



THE CEYLON GOVERNMENT GAZETTE

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PART II — LEGAL

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DISTRICT AND MINOR COURT NOTICES

Destruction of Valueless Records

IN terms of section 6 of Ordinance No 12 of 1894 it is hereby notified for general information that three months hence the valueless records of criminal cases decided in the Magistrate's Court of Kandy, during the period of August 29, 1929 to January 10 1939, will be destroyed.

Any person interested in any record referred to above may, personally or by Proctor, or by duly authenticated petition, claim upon good cause shown, that such record may not be destroyed.

No M C./RR.
Magistrate's Court,
Kandy, March 22, 1949

T. F. C. ROBERTS,
Magistrate

NOTICES OF INSOLVENCY

In the District Court of Colombo

Insolvency In the matter of the insolvency of Francis Joseph No. 5,809. I. Jesudasan of 17, Forbes Road, Matadana, 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 May 10, 1949, to consider the grant of a certificate of conformity to the insolvent

April 7, 1949

By order of court, M N PERERA,
Secretary

In the District Court of Colombo

Insolvency In the matter of the insolvency of W Thambirajah No. 5,814 of 50/21, De Waa Lane Grandpass, 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 May 10, 1949

District Court,
Colombo March 30 1949

By order of court, M N PERERA,
Secretary

NOTICES OF FISCAL'S SALES

Eastern Province

In the District Court of Trincomalee

Murugesu Vyramuttu, of Division No 8, Trincomalee Plaintiff
No. 8,114 Vs

(1) Retnamma, widow of Thiyagarajah Kurukkal; (2) B. Ruth-rany Devi wife of K C Balasubramaniam Iyer, both of Punnalai Kadduvan in Chunnaksh in Jaffna Defendants,

NOTICE is hereby given that on Saturday May 7, 1949, commencing at 10 o'clock in the forenoon will be sold by public auction at the spot the following properties for the recovery of Rs 2,558 being the aggregate amount of the principal and interest and costs due in respect of mortgage bond No 180 dated June 26, 1944, and attested by M J A P Thuraiyagan, Notary Public, with interest on Rs 2,000 at 10 per cent per annum, from February 28, 1948, till April 29, 1948, and thereafter at 5 per cent, until payment in full and costs of suit, Rs 192.70 (less Rs. 79.7). Fiscal's fee and charges and poundage viz —

1 An allotment of land called Vellukaduthal in Tamblegam Tamblegampattu, Trincomalee District Eastern Province, bounded on the north by T P 236 919, east by T P 236,917

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and channel, south by diannel claimed on T P 202,399 and Kanakatu Alavaiyum, claimed by the trustees of the Konanayar Kovil, west by Kanma Kattulavalai, claimed by trustees of the Konanayar Kovil, and T P 108,438 and 186,848; in extent 4 acres 1 rood 18 perches.

2 An allotment of land called Kannaveeduvaikadi in Tamblegam aforesaid, bounded on the west and north by reservation for a road, east by lot 91,801 in P. P. 4,088 and T P 267,443, 235,669 and 235,670, south by lot 2,219 in P P 4,928, in extent 4 acres 1 rood and 12 perches

3 All that piece of land together with the house of three rooms, well, coconut trees, situated at Kovilkudyuruppu in Tamblegam aforesaid, bounded on the north by the property belonging to Konanayar Kovil, east by fields belonging to Konanayar Kovil, west by lane, and south by property belonging to Konanayar Kovil, in extent 80 perches

Deputy Fiscal's Office.

Trincomalee, 16 8.49/6 4 49

C SHIVASUBRAHMANYAN,
Additional Deputy Fiscal.

In the District Court of Trincomalee

Murugesu Vyramuttu, Division No 8, Trincomalee Plaintiff
No 8,114 Vs

Theresamma, widow of Swakunpillai of Sambaltivu in Trincomalee, personally and as co-trustee of the estate, Rosa Mary Anst Regina Mary Defendant

NOTICE is hereby given that on Wednesday, May 4, 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 1 770 with interest on Rs 1,500 at 8 per cent till May 25, 1948; and thereafter on the aggregate amount at 5 per cent till payment in full and costs of suit, Rs 187.54; Fiscal's fees and charges and poundage less Rs 100, viz. —

A piece of land called Kathukamer valai, situated at Sambaltivu, Kaddikulampatti, Trincomalee District, Eastern Province, with ola, house, and coconut trees, jak trees and other plantations and, all other rights relating thereto, bounded on the north by land of Supper, Kanthapillai and others; on the east and west by roads; and on the south by land belonging to the heirs of the late Sattanathapillai, containing in extent 2 acres, and 27 perches.

Deputy Fiscal's Office.

Trincomalee, 30:8 49/6 4 49

C SHIVASUBRAHMANYAN,
Additional Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS

In the District Court of Colombo

Order Nisi

Testamentary. In the Matter of the joint Last Will and Testament of Diyagu Silve Emo alias Robbena No 13,379 Silva (deceased) and her husband Magage Arnolis Fernando of 180 High Street, Wellawatta

Magage Arnolis Fernando of 180, High Street Wellawatta Plaintiff

THIS matter coming on for determination before N. Sunnetnamby Jsg. Additional District Judge, of Colombo, on March 8 1949 and March 17, 1949, in the presence of M H E Wijetunge,

Proctor, on the part of the petitioner, after reading the petition and affidavit of the petitioner above named dated March 3, 1949, and March 2, 1949, respectively, and the affidavit of one of the attesting witnesses to the will, namely, Kathiri Pillay Sunatambay, dated February 25, 1919.

It is ordered that the last will and testament No. 1,456, made by Magage Arnolds Fernando and Diagu Silvage Eme alias Bobonona Silva, the deceased above named, and attested by Mr. Kapu gamage living Karunaratne, Notary Public, on August 17, 1940, 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 surviving executor named in the said will and he is hereby declared entitled to have probate thereof issued to him, unless any person or persons interested shall, on or before May 26, 1949, show sufficient cause to the satisfaction of this court to the contrary.

March 18, 1949

N SINNETAMBAY,
Additional District Judge.

In the District Court of Colombo

Order Nisi in Intestacy

Testamentary In the Matter of the Intestate Estate of Mrs Jurisdiction Sybil Mary Jyenth Fonseka of 4, Sigiriya Gardens, Colombo, deceased

Charles Edmund Fonseka of 4, Sigiriya Gardens, Colombo Petitioner

Vs

(1) Sunil Valentine Patrick Fonseka, a minor, (2) Hyanth Nirmala Darshini Fonseka, a minor, (3) Hawafonselage Peter Christoph Fonseka of Riveira, Moratuwa, appearing as guardian *ad litem* of the 1st and 2nd respondent above named minors Respondents

THIS matter coming on for disposal before N Sinnetambay, Esq., Additional District Judge of Colombo, on March 28, 1949, in the presence of Messrs C. M. G. de Saaram & Dias-Abeyasinghe, Proctors on the part of the petitioner above named; and the affidavit of the said petitioner dated March 16, 1949, having been read.

It is ordered that the above named 3rd respondent be and he is hereby appointed guardian *ad litem* over the 1st and 2nd respondents above named minors for the purposes of these proceedings and that the petitioner above named be and he is hereby declared entitled, as the husband and one of the heirs and next of kin of the deceased, to have letters of administration in respect of the intestate estate of Mrs. Sybil Mary Jyenth Fonseka, deceased, issued to him accordingly, unless the above named respondents or any other person or persons interested shall, on or before May 26, 1949, show sufficient cause to the satisfaction of this court to the contrary.

April 8, 1949

L. W. DE SILVA,
Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Intestate Estate of Kumbala-Jurisdiction thera Arachige Constance Beatrice Fonseka of No 13,422 Pagoda deceased

Weerananayana Mudalige Albert Fonseka, Wickieneratne of Pagoda Petitioner.

And

(1) Weerananayana Mudalige Leonard Clement Fonseka Wickieneratne of Pagoda, (2) Weerananayana Mudalige Elsie Mary Elizabeth Fonseka Wickieneratne, minor, (3) Thewarappunna Arachige Don Albert of Grandpass, Colombo, guardian *ad litem* over 2nd respondent, minor Respondents

THIS matter coming on for disposal before N Sinnetambay, Esq., Additional District Judge of Colombo, on April 4, 1949, in the presence of Mr. H. J. Wijesinghe Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated March 28, 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 2nd respondent, minor above named, and that the petitioner be and he is hereby declared entitled, as husband of the above named deceased; 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 June 2, 1949, show sufficient cause to the satisfaction of this court to the contrary.

April 5, 1949

N SINNETAMBAY,
Additional District Judge.

In the District Court of Galle

Order Nisi Declaring Will Proved, &c.

Testamentary In the Matter of the Estate of Akmeemana Sila-Jurisdiction wansa Thero, deceased, of Akmeemana in Galle No 8,254

Akmeemana Pannananda Thero of Akmeemana in Galle Petitioner

(1) Unanwitiye Priyaratna Thero of Narawala in Galle, (2) Tellambure Dhammajota of Aggabodhi Vihare, Weligama (3) Akmeemana Pannananda of Galpote Vihare, Akmeemana Respondents

THIS matter coming on for disposal before V E. Rajakarier, Esq., District Judge of Galle, on March 25, 1949, in the presence of

Mr. F. A. Abeywardena, Advocate, instructed by Messrs D & B. Amarasinghe, Proctors, on the part of the petitioner; and the affidavits of the petitioner dated August 27, 1947, and March 11, 1949, and the affidavit of the attesting notary dated October 29, 1947, and the affidavit of the witnesses to the last will dated October 18, 1947, having been read.

It is ordered that the will of Akmeemana Seelawansabhudhana Maha Thero, deceased, bearing No. 998 dated January 27, 1938, and now deposited in this court be and the same is hereby declared proved, unless the respondents or any other person or persons interested shall, on or before May 6, 1949, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the petitioner be appointed administrator, with the will annexed, unless the respondents or any other person or persons interested shall, on or before May 6, 1949, show sufficient cause to the satisfaction of this court to the contrary.

March 25, 1949

V E. RAJAKARIER,
District Judge

In the District Court of Batticaloa

Order Nisi

Testamentary In the Matter of the Intestate Estate and Effects Jurisdiction of the late Mohamad Meeralavva Mohamad No. 581. Cassim of Division No 1, Kattankudy, deceased

Between

Mohamad Cassimleyya, Mohamad Meerasaibo Hadpar of Manjantodova Petitioner.

And

(1) Mohamad Meerasaibo Hadpar Mohamad Saritaumnah, (2) Mohamad Cassim Kalanderevva, (3) Mohamad Meeralavva Samsudeen, all of Kattankudy, Division No 1 Respondents

THIS matter coming on for disposal before M M Maharoof, Esq., District Judge of Batticaloa, on March 15, 1949 in the presence of Mr. C S. Pöppalaetnam, Proctor, on the part of the petitioner, and the affidavit and petition dated February 24 and 25, 1949, respectively; of the petitioner above named having been read.

It is ordered that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* of the minor, the 2nd respondent, unless the respondents above named or any other person or persons interested shall, on or before April 5, 1949, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the petitioner above named be and he is hereby declared entitled, as the father-in-law of the said deceased, to have letters of administration to his estate issued to him, unless the respondents above named or any other person or persons interested shall, on or before April 5, 1949, show sufficient cause to the satisfaction of this court to the contrary.

March 15, 1949

M M MAHAROOF,
District Judge

Extended to May 5, 1949

April 5, 1949

M M MAHAROOF,
District Judge

In the District Court of Badulla

Order Nisi

Testamentary In the Matter of the Intestate Estate of M M No. B/1,185 Khaldeen of Bandarawela, deceased

Jackiyona Umma of Bandarawela Petitioner

Vs

(1) K Abdul Salam *act* 12 years, (2) K Sighi Freedha *act* 8 years, (3) K Jameela Umma *act* 5 years, (4) K. Asiya Umma *act* 4 years, (5) K Mo'ammed Thaba *act* 6 years and (6) K Mohideen *act* 3 years, all of Bandarawela, being minors, represented by their guardian *ad litem* A M M Saleem of 18, Public Market, Bandarawela Respondents

THIS matter coming on for disposal before T. F. Blaze, Esq., Acting District Judge, Badulla on April 1, 1949, in the presence of Mr. Stanley H. Abeysekere, Proctor, on the part of the petitioner above named, and her affidavit dated February 26, 1949, having been read.

It is ordered that A. M. M. Saleem above named be and he is hereby appointed guardian *ad litem* over the 1st to 6th minor respondents above named to represent them for all the purposes of this action.

It is further ordered that the petitioner above named be and she is hereby declared entitled to letters of administration to the estate of the deceased M M Khaldeen, as the widow of the said deceased, unless the respondents above named or any person or persons lawfully interested therein shall, on or before April 27, 1949, show sufficient cause to the satisfaction of this court, to the contrary.

April 1, 1949

T F. BLAZE,
Acting District Judge