



THE CEYLON GOVERNMENT GAZETTE

No. 10,108 — FRIDAY, JUNE 2, 1950

Published by Authority

PART II — LEGAL

(Separate paging is given to each Part in order that it may be filed separately.)

	PAGE		PAGE
Passed Acts	—	Notices of Fiscals' Sales	143
Supreme Court Notices	—	Notices in Testamentary Actions	144
Notifications of Criminal Sessions of the Supreme Court	—	Miscellaneous	—
District and Minor Courts Notices	143	Council of Legal Education Notices	—
Notices in Insolvency Cases	143	List of Notaries	—
Appointments of Fiscals' Marshal	143		

Part V published with this Issue contains List of Applications for Licences for Lorries, &c.

District and Minor Courts Notices

NOTICE is hereby given that the present building used as the Rural Court at Ranna, will be used as the Rural Court at Ranna, presided over by the President, East Girituwa and Magam Pattus, as from May 28, 1950.

P. R. GUNASEKERA,
District Judge.

Tangalle, May 16, 1950.

Notices of Fiscals' Sales

CENTRAL PROVINCE

In the District Court of Matale

Gustina Waduge Alfred de Silva of Hingurugamuwa in Diyatalawa, presently of Gammaduwa in Matale East ... Plaintiff.
No. M. B. 32. Vs.

(1) Idangedera Tikiri Kolla, (2) Guralawela Galegedera Samadarie, both of Neluwakanda

NOTICE is hereby given that on Tuesday, June 27, 1950, commencing at 11 o'clock in the forenoon, 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. 1,340.44 being the aggregate amount of the principal and interest due in respect of mortgage bond No. 9,789, dated April 28, 1940, and attested by H. de S. Jayawardena of Matale, Notary Public, with interest on Rs. 830 at 15 cents per rupee ten per mensem from May 3, 1948, till September 3, 1948, and thereafter with legal interest at 5 per cent. per annum from September 3, 1948, till payment in full, costs and poundage, viz.:

1. An undivided 5/12 shares of the land called Mudune Hena in extent 12 lahas kurakkan sowing, situated at Neluwakanda in Udasiya Pattu of Matale South in the District of Matale, Central Province; and bounded on the east by the limit of Dambalagawatta, south by Ulpothagawa Mala Ela, west by Belungala, and on the north by the limit of Dambalagawatte, together with a like share of the plantations and everything thereon; registered in B. 157/107.

2. The portion marked lot D, in extent 1 acre 1 rood and 13 16/18 perches according to plan No. 1,851 dated November 3, 1927, made by J. R. Holloway, Licensed Surveyor, out of the land called Belungalchena, in extent 5 acres 1 rood and 35 perches situated at Neluwakanda aforesaid and which said portion marked lot D is bounded on the east by stone fence of Kiriduraya's land, south by lot marked "E" of this land, west by Apullanagawatte and on the north by lot C of this land and stone fence of Kiriduraya's land, together with the tiled house, plantations, and everything thereon and registered in D 194/209.

3. The portion marked lot E, in extent 3 roods and 32 14/18 perches as per said plan No. 1,851, out of the land called Nelungalchena, situated at Neluwakanda aforesaid; and which said lot E is bounded on the north by lot B of this land, south by Aluambehena of Setuwa, east by stone fence of Kiriduraya's hena, and on the west by Aluambegawahena of Setuwa, together with everything thereon; registered in B. 155/180.

Notices of Insolvency

In the District Court of Colombo

Insolvency. In the matter of the insolvency of L. de S. Wijeyeratne No. 5,840. of Rock House Lane, Mutwal, Colombo, insolvent.

NOTICE is hereby given that the said sittings and the examination of the above-named insolvent, will take place at the sitting of this court on June 27, 1950.

By order of court, C. F. A. PALLIYEGURU,
Secretary.

May 26, 1950.

In the District Court of Colombo

Insolvency. In the matter of the insolvency of P. K. Carolis Perera of 176, Wellampitiya, Colombo, insolvent.

WHEREAS the above-named P. K. Carolis Perera has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by E. A. Aron Singho of Kuruniyawatta, Wellampitiya, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said P. K. Carolis Perera, insolvent, accordingly; and that two public sittings of the court, to wit, on July 11, 1950, and on July 25, 1950, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance of which creditors are hereby required to take notice.

By order of court, C. F. A. PALLIYEGURU,
Secretary.

May 25, 1950.

Appointments of Fiscals' Marshal

Warrant of Appointment as Fiscal Marshal

I, Philip James Hudson, Fiscal for the Northern Province, do hereby appoint Mr. Nellinathapillai Parkianathan, to be Marshal for the Division of Mannar, under the provisions of the Fiscals Ordinance, and authorize him to perform the duties and exercise the authority of Marshal, for the periods of June 21, 1950 to July 5, 1950, and August 5 to 17, 1950, for which this shall be his warrant.

Fiscal's Office,
Jaffna, May 22, 1950

P. J. HUDSON,
Fiscal.

143—J. N. A 93058—1,300 (5/50)

D 1

Deputy Fiscal's Office,
Matale, May 22, 1950.

M. THIRUNAVUKARASU,
Additional Deputy Fiscal.

In the Court of Requests of Matale

Herath Mudiyansele Hitihamillegedera Kalu Banda of Imbulputiya

No. 10,572.

M. W. Jayawardena Bandara of Imbulputiya

NOTICE is hereby given that on Friday, June 30, 1950, commencing at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said

defendant in the following property for the recovery of the sum of Rs. 149.58 together with interest on Rs. 128.33 at the rate of 20 per cent. per annum from October 28, 1949, till January 10, 1950, and thereafter with legal interest on the aggregate sum till payment in full, viz.:-

Undivided 23/24 shares of the land called Galkandegederawatte alias Iriyagahakumburegoderawatto, situate at Lunbulphiya in Udasiya Pattu of Matale South in the District of Matale, Central Province, of the extent of about 12 nellics kurakkan sowing or by survey 3 acres and 21 perches according to the title plan No. 164,481, dated August 11, 1894, authenticated by T. W. Grinton, Acting Surveyor-General; bounded on the east by Galheeriya or by T. P. S. 163,006 and 163,007 and Galkandewatte, south by the fence of Nekatgederahena or by Galkandewatte claimed by Mudalihamy and Hiddapitiyewatte claimed by Appuhamy and others, west by the agala of Kandedegederawatte or by Pitayewatte claimed by Mutu Menika and others and by Pitayewatte claimed by Ukku Banda and others, now by galbemma of Niyandagalawatte belonging to Liku Menika and Hany Aratchi and Gansabhawa Road, north by Bomaluwawatte or by Gederawatte claimed by Punchirala and others, now belonging to Ukku Banda, School Master.

Deputy Fiscal's Office, Matale, May 22, 1950. M. THIRUNAVUKARASU, Additional Deputy Fiscal

SOUTHERN PROVINCE

In the District Court of Colombo

M. P. Sunderam Chettiar of 208, Sea Street, Colombo . . Plaintiff. No. 8,217/S. Vs.

(1) H. A. L. M. Fathma, (2) W. M. Mohamed Sally, and (3) M. S. M. Nazeen, all of 254, Hirimbure Road, Galle Defendants.

NOTICE is hereby given that on Saturday, July 1, 1950, at 2 o'clock in the afternoon, will be sold by public auction at the spot, the right, title, and interest of the said 1st, 2nd, and 3rd defendants in the following property for the recovery of Rs. 1,068.62 with interest on Rs. 1,030 at 18 per centum per annum from August 22, 1947, to February 16, 1948, as against 2nd defendant, and from August 22, 1947, till May 3, 1948, as against the 1st and 3rd defendants, and thereafter legal interest on the aggregate amount of the decree till payment in full and costs of suit (bill not taxed yet), viz.:-

1. All the soil and trees of a defined portion of the land called Pitawelawatte alias Pilawatte, together with the shares belonging to the defendants of the house bearing Municipal assessment, old No. 960, and now 25, standing thereon, situated at Dangedera, within the Municipality and Four Gravets of Galle, in the District of Galle, Southern Province; and which said portion is bounded on the north, east and south by portions of the same land, and west by high road leading to Dangedera in Galle; containing in extent 1 rood and 4 perches as per plan No. 490 of January 21, 1900, made by Mr. V. W. Van, Surveyor.

2. All the soil and trees of the defined lot No. 1 of the land called Pitawelawatte alias Udumullewatte alias Pelawatte, and all buildings standing thereon at Dangedera aforesaid; which said lot 1 is bounded on the north and east by other portions of the same land Pitawelawatte alias Udumullewatte alias Pelawatte, south by lot No. 2 of the same land, and west by high road from Galle to Hirimbure, and lot marked 3 with house marked A; in extent 38 37/108 perches as plan of partition by Mr. J. A. Misso, Licensed Surveyor.

3. All the soil and trees of lot 1 of the land called Pitawelawatte and all the buildings standing thereon, situated at Dangedera; and which said lot No. 1 is bounded on the north by lot 1 of Pitawelawatte alias Udumullewatte alias Pelawatte in plan of partition in case No. 6,156, D. C., Galle, east and south by lot No. 2 of the same land in plan No. 105 filed in case No. 8,010, D. C., Galle, and west by high road to Hirimbure; in extent 3 8/11 perches as per plan No. 105, made by J. A. Misso, Licensed Surveyor; filed in case No. 8,010, D. C., Galle.

4. All the soil and trees of a defined lot No. 2 of the land called Pitawelawatte and all buildings standing thereon, situated at Dangedera aforesaid; and which said lot No. 2 is bounded on the north by lot No. 1 of the same land Pitawelawatte alias Udumullewatte alias Pelawatte, in plan of partition in record in case No. 6,156, D. C., Galle, and lot 1 of the same land as in plan No. 105 filed in case No. 8,010, D. C., Galle, allotted to Sinna Lebbe Marikar Sago Abdul Cader, and purchased by Abdul Cader Hadji Ahamed Lebbe Marikar, east and south by other portions of the same land, and west by high road to Hirimbure; in extent 37 3/11 perches as per plan aforesaid, being held and purchased by the said mortgagor by virtue of deeds No. 5,023 of September 5, 1948, and 5,054 of October 23, 1948, both made by M. S. Marikar, Notary Public.

Fiscal's Office, Galle, May 29, 1950. N. G. DE SILVA, Deputy Fiscal.

EASTERN PROVINCE

In the District Court of Batticaloa

Pannacuddy Thangarasa of Kallady-Uppudai Plaintiff. No. 975 M. Vs.

Velupillai Thambipillai of Koddamuna Defendant.

NOTICE is hereby given that on Friday, June 30, 1950, commencing at 4 o'clock in the afternoon, 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. 1,256.50 with legal interest thereon from January 25, 1949, till payment in full and costs Rs. 168.61, viz.:-

The garden bearing assessment No. 140, presently bearing No. 1, called and known as Gnamer walavu and the western share of

Pannampathai walavu, both forming into one, situated at Koddamuna in Manmunai Pattu, Batticaloa District, Eastern Province; bounded on the east by Pioneer Road, north and west by the garden belonging to S. N. Velupillai, and on the south by the garden belonging to the heirs of Charles Velupillai and others; in extent according to the present measurement on the northern side 34 1/2 feet, from the eastern end of this towards the south 18 feet, from the southern end of this towards the east 28 feet, and on the eastern side 33 1/2 feet, on the southern side 76 1/2 feet, and on the western side 51 feet, the entire garden with house, kitchen mandapam, well, plantations, produce and rights.

Fiscal's Office, Batticaloa, May 26, 1950. S. M. J. Louis, for Fiscal.

NORTH-WESTERN PROVINCE

In the District Court of Chilaw

K. M. K. Supriamaniam Mudaliyar of Chilaw Plaintiff. No. 12,960. Vs.

L. M. M. A. Rahman of Mooi Street, Chilaw Defendant.

NOTICE is hereby given that on Saturday, June 24, 1950, at 3.30 in the afternoon will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 963.81 and poundage, &c., viz.:-

The Land referred to

The right, title, and interest of the defendant to an undivided 1/2 share of lot F 1 depicted in plan No. 23,150 dated March 17, 1943, made by Mr. A. M. Perera, Licensed Surveyor, of the land called Mudaliyawela, situate at Sawaram in Chilaw District; and bounded on the north by land belonging to C. R. Jayamanne, east by land of Rukiya Umma, south by portion marked lot G belonging to Savul Hamido and road, and west, by portion marked lot B belonging to Sara Umma, land marked lot D 4 belonging to Savul Hamido and others and portions marked lots D 3, D 2, and D 1 of the entire land; containing in extent 11 acres and 88 perches (A 11 R 0 P 35).

Fiscal's Office, Chilaw, May 29, 1950. P. N. SORE, Additional Deputy Fiscal.

Notices in Testamentary Actions

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Administration of the Estate of (1) Nanangodagamage Arnolis Appuhamy, No. 11,794. Vs. (2) Polwattage Carlina Peris (husband and wife), both of Ratmalana; deceased.

Manangodagamage Manchihamy of 45, Chapel Lane, Slave Island, Colombo Petitioner.

And

Manangodagamage Anatchohamy of Liyanagoda, Habaraduwa, Galle Respondent.

Manangodagamage Anatchohamy of Liyanagoda Anatchohamy of Liyanagoda, Habaraduwa, Galle Petitioner.

Vs.

Pelatiyana Vidanagamage Gnanapala of 45, Chapel Place, Slave Island, Colombo Respondent.

THIS matter coming up for disposal before N. Sinnatamby, Esq., Additional District Judge of Colombo, on February 18, 1950, in the presence of Mr. V. C. C. Dewarajamaathna, Proctor, on the part of the petitioner above named, and the affidavit of the petitioner above named dated February 18, 1950, having been read:

It is ordered that the respondent above named be and he is hereby declared entitled, as the son of the deceased administratrix of the estate of the above-named deceased, to have letters of administration to the estate of the deceased above named issued to him accordingly, unless the respondent above named or any other person or persons interested shall, on or before May 18, 1950, show sufficient cause to the satisfaction of this court to the contrary.

May 12, 1950. N. SINNETAMBY, Additional District Judge.

The date for showing cause is extended till June 22, 1950

May 29, 1950. N. SINNETAMBY, Additional District Judge.

In the District Court of Colombo

Testamentary In the Matter of the Last Will and Testament of (with two codicils thereto) of Noordeen Hadjiar Abdul Caffoor, late of Colombo, deceased. No. 13,931. Vs.

Mohamed Fahil Abdul Caffoor of Caffoor Building, Fort. Colombo Petitioner.

And

(1) Umma Nafeesa, (2) Mohamed Yusuf Abdul Caffoor, (3) Mohamed Mohideen Abdul Caffoor, (4) Mohamed Rafee Abdul Caffoor, all of Colpetty in Colombo, (5) Ayesha Hussein of 61, Green Path, Colombo, (6) Hafila Sulaiman of 57, Green Path, Colombo Respondents

THIS matter coming on for disposal before N. Sinnatamby, Esq., Additional District Judge of Colombo, on May 5, 1950, in the

presence of Messrs. John Wilson, Proctors on the part of the petitioner above named, and the affidavit of the said petitioner dated April 5, 1950, affidavit of witnesses dated April 5, 1950, renunciation of probate bearing No. 87, first codicil No. 1,991 and the 2nd codicil No. 2,043, having been read

It is ordered that the last will and testament No 1981 made by the deceased above named and attested by Mr J A Martensz, Notary Public, on November 19, 1934, the said two codicils Nos. 1,991 and 2,043 the originals of which have been produced and now deposited in this court be and the same are hereby declared proved, and that the petitioner above named be and he is hereby declared entitled, as the son of the deceased above named, to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before June 29, 1950, show sufficient cause to the satisfaction of this court to the contrary

May 16 1950.

N SINNETAMBY, Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Last Will and Testament of No. 13,935. George Knox Spittel late of Queens Road, Colombo in the Island of Ceylon, deceased.

And

In the Matter of the Civil Procedure Code of 1889 Chapter XXXVIII

- (1) Doctor Richard Lionel Spittel, (2) Wilhelmina Hethroida Speldewinde, also known as Mena Spittel now Mena Clementi Smith, (3) John Wilson (Snr), and (4) John Wilson (Jnr), all of Colombo Petitioners.

THIS matter coming on for disposal before N Sinnetamby, Esq., Additional District Judge of Colombo, on May 15, 1950, in the presence of Mr. S. Somasunderam, Proctor, on the part of the petitioners above named, and the affidavit of the said petitioners dated May 8, 1950, and the affidavit of notary and witnesses dated May 8, 1950, having been read;

It is ordered that the last will and testament No 4,286 made by the deceased above named, and attested by Mr John Wilson, Notary Public, on June 3, 1949, the original of which has been produced and now deposited in this court be and the same is hereby declared proved, and that the petitioners above named are the executors and trustees named therein and that they are hereby declared entitled to have probate thereof issued to them accordingly, unless any person or persons interested shall, on or before June 15, 1950, show sufficient cause to the satisfaction of this court to the contrary

May 18 1950

N. SINNETAMBY, Additional District Judge

In the District Court of Colombo

Order Nisi

Testamentary In the Matter of the Intestate Estate of Gongamuwage Don Martin of Horana, deceased. Kudamanage Mapi Nona of Horana Petitioner.

- (1) Gongamuwage Sarath Amaraweera (minor), (2) Koratota Aratchige Dona Sopi Nona of Horana (3) Gongamuwage Dona Wimalawathie of Horana, (4) Wimalawage Babun Nona of Babuvita, Horana, guardian ad litem for the 1st respondent minor Respondents.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on May 11, 1950, in the presence of W Sathasivam, Proctor on the part of the petitioner above named; and the affidavit of the petitioner dated April 24, 1950, having been read

It is ordered that the 4th respondent above named be and she is hereby declared the guardian ad litem over the 1st respondent above named, minor, and that the petitioner above named be and that she is hereby declared entitled, as a widow of the deceased above named, to have letters of administration to the estate of the deceased above named issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before June 15 1950, show sufficient cause to the satisfaction of this court to the contrary

May 30 1950

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. No. 13,943. Wijeyamuni Frederick Soya alias Wijemuni Frederick de Soya alias Wejanyene Frederick Soya alias W. F. Soya alias Frederick Soya of Kuala Lumpur, in the State of Selangor Federation of Malaya, deceased

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 D 2

nance (Chapter 84), for the sealing of probate of the last will and testament of Wijeyamuni Frederick Soya alias Wijemuni Frederick de Soya alias Wejanyene Frederick Soya alias W. F. Soya alias Frederick Soya alias Wijeyamuni Frederick Soya of Kuala Lumpur in the State of Selangor, Federation of Malaya, deceased, granted by the Supreme Court at Kuala Lumpur aforesaid, on the 24th day of September, One thousand nine hundred and forty-nine.

F. & G. DE SARAM, Proctors for the Respondents Maria Soya of 8, Hicks Road, Kuala Lumpur aforesaid, widow, and Leonard Bernard Soya, presently of Wabtuayagoda, Pamunugama, in the Island of Ceylon, executors named in the said will.

Colombo, June 2, 1950

25

In the District Court of Colombo

Order Nisi declaring Will proved

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. No 13,944 Tharakkad Subbaraya Iyer Ammanu Ammal, generally known as Ammanu Ramnar of 7/3, Charlemont Road, Colombo, in the Island of Ceylon, deceased.

THIS matter coming on for disposal before N. Sinnetamby, Esq., Additional District Judge of Colombo, on May 15, 1950, in the presence of Messrs F. & G. de Saram, Proctors, on the part of the petitioner Manjeri Suryanarayana Rama Aiyar; and (1) the affidavit of the said petitioner dated May 10, 1950, and (2) the affidavit of the attending notary also dated May 10, 1950, having been read

It is ordered that the will of the said Tharakkad Subbaraya Iyer Ammanu Ammal, deceased, dated May 1, 1949, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said Manjeri Suryanarayana Rama Aiyar is the executor named in the said will and that he is entitled to have probate issued to him accordingly, unless any person or persons interested shall, on or before June 29, 1950, show sufficient cause to the satisfaction of this court to the contrary.

May 16 1950.

N SINNETAMBY, Additional District Judge.

43

In the District Court of Avissawella

Order Nisi

No. T. 397. In the Mater of the Intestate Estate of the late Kankan Achu Kankanamalage Podisipho Appuhamy of Tummodara, deceased.

K. A. P. Yasawathie Hamine of Pinnawala Petitioner.

Vs.

- (1) Adikari Appuhamillage Samitchchany of Tummodara, (2) K. A. K. Sapin Singho of Tummodara, (3) K. A. K. Panchi Nona of Tummodara, (4) K. A. K. Panchi Singho of Tuttripitiya, (5) K. A. K. Panchi Nona of Butthipitiya, (6) K. A. K. Sopi Nona of Waturugama, (7) K. A. K. Hendrick Appuhamy of Hapititiya, (8) K. A. K. Mohottappuhamy of Kalluwawa, (9) K. A. K. Robo Singho of Palle Tuttripitiya, (10) K. A. K. Senems of Waturugama Respondents.

THIS matter coming on for disposal before G. C. T. A. de Silva, Esq., District Judge of Avissawella, on October 19, 1948, in the presence of Mr Allan Senanayaka, Proctor, on the part of the petitioner, and the petition of the petitioner having been read over:

It is ordered that the petitioner be and she is hereby declared entitled to as widow of the above-named deceased, to have letters of administration to the estate of the deceased issued to her, unless the respondents above named or any other person or persons interested shall, on or before February 23, 1949, show sufficient cause to the satisfaction of this court to the contrary

February 9, 1949.

G C T A. DE SILVA, District Judge.

Extended for March 16, 1949

February 23, 1949.

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

Extended for August 19, 1949.

July 8, 1949.

A. C. Z. WIJERATNE, District Judge.

Extended for March 16, 1950.

February 16, 1950.

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

Extended for May 4, 1950

March 16, 1950

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

Extended for June 5, 1950.

May 4, 1950.

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

In the District Court of Panadure

Order Nisi

Testamentary In the Matter of the Last Will and Testament of the late Martin Henry Jayatilleka of Ariyabhawana in Panadure, deceased.

Dona Almina Jayatilleka nee Wijewardena of Ariyabhawana in Panadure Petitioner.

THIS matter coming on for disposal before D. H. Pandita Gunawardene, Esq., District Judge of Panadure, on November 18, 1949, in the presence of Mr. C. H. H. Perera, Proctor, on the part of the petitioner; and the affidavit of the said petitioner and the affidavit of the attesting notary and the subscribing witnesses, both dated November 15, 1949, having been read, and there being no respondents to this application.

It is ordered that the joint last will of Martin Henry Jayatilleka, the above-named deceased, and Dona Almina Jayatilleka, nee Wijewardena, the petitioner above named, dated April 19, 1936, and bearing No. 20 and now deposited in this court, be and the same is hereby declared proved.

It is further ordered that the said petitioner is the executrix named in the said last will, and that she is entitled to have probate of the same issued to her accordingly, unless any person or persons interested in the estate shall, on or before June 7, 1950, show sufficient cause to the satisfaction of this court to the contrary.

D. H. PANDITA GUNAWARDENE, District Judge

April 26, 1950.

In the District Court of Panadure

Order Nisi

Testy. In the Matter of the Intestate Estate of the late Dodan-godawattage Johanis Fernando of Kehelwatta in Panadure, deceased.

Palamandadige Roslyn Meraya Fernando of Kehelwatta in Panadure Petitioner.

And

(1) Dodangodawattage Piyasiri Gunarana, (2) ditto Ariyawathie Gunapala, (3) ditto Chandraseel Suranawathie, (4) ditto Indradasa Wijeransi, (5) ditto Sunanda Bathawala, 20 years, (6) ditto Harischandra Wimalarani, 16 years, (7) ditto Wijayasuri Dharmaransi, 14 years, (8) ditto Sumithapala Somaransi, 7 years, (9) ditto Chandrawathie Padmalatha, 5 years; all of Kehelwatta in Panadure. (the 5th to 9th named respondents being minors by their guardian ad litem their brother the 1st respondent) Respondents.

THIS matter coming on for disposal before D. H. Pandita Gunawardene, Esq., District Judge of Panadure, on February 9, 1950, in the presence of Messrs. Pours & Soysa, Proctors, on the part of the petitioner; and the affidavit of the petitioner dated February 8, 1950, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the deceased, to have letters of administration to his estate issued to her.

It is also ordered that the 1st respondent above named be appointed guardian ad litem over the 5th to 9th minor respondents, unless sufficient cause to the contrary is shown to the satisfaction of this court, on or before June 7, 1950.

D. H. PANDITA GUNAWARDENE, District Judge.

February 9, 1950.

In the District Court of Kalutara

Order Nisi declaring Will proved, &c.

Testamentary In the Matter of the Estate of the late Karupiah Kangany, son of Palani Kona, deceased, of Miriswatta Estate, Welipenna.

Karupiah Adakalan of Miriswatta Estate, Welipenna Petitioner.

Vs

(1) Mutukonar Sewandi by herself and as guardian ad litem over 2nd to 4th respondents, (2) Karupiah Ramaiyah, (3) Karupiah Kitnan, (4) Karupiah Gopindan, 2nd to 4th respondents, minors, by their guardian ad litem the 1st respondent, all of Miriswatta, Welipenna Respondents.

THIS matter coming on for disposal before G. M. de Silva, Esq., District Judge, Kalutara, on April 28, 1950, in the presence of Mr. A. D. de Fonseka, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated March 30, 1950, having been read:

It is ordered that letters of administration to the estate of Karupiah Kangany of Miriswatta Estate, Welipenna, deceased, be issued to the petitioner, unless the respondents or any other person or persons interested shall, on or before June 16, 1950, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Mutukonar Sewandi, 1st respondent, be appointed guardian ad litem over 2nd to 4th respondents, and that the said Karupiah Adakalan, petitioner, is entitled to have letters of administration issued to him accordingly, unless the respondents or others interested shall, on or before June 16, 1950, show sufficient cause to the satisfaction of this court to the contrary.

G. M. DE SILVA, District Judge.

April 28, 1950.

In the District Court of Kandy

Order Nisi

Testamentary In the Matter of the Estate of A. J. Nagalingam of Udispattu, deceased.

Mary Thangammah Dwyght of Kollupitiya, Colombo Petitioner.

Miss R. Welsh of Vaddukoddai, Jaffna Respondent.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., District Judge, Kandy, on May 5, 1950, in the presence of Mr. P. Balasingham, Proctor for the petitioner above named, and the affidavit of the said petitioner dated March 8, 1950, having been read:

It is ordered that the said petitioner be and he is hereby declared entitled, as administratrix in E. 674, D. C., Kandy, to have letters of administration to his estate issued to her, unless the respondent or any other person or persons interested shall, on or before June 7, 1950, show sufficient cause to the satisfaction of this court to the contrary.

May 5, 1950.

S. J. C. SCHOKMAN, District Judge.

In the District Court of Kandy

Order Nisi

Testamentary In the Matter of the Estate of the late Robert Mediawake of Kundasale, deceased.

Constance Mary Mediawake of Kundasale Petitioner.

(1) Nihal Joseph Mediawake of Kundasale, (2) M. B. W. Mediawake, Principal, Vidyathala College, Kandy Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., District Judge of Kandy, on May 8, 1950, in the presence of Messrs. Coomaraswamy & Navaratnam, Proctors for the petitioner above named, and the affidavit of the said petitioner dated April 26, 1950, having been read:

It is ordered that the 2nd respondent be and he is hereby appointed guardian ad litem over the 1st minor respondent for the purpose of these proceedings, unless the respondents shall, on or before June 21, 1950, 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 June 21, 1950, show sufficient cause to the satisfaction of this court to the contrary.

May 8, 1950.

S. J. C. SCHOKMAN, District Judge.

In the District Court of Kandy

Order Nisi declaring Will proved

Testamentary In the Matter of the Last Will and Testament of Nagamuttu Thampoo, late of Kandy, deceased.

Ratnam Thampoo of 8, Railway Approach Road, Kandy Petitioner.

(1) Rajendra Thampoo, (2) Maheswari Thampoo, (3) R. A. Salakshmi Thampoo, all of 8, Railway Approach Road, Kandy Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., District Judge of Kandy, on May 12, 1950, in the presence of Mr. S. Sellathurai, Proctor, on the part of the petitioner above named; and her affidavit dated May 12, 1950, and the affidavit of the subscribing witnesses to the last will and testament dated May 12, 1950, having been read:

It is ordered that the last will and testament of Nagamuttu Thampoo of Kandy, deceased, dated June 5, 1949, the original of which has been produced and is now deposited in court, be and the same is hereby declared proved, unless the respondents above named or any other person or persons interested shall, on or before June 21, 1950, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said petitioner be and she is hereby declared entitled, as the widow of the deceased, to have letters of administration (with the will annexed) issued to her, unless the said respondents or any other person or persons shall, on or before June 21, 1950, show sufficient cause to the satisfaction of this court to the contrary.

May 12, 1950.

S. J. C. SCHOKMAN, District Judge.

In the District Court of Balapitiya

Order Nisi

Testamentary In the Matter of the Intestate Estate of Waradana Gilbert Silva, deceased.

Waradana John Silva of Kumudugahahetkma Petitioner.

Hetumuni Emushamy of Kurundugahahetkma Respondent.

THIS matter coming on for disposal before O. L. de Kretser, Esq., District Judge, Balapitiya, on May 4, 1950, in the presence of Mr. Doyle U. de S. Kularatna, Proctor, on the part of petitioner;

and the affidavit dated April 28, 1950, and the petition of the petitioner dated May 4, 1950, having been read

It is ordered that the petitioner be and he is hereby declared entitled, as the father of the deceased, to have the letters of administration to the estate of the deceased be issued to him accordingly, unless the respondent or any other person or persons interested shall, on or before June 21, 1950, show sufficient cause to the satisfaction of this court to the contrary.

May 4, 1950

O. L. DE KRETZER,
District Judge.

In the District Court of Galle

Order Nisi

Testamentary In the Matter of the Intestate Estate of Pedris Jurisdiction. Masakorala of Unanwitiya in Baddegama, deceased No. 8,367.

Isaac Masakorala of Unanwitiya aforesaid Petitioner.
And

(1) Maria Jayawardene, (2) Ariyaratne Masakorala, (3) Wajiradasa Masakorala, (4) Wijewardene Masakorala, (5) Indrawansa Masakorala, all of Unanwitiya aforesaid, (6) Sriyala Masakorala of Vidyodaya Pirivena Maligakanda, Colombo, (7) Tilakawathie Masakorala, (8) Ariyabadra Masakorala both also of Unanwitiya aforesaid; the 6th, 7th, and 8th respondents above named, minors, appearing by their guardian *ad litem* (9) Charles Dias Jayawardene of Aralyawatta in Unanwitiya aforesaid Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., District Judge, Galle, on March 16, 1950, in the presence of Mr. C. E. A. Goonesekera, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 11, 1950, having been read.

It is hereby ordered that the petitioner above named, as the eldest son of the deceased above named, be and he is hereby declared entitled to have letters of administration to the intestate estate of the said deceased issued to him accordingly, and it is hereby further ordered that the 9th respondent above named be and he is hereby declared appointed guardian *ad litem* of the 6th, 7th, and 8th respondents above named, minors, for the purpose of these proceedings, unless the respondents above named or any person or persons interested shall, on or before May 5, 1950, show sufficient cause to the satisfaction of this court to the contrary.

March 16, 1950.

V. E. RAJAKARIER,
District Judge.

Time for showing cause against this Order Nisi is extended to June 9, 1950.

May 5, 1950.

V. E. RAJAKARIER,
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. Tanmaravather Velupillai Sabanayagam of No. 1,166, Tirunelveli, Jaffna, deceased.

Kanagammah Sabanayagam, widow of T. V. Sabanayagam of Tirunelveli, Jaffna Petitioner.

THIS matter coming on for final disposal before R. R. Selvadurai, Esq., District Judge of Jaffna, on April 20, 1950, in the presence of Mr. R. Sivasupramaniam, Proctor, on the part of the petitioner, Kanagammah Sabanayagam; and the affidavit of the said petitioner dated November 9, 1949, and the affidavit of the attesting notary and witnesses of the said last will dated October 12, 1949, having been read:

It is ordered that the said last will bearing No. 1,245 dated April 13, 1946, the original of which is filed of record in this case, be and the same is hereby declared proved.

It is further ordered that the said Kanagammah Sabanayagam of Tirunelveli, the executor named in the said last will, is entitled to have probate of the said last will issued to her accordingly, unless any person or persons interested shall, on or before May 25, show sufficient cause to the satisfaction of this court.

April 20, 1950.

W. G. SPENCER,
District Judge.

Time to show cause extended till June 29, 1950

W. G. SPENCER,
District Judge

In the District Court of Batticaloa

Order Nisi

Testamentary In the Matter of the Intestate Estate and Effects Jurisdiction. of the late Ismalebbe Marikar Pathumma of No. 597, Maruthamunai Division 1.

Usupulleve Marikar Muhamadu Muzayadeen of Maruthamunai Division 1 Petitioner.

Abdul Rahumalebbe Ismalebbe Marikar of Division 1, Maruthamunai Respondent.

THIS matter coming on for disposal before M. M. Maharoor, Esq., District Judge of Batticaloa, on December 19, 1949, in the presence of Mr. R. B. Kadramer, Proctor, on the part of the

petitioner above named; and the petition and the affidavit of the said petitioner dated December 5, 1949, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the husband of the deceased, to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondent above named or any other person or persons interested shall, on or before February 2, 1950, show sufficient cause to the satisfaction of this court to the contrary.

December 19, 1949

M. M. MAHAROOF,
District Judge.

The above Order Nisi is extended to April 13, 1950

March 24, 1950.

JULIUS F. PHILIPS,
District Judge.

The above Order Nisi is extended to May 9, 1950.

March 30, 1950.

JULIUS F. PHILIPS,
District Judge.

The above Order Nisi is extended to June 20, 1950.

May 9, 1950.

JULIUS F. PHILIPS,
District Judge.

In the District Court of Batticaloa

Testamentary In the Matter of the Intestate Estate and Effects Jurisdiction. of the late Esalebbe Seyadu Ahamadu of Division No. 599 T. Kattankudi, deceased.

Athamlebbe Seimambunache of Division 3, Kattankudi .. Petitioner.

(1) Seyadu Ahamadu Kathisamma of Division 3, Kattankudi, (2) Seyadu Ahamadu Bahamsamma of Division 3, Kattankudi, both minors by their guardian *ad litem* (3) Periakalanderave Hadjar Mohamadu Sheriff Hadjar of Division 2, Kattankudi, (4) Mohamaduthamby Hadjar Kathisamma of Division 5, Kattankudi, (5) Esalebbe Ahamadu Mohideen of Division 6, Kattankudi, (6) Esalebbe Jamaldeen of Division 4, Kattankudi, (7) Esalebbe Sainulabdeen of Division 4, Kattankudi, (8) Esalebbe Mohamadulebbe of Division 6, Kattankudi, (9) Esalebbe Ahamadulebbe of Division 5, Kattankudi Respondents.

THIS matter coming on for disposal before J. F. Philips, Esq., District Judge of Batticaloa, on March 20, 1950, in the presence of Mr. J. L. Tisseverasinghe, Proctor for petitioner; and his affidavit of March 20, 1950, having been read:

It is ordered that the above-named 3rd respondent be appointed as guardian *ad litem* over the minors, the 1st and 2nd respondents above named, and that the petitioner above named is declared entitled to have letters of administration over the estate of the deceased, and the same issued to her accordingly, unless the respondents or others shall, on or before May 9, 1950, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said 3rd respondent do produce the said minors in court on the said date.

March 20, 1950.

JULIUS F. PHILIPS,
District Judge.

The above Order Nisi is extended to June 20, 1950.

May 9, 1950.

JULIUS F. PHILIPS,
District Judge.

In the District Court of Kurunegala

Order Nisi

Testamentary In the Matter of the Estate of the late Herat Jurisdiction. Mudiyansele Ukku Banda, retired Court Aratchi of Udadigane, deceased.

Between
Herat Mudiyansele Herat Banda of Udadigane in Kudagalboda Korale Petitioner.

(1) Hetti Aratchige (2) Herat Mudiyansele Soidahamime, (2) ditto Piyadasa, (3) ditto Biso Menika, (4) ditto Tilakaratne, (5) ditto Bandara Menika, (6) ditto Dingiri Banda, all of Udadigane in Kudagalboda Korale Respondents.

THIS matter coming on for disposal before A. S. Ponnambalam, Esq., Additional District Judge of Kurunegala, on March 20, 1950, in the presence of Messrs. Ratnayake & Perera, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 10, 1950, having been read:

It is ordered that the 6th respondent be and he is hereby appointed guardian *ad litem* over 2nd to 5th minor respondents for the purpose of these proceedings, unless the respondents shall, on or before April 28, 1950, show sufficient cause to the satisfaction of this court to the contrary.

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

or any other person or persons interested shall, on or before April 28, 1950, show sufficient cause to the satisfaction of this court to the contrary.

March 20, 1950.

A. S. PONNAMBALAM,
Additional District Judge.

The date for showing cause is extended for June 16, 1950

April 28, 1950.

A. S. PONNAMBALAM,
Additional District Judge.

In the District Court of Badulla

Order Nisi

Testamentary In the Matter of the Last Will and Testament of No. B/1.205. Koonna Karuppa Thevar's son Meiyappen Thevar of Passara Group, Passara, in the District of Badulla of the Province of Uva, Ceylon.

Between

Meiyappen Thevar's widow Pooranath Ammal of Passara Group, Passara Petitioner

And

(1) Koonna Karuppa Thevar's son Selembara Thevar, (2) Koonna Karuppa Thevar's son Sathivel Thevar, (3) Sathivel Thevar's son Karuppiyah Thevar, a minor act 17 years, (4) Koothappuh Thevar's son Suppiyah Thevar, all of Avanathankottai, Arantangi Taluq, South India, (5) Koonna Karuppa Thevar's daughter Velai, widow of Velaithan Thevar's son Meiyappa Thevar of Passara Group, Passara Respondents.

THIS matter coming on for disposal before A. L. S. Srimanne, Esq., District Judge of Badulla, on April 19, 1950, in the presence of Mr K. V. Nadarajah, Proctor, on the part of the petitioner; and her affidavit dated April 16, 1950, and the affidavit of Mr. T. P. Blaze, Notary Public, dated April 18, 1950, having been read:

It is ordered:—

- (a) That the second respondent above named be and he is hereby appointed guardian *ad litem* over the third minor respondent for all the purposes of representing him in the above proceedings, unless the second respondent or any person or persons lawfully interested therein shall, on or before June 15, 1950, show sufficient cause to the satisfaction of this court to the contrary, and
- (b) the last will and testament made by the deceased above named bearing No. 236 dated August 22, 1948, and attested by T. F. Blaze, Notary Public, the original of which has been produced and now deposited in this court, be and the same is hereby declared proved, and the petitioner above named is the executrix named therein, and she is hereby declared entitled to have probate thereof issued to her accordingly, unless the respondents or any person or persons lawfully interested therein show sufficient cause to the satisfaction of this court to the contrary, on or before June 15, 1950.

It is further ordered that the 2nd respondent should produce in court the 3rd minor respondent on the aforesaid date.

April 19, 1950.

A. L. S. SRIMANNE,
District Judge.

In the District Court of Badulla

Order Nisi

No B/1.207. In the Matter of the Intestate Estate of Pathima Umma of North Lane, Badulla, deceased

Mohammed Saib Alim Saibo of North Lane, Badulla . . . Petitioner

And

(1) Mohammed Adhana, act 15 years, (2) Umimu Rahuma, act 10 years, (3) Sithi Fakira, act 5 years, (4) Sithi Faiza, act 1 year, by their guardian *ad litem* Abdul Caffor Alim Saibo of Mosque Road, Badulla . . . Respondents.

THIS matter coming on for disposal before A. L. S. Srimanne, Esq., District Judge, Badulla, on May 16, 1950, in the presence of Mr Stanley H. Abeysekere, Proctor, on the part of the petitioner above named, and his affidavit dated May 13, 1950, having been read:

It is ordered (i) that Abdul Caffor Alim Saibo above named be and he is hereby appointed guardian *ad litem* over the 1st to 4th respondents above named to represent them for all the purpose of this action, and (ii) that the petitioner above named be and he is hereby declared entitled to letters of administration to the estate of the deceased Pathima Umma, as widow of the said deceased, unless the respondents above named or any person or persons lawfully interested therein shall, on or before June 29, 1950, show sufficient cause to the satisfaction of this court to the contrary.

May 16, 1950

A. L. S. SRIMANNE,
District Judge.

In the District Court of Kegalla

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Kana Runa Karuppiyah Ambalam, also known as No. 1.787. Kana Runa Kana Runa Karuppiyah Pillai or Karuppiyah Kangany of Ambanpitiya, deceased

Kana Runa Suppiyah Ambalam of Ambanpitiya Petitioner.

and
(1) Kana Runa Karuppiyah, (2) Kana Runa Karuppayee alias Letchumi, (3) Kana Runa Petchanmai alias Showndaram, (4) Kana Runa Mariyayee, and (5) Kannaththal, widow of Karuppiyah Ambalam, for herself and as guardian *ad litem* of 1st and 4th respondents, (6) Mawanya Pona Seena Muthanan Serfai of 104, Sea Street, Colombo, guardian *ad litem* of 2nd and 3rd Respondents . . . Respondents.

THIS matter coming on for disposal before W. Thalagodapitiya, Esq., District Judge of Kegalla, on May 8, 1950, in the presence of Mr A. I. de S. Abeyewickreme, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated April 4, 1950, having been read:

It is ordered that letters of administration of the estate of the said deceased be issued to the petitioner, unless the respondents or any one else interested shall, on or before June 9, 1950, show sufficient cause to the satisfaction of this court to the contrary

It is further declared that the said 5th respondent be appointed guardian *ad litem* over the 1st and 4th respondents, and the said 6th respondent be appointed guardian *ad litem* over the 2nd and 3rd respondents, and that the said Kana Runa Suppiyah Ambalam, the petitioner, is entitled to have letters of administration issued to him accordingly, unless the respondents or others interested shall, on or before June 9, 1950, show sufficient cause to the satisfaction of this court to the contrary.

May 8, 1950

W. THALGODAPITIYA,
District Judge.