



# 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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### NOTIFICATIONS OF CRIMINAL SESSIONS

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Western Circuit will be holden at the Court-house at Hulftsdorp, on Monday, March 21, 1949, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,  
Colombo, February 28, 1949.

G. M. CHINNATAMBY,  
for Fiscal.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court, for the Districts of Puttalam and Chilaw, will be holden at the Court-house at Colombo, on Monday, March 21, 1949, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,  
Kurunegala, February 24, 1949.

W. H. MOORE,  
Fiscal.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Anuradhapura, will be holden at the Court-house at Kandy, on Thursday, March 10, 1949, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,  
Anuradhapura, February 22, 1949.

R. K. ARULAMPALAM,  
for Fiscal.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the District of Badulla will be holden at the Court-house at Kandy, on Thursday, March 10, 1949, at 11 o'clock of the morning of the said day.

And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,  
Badulla, February 25, 1949.

A. SIVASITHAMPARAM,  
for Fiscal.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Second Western Circuit 1949, will be holden at the Court house at Colombo, on Monday, March 21, 1949, at 11 o'clock of the morning of the said day.

67—J. N. A 87449-1,248 (2/49)

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And I do hereby require and inform all persons concerned therein to attend at the time and place above mentioned, and not to depart without leave asked and granted.

Fiscal's Office,  
Ratnapura, February 24, 1949

G. L. D. DAVIDSON,  
Fiscal.

### DISTRICT AND MINOR COURT NOTICES

#### Destruction of old and valueless documents

NOTICE is hereby given that the under-mentioned old and valueless records of the Magistrate's Court and of the Court of Requests of Balapitiya will, subject to the provisions of sections 4 and 5 of Ordinance No. 12 of 1894 (Chapter 336), be destroyed at the expiration of three months from date hereof:—

Magistrate's Court cases Nos. 85,986 of May 9, 1939, to 46,983 of September 30, 1943, and

Court of Requests Cases Nos. 19,886 of October 1, 1934, to 21,706 of September 30, 1938.

Any person interested in any of these records may, within the time aforesaid, personally or by proctor or by duly authenticated petition, claim, upon good cause shown, that such record may not be destroyed

H. K. S. KERT,  
Magistrate and Commissioner of Requests  
Balapitiya, February 28, 1949.

It is hereby notified under section 19 (2) of the Rural Courts Ordinance, No 12 of 1945, that the building indicated below has been set apart as the Court-house of the Rural Court of Hatalaspaha Kotala East and Meeoyen Egoda Korala of Wannu Hatpattu in the Judicial District of Kurunegala, with effect from March 1, 1949.

District Court,  
Kurunegala, February 16, 1949

S. RAJARATNAM,  
District Judge.

#### Building referred to —

The present Village Committee Office at Galgamuwa on Kurunegala-Anuradhapura Road.

### Circuit Courts, Ratnapura District

NOTICE is hereby given that the Circuit Courts at Balangoda and Rakwana, will be held by me, on the dates given below:—

(the dates are subject to alteration)

1949		Balangoda		Rakwana
July	...	1, 2 and 15, 16	...	8, 22
August	...	5, 6 and 19, 20	...	12, 26
September	...	2, 3 and 16, 17	...	9, 23
October	...	7, 8 and 21, 22	...	14, 28
November	...	4, 5 and 18, 19	...	11, 25
December	...	2, 3 and 16, 17	...	9, 21

T. C. P. FERNANDO,  
Magistrate and Addl. Commissioner of Requests,  
Magistrate's Court,  
Ratnapura, February 22, 1949.

## NOTICES OF INSOLVENCY

In the District Court of Colombo

In the matter of the insolvency of Edmund Martin No. 5,774 Weerasatne Jaysuriya of Sonani, Kotte, 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 22, 1949, at 10 45 a.m.

February 15, 1949

By order of court, M N PERERA  
Secretary

In the District Court of Colombo

In the matter of the insolvency of Joseph Bastianpillai Thevasagayam of 58/L, Wekande Road, Slave Island, Colombo, insolvent.

NOTICE is hereby given that the second sittings and examination of the above-named insolvent will take place at a sitting of this court on April 12 1949, at 10 45 a.m.

February 15, 1949

By order of court M N PERERA  
Secretary

In the District Court of Colombo

In the matter of the insolvency of Vincent Bernard de Fonseka of 201, Timbugayaya, Colombo, insolvent.

WHEREAS the above-named Vincent Bernard de Fonseka has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Joseph de Abiew Wijesinghe of Temple Road, Maradana, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Vincent Bernard de Fonseka insolvent accordingly, and that two public sittings of the court, to wit, on April 5, 1949, and on May 10, 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

February 28 1949

By order of court M N PERERA  
Secretary

In the District Court of Kandy

In the matter of the insolvency of Sinhalapedigedera No. 1140. Sirpina of Raimbewala, 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 March 29, 1949 to compound the above case

By order of court M G ABAYASENA,  
Secretary

In the District Court of Jaffna

In the matter of the insolvency of Nagamany No. 209. Pasupathippillai Sellathurai of Anjalativu, Jaffna insolvent

NOTICE is hereby given that the 2nd sitting of the creditors will be held in this court, on March 17, 1949, for examination of the insolvent and proof of debts.

February 28, 1949

By order of court, T SUBRAMANIAM,  
Secretary

## NOTICES OF FISCALS' SALES

## Western Province

In the District Court of Colombo

C. M. Edm de Silva of 118, Santiago Street, Kotahena, Colombo Plaintiff

No. 9,956/S

Vs.

M. M. K. Dawood Saiboo of 234, Silversmith Street, Colombo, carrying on business at 228, 4th Cross Street, Colombo, under the name, style, and firm of M. M. K. Dawood Saiboo & Sons, Colombo Defendants

NOTICE is hereby given that on Friday, March 25 1949, at 2 p.m., will be sold by public auction at No. 234, Silversmith Street, Colombo, the following movable property for the recovery of the sum of Rs 3,390 with interest on Rs 1,380 at 12 per cent per annum from November 4, 1948, till date of decree and there-after with legal interest on the aggregate amount till payment in full and costs of suit, viz:—

One dismantled iron bed, 2 benches, 2 tables, 2 common wood counter bars, 2 cane chairs, 1 lounge, 1 glass almirah, 1 teapoy, 2 chairs, 1 small glass box, 1 wireless set, 1 rack, 1 small glass show case, 1 table with marble top, 1 Hercules bicycle bearing No. P 248, 6 large and small bottles, 1 machine for bottling aerated waters, 1 lot 20 rafters, 1 hand cart, 2 copper pots, 1 hand machine for colking, 1 sauce pan, 1 basin, 3 tubs, 1 common wood box, 35 bottles ginger preserve, 12 bottles sherbet, 25 deal-wood boxes, 4 pieces iron pipes, 16 bags empty bottles, 1 iron stand, 1 side board, 1 almirah, 1 glass show case, 1 meat safe, 1 Singer sewing foot machine bearing No. Y9506111

Fiscal's Office,  
Colombo, March 1, 1949.T THIAGARAJAH,  
Deputy Fiscal.

In the District Court of Colombo

(1) A. L. A. Ramasamy Thevar, (2) A. L. R. M. Alagappa Thevar and (3) K. R. Ramasamy Thevar, all carrying on business under the name, style, and firm of M. R. M. Ramasamy Thevar of 178 Sea Street, Colombo Plaintiffs.

No. 10,085/S

Vs.

(1) Mrs. Theresa Tavarayan, (2) A. C. P. Tavarayan, (3) Miss Pincy Tavarayan and (5) Mrs. Catherine Pullenayagam, all of 22, Galpota Street, Kotahena, Colombo Defendants

NOTICE is hereby given that on Monday, March 28, 1949, at 2 30 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 3,455 87 with interest on Rs. 3,300 at 12 per cent. per annum from December 21, 1948, till January 11, 1949, and thereafter legal interest on the aggregate amount at 5 per cent per annum till payment in full, less a sum of Rs 455, viz:—

All that allotment of land with the buildings and plantations standing thereon, situated at Kotahena in Galpota Street, formerly bearing No. 48, presently bearing No. 22, within the Municipality and District of Colombo, Western Province; and bounded on the north by lot No. 10 purchased by Seyyago Mohamad, on the south by lot No. 12, on the east by lot No. 14 being a portion of the grass land purchased by George de Silva Mhandirum, and on the west by Galpota Street, containing in extent 22 50/100 perches, and registered in A 256/287 Colombo Land Registry

Fiscal's Office,  
Colombo, March 1, 1949T THIAGARAJAH,  
Deputy Fiscal.

In the District Court of Colombo

A. R. K. R. V. Volanthan Chettiar of 168, Sea Street, Colombo Plaintiff.

No. 8,263/S

Vs.

(1) D. L. Deddunakumaru of Wandurape, Agalawatta, Matugama, and (2) M. A. Perera of Mahan Street, Colombo Defendants.

NOTICE is hereby given that on Wednesday, March 30, 1949, 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 defendant in the following movable property, for the recovery of Rs 1,000 with legal interest thereon at 5 per cent per annum from September 2, 1947, till payment in full and costs of suit, less Rs. 175, viz:—

One easy chair, 1 gramophone, 1 almirah, 4 cushioned chairs, 1 settee, 1 sideboard, 1 "Puff" sewing machine No. 31, 2 G.O.H. chairs, 1 hackery No. 16, V. C. M. P/47, 1 half-bullock cart No. 17 V. C. M. P/47, 1 dressing table, 1 writing table, 1 round teapoy, 1 Seth Thomas clock, 1 round table, 1 iron safe made in Australia, 1 tea store box, 1 wardrobe with mirror, 5 tea sieves, 1 tea preparation hand machine made by John & Walker & Co., 1 push cycle No. G 1,467

Deputy Fiscal's Office  
Kaltara, February 28 1949G. L. DE S. WJESUNDARA,  
Additional Deputy Fiscal.

## Central Province

In the District Court of Kandy

Mrs. H. S. de Silva, now known as Amarawathie de Silva of Kadugannawa Plaintiff.

No. D 47.

Vs.

H. S. de Silva of Kawatayamune, Matale Defendant

NOTICE is hereby given that on Tuesday, March 29, 1949, commencing 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. 1,721 74 with further alimony and maintenance at Rs 118 per month from February 25, 1948, till payment in full, viz:—

1 All that divided lot in extent 23 acres 1 rood and 18 perches out of all that land called Anugalayaye Kosgahamulahena and adjoining Jambughamulahena, in extent 43 acres 1 rood and 14 perches, situate at Dombawala, Galwadukumbure in Gampahasya Pattu, Matale South, in the District of Matale, Central Province, and which said lot in extent 23 acres 1 rood and 18 perches is bounded on the north by lot F allotted to Jayasundara de Silva of Mahavela and Galwadukumbure School Master's land, south by Galwela Road and Crown land, east by Crown land Galheeraya and lands claimed by Galwadukumbure School Master and others, and west by Galwela Road, Meegastennegedera lands and Ambagaranulakumbura with everything standing thereon Registered in B 132/180

2 All that divided lot in extent 39 acres and 12 perches out of all that land called Watuyayewatte, in extent 73 acres 1 rood and 15 perches, situate at Ratalawawa in Pallesiya Pattu of Asguru Kotala in Matale South aforesaid, and which said divided lot is bounded on the north by lot A allotted to P. C. de Silva, south by lands of Kottegaswala Menka, Horanekara Boda, Tikiriya and Ukuwa and pillawa of Eptagedera Boda, east by North Matale Estate and Yatawala lands, and on the west by estate roads, lot D allotted to Karalnahamy de Silva and Crown land, which said lands are subject to mortgage bond No. 629 dated May 12, 1938

Deputy Fiscal's Office,  
Matale, February 26 1949A. A. CHELLAPPAH,  
Additional Deputy Fiscal

## Northern Province

In the District Court of Jaffna

Naganather Nagarathnam of Koddady, Jaffna . . . . . Plaintiff.  
No. 4,845. Vs  
Kandiah Santhalingam of Koddady, Jaffna . . . . . Defendant

NOTICE is hereby given that on Tuesday, March 29, 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. 2,500 with legal interest (5 per cent.) thereon from September 21, 1948, till payment in full and poundage and charges, viz. —  
S.R.A.

That piece of land and well situated at Velana in Velana parish, Islands Division of the Jaffna District, Northern Province, called "Kollukkuli" in extent 49 1/2 aichams p.c.; and bounded on the east by Kanapathippillai Paramasingampillai, north by Kanapathippillai Nagalingam and Ponnathurai Ponnammah, west by the property of Nallur Kandasamy Temple, and south by the property of Nallur Kandasamy Temple and Thirugnanasampathippillai, of this an extent of 24 1/2 aichams p.c. and its appurtenances by the western side and share of water and right of way and watercourse in the well lying on the eastern side. There is a lane running east to west in this land

Fiscal's Office,  
Jaffna, February 28, 1949

T. KANDIAH  
for Fiscal

## Eastern Province

In the District Court of Batticaloa

Mohamaduthamby Hadjar V. V Mohamadu Yasminveve of Samanturani . . . . . Plaintiff  
No. 656 M. Vs

Thombuthor Pakirveve Hadjar Pathumamah of Sammanturani, as administratrix of the estate of the late S. A. Mohamaduthambypody Hadjar, in case No 506 Testy., D. C., Batticaloa . . . . . Defendant

NOTICE is hereby given that on Tuesday, March 29, 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 defendant in the following property for the recovery of the sum of Rs 1,800 with interest thereon at 5 per cent. per annum from July 2, 1946, until payment in full and costs Rs 175 2/3, less a sum of Rs 691.61 (Recovered Rs 80 on October 26, 1947, and Rs 611.61 on April 16, 1948), viz. —

An undivided 5 acres, out of a paddy land situated at Sinnanathula Kandam, pertaining to Mallhativu in Naadukadu, Sammanturani Paitu, Batticaloa District, Eastern Province; bounded on the north by Vaikal, south by the paddy land belonging to M. P Muhamaducassim and wife, east by the paddy land of M. P Muhamadali, and west by the paddy land of Muirugapperi Sempakutti, in extent 10 acres and of the inlets, outlets and other rights

Fiscal's Office,  
Batticaloa, February 28, 1949

S M J LOUIS  
for Fiscal

## Province of Sabaragamuwa

In the District Court of Ratnapura

Pannasoriyage Aron Singho of Galaboda in Ratnapura . . . . . Plaintiff  
No. 2,508 Vs

(1) Kuruppu Achchige Helenis Kuruppu, (2) V M Perera of Malangama, (3) Wakkumburage Mohottihami of Elapatha, (4) Tuwan Jamaldeen Chuncher of Ratnapura, (5) Ratnayaka Mudiyansele Gunathissa of Demakporawa . . . . . Defendants.

NOTICE is hereby given that on Tuesday, March 29, 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 1st defendant in the following property for the recovery of Rs 11,619.98 with interest on Rs 10,000 at 12 per cent per annum from February 13, 1948, till July 30, 1948, and thereafter 6 per cent per annum on the aggregate till payment in full and poundage, viz. :—

1. An undivided 1/2 share of the land called and known as a defined portion of Horagaha Ela Mukalana, situate at Mudunkotuwa in the Uda Pattu of Kuruwiti Korale in the District of Ratnapura of the Province of Sabaragamuwa, and bounded on the north by lot A in plan No. 36 made by J S Thambiyah, Surveyor, east, south, and west by land claimed by natives; containing in extent 14 acres 2 roods and 26 perches, and of the rubber plantation standing thereon and depicted as lot B in plan No. 36 aforesaid, and registered in A. 286/135

2. An undivided 1/2 share of the land called Korallayadeniyahena alias Pinnalandehena and Themiya Mandiye Mukalana alias Yahalakatunne Mukalana (excluding Horagaha-ela passing through the land), situate at Walandura in the Uda Pattu of Kuruwiti Korale, in the District of Ratnapura of the Province of Sabaragamuwa, together bounded on the north by Korallayadeniya, Horagaha-ela, land in T P No 203,865 claimed by Perera and others, east by lot 206 & 207 in P.P. 4,572, south by lot 10 in P.P. 2,743, west by lots 10, 7 and 5 in P.P. 2,743 and land in T P. 203,864; containing in extent 5 acres 3 roods and 29 perches, and of the rubber plantation standing thereon, and registered A. 287/214

Sale on Wednesday, March 30, 1949, at 2 p.m., commencing from the 3rd land

3 All that allotment of land called and known as a portion of Bilingsawatta, situate at Ratnapura Town, in the Uda Pattu of Kuruwiti Korale, in the District of Ratnapura of the Province of Sabaragamuwa, bounded on the north by cart road, east by building bearing assessment No 43 and the remaining portion of this land, south by Kalu-ganga, west by building bearing assessment Nos 42 & 10 and the remaining portion of this land containing in extent 23 perches, together with the entire of the building bearing assessment No. 41 and 16, and the plantations standing thereon, and registered A 286/136

4 An undivided 1/2 share of the land called Bilingsawatta eastern portion, situate at Ratnapura Town aforesaid, and bounded on the north by cart road, east by Wadugawatta, south by Kalu-ganga west by house bearing assessment No 24 and the remaining portion of Bilingsawatta, containing in extent 5 seers of kurakkan sowing, and of the buildings bearing assessment Nos 43, 52 and 54 and of the plantations standing thereon, and registered A 291/67

5. An undivided 1/2 share of the land called and known as Pahulahena alias Pahalahenewatta, situate at Getangama in the Meda Pattu of Nawadun Korale in the District of Ratnapura of the Province of Sabaragamuwa, and bounded on the north by Godakele, east by Sulupara, south by Maladola and Godakele, west by Maladola and Godakele; containing in extent 10 seers of kurakkan sowing and of the plantation and everything appertaining thereto, and registered B. 287/26

Fiscal's Office,  
Ratnapura February 21 1949

A. B KARATHAMBE  
Additional Deputy Fiscal

## NOTICES IN TESTAMENTARY ACTIONS

In the District Court of Colombo

Order Absolute

Testamentary In the Matter of the Joint Last Will and Codicil Jurisdiction of Julian Andrew Fryer of Alfred Place, Colpetty, Colombo, deceased, and his wife Florence Seraphine Harriet Fryer

(1) Leslie Andrew Henry Fryer of St. John's Hill Estate, Madulkele, and (2) Harold Stanley Austin of Mahayaya Estate, Minuwangoda . . . . . Petitioners

THIS matter coming on for final determination before N Sinnatambay, Esq., Additional District Judge of Colombo, on February 3, 1949, in the presence of Mr L. L. Fonseka, Proctor, on the part of the petitioners above named, and (1) the affidavit of the petitioners dated November 19, 1948, and (2) the affidavit of the attesting notary and the subscribing witnesses dated November 26, 1948 and February 3, 1949, having been read.

It is ordered that the last will and testament No 2,606 made by Julian Andrew Fryer, the deceased above named, and his wife Florence Seraphine Harriet Fryer, and attested by Mr J M Perera, Notary Public, on August 6, 1940, and codicil No 3,171 attested by the same notary on July 24, 1945, the originals of which have been produced and are now deposited in this court, be and the same are 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 on taking the usual oath and tendering security

February 28, 1949

N SINNETAMBY.  
Additional District Judge

In the District Court of Colombo

Order Absolute

Testamentary In the Matter of the Joint Last Will and Testament Jurisdiction of Florence Seraphine Harriet Fryer No 13,258 of Alfred Place, Colpetty, Colombo, deceased, and her husband, Julian Andrew Fryer

(1) Leslie Andrew Henry Fryer of St. John's Hill Estate, Madulkele, (2) Harold Stanley Austin of Mahayaya Estate, Minuwangoda . . . . . Petitioners

THIS matter coming on for final determination before N Sinnatambay, Esq., Additional District Judge of Colombo, on February 3, 1949, in the presence of Mr L. L. Fonseka, Proctor, on the part of the petitioners above named; and (1) the affidavit of the petitioners dated November 19, 1948, and (2) the affidavit of the attesting notary and the subscribing witnesses dated November 26, 1948, and February 3, 1949, having been read:

It is ordered that the last will and testament No. 2,606 made by Florence Seraphine Harriet Fryer, the deceased above named, and her husband Julian Andrew Fryer, and attested by Mr. J. M. Perera, Notary Public, on August 6, 1940, and codicil No 3,171 attested by the same notary on July 24, 1945, certified copies of which have been produced and are now deposited in this court, be and the same are 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 on taking the usual oath and tendering security.

February 23, 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. Frances Cecilia Vanderstraaten, widow of Cyril No. 13,261. Arthur Vanderstraaten of 253, Galle Road, Colombo, deceased.

(1) Claude Vanderstraaten, and (2) Brenda Laurensz, both of 27, Station Road, Wellawatta ..... Petitioners

THIS matter coming on for disposal before D. A. Leanage, Esq., Additional District Judge of Colombo, on December 2, 1948, and before N. Sinnatamby, Esq., Additional District Judge of Colombo, on January 28, 1949, in the presence of Mr. L. L. Fonseka, Proctor, on the part of the petitioners above named; and the affidavit (1) of the petitioners dated October 7, 1948, and (2) the affidavit of the attesting notary and one of the subscribing witnesses dated November 3, 1948, having been read:

It is ordered that the last will and testament No. 925 made by Frances Cecilia Vanderstraaten, the deceased above named, and attested by Mr. N. E. Samarasinghe, Notary Public, on June 26, 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 petitioners above named are the executors named in the said will and they are hereby declared entitled to have probate of the said will issued to them 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 23, 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. G. Don Seneris of Maradana in Colombo, deceased. No. 13,287.

W. Dona Charlet Hamme of Kelaniya ..... Petitioner.

THIS matter coming on for disposal before N. Sinnatamby, Esq., Additional District Judge of Colombo, on January 18, 1949, in the presence of Mr. W. H. Perera, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner dated December 20, 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 any person or persons interested shall, on or before February 17, 1949, show sufficient cause to the contrary.

January 19, 1949.

N. SINNETAMBY,  
Additional District Judge

The time for showing cause in this matter is extended till 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 Muthiah Jurisdiction. Devadas Peter of Dickoya Estate Dickoya in No. 13,329 the District of Hatton, deceased.

Annie Jeevaratnan Peter of Dickoya Estate, Dickoya, and presently of 22/8, Mission Road, Kotte ..... Petitioner

And  
(1) Mary Gnanasundaram Peter, (2) Alice Kamayanthy Peter, (3) Albert Solomon Peter, (4) Samuel Muthiah Peter, (5) Elizabeth Thangathai Peter, (6) Margaret Neesamany Peter, (7) Glory Anbu Peter, all of 22/8, Mission Road, Kotte, minors, appearing by their guardian *ad litem* (8) R. H. Bramard of 22/8, Mission Road, Kotte ..... Respondents,

THIS matter coming on for disposal before N. Sinnatamby, Esq., Additional District Judge of Colombo, on February 24, 1949, in the presence of Mr. Martin Weeraratne, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated December 15, 1948, having been read:

It is ordered that the 8th respondent above named be and he is hereby declared appointed guardian *ad litem* over the 1st to 7th 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 17, 1949, show sufficient cause to the satisfaction of this court to the contrary.

February 26, 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. Frederick Francis Shelton de Saram of Gasnawa No. 13,333 N T Estate, Nelundeniya, planter, deceased.

And  
In the matter of the Civil Procedure Code (Cap. 86), Chapter XXXVIII.

Clifford Trevor de Saram of 29 2/6 Gaffoor Building, Colombo ..... Petitioner.

THIS matter coming on for final determination before N. Sinnatamby, Esq., Additional District Judge of Colombo, on February 9, 1949, in the presence of Ivan Maxim David Fernando, Proctor,

on the part of the petitioner, Clifford Trevor de Saram of 29 2/6, Gaffoor Building, Colombo; and (1) the affidavit of the said petitioner dated February 8, 1949, and (2) the affidavit of the attesting witnesses of the will dated December 22 and 23, 1948, and January 10, 1949, having been read:

It is ordered that the will of the said Frederick Francis Shelton de Saram, deceased, dated April 3, 1946 (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 Clifford Trevor de Saram is one of the executors named in the said will, the other executor having renounced probate, and that he is entitled to have probate thereof issued to him accordingly, subject to his tendering the usual oath.

February 21, 1949.

N. SINNETAMBY,  
Additional District Judge

In the District Court of Colombo

## Notice of Application

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Maud Hilda Carnduff of "Lingfield" Fleet, Hampshire, England, widow, deceased. No. 13,345

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 will of Maud Hilda Carnduff of "Lingfield" Fleet, Hampshire, England, widow, deceased, granted by the Principal Probate Registry of His Majesty's High Court of Justice in England, on the sixteenth day of October, one thousand nine hundred and forty-eight.

F. J. & G. de Saram  
Proctors for Rodrick Strachan McDonald  
the attorney of Barclays Bank Limited of  
54, Lombard Street, in the City of London,  
England, the sole executor named in the  
said will.

Colombo, March 4, 1949

In the District Court of Colombo

## Order Nisi

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Udawattage Don Pauls Appuhamy of Suwawapola, Kesbawa. No. 13,350.

Udawattage Don Robert of "Harrington" Suwawapola, Kesbawa ..... Petitioner.

And

(1) Dohwala Liyanage Kanora, Peris Hamme, (2) Udawattage Don Arthur, and (3) Udawattage Don Hermon, all of "Harrington" Suwawapola, Kesbawa, 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, Colombo on February 18, 1949, in the presence of Mr. B. J. St. V. Perera, Proctor, on the part of the petitioner above named, and (1) the affidavit of the petitioner dated February 17, 1949, and (2) the affidavit of the attesting notary dated February 17, 1949, having been read:

It is ordered that the last will and testament No. 1,485 made by Udawattage Don Pauls Appuhamy, the deceased above named, and attested by Mr. C. Vathecan, Notary Public, on October 27, 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 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 is the executor named in the said will, and he is hereby declared entitled to have probate thereof issued to him accordingly, unless the respondents 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 21, 1949

N. SINNETAMBY,  
Additional District Judge

In the District Court of Colombo

## Notice of Application

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Harold William Hollingworth Vickers otherwise Harold William Vickers of Phyllis Court Hotel, Livermead, Torquay in the County of Devon, England, formerly of 6/1, MacCarthy Road, Colombo, the Island of Ceylon, retired planter, 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 Harold William Hollingworth Vickers otherwise Harold William Vickers of Phyllis Court Hotel, Livermead, Torquay in the County of Devon, England, formerly of 6/1, MacCarthy

Road, Colombo. in the Island of Ceylon, retired planter, deceased, granted by The Principal Probate Registry of His Majesty's High Court of Justice in England, on the 21st day of July, one thousand nine hundred and forty-eight.

F. J. & G. DE SARAM,  
Proctors for Cecil Albert Knowles of the Imperial Bank of India, Colombo, the attorney of Barclays Bank Limited, of 54, Lombard Street, in the City of London, England, the sole executor named in the said will.

Colombo, February 25, 1949.

In the District Court of Colombo  
*Notice of Application*

In the Matter of the Last Will and Testament of Dorothy Phyllis Harrison of Dinnington Hall near Sheffield in the County of York, England, widow, deceased.

And

In the matter of the British Courts Probates (Re-sealing) Ordinance (Chapter 84).

NOTICE is hereby given that after the expiry of fourteen days from the date hereof, application will be made to the District Court of Colombo, under the British Courts Probates (Re-sealing) Ordinance (Chapter 84), for the sealing of probate of the last will and testament of Dorothy Phyllis Harrison of Dinnington Hall near Sheffield in the County of York, England, widow, deceased, granted by the District Probate Registry at Nottingham of His Majesty's High Court of Justice in England, on the twenty-seventh day of July, one thousand nine hundred and forty-eight.

IREK PULLENAYEGUM

Proctor for George Neil Stewart de Saram, attorney of Cholmeley Dering Harrison of 4, Cophall Street in the City of London, England, Stockbroker, Marmaduke Carver Middleton Athorpe Laployd, Bridford in the County of Devon, England, Farmer, and Anne Davidson Lawson-Williams of Morthen Hall near Rotherham in the County of York, England, the executors named in the said will.

Colombo, March 4, 1949

In the District Court of Colombo  
*Notice of Application*

In the Matter of the Last Will and Testament (with codicil) of Hermann Noel Gratian Geary of The Jays, Avondale Road, Fleet, Hampshire, England, formerly of Two Bridges, Avondale Road, Fleet aforesaid, a Lieutenant Colonel in His Majesty's Army. (retired), 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 the probate of the last will and testament and codicil of Hermann Noel Gratian Geary, deceased, granted by The Principal Probate Registry of His Majesty's High Court of Justice in England, on the sixteenth day of July, one thousand nine hundred and forty-eight.

F. J. & G. DE SARAM,  
Proctors for Cecil Albert Knowles, the attorney of Lloyds Bank, Limited, of 71, Lombard Street, in the City of London, England, the sole executor named in the said will.

Colombo, March 4, 1949

In the District Court of Avissawella  
*Order Nisi*

In the Matter of the Intestate Estate of Don Samuel Wijesundera, Muhandiram of Kosgama, deceased.

(1) Ranasingha Aratchige Dona Elizabeth Wijesundera nee Wijewardana Goonetilleke, (2) Henry Vincent Wijesundera, both of Kosgama

And

(1) Adelne Gertrude Mills Ratnapala nee Wijesundera of Pattalagedara, Vevangoda, (2) Donald Lionel Wilmot Wijesundera of Gampaha, (3) Nancy Agnes Walpole nee Wijesundera of Talangama, (4) Stanley Edmund Wijesundera of Kosgama, (5) Reginald Samson Wijesundera of Avissawella, (6) Anula Sisilawathie Laetitia Wijesundera of Kosgama

THIS matter coming on for disposal before G. C. T. A. de Silva, Esq., District Judge of Avissawella, on February 2, 1949, in the presence of Mr. Joseph de Jacolyn Seneviratne, Proctor, on the part of the petitioners; after reading the petition and affidavit of the petitioners dated February 2, 1949, and January 27, 1949, respectively, praying that the petitioners be appointed joint adminis-

trators over the estate of the deceased above named, Don Samuel Wijesundera, Muhandiram of Kosgama, and that letters of administration be issued to them, as widow and son of the deceased.

It is ordered that the petitioners above named, Ranasingha Aratchige Dona Elizabeth Wijesundera nee Wijewardana Goonetilleke and Henry Vincent Wijesundera, both of Kosgama, be and they are hereby appointed joint administrators over the estate of the deceased above named and that letters of administration be issued to them, as widow and son respectively, of the deceased above named, unless the respondents above named or any other person or persons interested shall, show sufficient cause to the satisfaction of this court to the contrary on or before April 7, 1949.

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

February 2, 1949.

In the District Court of Panadura  
*Order Nisi*

In the Matter of the Intestate Estate of the late Alabodalyanage Tudor Premachandra Senanayake of "Siripela," Moratuwella in Moratuwa, deceased.

(1) Weerawarnapatabendige Turin Fernando of Moratuwella in Moratuwa, and (2) Elabodalyanage Norman Chandrapala Senanayake of Suduwella in Panadura

And

(1) Alabodalyanage Thuyitha Sumathe Senanayake, (2) Alabodalyanage Indra Shanti Senanayake, (3) Alabodalyanage Ranjith Premasiri Senanayake, (4) Alabodalyanage Saumiya, Padmini Senanayake, (5) Alabodalyanage Nimal Kithsiri Senanayake, all of Siripela, Moratuwella in Moratuwa, minors, by their guardian *ad litem* the 6th respondent, (6) Weerawarnapatabendige Edwin Fernando of Panadura

THIS matter coming on for disposal before C. X. Martyn, Esq., District Judge of Panadura, on October 25, 1948, in the presence of Mr. P. E. S. Wijeyesekera, Proctor, on the part of the petitioners; and the affidavit of the petitioners dated October 13, 1948, having been duly read

It is ordered that the 6th respondent above named be and he is hereby declared appointed guardian *ad litem* over the 1st, 2nd, 3rd, 4th and 5th respondents above named, minors, and that the petitioners be and they are hereby declared entitled, as the brother-in-law and the brother respectively, of the deceased, to have letters of administration to the estate of the deceased issued to them, unless the respondents above named or any person or persons interested shall, on or before January 19, 1949, show sufficient cause to the satisfaction of this court to the contrary

October 25, 1948

C. X. MARTYN,  
District Judge

Date of showing cause is extended to March 16, 1949

C. X. MARTYN,  
District Judge.

In the District Court of Panadura  
*Order Nisi*

In the Matter of the Intestate Estate and Effects of Grace Agnes, Fernando of Sagarika, Panadura, deceased.

Bernico Melita de Mel of 45, Charles Place in Colombo

And

Ruth Claribel Peiris of 2, Don Carlos Road, Jawatta in Colombo

THIS matter coming on for disposal before C. X. Martyn, Esq., District Judge of Panadura, on February 14, 1949, in the presence of Mr. D. F. de Silva, Proctor, on the part of the petitioner above named, and the affidavit of the said petitioner dated February 8, 1949, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as the eldest daughter of the deceased, to have letters of administration to the estate of the said deceased issued to her accordingly, unless the respondent above named or any other person or persons interested shall, on or before April 6, 1949, show sufficient cause to the satisfaction of this court to the contrary.

February 14, 1949

C. X. MARTYN,  
District Judge

In the District Court of Negombo  
*Order Nisi*

No. 3,480/T In the Matter of the Intestate Estate of Manuelpillai Joseph of Aserappa Road, Negombo, deceased.

May Josephine Joseph of Aserappa Road, Negombo

Vs.

(1) Manatchi Manuelpillai, (2) Manuelpillai Saverimuthu, (3) Victoria Soosapillai, (4) Manuelpillai Benjamin, all of 3rd Cross Street, Jaffna, (5) P. E. E. Anthonypillai of Nilvava Eliya, (6) Mrs. M. Ratnasabapathy, (7) S. C. Anthonypillai, both of Colombo, (8) Mrs. E. P. Britto Muthunayagam of Trivandrum in South India, (9) A. J. Canagaratne, (10) W. N. Canagaratne, (11) S. S. Canagaratne, all of 3rd Cross Street, Jaffna, (12) Mrs. S. W. Elyathamby of Chilaw, (13) J. E. T. Christopher of 3rd Cross Street, Jaffna, (14) A. S. I. Chelvanayagam of 3rd Cross Street, Jaffna, (15) T. J. Jayaratnam of Kandy

THIS matter coming on for disposal before N. Krishnadasan, Esq., District Judge of Negombo, on January 18, 1949, in the presence of Mr. S. K. Wijayaratham, Proctor, on the part of the

petitioner above named, and the affidavit of the petitioner dated February 7, 1948, having been taken into consideration.

It is ordered that the 2nd respondent above named be appointed guardian *ad litem* over the 9th, 10th and 11th respondents, minors above named, and the petitioner above named be and she is hereby declared entitled, as the widow of the said deceased above named, to have letters of administration issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before February 15, 1949, show sufficient cause to the satisfaction of this court to the contrary.

January 18, 1949  
N. KRISHNADASAN,  
District Judge

Time for showing cause against this *Order Nisi* is extended till March 15, 1949.

N. KRISHNADASAN,  
District Judge

In the District Court of Negombo  
*Order Nisi*

No. 3,481 T In the Matter of the Intestate Estate of Kudasin Appuhamilage Thomis *alias* Sudasingha Appuhamilage Gnaratne of Kudagammana, deceased.  
Sudasinghe Appuhamilage Karunaratne of Kudagammana . . . . . Petitioner

*Vs.*

- (1) Wickramasinghe Senanayake Allugoda Appuhamilage Mary Nona, (2) Sudasinghe Appuhamilage Penawathie Sudasinghe, (3) ditto Sumanawathie Sudasinghe, (4) ditto Nandawathie Sudasinghe, (5) ditto Dayaratne Sudasinghe, (6) ditto Amarasena Sudasinghe, (7) ditto Priyasiri Sudasinghe, (8) ditto Jayasena Sudasinghe, 7th and 8th minor respondents by their guardian *ad litem* (9) Hangawatte Appuhamilage Peter Appuhamy, all of Kudagammana . . . . . Respondents.

THIS matter coming on for disposal before N. Krishnadasan Esq., District Judge of Negombo, on December 15, 1948, in the presence of Mr. C. V. Dias, Proctor, on the part of the petitioner, and petition and affidavit dated November 26, 1948, having been taken into consideration:

It is ordered that the 9th respondent be appointed guardian *ad litem* over 7th and 8th minor respondents above named, and that the petitioner be and he is hereby declared entitled, as the son of the 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 February 15, 1949, show sufficient cause to the satisfaction of this court to the contrary.

January 27, 1949  
N. KRISHNADASAN,  
District Judge

Time for showing cause against this *Order Nisi* is hereby extended for March 8, 1949

N. KRISHNADASAN,  
District Judge

In the District Court of Kandy  
*Order Nisi*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Koskolapitiyegedera *alias* Karanekgedera Dinguru Menika of Meegammana in Pallegampaha of Pata Dumbura, deceased.  
No. T. 795  
Meegahagedera Kauunaratne of Meegammana *alias* . . . . . Petitioner

THIS matter coming on for disposal before H. A. de Silva, Esq. District Judge, Kandy, on February 9, 1949, in the presence of Mr. V. R. Wickramatilleke, Proctor, on the part of the petitioner; and the affidavits (1) of the petitioner dated January 11, 1949, (2) of the attesting notary dated January 11, 1949, and (3) of one of the attesting witnesses dated December 28, 1948, having been read:

It is ordered that the last will and testament of Koskolapitiyegedera *alias* Karanekgedera Dinguru Menika, 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 be and he is hereby entitled, as sole legatee under the will of the deceased, to have letters of administration with the will annexed to the estate of the deceased issued to him accordingly, unless any person or persons interested shall, on or before March 28, 1949, show sufficient cause to the satisfaction of this court to the contrary.

February 9, 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 Walter Francis Oorloff of 21, Lake Road, Katukelle, Kandy, deceased.  
No. T. 797.  
Rose Mary Oorloff of 'Haven', Mosque Road, Dehiwala . . . . . Petitioner.

*Vs.*

- (1) Loth Matilda Keegel *nee* Oorloff *and* Mrs. S. Morrison, Ebenezer Place, Dehiwala, (2) Walter George Oorloff of 8, Halifax Road, Singapore, (3) Victor Lionel Oorloff, Sri Saranankara Road, Kalubowila East, Dehiwala, (4) Abigail Julie Caldera *nee* Oorloff of Sri Saranankara Road aforesaid, (5) Cyril Boyd Oorloff, (6) Walston Francis Oorloff, both of Haven, Mosque Road, Dehiwala, (7) Cecil Henry Oorloff

- of 21, Lake Road, Katukelle, Kandy, (8) William Alexander Oorloff of 65, Davidson Road, Colombo 4, (9) Mary Rose Dirckze *nee* Oorloff of Kurunduhena, Kegalle, (10) Anthony Joseph Oorloff of 65, Davidson Road, Colombo, (11) Mrs. Beyrl Norris, (12) Ivan Oorloff, and (13) Myrtle Oorloff, all of 88, S. Michael's Road, Singapore . . . . . Respondents

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge, Kandy, on January 21, 1949, in the presence of Messrs Beven & Beven, Proctors, on the part of the petitioner above named, and the affidavit of the said petitioner dated January 18, 1949, having been read.

It is ordered that the 3rd respondent be and he is hereby appointed guardian *ad litem* over the 12th and 13th respondents, minor respondents, for the purpose of these proceedings, unless the respondents shall, on or before March 10, 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 10, 1949, show sufficient cause to the satisfaction of this court to the contrary.

February 23, 1949  
H. A. DE SILVA,  
District Judge

In the District Court of Balapitiya  
*Order Nisi*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of D. No T. 60. Warniel de Silva, deceased.  
Y. Kirisiri Nona de Silva of Welikanda, Kosgoda . . . . . Petitioner

*Vs.*

- (1) Dewarahandy Punnasiri de Silva, (2) ditto Ratnasiri de Silva, (3) ditto Jayasiri de Silva, (4) ditto Gnanaawathie de Silva, (5) ditto Jayawathie de Silva, minors, all of Welikanda aforesaid, (6) Yagama Vincent de Silva of Ahungalla, Kosgoda, guardian *ad litem* over the 1st to 5th minors . . . . . Respondents

THIS matter coming on for disposal before T. P. P. Goonetilleke, Esq., District Judge, Balapitiya, on February 10, 1949, in the presence of Mr. R. de Z. Gunawardana, Proctor, on the part of the petitioner above named, after reading the petition and affidavit of the petitioner above named: it is ordered that the petitioner, as the widow and an heir, be appointed administratrix of the intestate estate of Dewarahandy Warniel de Silva, deceased and that the 6th respondent be appointed guardian *ad litem* over the 1st to 5th respondents, minors, for the purpose of this case unless cause be shown to the contrary on or before March 31, 1949.

It is further ordered that the respondents do pay the petitioner her costs of this application.

February 10, 1949  
T. P. P. GOONETILLEKE,  
District Judge

In the District Court of Galle  
*Order Nisi*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Kodagoda Gamage Deonisa de Silva Appuhamy of Metaramba in Galle, deceased.  
No 8310  
Kodagoda Gamage Daniel de Silva of Metaramba . . . . . Petitioner

*Vs.*

Wijesekera Aratchige Gimatalamne of Metaramba . . . . . Respondent

THIS matter coming on for determination before Victor E. Rajakarier, Esq., District Judge of Galle, on January 21, 1949, in the presence of Messrs. Wijekulasuriya & Nimal Kulasekera, Proctors, on the part of the petitioner; and the affidavits of the petitioner attesting witnesses and attesting notary dated December 17, 1948, and January 10, 1949, having been read:

It is ordered that the last will and testament No 406 dated June 9, 1917 made by the deceased above named, and attested by Ivan Jayasekera of Galle, Notary Public, the original of which has been produced and deposited in this court, be and the same is hereby declared proved.

It is further ordered that the petitioner above named, the executor named in the said will, and he is hereby declared entitled to have probate with copy of will annexed be issued to him accordingly, unless the above-named respondent or any person or persons interested shall, on or before March 4, 1949, show sufficient cause to the satisfaction of this court to the contrary.

January 20, 1949.  
V. E. RAJAKARIER,  
District Judge

In the District Court of Galle  
*Order Absolute*

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Charles Louis Wickremasinghe late of Mahamodera, Galle, deceased.  
No. 8,317.  
Mervyn Louis Noel Wickremasinghe . . . . . Petitioner

THIS matter coming on for disposal before V. E. Rajakarier, Esq., District Judge of Galle, on February 7, 1949, in the presence of the petitioner above named; and the affidavits of the witnesses dated January 6, 1949, and that of the petitioner dated February 5, 1949, having been read:

It is ordered that the last will and testament of Charles Louis Wickremasinghe, bearing No. 1,558 and dated July 21, 1944, and attested by P. A. Adhithy, Notary Public of Galle, 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 last will and he is hereby declared entitled to have the probate thereof issued to him accordingly

February 7, 1949

V E RAJAKARIE,  
District Judge

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

*Order Nisi*

Testamentary In the Matter of the Intestate Estate and Effects Jurisdiction of the late Subramaniam Nallathamby, son of No. 360 P.T. Suppar of Ipoh, deceased

Sinnappillai, widow of Nallathamby and daughter of Vairavanshar of Alvai South . . . . . Petitioner

Vs.

(1) Walliammai, daughter of Nallathamby, (2) Meevadchy, widow of Kanapathipillai of ditto . . . . . Respondents

THIS matter coming on for disposal before S. R. Wijayatilake, Esq., District Judge, Point Pedro, on February 11, 1949, in the presence of Messrs. Thambalasingham & Tharmakulasingham, Proctors, on the part of the petitioner; and the petition and affidavit of the petitioner having been read

It is ordered that the petitioner, as wife of the said deceased be declared entitled, to take out letters of administration to the estate of the said deceased and that letters be issued to her accordingly, with the will annexed, unless the respondents or any other person shall, on or before March 11, 1949, show sufficient cause to the satisfaction of this court to the contrary

February 11 1949

S R WIJAYATILAKE  
District Judge

In the District Court of Jaffna

*Order Nisi*

Testamentary In the Matter of the Estate of the late Sinnacuddy Jurisdiction Maimuththu of Kantheimadam, Jaffna, deceased No. 975

Sellachchy, widow of Sinnacuddy Maimuththu of Vannarponnai East, Jaffna . . . . . Petitioner

Vs.

(1) Maimuththu Thuraiyappah, (2) Maimuththu Appuclurai, (3) Poopathy, daughter of Maimuththu, (4) Sellammah daughter of Maimuththu, (5) Nakanathar Kumaraswamy, all of Kantheimadam, Jaffna . . . . . Respondents

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on December 8, 1948, in the presence of Mr. V. Sivasubramaniam, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated March 30, 1948, having been read

It is ordered that the said Nakanathar Kumaraswamy the 5th respondent, be appointed guardian *ad litem* over the 2nd to 4th respondents (minors), and the said widow of the deceased, Sellachchy, widow of Maimuththu, the petitioner is entitled to have letters of administration and the same issued to her accordingly, unless the respondents shall, on or before January 21, 1949, appear before this court and show sufficient cause to the satisfaction of this court to the contrary. The minors to be produced on the said date

December 8, 1948

R R SELVADURAI,  
District Judge

Time to show cause extended to February 18, 1949

R R SELVADURAI  
District Judge

Time to show cause extended to March 4, 1949

R. R. SELVADURAI,  
District Judge

In the District Court of Jaffna

*Order Nisi*

Testamentary In the Matter of the Estate of the late Paramu Jurisdiction Kandiah of Oddumadam, Vannarponnai, Jaffna deceased No. 982

Chellammah, widow of Paramu Kandiah of Oddumadam Vannarponnai Jaffna . . . . . Petitioner

Vs.

(1) Kandiah Parameswaram of Oddumadam, presently employed at General Manager's Office, Maradana, (2) Kandiah Maheswaram of ditto, presently employed at Central Telegraph Office, Colombo, and (3) Kathikamswary, daughter of Paramu Kandiah of Oddumadam . . . . . Respondents

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on January 10, 1949, in the presence of Messrs. Aboobutkeri & Sultan, Proctors, on the part of the petitioner, and her affidavit and petition having been filed

It is ordered that letters of administration to the estate of the above-named deceased be granted to the petitioner, as the widow of the deceased, unless the respondents or any other person or persons interested in this matter shall appear before this court on or before February 10, 1949, and show cause to the satisfaction of this court to the contrary

R R SELVADURAI  
District Judge

Time is extended for March 14 1949

R. R. SELVADURAI  
District Judge

In the District Court of Jaffna

*Order Nisi*

Testamentary In the Matter of the Estate of the late Thairaynaya-gammah, wife of Sittamparapilla Sittampalam of Jurisdiction Vannarponnai West, deceased. No. 988.

Sithamparapilla Sittampalam of Vannarponnai West . . . . . Petitioner.

Vs.

(1) Neelayadevi, daughter of Sittampalam, (2) Gunapookhamammah, widow of Kandavanam *ditto*, the 1st respondent is a minor, by her guardian *ad litem* the 2nd respondent . . . . . Respondent.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on January 20, 1949, in the presence of Mr. K. V. Navaratnam, Proctor, on the part of the petitioner, and the affidavit of the above-mentioned petitioner dated January 25, 1949, having been read

It is further ordered that the said 2nd respondent be appointed guardian *ad litem* over the minor, the 1st respondent, and that the said petitioner be declared entitled, to have letters of administration to the estate of the said intestate, as her lawful husband, or letters of administration be issued to him accordingly, unless the respondents or others interested shall, on or before March 7, 1949, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the production of the minor be dispensed with

January 20, 1949

R R SELVADURAI,  
District Judge

In the District Court of Jaffna

*Order Absolute in the first instance declaring Will proved*

Testamentary In the Matter of the Last Will and Testament of Jurisdiction the late Eugene Victoria, wife of Ambikaivakapillai Ratnasabapathy of Jaffna, deceased No. 989

(1) Robert Daniel Kadlamer and wife, (2) Anne Beatrice Kadlamer, both of Jaffna Town . . . . . Petitioners.

THIS matter coming on for final determination before R. R. Selvadurai, Esq., District Judge, Jaffna, on January 26, 1949 in the presence of Mr. W. B. Canagaratna, Proctor, on the part of the petitioners, and the affidavit of the petitioners dated January 15, 1949, and another affidavit of the notary who attested the last will and the witnesses thereon, and bearing date January 20, 1949, filed of record in these proceedings having been read

It is ordered that the last will and testament of the deceased above named dated June 11, 1948, and attested by W. B. Canagaratna, Notary Public, under No. 697 the original of which is deposited in court, be and the same is declared proved and that probate thereof be granted to the petitioners, the 2nd named of them being the executrix named in the said last will and testament.

This *Order Absolute* is made returnable March 7 1949

January 26, 1949

R R SELVADURAI,  
District Judge

In the District Court of Jaffna

*Order Nisi*

No. T 998 In the Matter of the Estate of the late Rosamalar, wife of Vythilingam Kandiah of Uduvil, deceased.

Vythilingam Kandiah of Uduvil . . . . . Petitioner.

Vs.

(1) Kandiah Sattianathan, minor, and (2) Vethavanam Porayah, both of Uduvil . . . . . Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge of Jaffna, on January 28, 1949, in the presence of Mr. K. Kanapathipillai Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated January 24, 1949, having been read.

It is declared that the second named respondent be appointed guardian *ad litem* over the first named respondent and that the said petitioner is entitled, to have letters of administration over the estate of the said intestate and the same issued to him accordingly, unless the respondents or others shall, on or before March 14, 1949, show sufficient cause to the satisfaction of this court to the contrary

It is further declared that the said petitioner do produce the said minor in court on the said date.

January 28, 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 Thangamma, wife of Vyramuttu Chellapah of Vaddukoddai West, Jaffna, deceased. No. 994.

Vyramuttu Chellapah of Vaddukoddai West . . . . . Petitioner.

Vs.

Murugesu Sinnathambu of Vaddukoddai West . . . . . Respondent.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on January 31, 1949, in the presence of Mr. N. Ehampaiam, Proctor, for petitioner, and affidavits of the petitioner, and of the attesting notary and witnesses having been

It is ordered that the said last will and testament of the said Thangammah, wife of Vayramuttu Chellappah, deceased, bearing No. 707 dated October 26, 1947, and attested by N. Bhamparam, Notary Public, and the original of which has been produced and is now deposited in this court be said the same is hereby proved and it is further ordered that the petitioner be declared entitled to probate and that probate be issued to the petitioner as executor and sole legatee under the said will, unless the said respondent shall appear before this court on or before March 14, 1949, and show sufficient cause to the satisfaction of this court to the contrary.

January 31, 1949.

R. R. SELVADURAI,  
District Judge

In the District Court of Jaffna

Order Nisi

Testy. No. 1,001. In the Matter of the Estate of the late Vairamuttu Veluppillai of Chunnakam, deceased.

Theirvanaipillai, widow of Vairamuttu Veluppillai ... Petitioner

Vs.

(1) Veluppillai Kathavelue, (2) Veluppillai Tharmalingam *alias* Tharumarajah, (3) Veluppillai Mutulingam, (4) Paramoswari, daughter of Veluppillai, (5) Veluppillai Bala Krishnan, all of Chunnakam, (6) Vairamuttu Thamotharampillai ... Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, in the presence of Mr. T. Kumaraswamy, Proctor, on the part of the petitioner, on February 11, 1949; and the affidavit of the petitioner having been read:

It is ordered that the 6th respondent above named be appointed guardian *ad litem* of the 1st to 5th respondents for the purpose of representing them in this case and the petitioner be declared entitled, to letters of administration to the estate of the deceased above named, unless the respondents or any other persons shall appear before this court on or before March 11, 1949, and show sufficient cause to the contrary.

It is further ordered that the 6th respondent do produce the said minors before this court on the said date.

February 11, 1949

R. R. SELVADURAI,  
District Judge

In the District Court of Jaffna

Order Nisi declaring Will proved, &amp;c.

Testamentary In the Matter of the Estate of the late Thangaratnam *alias* Nallanayagi, wife of Elhayatamby No. 1,004 Canagaretnam of Kopyay South ... Deceased

Elhayatamby Canagaretnam, Kopyay South ... Petitioner

Vs.

(1) Rathirani, daughter of Canagaretnam, (2) Sri Kandarajah, son of Canagaretnam, (3) Bayoendirani, daughter of Canagaretnam, (4) Kandar Arumngam, all of Kopyay South, the 1st, 2nd and 3rd respondents are minors, and their guardian *ad litem* the 4th respondent ... Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, Jaffna, on February 16, 1949, in the presence of Mr. K. V. Sinnathurai, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated February 14, 1949, having been read:

It is ordered that the said 4th respondent be appointed guardian *ad litem* over the minors, the 1st to 3rd respondents, and that the said petitioner be declared entitled, to have letters of administration to the estate of the intestate, as her husband, and letters of administration be issued to him accordingly, unless the respondents or others interested shall, on or before March 22, 1949, show sufficient cause to the satisfaction of this court to the contrary.

It is ordered that the petitioner do produce the minors before this court on the said date

February 10, 1949.

R. R. SELVADURAI,  
District Judge

In the District Court of Jaffna

Order Nisi

Testy. No. 1,005. In the Matter of the Estate of the late Suppiramaniam Ponnudurai of Chunnakam, deceased.

Paruvathapathenpillai, widow of Ponnudurai ... Petitioner.

Vs.

(1) Ratnamani, daughter of Ponnudurai, (2) Ponnudurai Rajaratnam, (3) Ponnudurai Nagaratham, (4) Ratneswari, daughter of Ponnudurai, (5) T. S. Mudaliar, all of Chunnakam ... Respondents.

THIS matter coming on for disposal before R. R. Selvadurai, Esq., District Judge, in the presence of Mr. T. Kumaraswamy, Proctor, on the part of the petitioner, on February 18, 1949; and the affidavit of the petitioner having been read:

It is ordered that the 5th respondent above named be appointed guardian *ad litem* of the 3rd and 4th respondents for the purpose of representing them in this case and the petitioner be declared entitled to letters of administration to the estate of the deceased above named, unless the respondents or any other persons shall appear before this court on or before March 22, 1949, and show sufficient cause to the contrary.

It is further ordered that the 5th respondent do produce the said minors, the 3rd and 4th respondents, before this court on the said date.

February 18, 1949.

R. R. SELVADURAI,  
District Judge.

In the District Court of Point Pedro

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Yohambigai Ammah, wife of Sandrasegarakurukkal Kandasamy Iyer.

Sandrasegarakurukkal Kandasamy Iyer of Trincomalee ... Petitioner

Vs.

(1) Kandasamy Iyer Kumarasamy Iyer of ditto, (2) Nagarannammah, daughter of Kandasamy Iyer of ditto, (3) Ulaganayagamamah, daughter of Kandasamy Iyer of ditto, minors, by their guardian *ad litem* Subramamakurukkal Sangarasebapalikulurukkal of Karanavai South, Point Pedro ... Respondents.

THIS matter coming on for disposal before S. R. Wijayatilake, Esq., District Judge, Point Pedro, on August 25, 1948, in the presence of Mr. M. Esurapadham, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is ordered that the petitioner, as husband of the deceased, Yohambigai Ammah, be declared entitled, to have letters of administration to the estate of the above-named deceased, and that letters of administration be issued to him accordingly, unless the respondents shall appear before this court on or before September 29, 1948, and show sufficient cause to the satisfaction of this court to the contrary.

August 25, 1948.

S. R. WIJAYATILAKE,  
District Judge

Time to show cause extended to March 9, 1949.

S. R. WIJAYATILAKE,  
District Judge.

In the District Court of Point Pedro

Order Nisi

Testamentary In the Matter of the Last Will of the late Swaminathar Sidamparappillai of Thunmalai South. No. 880.

Kalpagam, widow of Sidamparappillai of Thunmalai South ... Petitioner

Vs.

Krishnapillai Somacandamoorthi, minor, by his guardian *ad litem* Nachchippillai widow of Krishnapillai of Thunmalai South ... Respondents.

THIS matter coming on for disposal before S. R. Wijayatilake, Esq., District Judge, Point Pedro, on June 24, 1948, in the presence of Mr. M. Esurapadham, Proctor, on the part of the petitioner, and on reading the petition and affidavit of the petitioner, and the last will dated January 28, 1939, and attested by S. Thambimuttu, Notary Public, under No. 6,436 and now deposited in this court and the affidavit of the said notary and the witnesses to the said will

It is ordered that the said last will be declared proved, that the petitioner be declared entitled to obtain probate thereof as executrix appointed therewith and that probate thereof be accordingly issued to the petitioner, unless the respondents or any other persons appear before this court on or before August 19, 1948, and show sufficient cause to the satisfaction of the court to the contrary

June 24, 1948.

S. R. WIJAYATILAKE,  
District Judge

Time to show cause extended to March 30, 1949.

S. R. WIJAYATILAKE,  
District Judge.

In the District Court of Point Pedro

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Veeragattiar Sidamparappillai of Ampan. No. 882.

(1) Veluppillai Kanapatipillai and wife, (2) Sellaparkiam, both of Ampan ... Petitioners

Vs.

Veeragattiar Murgesu of Ampan ... Respondent

THIS matter coming on for disposal before S. R. Wijayatilake, Esq., District Judge, Point Pedro, on July 2, 1948, in the presence of Mr. M. Esurapadham, Proctor, on the part of the petitioner, and the petition and affidavit of the petitioner having been read:

It is ordered that the 2nd petitioner 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 respondents shall, on or before August 20, 1948, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

July 2, 1948.

S. R. WIJAYATILAKE,  
District Judge.

Time to show cause extended to March 11, 1949.

S. R. WIJAYATILAKE,  
District Judge.



In the District Court of Mannar

## Order Nisi

Testamentary In the Matter of the Estate of the late Neina-  
Jurisdiction mohamed Kachchumohammed of Vanna-  
No 705. kulam in Musali North, deceased

Neinamohammed Kaderinohaideen of Vannakulam in Musali  
North Petitioner

(1) Neinamohammed Meeraneima, and (2) Mohaideen Umma,  
widow of Kachchumohammed, both of Vannakulam in  
ditto Respondents

THIS matter coming on for disposal before Felix S Paul, Esq.,  
Additional District Judge, Mannar, on October 20, 1948, in the  
presence of Mr. M. M. Aboothahir, Proctor, on the part of the  
petitioner, and the petition and affidavit of the said petitioner  
having been read

It is ordered that the petitioner is entitled to letters of adminis-  
tration to the estate of the said intestate unless the respondents or  
any other person shall, on or before March 22, 1949, show sufficient  
cause to the satisfaction of this court to the contrary.

February 21, 1949

FELIX S PAUL,  
Additional District Judge.

In the District Court of Kurunegala

## Order Nisi declaring Will proved &amp;c.

Testamentary In the Matter of the Estate of the late Solomon  
Jurisdiction Ameresekeira, deceased, of Alawwa  
No 4,774

Mrs Alice Ameresekeira of Alawwa Petitioner

THIS matter coming on for disposal before S. Rajaratnam, Esq.,  
District Judge of Kurunegala on January 19, 1949, in the presence  
of Mr. L. S. M. Ameresekeira, Proctor for the petitioner, and the  
affidavit of the petitioner, Alice Ameresekeira of Alawwa, dated  
January 19, 1949 having been read:

It is ordered that the will of Solomon Ameresekeira, deceased  
dated March 10, 1948, be and the same is hereby declared proved  
unless any person on whom the court directs the order to be  
served shall, on or before March 11, 1949, show sufficient cause  
to the satisfaction of this court to the contrary

It is further declared that the said Alice Ameresekeira of Alawwa  
is the executrix named in the said will, and that she is entitled  
to have probate of the same issued to her accordingly, unless any  
person on whom the court directs the order to be served shall  
on or before March 11, 1949, show sufficient cause to the satisfaction  
of this court to the contrary

January 19, 1949

S. RAJARATNAM,  
District Judge

## PASSED ACTS

L D — O 9/48

*Indian and Pakistani Residents (Citizenship) Act,  
No. 3 of 1949*

AN ACT TO MAKE PROVISION FOR GRANTING THE  
STATUS OF A CITIZEN OF CEYLON BY REGIS-  
TRATION TO INDIANS AND PAKISTANIS WHO  
HAVE THE QUALIFICATION OF PAST RESIDENCE  
IN CEYLON FOR A CERTAIN MINIMUM PERIOD.

[Date of Assent February 28, 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 Indian and  
Pakistani Residents (Citizenship) Act, No. 3 of  
1949, and shall come into operation on such date  
as may be appointed by the Minister by Order  
published in the *Gazette*.

Short title and  
date of  
operation

2. Notwithstanding anything in any other law,  
an Indian or Pakistani resident to whom this Act  
applies may be granted the status of a citizen of  
Ceylon by registration, upon the conditions and  
in the manner prescribed by this Act.

Acquisition of  
citizenship by  
registration  
under this Act

3. (1) This Act shall, subject to the provisions  
of section 4, apply solely to those Indian or Pakistani  
residents in Ceylon who are possessed of the special  
residential qualification, which in each case shall  
consist—

Application  
of Act.

- (a) in the first instance, of uninterrupted resi-  
dence in Ceylon, immediately prior to  
the first day of January, 1946, for a  
period not less than the appropriate  
minimum period hereinafter specified;  
and
- (b) secondly, of uninterrupted residence in  
Ceylon from the aforesaid day to the  
date of the application made in that case  
for registration under this Act.

(2) The appropriate minimum period of uninterrupted residence required by paragraph (a) of sub-section (1) shall—

- (a) in the case of a person who is unmarried at the date of his application for registration, or in the case of a married person whose marriage has been dissolved by death or divorce prior to that date, be a period of ten years ; and
- (b) in the case of any married person (not being a married person referred to in paragraph (a) of this sub-section), be a period of seven years.

(3) For the purposes of this Act, the continuity of residence of an Indian or Pakistani in Ceylon shall, notwithstanding his occasional absence from Ceylon, be deemed to have been uninterrupted if, but only if, such absence did not on any one occasion exceed twelve months in duration.

Scope of  
privilege  
conferred by  
this Act.

4. (1) Any Indian or Pakistani resident to whom this Act applies may, irrespective of age or sex, exercise the privilege of procuring registration as a citizen of Ceylon for himself or herself, and shall be entitled to make application therefor in the manner hereinafter prescribed :

Provided that any such Indian or Pakistani resident, being either—

- (i) a married woman who is not living apart from her husband in accordance with a duly executed deed of separation or a decree of separation pronounced by a competent court, or
- (ii) a minor who is dependent on his father or on his widowed or unmarried mother,

shall not exercise the aforesaid privilege independently of the husband or of the father or the mother, as the case may be, or be entitled to make a separate application for registration.

(2) In the exercise of the aforesaid privilege—

- (a) a male Indian or Pakistani resident, if he is married, may procure, in addition to his own registration, the registration of his lawful wife (whether or not she is herself possessed of the special residential qualification) or of any legitimate minor child born to him of that or any previous marriage or any minor child borne by his wife prior to that marriage, who may be ordinarily resident in Ceylon and dependent on him ; and
- (b) a female Indian or Pakistani resident to whom the proviso to sub-section (1) does not apply, if she is herself possessed of the special residential qualification, may procure in addition to her own registration, the registration of any minor child of hers who may be ordinarily resident in Ceylon and dependent on her.

(3) Where any Indian or Pakistani resident has died after acquiring the qualification specified in paragraph (a) of section 3 (1) and while continuing to have uninterrupted residence in Ceylon as defined in section 3 (3) from the first day of January, 1946,

until the date of his death, the privilege that such Indian or Pakistani resident might, if alive, have exercised under this Act, shall be extended to each person whose registration such Indian or Pakistani resident could have procured under sub-section (2), and may accordingly be exercised.—

- (a) in any case where such Indian or Pakistani resident was a male, by his widow (notwithstanding that she may herself not be possessed of the special residential qualification) and by each legitimate minor child of his who is not dependent on the widow if at the time of his death the widow was not living apart from him in accordance with a duly executed deed of separation or decree of separation pronounced by a competent court or such child was ordinarily resident in Ceylon and dependent on him, and if such widow or child has continued to be resident in Ceylon after his death to the date of any application for registration that such widow or child may decide to make under this Act; and
- (b) in any case where such Indian or Pakistani resident was a female, by each minor child of hers, if such child was ordinarily resident in Ceylon and dependent on her at the time of her death and has continued to be resident in Ceylon after her death to the date of application as aforesaid.

The privilege extended to a widow or a minor by the preceding provisions of this sub-section is hereinafter referred to as "the extended privilege".

(4) No application purporting to be made under this Act by any person, other than an Indian or Pakistani resident entitled to exercise the privilege or a widow or a minor entitled to exercise the extended privilege hereinbefore referred to, shall be entertained in any circumstances or on any ground whatsoever.

5. The privilege or extended privilege conferred by this Act shall be exercised in every case before the expiry of a period of two years reckoned from the appointed date; and no application made after the expiry of that period shall be accepted or entertained, whatsoever the cause of the delay.

Time limit for  
exercise of  
privilege.

6. It shall be a condition for allowing any application for registration under this Act that the applicant shall have—

Condition of  
allowing  
applications.

- (1) first proved that the applicant is an Indian or Pakistani resident and as such entitled by virtue of the provisions of sections 3 and 4 to exercise the privilege of procuring such registration, or that the applicant is the widow or orphaned minor child of an Indian or Pakistani resident and as such entitled by virtue of those provisions to exercise the extended privilege of procuring such registration; and
- (2) in addition, except in the case of an applicant who is a minor orphan under fourteen years of age, produced sufficient

evidence (whether as part of the application or at any subsequent inquiry ordered under this Act) to satisfy the Commissioner that the following requirements are fulfilled in the case of the applicant, namely—

- (i) that the applicant is possessed of an assured income of a reasonable amount, or has some suitable business or employment or other lawful means of livelihood, to support the applicant and the applicant's dependants, if any ;
- (ii) where the applicant is a male married person (not being a married person referred to in paragraph (a) of section 3 (2) ), that his wife has been ordinarily resident in Ceylon, and in addition, that each minor child dependent on him was ordinarily resident in Ceylon while being so dependent ;
- (iii) that the applicant is free from any disability or incapacity which may render it difficult or impossible for the applicant to live in Ceylon according to the laws of Ceylon ;
- (iv) that the applicant clearly understands that, in the event of being registered as a citizen of Ceylon—
  - (a) the applicant will be deemed in law to have renounced all rights to the civil and political status the applicant has had, or would, but for such registration in Ceylon have had, under any law in force in the territory from which the applicant or the applicant's father or ancestor or husband, as the case may be, emigrated, and
  - (b) in all matters relating to or connected with status, personal rights and duties and property in Ceylon, the applicant will be subject to the laws of Ceylon.

**Applications.**

**7. (1) Every application for registration under this Act shall—**

- (a) be in the prescribed form and contain all the relevant particulars, explanations, answers or other statements for which provision is made in that form ;
- (b) be supported by affidavits of the applicant as to the facts and particulars set out in the application ; and
- (c) be addressed, and be transmitted or delivered to the Commissioner.

Nothing in the preceding provisions of this subsection shall be deemed to preclude an applicant from submitting, at any time before the disposal of the application, affidavits of other persons who have direct knowledge of any facts or

particulars set out in the application or the names of any such persons or certified copies of any documents on which the applicant relies for proof of anything set out in the application.

(2) (a) Where a male applicant, who has a wife not living apart from him in accordance with a duly executed deed of separation or a decree of separation pronounced by a competent court or any minor child or children of any lawful marriage of his or any child or children of his wife ordinarily resident in Ceylon and dependent on him, desires such wife or child or children to be registered simultaneously with himself, there may be included in the application an express request by him in that behalf.

(b) Where any such request is included in an application, there shall be set out in the application, in respect of the wife or each such child, as the case may be, all the particulars for furnishing which in such circumstance provision is made in the prescribed form of application.

(c) In the case of any wife or child in respect of whom a request under sub-section (2) has not been included in the application, the applicant may make the like request at any time before the final disposal of the application, by letter setting out the aforesaid particulars and addressed to the Commissioner.

(3) A widow (whether she is exercising the privilege, or is exercising the extended privilege, conferred by this Act), or a woman whose marriage has been dissolved by decree of a competent court, or a woman who is living apart from her husband in accordance with a duly executed deed of separation or a decree of separation pronounced by a competent court, may include in her application or make by subsequent letter, as in the case provided for in sub-section (2) (c), a request for the registration of any minor child borne by her, ordinarily resident in Ceylon, and dependent on her.

(4) In the case of an orphaned minor making an application, whether in the exercise of the privilege or in the exercise of the extended privilege conferred by this Act—

(a) where the minor is of or over the age of fourteen years, the application may be signed by the minor; and

(b) where the minor is under the age of fourteen years, the application shall be signed by the guardian or the person having the care and custody of the minor.

8. (1) As soon as may be after the receipt of each application, the Commissioner shall refer the application, for verification of the particulars and statements therein and for such report thereon as may be necessary, to the investigating officer of the area or each of the areas in Ceylon, in which the applicant claims to be, or to have been, ordinarily resident.

Verification of application.

(2) The investigating officer to whom an application is referred shall—

(a) make such investigations as may appear to him to be necessary for verifying the particulars and statements set out in the application; and

(b) furnish a report to the Commissioner as to the nature of the investigations conducted by him, the facts which were disclosed to him or discovered by him

in the course of such investigations, and his conclusions as to the correctness or otherwise of the particulars or statements set out in the application.

(3) For the purposes of sub-section (2), the investigating officer may—

- (a) visit the place where the applicant resides and each of the other places, if any, where he claims to have resided ; or
- (b) examine the originals of any documents of which copies were sent with the application.

(4) The report of the investigating officer on each application shall be taken into consideration by the Commissioner in dealing with that application.

Refusal of application.

9. (1) Where, upon the consideration of any application, the Commissioner is of opinion that a *prima facie* case has not been established, he shall cause to be served on the applicant a notice setting out the grounds on which the application will be refused and giving the applicant an opportunity to show cause to the contrary within a period of three months from the date of the notice.

(2) Where no cause is shown by the applicant within the aforesaid period, the Commissioner shall make order refusing the application and cause a copy of the order to be served on the applicant.

(3) Where cause is shown by the applicant within the aforesaid period, the Commissioner may either—

- (a) make an order appointing the time and the place for an inquiry and cause a copy of that order to be served on the applicant ; or
- (b) take the steps he is hereinafter authorised to take whenever there is a *prima facie* case for allowing an application.

Notice calling for objections.

10. Where, upon the consideration of an application, the Commissioner is of opinion that there is a *prima facie* case for allowing the application, he shall give public notice in the prescribed manner that an order allowing the application will be made unless any written objection to the making of such order together with a statement of the grounds or facts on which such objection is based, is received by him from any member of the public within a period of one month from the date on which the notice is published.

Application to be allowed in the absence of objections.

11. Where no objection is received in response to the notice within the period specified therein, the Commissioner shall forthwith make order allowing the application.

Inquiry into objections.

12. Where any objection is received within the period specified in the notice, the Commissioner shall make order appointing the date and the place for an inquiry into the matter of the objection.

A copy of such objection and of the statement referred to in section 10 and of the order shall in every case be served on the applicant.

13. Where, in considering any application, the Commissioner is of opinion that any matter or matters arising therefrom or connected therewith should be further investigated, he may of his own motion order an inquiry and specify in the order each matter which is to be inquired into and the date and the place appointed by him for the inquiry.

Power of Commissioner to hold inquiry of his own motion.

A copy of such order shall in every case be served on the applicant.

14. (1) The place appointed for each inquiry, under section 9 or section 12 or section 13, shall be some place convenient to the applicant within the area in which he resides.

Provisions as to inquiries

(2) Every inquiry shall be conducted by the Commissioner :

Provided that if the Commissioner so directs, any inquiry may be held by the Deputy Commissioner who shall, in that event, exercise all the powers and perform all the functions vested in the Commissioner in that behalf by this Act.

(3) The Commissioner shall, for the purposes of any inquiry under this Act, have all the powers of a District Court—

- (a) to summon witnesses,
- (b) to compel the production of documents, and
- (c) to administer any oath or affirmation to witnesses.

(4) The proceedings at an inquiry shall as far as possible be free from the formalities and technicalities of the rules of procedure and evidence applicable to a court of law, and may be conducted by the Commissioner in any manner, not inconsistent with the principles of natural justice, which to him may seem best adapted to elicit proof concerning the matters that are investigated.

(5) The applicant or any person who has lodged any objection may be represented at an inquiry by proctor, or by advocate and proctor, or by any other agent or adviser authorised by him in that behalf either in writing or by oral statement made in the presence of the Commissioner.

(6) Save as otherwise provided in sub-section (7), at the close of an inquiry the Commissioner shall make order allowing or refusing the application, or give notice of the date on which he proposes to make such order. Where he gives such notice, he shall make the order on that date.

(7) At the close of an inquiry held in pursuance of section 9 (3) (a) or of section 13, the Commissioner shall either—

- (a) take the steps he is hereinbefore authorised to take whenever there is a *prima facie* case for allowing an application ; or
- (b) make order refusing the application.

Where such order is not to be made forthwith upon the conclusion of the inquiry, the Commissioner shall give notice of the date on which he proposes to make the order, and shall make the order on that date.

15. (1) An appeal against an order refusing or allowing an application for registration may be preferred to the Supreme Court in the prescribed manner by the applicant or, as the case may be, by the person who lodged any objection which has been overruled by the order.

Appeals, &c.

(2) Each appeal under this section shall be preferred within three months of the date of the order by means of a petition setting out the facts and the grounds of the appeal.

(3) The date on which an order allowing an application takes effect shall—

- (a) where an appeal has been preferred, be the date on which the Supreme Court affirms such order or makes or directs the Commissioner to make such order; and
- (b) where an appeal has not been preferred, be the date next succeeding the day on which the time limit for appeals, specified in sub-section (2), expires.

Registration and issue of certificate and notification

16. (1) As soon as may be after an order allowing an application takes effect, the Commissioner shall—

- (a) cause the applicant to be registered as a citizen of Ceylon in a book to be kept for that purpose in the prescribed form; and
- (b) issue to the applicant a certificate of registration in the prescribed form; and
- (c) publish in the *Gazette* a notification in the prescribed form setting out the fact of the registration of that applicant as a citizen of Ceylon.

(2) Where in any application which is allowed, a request for the registration of the wife or of any minor child of the applicant has been included or where such request has been made by a subsequent letter, as hereinbefore provided, the name of the wife or of the child shall also be included in the registration entry, the certificate of registration and the notification made or issued under sub-section (1) in respect of that applicant.

Status of persons who are registered under this Act and have subscribed the oath or affirmation of citizenship

17. (1) Every Indian or Pakistani resident registered as a citizen under this Act shall, as soon as may be after the date of his registration, subscribe the oath or affirmation of citizenship in the prescribed form, and shall thereupon be entitled to the same rights and be subject to the same obligations and liabilities, in law, as persons registered as citizens under any other law in force relating to the registration of persons other than Indian or Pakistani residents as citizens of Ceylon; and the provisions of such other law, so far as they relate to the liability to loss or deprivation of citizenship, and the renunciation of citizenship in the case of persons registered as citizens thereunder, shall apply in like manner in the case of Indian or Pakistani residents registered as citizens under this Act.

(2) The requirements of sub-section (1) as to the oath or affirmation of citizenship shall not apply in the case of any person under the age of fourteen years; and accordingly such person shall have the status of a citizen of Ceylon with effect from the date of the certificate of registration relating to him.

Administrative arrangements

18. (1) For the purpose of inquiring into the applications of Indian or Pakistani residents for registration as citizens of Ceylon, registering such of those residents as are found to be qualified and administering the provisions of this Act generally, there shall be appointed an officer to be known as the Commissioner for the Registration of Indian and Pakistani Residents.



(2) There may also be appointed—

- (a) a Deputy Commissioner for the whole Island or two or more Deputy Commissioners for specified areas of the Island;
- (b) such number of investigating officers as the Minister may from time to time specify; and
- (c) such other officers, clerks, stenographers, interpreters and servants as may be necessary to assist the Commissioner.

(3) In the performance of his duties and the exercise of his functions under this Act, the Commissioner shall be subject to the general direction and control of the Minister.

(4) In all matters for which no express provision is made in this Act, the Deputy Commissioner or each Deputy Commissioner, and each investigating officer, shall perform such duties and exercise such functions as may be assigned to him by the Commissioner with the general or special approval of the Minister.

(5) Every officer appointed for the purposes of this Act shall be deemed to be a public servant within the meaning of the Ceylon Penal Code.

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19. All declarations, affidavits, petitions of appeal and other documents of any description whatsoever, prepared or produced for the purposes of this Act or any proceedings or appeals thereunder, shall be free of stamp duty.

Exemption from stamp duties

20. Any order, notice or other document which is required by or under this Act to be served on an applicant or on a person who has lodged an objection shall, where it is not served personally on him, be deemed to have been duly served if it has been sent to him by post in a registered letter addressed to his last-known place of residence or of business.

Service of documents.

21. (1) The Minister may make all such regulations as may be necessary for prescribing—

Regulations

- (i) the form of—
  - (a) applications for registration,
  - (b) certificates of registration,
  - (c) notices and notifications,
  - (d) the register of citizens required under this Act,
  - (e) the oaths to be taken for the purposes of this Act;
- (ii) any matter of procedure incidental to the administration of this Act; and
- (iii) any other matter which is authorised or required by this Act to be prescribed.

(2) Every regulation made by the Minister shall be published in the *Gazette* and shall come into operation upon such publication.

(3) Every regulation made by the Minister shall as soon as may be after it is made be laid before the Senate and the House of Representatives; and if a resolution is passed by the Senate or the House of Representatives, within forty days of the regulation being so laid, that the regulation shall be annulled, the regulation shall with effect from the date of the resolution be void but without prejudice to anything previously done thereunder.

Every regulation which is not so annulled shall be as valid and effectual as though it were herein enacted.

Interpretation.

22. In this Act, unless the context otherwise requires,—

“appointed date” means the date appointed by the Minister by Order under section 1 as the date on which this Act is to come into operation ;

“Commissioner” means the Commissioner for the Registration of Indian and Pakistani Residents referred to in section 18 ;

“Indian or Pakistani resident” means a person—

(a) whose origin was in any territory which, immediately prior to the passing of the Indian Independence Act, 1947, of the Parliament of the United Kingdom, formed part of British India or any Indian State, and

(b) who has emigrated therefrom and permanently settled in Ceylon, and includes a descendant of any such person ;

“the special residential qualification” means the qualification of uninterrupted residence in Ceylon required by section 3.

L.D.—O 16/48

L.G.D.—BA 463A.

*Rent Restriction (Special Provisions) Act,  
No. 4 of 1949.*

AN ACT TO DECLARE THAT SECTION 6 (3) OF THE INTERPRETATION ORDINANCE (CHAPTER 2) SHALL APPLY IN RELATION TO THE RENT RESTRICTION ORDINANCE, NO. 60 OF 1942, AS THOUGH THAT ORDINANCE HAD BEEN REPEALED

[Date of Assent February 28, 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 Rent Restriction (Special Provisions) Act, No 4 of 1949

Ordinance  
No. 60 of 1942  
to be deemed  
to have been  
repealed.

2. (1) Notwithstanding the expiration of the Rent Restriction Ordinance, No. 60 of 1942, the provisions of sub-section (3) of section 6 of the Interpretation Ordinance and of the Proviso to sub-section (1) of section 29 of the Rent Restriction Act, No. 29 of 1948, shall apply in all respects in like manner as though the Rent Restriction Ordinance, No. 60 of 1942, had been repealed by the aforesaid section 29 and had not expired.

(2) The provisions of sub-section (1) shall be deemed to have come into force on January 1, 1949, and shall have effect and be deemed to have had effect accordingly :

Provided, however, that nothing in the aforesaid provisions shall be deemed or construed to affect the validity of any order or decree made or entered by any competent court in the period commencing on January 1, 1949, and ending on the date of the commencement of this Act, or the rights of parties to the proceedings in which such order or decree was made or entered.