitled to have 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 March 31, 1949, show sufficient cause to the
satisfaction of this court to the contrary

February 22, 1949.

T. C. P. FERNANDO,
District Judge.