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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 of the Supreme Court

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 Midland Circuit will be holden at the Court-house at Kandy on Monday, August 2, 1954, at eleven 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,
Ratnapura, July 21, 1954.

A. O. WIRASINGHE,
Fiscal

the right, title, and interest of the said defendants in the following property for the recovery of the sum of rupees one thousand eight hundred and ninety-three and cents seventy-five (Rs. 1,893 75) with interest on rupees one thousand five hundred (Rs. 1,500) at 18 per centum per annum from August 18, 1952, to January 25, 1954, and thereafter legal interest on the aggregate amount of the decree till payment in full, and costs of suit (bill not taxed as yet), viz.:—

All that allotment of land marked lot G called Maragahawatta, situated at Pitakotte in the Palle Patta of Salyin Korala in the District of Colombo, Western Province, now within the Urban Council limits of Kotte bearing assessment No. 486, and bounded on the north by property of D. M. D. Edward and D. M. D. Albert and Madawela, east by high road, south by lot F and twenty feet road reservation, and on the west by lot E portion of same land belonging to D. M. D. Wilson, containing in extent twenty-one and three upon four perches (A0 R0 P212) according to plan No. 167A dated July 2, 1944, and made by C. R. Harding, Licensed Surveyor, with the buildings thereon

Fiscal's Office
Colombo, July 24, 1954.

N. NADARAJA,
Deputy Fiscal

Notices in Insolvency Cases

IN THE DISTRICT COURT OF COLOMBO

Insolvency In the matter of the insolvency of M. D. K. No. 5,937 Karunaratne of Kalubowila Road, Dehiwala, insolvent.

NOTICE is hereby given that a certificate meeting of the abovenamed insolvent will take place at the sitting of this court on August 24, 1954, at 10.45 in the forenoon to consider the grant of a certificate of conformity to the abovenamed insolvent.

July 21, 1954

By order of court, A. V. VATEPILLAI,
Senior Assistant Secretary

IN THE DISTRICT COURT OF COLOMBO

(1) N. Muthupalamappa Chettiar, (2) T. Kanagasabai, (3) P. R. Singaram, (4) M. Ramachandran and (5) Kalyani Aatchy carrying on business under the name style and firm of A. M. N. firm at 285 Sea Street, Colombo Plaintiffs.
No. 16,261/3 Vs.

(1) K. Pitchaipala Nader of 28, Mahawatte Road, Colombo, (2) K. Ponniah Nader, (3) K. Vail Nader, (4) K. Sivalinga Nader and (5) K. Pitchaipala Nader, all carrying on business under the name, style and firm of "Sri Kany Hardware Stores" 32, Mahawatte Road, Colombo. Defendants.

NOTICE is hereby given that on Friday, August 27, 1954, at 2 p.m., will be sold by public auction at 32, Mahawatte Road, Colombo, the following movable property said to belong to the defendants for the recovery of the sum of Rs. 1,000 together with legal interest thereon from April 6, 1954, full payment in full and costs of suit (bill not taxed as yet) less Rs. 100. viz:—

One avery platform balance, 2 writing tables, 2 chairs, 1 arm chair, 1 almshah, 2 pictures, 1 G. E. C. wireless set, 1 lot of iron nuts of about 20 cwt, 1 lot of galvanized wire of about 3 tons, 3 barrels of old wire nails, 1 lot of rubber wire of about 5 cwts, 1 lot of old chains of about 5 cwts, 1 lot of scrap iron of about 40 cwts, 1 lot of old wire of about 15 cwts.

Fiscal's Office,
Colombo, July 24, 1954

N. NADARAJA,
Deputy Fiscal.

Notices of Fiscals' Sales

WESTERN PROVINCE

IN THE DISTRICT COURT OF COLOMBO

B. M. Annamalay Chettiar of 208, Sea Street, Colombo Plaintiff
No. 13,708/8. Vs.

(1) D. M. D. Wilson, and (2) Mrs. E. M. M. Wilson, both of 486, Pitakotte, Kotte Defendants

NOTICE is hereby given that on Wednesday, September 1, 1954, at 2 p.m., will be sold by public auction at the premises

281—J N B 37054-1,240 (7/54)

IN THE DISTRICT COURT OF COLOMBO

Mrs. M. B. Jesudasan of 179, Thano Road in Wattala ... Plaintiff. No. 12,218/S. Vs.

(2) D. W. Wangasekera of Mirihana in Nugegoda. Defendant.

NOTICE is hereby that on Tuesday, August 31, 1954, at 2 p.m., will be sold by public auction at the premises the right, title and interest of the said 2nd defendant in the following property for the recovery of the sum of rupees three thousand seven hundred (Rs 3,700) with interest on rupees three thousand seven hundred (Rs 3,000) at 10 per centum per annum from December 24, 1950, to date of decree and thereafter on the aggregate amount of the decree at legal rate till payment in full and costs. Incurred Rs 231.10 and prospective Rs. 105 83 Less Rs 2,100 viz —

All that lot marked A, of an allotment of land called Kongahawatta, situated at Mirihana in the Palle Pattu of Salpiti Korale in the District of Colombo, Western Province, and bounded on the north by a ditch along the property of Malayachahuge people, east by a road reservation of 6 feet in width and the remaining part of the land marked lot B allotted to M Abraham Rahel and others, south by the property of D. M D Charles, west by the properties of D. M. D. Charles, M Juwanis Aliwis and Thelemis Fonseka; containing in extent two rods and three decimal six six perches (AO R2 P3 66) according to plan No 504 dated July 26, 1931, made by Henry S. Silva, Licensed Surveyor, with the building standing thereon; registered in M483/241, Colombo.

Fiscal's Office, Colombo, July 24, 1954.

N. NADARAJA, Deputy Fiscal

IN THE DISTRICT COURT OF COLOMBO

M. H. Peiris of Railway Hut, Negombo ... Plaintiff. No. 24,745/M. Vs.

(1) Weerakondabaduge Nadoris Richard Peiris, (2) Weerakondabaduge Ratnawathie Peiris and (3) Bolina Clarence Peiris, all of 86, Galle Road, Dehiwala ... Defendants.

NOTICE is hereby given that on Wednesday, August 25, 1954, at 2 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 rupees one thousand one hundred and ten (Rs. 1,110) with interest at 10 per centum per annum on this sum for four years and costs (in the sum of rupees one thousand (Rs. 1,000) class until February 31, 1952, inclusive) and costs taxed at incurred Rs 350 77 and prospective costs Rs. 56.40 totalling Rs. 407.17. less Rs. 1,300; viz. —

1. All that and those the lands and premises with the buildings, trees and plantations, standing thereon to wit —

All that divided eastern half part or share of the land called Bangalawatta, situated at Galkissa in the Palle Pattu of Salpiti Korale in the District of Colombo, Western Province; and bounded on the north by road to bungalow, on the east by the High Road, leading to Galle, on the south by a portion of this land; and on the west by the road to bungalow; containing in extent one rod and twenty-five perches (OA. 1R. 25P)

2 All that allotment of land, situated at Galkissa aforesaid; and bounded on the north by road, on the east by the road, on the south by the land described in plan No. 182,218, and on the west by the land described in plan No 47,410; containing in extent three and a quarter perches (OA. OR. 3 1/4 P)

3 All that allotment of land called Galkissawatta, situated at Galkissa aforesaid, and bounded on the east by a road, on the south by lot No. 5,195 in plan No 15,395, and on the west by the land in plan No 182,217; containing in extent quarter of a perch (OA. OR. 1/4 P.) which three allotments form one property and bear assessment No. 177; Galle Road, Mount Lavinia.

Fiscal's Office, Colombo, July 24, 1954.

N. NADARAJA, Deputy Fiscal.

IN THE DISTRICT COURT OF COLOMBO

(1) Michael Peter Gomez and another carrying on business in partnership under the name, style and firm of M. P Gomez & Co., 95, Main Street, Colombo ... Plaintiffs. No 24,860/M. Vs.

Aduksuriyage Agnes Matilda Poretta of 250, Layside Broadway, Grandpass, Colombo, carrying on business under the name, style of A. D. J. Perera & Co., at 9 and 11, Beilhe Street, Colombo ... Defendant.

NOTICE is hereby given that on Thursday, August 26, 1954, at 2 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. 3,000 interest and costs taxed of Rs 558 20 and costs of inquiry to be taxed, less Rs. 2,300 paid by the defendant, viz. —

All that part of a garden with the buildings thereon and the adjoining part of the field into one annexed marked lots A and B in the plan bearing assessment Nos. 442/8, 443/8,

and 448 A/8, situated at Vandermerden's Forder, now called St. Joseph's Street, Grandpass, within the Municipality and District of Colombo, and presently bearing assessment Nos 361, 369, 369/1, 371, 373, 375, 379, and 379/1-5, situated at Prince of Wales Avenue, within the Municipality and District of Colombo, Western Province; bounded on the north east by field of Jacobus Steerman now belonging to the estate of the late A. P. Wijegunewardena and the garden of Johannes Jansz now the garden of J. L. Avu Lebbe Marikar, south east by the New Road called Princes Avenue, south west and north west by the field of Louis de Saram, second Maha Mudaliyar and now the property of Juwanis de Saram Mudaliyar together with all the buildings, trees and plantations standing thereon; containing in extent three rods and eight perches (OA 3R. 3P) according to figure of survey No 61 dated April 8, 1912, made by C. H. Wijetunge, Licensed Surveyor, and registered in A 848/175, of the Land Registry, Colombo, and which said land and premises are subject to primary mortgage Bond No. 1,198 dated September 13, 1950, attested by Mr. S. Gunasekera, Notary Public, Secondary Mortgage Bond No 28 dated August 4, 1953, and Tertiary Mortgage Bond No 35 dated November 12, 1953, both attested by Mr K. Jayasekera, Notary Public.

Fiscal's Office, Colombo, July 24, 1954.

N. NADARAJA, Deputy Fiscal.

IN THE DISTRICT COURT OF COLOMBO

B. Kurunaru of 27/3, Hotel Road, Mt Lavinia ... Plaintiff. No. 27,268/M. Vs.

Dudalage Dayawathie de Silva carrying on business under the name, style and firm of "Central Motor Works" at 150, Galle Road, Wellawatta ... Defendant.

NOTICE is hereby given that on Thursday, September 2, 1954, at 2 p.m., will be sold by public auction at 150, Galle Road, Wellawatta, the following movable property said to belong to the defendant for the recovery of the sum of Rs. 5 270 with legal interest at 5 per centum per annum from September 25, 1952, till payment in full and costs, less a sum of Rs. 300 already paid, viz. —

One globe motor hoist, 2 glass almirahs, 2 show-cases, 2 small tables 1 chair, 1 hoist motor engine, 1 writing table, 1 broken old writing table.

Fiscal's Office, Colombo, July 26, 1954

N. NADARAJA, Deputy Fiscal.

IN THE DISTRICT COURT OF COLOMBO

(1) Moshun Ibrahim Jafferjee, (2) Saifuddeen Ibrahim Jafferjee, (3) Mohamedally Ibrahim Jafferjee, carrying on business under the name and style of Jafferjee Bros., at Prince Street, Pettah, Colombo ... Plaintiffs. No. 29,610/M. Vs.

(1) Ismail Vally Noor Mohamed and (2) Abdul Latiff Vally Noor Mohamed, carrying on business under the name, and style of Vally Noor Mohamed & Co., at 267, Main Street, Colombo ... Defendants.

NOTICE is hereby given that on Tuesday, August 24, 1954, at 2 p.m., will be sold by public auction at 267, Main Street, Colombo, in the following movable property said to belong to the defendants for the recovery of the sum of rupees twelve thousand five hundred and forty-four and cents seventy-three (Rs. 12,544.73) and costs of suit (bill not taxed), viz. —

One No. 1 glass almirah containing:— Thirty-six boxes of gauze banians 1/2 a dozen in each, 6 boxes of gauze banians 1 dozen in each, 29 boxes of gauze banians 1/2 a dozen in each, 2 boxes of gauze banians of inferior quality 1/2 a dozen in each, 33 damaged thermostasks

One No. 2 glass almirah containing:—

Sixty-four boxes of gauze banians of 1/2 a dozen in each, 1 box containing 3 shirts, 5 boxes of shirts each containing 3 shirts, 5 T shirts, 9 boxes of gauze banians each containing 1/2 a dozen, 4 large racks, 1 small rack, 1 wall clock, 2 wooden racks, 2 long benches, 6 bent wood chairs, 2 writing tables, 1 round chair, 7 large and small pictures, 2 three bladed ceiling fans, 2 ink stands, 1 stand with 12-rubber stamps, 2 writing pads, 2 date stamps, 2 wall brackets, 1 steel cabinet, 1 lot of sample banians, 2 small benches, 8 carpet mats, 3 door rugs, 1 enamel spittoon, 1 lot of sample goods, 1 lot of sample blankets, 10 boxes of sample banians, 2 pieces of canvas, 1 wooden ladder, 13 new exercise books, 5 bulbs, 1 fan stand, 1 lot of flags, 1 box of envelopes of 1 dozen, 4 iron belts of 1/2 an inch in width, 1 lot of misc goods, 1 hammer, 1 iron cutter, 1 rack for paper, 6 common wood racks, 1 lot of sample goods and paper, 1 wall mirror, 2 high benches, 1 book rack, 5 carpet mats, 2 bundles of carpet mats, 1 writing table, 1 bench chair, 2 wall racks, 2 pieces of wax cloth, 1 aluminum spittoon, 2 hand buckets, 1 filter, 1 iron stove, 1 gas stove, 3 green curtains, 1 wall bracket, 1 blackboard, 1 yard measuring stick, 1 galvanized box.

Fiscal's Office, Colombo, July 24, 1954.

N. NADARAJA, Deputy Fiscal.

IN THE DISTRICT COURT OF GAMPAHA

Weerasin Pedige Abayawardena of Hirupitiya . . . Plaintiff.

No. 408/P Vs.

(3) M. P. Piloris of Hirupitiya and others . . . Defendants

NOTICE is hereby given that on Saturday, August 28, 1954, at 2.30 p.m., will be sold by public auction at the premises the right, title, and interest of the said plaintiff in the following property for the recovery of the sum of Rs. 349.34 to wit:— Rs. 320.72 being incurred costs and Rs. 28.62 being prospective costs, poundage and Fiscal's charges, viz:—

Schedule

Lot A from all that allotment of land called Halgahakumbura, situated at Hirupitiya (lots A, B and C) in Meda Pattu of Siyane Korale in the District of Colombo, Western Province; and bounded on the north-east by water course, south-east by field of the heirs of Suriya, south-west by Nazanpu Pathrennehelage Kumbura and on the north-west by Heenkenda Kumbura of Mahindawa and others, containing in extent 2A. OR 20P.

Fiscal's Office,
Gampaha, July 21, 1954. P. R. CORREA,
Deputy Fiscal.

SOUTHERN PROVINCE

IN THE DISTRICT COURT OF GALLE

Godago Cyrus Wickramanayake of Habaraduwa . . . Plaintiff.

No. M. B. 722. Vs.

(1) Kombalavithanage Cathirnahamy of Pengrihena in Habaraduwa, representative of the estate of the late Sutanata Vimayachariya Navaratnapitiye Ahangama Indaiatana of Pitiduwa and another . . . Defendants.

NOTICE is hereby given that on Wednesday, August 25, 1954, at 10 o'clock in the forenoon, will be sold by public auction at the premises the following mortgaged property for the recovery of rupees two thousand one hundred and fifty-seven and cents sixty (Rs. 2157.60) together with legal interest at 5 per cent. per annum from December 3, 1953, till payment in full and Rs. 263.62 being the costs of this action, viz:—

All that the soil and trees of the land called Pengrihena (being the divided northern one-eighth portion of Pitawela-watta) together with eleven cubits upstairs tiled house facing the south and eleven cubits tiled kitchen on the back of the house standing thereon, situated at Habaraduwa in the Taape Pattu of Galle District, Southern Province; and bounded on the north by Dewundaragawatta and Paragahawatta, east by Paragahawatta and Badahelawatta and Kelaniyangodawatta, south and west by two portions of Pitawelawatta belonging to Munasingha, retired Post Master, and Mr. Weerasakera; and containing in extent about one acre.

Fiscal's Office,
Galle, July 19, 1954. N. G. DE SILVA,
Deputy Fiscal.

CENTRAL PROVINCE

IN THE DISTRICT COURT OF KANDY

Hetti Arachchige Appuhamy of Galpaya in Dolosbage in Ganga Ihalu Korale of Uda Palatha . . . Plaintiff.

No. L. 2,598. Vs.

Balapatiye Liyanage William Silva of Haldummulla, Administrator of the Estate of Balapatiye Liyanage Jayatnamy, deceased . . . Defendant

NOTICE is hereby given that on Wednesday, August 25, 1954, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of sum of Rs. 619.77 being taxed costs of the action, viz:—

All that land called Madugastenne alias Madugasheena of five acres one rood and thirty-eight perches in extent (5A. 1R. 38P.), situate at Meetalawa in Dolosbage in Ganga Ihalu Korale of Uda Palatha in the Kandy District, Central Province; depicted in plan No. 948/50 dated August 15, 1950, and made by Mr. T. P. Murray, Licensed Surveyor, Kandy; and bounded according to the said plan on the north by the property of Mudiyanso and others, east by the property of M. M. Muturaman Chettyar, south by the property of Aluthurayelage Keethesena and west by the Madugasheena of Surisena and others, Madugasheena of Jangasa and others and Amunagalahena of G. Kuri Ukkuwa and others together with everything thereon but exclusive of the eastern one-fourth share being one amunam in paddy sowing extent out of the said premises which belongs to the plaintiff.

Fiscal's Office,
Kandy, July 21, 1954. W. A. L. RATNASINHE,
Deputy Fiscal.

IN THE RURAL COURT OF NUGAWELA

H. M. Dingiri Amma of Hedemya . . . Plaintiff.

No. 468. Vs.

K. P. Tikri Panikkiya of Kandanhena . . . Defendant.

NOTICE is hereby given that on Thursday, August 26, 1954, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 97, viz:—

All the right, title and interest in and to all that land called Mahakotuwa of eight bahas in paddy sowing extent, situate at Kandanhena in Medasiyapattu of Harisipattu in the District of Kandy, Central Province; and bounded on the east by ditch, south by ditch, west by Mudunemasditta and on the north by Mala Ela together with everything thereon.

Fiscal's Office,
Kandy, July 23, 1954. W. A. L. RATNASINHE,
for Fiscal.

IN THE DISTRICT COURT OF MATARA

Amarawathie Abeysinghe of Weragampita, Matara . . . Plaintiff.

No. P. 158 Vs.

(5) E. B. A. Wijenayaka of Jaala, presently of Emylin, near bridge Dodanduwa and others . . . Defendants.

NOTICE is hereby given that on Saturday, August 28, 1954, at 10 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 a sum of Rs. 915.79, viz:—

All that the soil and trees and the building standing thereon of the land called lot No. 5 of lot 1 of Kuruppugawatta, bearing assessment No. 2184, situated at Walpoia within the Urban Council Limits of Matara, Matara District, Southern Province; and bounded on the north by lot No. 4, of lot 1 of Kuruppugawatta, east by Jasingawatta, south by lot No. 2, of Kuruppugawatta and west by Road; and containing extent 24.14 perches.

Deputy Fiscal's Office,
Matara, July 21, 1954. ALBERT WICKRAMASINGHE,
Additional Deputy Fiscal.

NORTHERN PROVINCE

IN THE DISTRICT COURT OF YAYUNIYA HELD AT MULLAITTIYU

The Attorney-General, Ceylon . . . Plaintiff.

No. 980. Vs.

(1) S. Swakkeenpillai, (2) V. Anthonipillai, (3) K. Sivaguru, (4) S. Selvarajah, (5) V. S. Thambiah, all of Mullaitivu . . . Defendants.

NOTICE is hereby given that on September 8 and 9, 1954, commencing at 10 a.m. on Wednesday, September 8, 1954, will be sold by public auction at the under-mentioned respective places, the following movable and immovable properties belonging to the said defendants for the recovery of the sum of Rs. 8,062.12 with interest on Rs. 7,717.85 at 3 per cent. per annum from September 1, 1951, till September 25, 1951, and thereafter on the aggregate amount at 5 per cent. per annum till payment in full, Fiscal fees, poundage and other charges will also be recovered, viz:—

1. All that allotment of land called "Manalkadduvalawa", together with all the plantations standing thereon, situated at Manalkudiyuruppu, Karikkaddumoolai North, Maritime Pattus, Mullaitivu, Yayuniya District, Northern Province; bounded on the north by the property of S. Swakkeenpillai, east by lane, south by the property of the heirs of Misikhummah, west by the property of the heirs of Va.Va. Sibakkeerandu; in extent north to south 23 yards, east to west 23 yards.

IN THE DISTRICT COURT OF RATNAPURA

Berty Wijetilake of Ratnapura, presently of 4, Fountain House Lane, Matadana Plaintiff

No 9,694 Vs

George Kandiah Palawasam of Selwawatta Estate, Balan-goda Defendant

NOTICE is hereby given that on Monday, August 23, 1954, commencing at 11 o'clock in the forenoon and 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property mortgaged for the recovery of the sum of Rs 13 625 being the aggregate amount of the principal, interest and costs due in respect of mortgage bond No 1,942 dated March 30, 1947, attested by Mr J P W Delgoda, Notary Public, with interest thereon at the rate of five per cent per annum from January 13, 1953, till payment in full, costs Rs 465 67, Fiscal's charges and poundage.

At 11 o'clock in the forenoon

1 All that divided and defined allotment of land marked lot A in plan No 300 dated June 27, 1941, made by H S. Soysa, Licensed Surveyor, from and out of the land called and known as Selwawatta Estate, situate at Meddekanda in Hela Uda Palata of Meda Korale in the District of Ratnapura of the Province of Sabaragamuwa, and bounded on the north by Rassagala Estate, east by Meddekanda Estate west by Rassagala Estate; and containing in extent eleven acres and thirty perches (11A 0R 30P); registered in E87/85.

Immediately after the sale of the land No 1 above

2 All that divided and defined allotment of land marked lot D in the said plan No 300 from and out of the land called and known as Selwawatta Estate, situate at Meddekanda aforesaid; and bounded on the north by paddy field, north-east by village chena and jungle and lot G, west by lots H and J, south by Meddekanda Estate cart road and on the south-west by village garden paddy field, tea land claimed by villagers, paddy fields, tea land claimed by villagers and paddy field and on the north-west by lot 4, and containing in extent nineteen acres two roods and thirty-three perches (19A. 2R. 33P.); registered in E87/86.

Immediately after the sale of the 2nd land above

3 All that divided and defined allotment of land marked lot H in the said plan from and out of the land called and known as Selwawatta Estate, situate at Meddekanda aforesaid, and bounded on the north by a stream, east by lot I, south by lot J and on the west by a stream, and containing in extent three acres, two roods and thirty-eight perches (3A 2R 38P), registered in E87/87.

At 2 p.m. at Ellearawa

4 An undivided one-sixth (1/6th) share of all that allotment of land called and known as Beeru Arawa, situate at Ellearawa in Uduwaggam Pattu of Kadawata Korale in the District of Ratnapura of the Province of Sabaragamuwa; bounded on the north by the estate of Mr. Walloppillai, east by kumbura, south and west by Horakanda Ela, containing in extent one acre (1A 0R. 0P) more or less together with the an undivided one sixth (1/6th) share of the tea factory standing thereon and known as Balangoda and Selwawatta Estates, Tea Factory and everything standing thereon; registered in D68/224

Fiscal's Office, Ratnapura, July 19, 1954. *38/35* H. INDRAPALA, Additional Deputy Fiscal.

IN THE RURAL COURT OF BULATHKOHUPITIYA

The Chairman, V. C., DK & LB, Ruwanwella Plaintiff.

No 1,337 Vs.

A. C. M. Voleed of Bulathkohupitiya Defendant

NOTICE is hereby given that on Saturday, August 21, 1954, at 12 o'clock in the noon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz —

The land called Wiyalpititiya Estate about 25 acres in extent, situated at Wiyalpititiya; and bounded on the east by Knaves-mire Estate, north by Wiyalpititiya Estate belonging to Mr. M M. G. Fernando, west by Ponnawidanage Watte, and south by ela

To recover Rs. 74 25 and Fiscal charges. *16/35*

Deputy Fiscal's Office, Kegalla, July 19, 1954. I. BELIGASWATTE, Additional Deputy Fiscal.

Note.—The sale notice published in *Government Gazette* No. 10,696 of July 23, 1954, is cancelled.

Notices in Testamentary Actions

IN THE DISTRICT COURT OF COLOMBO

Order Nisi

No 14,716/T In the Matter of the Last Will and Testament of Ethel Florence Johnson of 40, Ford Road, Upton Wirrel, Cheshire, England, deceased.

Frederick John de Saram, also known as Fred de Saram of 47, Alexandra Place, Colombo, now deceased Original Petitioner.

And

In the Matter of an application under Section 549 of the Civil Procedure Code, Chapter 38.

Frederick Cecil de Saram of 47, Alexandra Place, Colombo Petitioner.

THIS matter coming on for disposal before V. Siva Supramaniam, Esq., Additional District Judge of Colombo, on June 25, 1954, in the presence of Mr Frederick John de Saram (Jnr.) on the part of the petitioner above named, and the affidavit of the petitioner above named dated June 23, 1954, having been read

It is ordered that the petitioner above named be and he is hereby declared entitled as attorney of the executor of the last will and testament of the deceased above named, to have letters of administration *de bonis non* with the will annexed to the estate of the deceased above named issued to him accordingly, unless any person or persons interested shall, on or before September 9, 1954, show sufficient cause to the satisfaction of this court to the contrary

July 19, 1954.

20/31 V. SIVA SUPRAMANIAM, Additional District Judge.

IN THE DISTRICT COURT OF COLOMBO

Order Absolute in the First Instance

No. 16,041/T. In the Matter of the Joint Last Will and Testament of Edith Constance de Zilwa of 160, New Bullers Road, Colombo, deceased.

Clarence Herbert de Zilwa of 160, New Bullers Road, Bambalapitiya Petitioner.

THIS matter coming on for disposal before V. Siva Supramaniam, Esq., Additional District Judge of Colombo, on June 11, 1954, in the presence of Mr. Edward R de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner above named dated May 18, 1954, and the affidavit of the notary dated October 28, 1953, having been read.

It is ordered that the last will and testament No 4069 made by the deceased above named and attested by Mr H Richard Peers, Notary Public, on March 27, 1945, the original of which has been produced and now deposited in this court be and the same is hereby declared proved and that the petitioner above named is the executor named therein and he is hereby declared entitled to have probate thereof issued to him accordingly.

July 23, 1954

20/31 V. SIVA SUPRAMANIAM, Additional District Judge.

IN THE DISTRICT COURT OF COLOMBO

Order Absolute in the First Instance

No. 16,070/Testy. In the Matter of the Last Will and Testament of Evelyn Maria Loos, spinster of Sunnyside, De Saram Place, Colombo, deceased.

Frederick Robertson Loos of 6, Spathodea Avenue, Havelock Town, Colombo Petitioner.

THIS matter coming on for disposal before V. Siva Supramaniam, Esq., Additional District Judge of Colombo, on July 7, 1954, in the presence of Messrs. Abrahams, Proctors, on the part of the petitioner above named, and the affidavit of the petitioner above named dated June 29, 1954, and the affidavit of the notary and the two subscribing witnesses dated July 7, 1954, and June 29, 1954, having been read

It is ordered that the last will and testament No 295 made by the deceased above named and attested by Mr C J Oorloff, Notary Public, on February 28, 1953, the original of which has been produced and now deposited in this court be and the same is hereby declared proved, and that the petitioner above named is the executor named therein and he is hereby declared entitled to have probate thereof issued to him accordingly.

July 16, 1954.

20/31 V. SIVA SUPRAMANIAM, Additional District Judge.

IN THE DISTRICT COURT OF COLOMBO

Order Nisi

No. 16,075/T In the Matter of the Intestate Estate of the late Munawera Thanthrige Upasaka Appu of 264, Dalugama Kelaniya, deceased.

Punchi Hewage Kalunawathie of 264, Dalugama, Kelaniya Petitioner.

Vs.

(1) Munawera Thanthrige Buddhadasa, (2) Munawera Thanthrige Jmasena, (3) Munawera Thanthrige Nandawathie, (4) Munawera Thanthrige Amarawathie, (5) Munawera Thanthrige Ariyadasa, (6) Munawera Thanthrige Jinadasa, (7) Munawera Thanthrige Karunaratne, (8) Munawera Thanthrige Loelawathie, (9) Munawera Thanthrige Nandasena and (10) Munawera Thanthrige Goonaratne, all of 264, Dalugama, Kelaniya ... Respondents

THIS matter coming on for disposal before V Siva Supramaniam, Esq., Additional District Judge of Colombo, on July 12, 1954, in the presence of Mr. A. A. K. Zackiya, Proctor on the part of the petitioner above named, and the affidavit of the petitioner above named dated July 12, 1954, having been read:

It is ordered that the 2nd respondent above named be and he is hereby declared appointed guardian *ad litem* over the 6th & 10th respondents, minors above named, 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 above named issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before September 2, 1954, show sufficient cause to the satisfaction of this court to the contrary.

July 16, 1954

V. SIVA SUPRAMANIAM,
Additional District Judge.

IN THE DISTRICT COURT OF KANDY

Order Nisi declaring Will Proved

Testamentary In the Matter of the Last Will and Testament Jurisdiction of Dissanayake Mudiyanalage Punchi Banda No. T.1,195. Dissanayake, late of Kondadeniya in Harris-pattu, deceased.

Meniktha Mudiyanalage Galella Loku Minke nee Loku Meniko Dissanayake of Kondadeniya in Harris-pattu Petitioner.

THIS matter coming on for disposal before L. W. de Silva, Esq., District Judge of Kandy, on June 5, 1954, in the presence of Messrs. De Silva & Karunaratne, Proctors, on the part of the petitioner, and the affidavit of the petitioner dated May 11, 1954, having been read:

It is ordered that the will of Dissanayake Mudiyanalage Punchi Banda Dissanayake of Kondadeniya, deceased, dated April 26, 1951, and now deposited in this court, be and the same is hereby declared proved, unless any other person or persons interested shall, on or before August 4, 1954, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared 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.

June 18, 1954

N. EDIRISINGHE,
District Judge.

IN THE DISTRICT COURT OF GALLE

Order Nisi

Testamentary In the Matter of the intestate estate of Ukwatte Kankanamge Gedreck Appahamy of 33, No. 8,547. New Street, Galle, deceased.

Ukwatte Kankanamge Ranasughe of 33, New Street, Galle Petitioner.

Vs.

(1) Mabotuwana Vithanage Edlin Nona, (2) Ukwatte Kankanamge Ariyapala, (3) Ukwatte Kankanamge Sugathadasa, (4) Ukwatte Kankanamge Dharmasena, (5) Ukwatte Kankanamge Siriawathie, (6) Ukwatte Kankanamge Seelawathie, (7) Ukwatte Kankanamge Chandrawathie, (8) Ukwatte Kankanamge Thilakasena, (9) Ukwatte Kankanamge Roland, all of 33, New Street, Galle, (10) Mabotuwana Vithanage Ariyapala Karunaratne of Niyagama in Akmalgama ... Respondents.

THIS matter coming on for disposal before E. Wijewardena, Esq., District Judge of Galle, on May 24, 1954, in the presence of Mr. D. A. Wickremasinghe, Proctor, on the part of the petitioner, and the petition and affidavit of the said petitioner having been read.

It is ordered that the abovenamed 10th respondent be and he is hereby appointed as guardian over the 2-9th minor respondents, unless any person or persons interested shall, on or before July 23, 1954, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said petitioner be and he is hereby declared, as eldest son of the deceased, entitled to have letters of administration to the intestate estate of the abovenamed deceased issued to him accordingly, unless the abovenamed respondents or any person or persons interested shall, on or before July 23, 1954, show sufficient cause to the satisfaction of this court to the contrary.

And it is further ordered that the 10th respondent do produce the 2-9th minor respondents before this court on the said date

May 24, 1954. E. WIJEWARDENA,
District Judge.

For showing cause on the above "Order Nisi" is extended to August 27, 1954.

F. A. ABYWARDENA,
Acting District Judge.

IN THE DISTRICT COURT OF GALLE

Order Absolute Declaring Will Proved

Testamentary In the Matter of the Last Will and Testament Jurisdiction of Pathuniya Durage Magilin Fernando late of No 8,551. Kalegana in Galle, deceased.

Vidane Durage Cyril Victor Fernando of Galle Petitioner.

THIS matter coming on for disposal before F. Conrad Perera, Esq., Additional District Judge of Galle, on June 23, 1954, in the presence of Messrs. C. L. & M. L. N. Wickremasinghe, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated January 26, 1954, and the affidavit of the attesting notary and the two witnesses dated November 28, 1953, having been read with the motion of the said Messrs. C. L. & M. L. N. Wickremasinghe, Proctors:

It is ordered that the said will of the said Pathuniya Durage Magilin Fernando late of Kalegana, Galle, deceased, dated October 10, 1953, and numbered 112, now deposited in court be and the same is hereby declared proved.

It is further declared that the said Vidane Durage Cyril Victor Fernando, the petitioner, is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly.

June 29, 1954. E. WIJEWARDENA,
District Judge.

IN THE DISTRICT COURT OF JAFFNA

Order Nisi

In the matter of the Estate of the late Veeragathy Nagiah deceased of Kupplian, Jaffna.

No. 1,739/T. Annapillai widow of Veeragathy Nagiah of Kupplian Petitioner.

(1) Muthalithamby Subramaniam of Kupplian, (2) Muthalithamby Visuvalingam of do. presently of Delft, (3) Poornam wife of Nellathamby Basa and her husband, (4) Nallathamby Basa of Kupplian, (5) Veeragathy Sinnadurai of do., (6) Nagammah wife of Arumugam Thambupillai of Anaicottai, (7) Arumugam Thambupillai of do., (8) Ponnammah wife of Kalayapillai Vaithilingam and her husband, (9) Kalayapillai Vaithilingam of Kupplian, (10) Sinnammah wife of Vallipuram Subramaniam and her husband, (11) Vallipuram Subramaniam of Kupplian, (12) Rasammah wife of Kanapathupillai Ramalingam, (13) Kanapathupillai Ramalingam of Kupplian ... Respondents.

THIS matter coming on for disposal before Spencer Rajaratnam, Esq., District Judge, Jaffna, on March 29, 1954, in the presence of Mr. V. Navaratnarajah, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated October 10, 1953, having been read.

It is ordered that the said Annapillai widow of Veeragathy Nagiah as widow of the deceased be granted letters of administration to the estate of the deceased, unless the respondents or others interested shall on or before May 3, 1954, show sufficient cause to the satisfaction of this court to the contrary.

March 29, 1954. S. RAJARATNAM,
District Judge.

Time to show cause is extended for July 12, 1954.

May 3, 1954. S. RAJARATNAM,
District Judge.

Time to show cause is extended for August 27, 1954.

July 12, 1954. A. E. R. CORRA,
District Judge.

IN THE DISTRICT COURT OF JAFFNA

Order Nisi

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Selvarathnam, wife of Mutucumaraswamy Tambi Kanaganayagam of Tellippalai West, deceased

Tambi Kanaganayagam Pathmanayagam of Tellippalai West Petitioner.

THIS matter coming on for disposal before Spencer Rajaratnam, Esq., District Judge, Jaffna, on June 17, 1954, in the presence of Mr S Ilayatambi, Proctor, on the part of the petitioner, and the affidavit and petition of the petitioner dated June 12 and 17, 1954, respectively, having been read

It is ordered that the petitioner be declared entitled to letters of administration to the estate of the abovenamed deceased, as her son and sole heir and that letters of administration be issued to him accordingly, unless any person or persons shall, on or before July 23, 1954, appear before this court and show sufficient cause to the satisfaction of this court to the contrary

June 17, 1954. (24) S. RAJARATNAM, District Judge

Order Nisi extended for August 27, 1954

July 23, 1954. (20/31) S. RAJARATNAM, District Judge

IN THE DISTRICT COURT OF JAFFNA

Order Nisi

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. late Mutucumaraswamy Tambi Kanaganayagam of Tellippalai West, deceased

Tambi Kanaganayagam Pathmanayagam of Tellippalai, West Petitioner

THIS matter coming on for disposal before Spencer Rajaratnam, Esq. District Judge, Jaffna, on June 17, 1954, in the presence of Mr S. Ilayatambi, Proctor, on the part of the petitioner, and the affidavit and petition of the petitioner dated June 12 and 17, 1954, respectively having been read

It is ordered that the petitioner be declared entitled to letters of administration to the estate of the abovenamed deceased, as his son, and sole heir and that letters of administration be issued to him accordingly, unless any person or persons shall, on or before July 23, 1954, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

June 17, 1954. (23) S. RAJARATNAM, District Judge

Order Nisi extended for August 27, 1954.

July 23, 1954. (20/31) S. RAJARATNAM, District Judge

IN THE DISTRICT COURT OF MANNAR

Order Nisi

Testamentary In the Matter of the Intestate Estate of the Jurisdiction. Pana Sena Seyadu Ahamed of Kurumbur in Trinvelly District of South India and who was carrying on business at 102, Colombo Street, Kandy, deceased

Mohideen Gader Saibo's daughter Seyadu Ibrahim Ummal, widow of the late Pana Sena Seyadu Ahamed of Eral in Kurumbur in Trinvelly District of South India by her attorney Ana Meeyanna Mohideen Pattani Saibo, son of Mohideen Abdul Cader of 102, Colombo Street, Kandy Petitioner.

And

(1) Seyadu Ahamed's daughter Sinda Beebee, (2) Seyadu Ahamed's daughter Seyadu Noor Jahan Beebee, (3) Seyadu Ahamed's daughter Wajuhathu Nema Beebee, (4) Seyadu Ahamed's son Seyadu Sheku Sera Mudali Sarajudeen, (5) Seyadu Ahamed's son Shaiku Mohideen, (6) Seyadu Ahamed's son Sera Mohideen Muthalibu, (7) Seyadu Ahamed's daughter Shaiku Sera Mudali Mohideen Pathummal, all of Eral in Kurumbur in Trinvelly District of South India, (8) Ana Meeyanna Muna Mohideen Meera Saibo, son of Mohideen Gader Saibo of 102, Colombo Street, Kandy Respondents.

THIS matter of the petition of the above-named petitioner praying for letters of administration to the estate of the abovenamed deceased coming on for disposal before K. Jeyakody, Esq., Additional District Judge, Mannar, on July 16, 1954, in

the presence of M. A. M. Naheem, Esq., Proctor, on the part of the petitioner, and the affidavit of the petitioner dated July 14, 1954, having been read it is declared that the petitioner, as widow of the said deceased, is entitled to have letters of administration to the intestate estate of the said deceased issued to her, unless the respondents or any other person shall, on or before August 12, 1954, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the 8th respondent be appointed guardian *ad litem* over the 1st to 7th respondents for the purpose of representing them in these proceedings, unless the said respondents shall, on or before August 12, 1954, show sufficient cause to the satisfaction of this court to the contrary.

July 16, 1954. (44) 25/31

K. JEYAKODY, Additional District Judge.

IN THE DISTRICT COURT OF MANNAR

Order Nisi

Testamentary In the Matter of the Intestate Estate of Thuru-Jurisdiction. vempalam Ramasethu late of Colombo, No 15,971/821. deceased

Ramasethu Kandiah of Kotikulam in Perunkalpattin Petitioner.

Vs.

(1) Ramasethu Ponnambalam and (2) Ramasethu Makkandu, both of Kotikulam in Perunkalpattin Respondents.

THIS matter of the petition of the above-named petitioner praying for letters of administration to the estate of the abovenamed deceased coming on for disposal before K. Jeyakody, Esq., Additional District Judge, Mannar, on July 13, 1954, in the presence of Mr A. Seemampillai, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated April 2, 1954, having been read it is declared that the petitioner as son of the said deceased, is entitled to have letters of administration to the intestate estate of the said deceased, issued to him, unless the respondents or any other person shall, on or before August 12, 1954, show sufficient cause to the satisfaction of this court to the contrary.

July 13, 1954. (20/31)

K. JEYAKODY, Additional District Judge.

IN THE DISTRICT COURT OF KURUNEGALA

Order Nisi

Testamentary In the Matter of the Estate of the late Galgomu Jurisdiction. Kankanamalage Charles Appuhamy, deceased No. 5,119. Piduma.

Mape Wijesinghalage Podi Nona of Piduma, Kuliya-pitiya Petitioner.

(1) Galgomu Kankanamalage Somawathie of Piduma, (2) Galgomu Kankanamalage Durgiri Menika of Epaladeniya in Yaticaha Korale, (3) Galgomu Kankanamalage Seelawathie of Piduma, (4) Galgomu Kankanamalage Ran Menika of Horatipola, (5) Galgomu Kankanamalage Vela Nona of Piduma, (6) Galgomu Kankanamalage Cyril of Piduma, the 5th and 6th appearing by their guardian *ad litem* (7) Udadeni Pathurennahelage Gunasekera of Epaladeniya Respondents.

THIS matter coming on for disposal before P. R. Gunasekera, Esq., District Judge of Kurunegala on June 7, 1954, in the presence of Mr D. A. B. Ratnayake, Proctor, on the part of the petitioner, and the affidavit of the abovementioned petitioner dated November 30, 1953, having been read

It is ordered that the petitioner be and she is declared entitled as widow of the deceased to have letters of administration to the estate of the deceased issued to her, unless the respondents or any other person or persons shall, on or before August 5, 1954, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said 7th respondent be appointed guardian *ad litem* over the 5th and 6th respondents, in nora, unless the respondents or others shall, on or before August 5, 1954, show sufficient cause to the satisfaction of this court to the contrary.

June 7, 1954.

P. R. GUNASEKERA, District Judge.

