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THE CEYLON GOVERNMENT GAZETTE

අංක 11,640 — 1959 ජනවාරි 16 වැනි සිකුරාදා — 16.1.1959
No. 11,640 — FRIDAY, JANUARY 16, 1959

(Published by Authority)

PART II — LEGAL

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

	PAGE		PAGE
Acts	—	Appointments of Fiscals' Marshals	—
Supreme Court Notices	—	Notices of Fiscals' Sales	21
Notifications of Criminal Sessions of the Supreme Court	—	Notices in Testamentary Actions	23
District and Minor Courts Notices	—	Council of Legal Education Notices	—
Notices in Insolvency Cases	—	List of Notaries	—
		Miscellaneous	—

Notices of Fiscals' Sales

WESTERN PROVINCE

IN THE DISTRICT COURT OF COLOMBO

Kana Peyna Udayar Ambalam of 156, Sea Street, Colombo Plaintiff.
No. 17,067/S. Vs.

Francis Kotalawala of Forest Department, Central Timber Depot, Slave Island, presently of Weliswatta, Dompe Defendant.

NOTICE is hereby given that on Monday, February 9th, 1959, at 2.30 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, described in the Schedule hereto for the recovery of the sum of Rs. 3,000 together with legal interest thereon at five per cent per annum from 10th September, 1954, till payment in full and costs of suit (bill not taxed), Fiscal's charges and poundage, etc.

Schedule of the property referred to

All that land called Millagahalanda marked lot No. 1 together with the trees, plantations and buildings standing thereon situated at Dompe in Gangaboda Pattu of Siyane Korale in the District of Colombo, Western Province; and bounded on the north by land of Liyana Atukorallage Babbu Appu and others, east by land of Don Paulu Aratchige Robert de Silva Jayasekera and others, south by lot marked 2 and west by Liyana Atukorallage's land containing in extent seven acres one rood and nine and fifty-one hundredth perches (A7. R1. P9.50). Registered in the Colombo District Land Registry Office under D 212/216, D 236/142.

B. A. F. WARNAKULA,
Deputy Fiscal.

Fiscal's Office,
Gampaha, January 9th, 1959.

21—J. N. B 10835-1,320 (1/59)

D 1

IN THE DISTRICT COURT OF NEGOMBO

S. A. N. R. M. Ramasamy Chettiyar of Negombo ... Plaintiff.

No. 19,538. Vs.

(1) M. Dona Mary Bridget Scholastica Peiris nee J. Gunawardene, (2) M. Don Anthony Alphonsus Jayasundere, Gunawardena, both of No. 140, St. Lazarus Road, Negombo Defendants.

NOTICE is hereby given that on Tuesday, the 10th February, 1959, 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, viz., for the recovery of Rs. 420 with further interest on Rs. 300 at the rate of 24 per cent per annum from 11th February, 1958, to 31st March, 1958, and thereafter with legal interest on the aggregate amount of Decree till payment in full and Rs. 58/45 being taxed costs and poundage, &c.

Property :

All that land formed of the four contiguous allotments of land called Baldiya Watta, Siyanbalagahawathupanguwa, Ambagahawatta and Kosagahawatta, situated at 4th division Hunupitiya within the Municipal Council limits of Negombo in the District of Negombo, Western Province; and bounded according to Plan No. 30/52 dated 14.2.1952 made by Mr. L. H. Croos Dabarera, Surveyor, on the north by lands of Rosana Marcus and A. Martin Silva, east by St. Lazarus Road, south by land formerly of the church but now of J. Pearl Fernando, and west by the lands of L. Agnes Fernando and W. D. Gunatilleke; containing in extent within these boundaries Seventeen decimal Two Four Perches; with the upstairs tiled house and other buildings and plantations standing thereon and the appurtenances thereto and registered in A 131/223 and bearing assessment No. 140, St. Lazarus Road.

M. I. MORAIS,
Deputy Fiscal.

Fiscal's Office,
Negombo, 9th January, 1959.

CENTRAL PROVINCE

IN THE DISTRICT COURT OF KANDY

Bowela Ekanayaka Mudiyanselegedara Menike, presently residing at Abeysekera Mudiyanselegedara of Keta-wala Plaintiff.
No. M. B. 2,297. Vs.

(1) I. R. Gammudali, and (2) G. S. Gammudali, both of Ratmeewela of Kandupalata of Yatinuwara Defendants.

NOTICE is hereby given that on Tuesday, the 10th February, 1959, 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 the sum of Rs. 1,870 with further interest on Rs. 1,800 at 12 per cent. per annum from 2.5.56 till 4.10.56 and thereafter legal interest on the aggregate amount till payment in full and costs, and poundage, less a sum of Rs. 700, viz.:

1. An undivided one half part or share from and out of the divided Mulwakkade, five lahas in paddy sowing extent out of the field called Uda Tippalage of fifteen lahas in paddy sowing extent, situate at Mamudawela in Kandupalata of Yatinuwara in the District of Kandy, Central Province; and which said divided Mulwakkade five lahas being bounded on the east by the liminary posts of the portion belonging to Rankira, on the south by Ela, on the west by the liminary ridge of Pinkanati, and on the north by the liminary ridge of Ponna's field together with a like share of everything standing thereon; and registered in B. 165/158 at the Land Registry Office.

2. An undivided one part or share from and out of Tippalage kumbura of two pelas in paddy sowing extent, situate at Mamudawela aforesaid; and the entirety being bounded on the east by the limit of the field belonging to Unga, on the south by the remaining portion, on the west by the liminary ridge of Ukkuwa Vidane's field, and on the north by Ulpotha kumbura together with a like share of everything standing thereon; and registered in B. 174/54 at the Land Registry Office, Kandy.

Fiscal's Office,
Kandy, 5th January, 1959.

G. KODITUWAKKU,
Additional Deputy Fiscal.

IN THE DISTRICT COURT OF KANDY

Mudunkothgedara Kira Vidane of Waradiwela in Uda Dumbura Plaintiff.
No. L 4,707. Vs.

(1) Kendagollegedara Menika of Watapana and (2) Kendagollegedara Karunawathie alias Sophia of Watapana Defendants.

NOTICE is hereby given that on Wednesday, the 11th February, 1959, 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 sum of Rs. 865.45 being damages and costs:

All that land called Kapukotuwewatta in extent about fifteen nallies kurakkan sowing situate at Watapana in Palispattu Korale East Pata Dumbura in the District of Kandy, Central Province; and bounded on the east by Pin Kumbura Galdetta, south by Kumbura Wella, west by Embalangaha and D.R.C. Road, and north by daluk fence of Derayalegewatta, together with the buildings, plantations and everything standing thereon, as depicted in plan No. 729 dated 31st August, 1948, and made by Mr. A. R. C. Kiel, Licensed Surveyor, Kandy.

Fiscal's Office,
Kandy, 7th January, 1959.

G. KODITUWAKKU,
Additional Deputy Fiscal.

SOUTHERN PROVINCE

IN THE DISTRICT COURT OF GALLE

Vincent Amarasinghe Daharaya, Licensed Auctioneer, Galle Plaintiff.
No. X 2,342. Vs.

Marcus Alosius Añez of Kuruwella, Galle Defendant.

NOTICE is hereby given that on Monday, the 9th February, 1959, 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 Rs. 1,775.80 together with legal interest thereon from 20.11.1958, till payment in full and costs (Rs. 136.55, viz.:

All that undivided one-sixth (1/6) part of the soil and of the building bearing Municipal Assessment No. 46 (old) and new No. 30, standing thereon of the land called Forkegodellawatta, situated at Kumbalwella within the Municipal Limits of Galle, Galle District, Southern Province; and bounded on the north-east by a portion of the same land on which house No. 212

stands, south-east by a portion of the same land on which house No. 47 stands, south-west by Government Reservation land and north-west by a portion of the same land said to belong to Buultjens, and on which house No. 45 stands; and containing twenty-two decimal three two perches (O.A. OR. 22.32P.) as per plan No. 382 dated 23rd February, 1892, made by Mr. A. W. Anthonis, Licensed Surveyor; and registered in the Land Registry, Galle in A 263/141.

Fiscal's Office,
Galle, 8th January, 1959.

A. SIVASITHAMPARAM,
Deputy Fiscal.

EASTERN PROVINCE

IN THE DISTRICT COURT OF BATTICALOA

Commission Sale

Samithamby Soupackiavathy of Arapattal Plaintiff.
No. 2,719/M. Vs.

(1) Sangarapillai Sinnappu, and wife, (2) Thambimuttu Sellammah, both of Pandiruppu Defendants.

BY virtue of commission issued to me in the above case, I shall sell by public auction the under-mentioned property on Saturday, the 14th February, 1959, commencing at 10 o'clock in the forenoon at the spot for the recovery of the sum of Rs. 1,700 with interest thereon at the rate of 5 per cent per annum from 12.6.1957 till payment in full and costs of suit Rs. 220.35.

Schedule of Property

The western portion out of the southern share of the garden called Madathu Valavu, situated at Pandiruppu, in Karavaku Pattu, Batticaloa District, E. P.; containing in extent from north to south 15 fathoms and east to west 9 fathoms, bounded on the north by the other share of this belonging to T. Mylvaganam, south by the land of the heirs of S. Retnasingham, east by the other share of this belonging to T. Eliyathamby alias Markandu and west by road, together with the house, well, coconut trees and all other rights and also the right of having access to and from the well and drawing water from the said well which stands in the eastern share of this and that T. Eliyathamby alias Markandu the owner of the said eastern share shall have the right of access along the southern fence of this, in extent 2 cubits excluded.

T. KANDIAH,
for Fiscal, E. P.

IN THE DISTRICT COURT OF BATTICALOA

Mohamadu Meerasaibu Maracair Kalenderlebbe Alim Hadjar of Div. No. 5, Kattankudy Plaintiff.
No. 2,871/M. Vs.

Saibulebbe Maracair Mohamadu Mohsein of Div. No. 1, Akkraipattu Defendant.

NOTICE is hereby given that on Saturday, the 7th February, 1959, 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, viz., for the recovery of the sum of Rs. 1,715.86 with interest thereon at the rate of 5 per cent per annum from 19.10.1957 and payment in full.

Schedule of Property

A paddy land called Kandakulathumunmari or Mannakulathumunmari, situated at Akkraipattu in the District of Batticaloa, Eastern Province, and of 18 avnams of paddy sowing extent; bounded on the north by the estate of S. U. Dharmaretnam Vanniah, east by tank bund and on the south and west by the land belonging to the people of Kolavil. The whole of this together with outlets, inlets and all other rights.

Fiscal's Office,
Batticaloa, 8.1.1959.

T. KANDIAH,
for Fiscal, E. P.

NORTH-WESTERN PROVINCE

IN THE DISTRICT COURT OF KURUNEGALA

The Commissioner of Income Tax, Colombo Petitioner.
No. 889/Spl. Vs.

L. D. L. Abeyasekera, 1, Ebert Place, Dickman's Road, Colombo 5 Respondent.

NOTICE is hereby given that on Friday, the 27th February, 1959, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the

said defendant in the following property for the recovery of the sum of Rs. 89,793 being income tax for 1954/55 and Rs. 220,523.23 being income tax for 1950 to 1957, viz.:—

All that the estate, plantation and premises called and known as Mahayaya Estate (hitherto known as the Mahayaya Division of Delwita Group) (comprised of fields Nos. 1-11, in survey plan No. 557, dated 12th May, 1921), situated in the villages of Padeniya, Akalagamuwa and Mahawela in Madura Korale of Weuda Wili Hat Pattu in the District of Kurunegala, North-Western Province; bounded on the north by Gurumada Ela, Pansalawatte and Gurumada Ela, Unagaha Kotuwehena of B. Panchirala, Pansalawatte of B. Kiri Banda, Tana Kotuwewatte of Abada, Ihala-welle pillewa of Muttuwa and others, Pansalawatta of D. M. Appuhamy and others, Koralgederawatte of B. M. Panchi Rala, Henayage Kumbure pillewa of B. M. Panchi Rala and others, Kitule-kumbure pillewa of C. Ahamadu and others, east by Gurumada Ela, village limit of Gallewa, lands claimed by villagers of Egodamulle, stream, Crown jungle, Ihala Seyambala-atte kumbura of D. M. Ukku Banda Godaliyadde of B. M. Kiri Banda, Godaliyadde of B. M. Dingiri Amma Godeliyadde of B. M. Dingiri Banda Koralgederawatte of B. M. Panchi Rala, Pansalawatte of D. M. Appuhamy and others, Pahala Siyambalawatte (paddy) of Cassim Lebbe and others, Telambughamula wagole pillewa of Cassim Lebbe and others, Kitule kumbure pillewa of G. Ahamadu Lebbe and others, Wewe kumbure pillewa of G. Cassim Lebbe, Tuttiripitiya kumbure pillewa of Naina Lebbe and others and Wewekumbure pillewa of G. Cassim Lebbe and Pahalatota Maruwa and land of B. M. Dingiri Amma, south by field 12 of Mahayaya sold to Muttusamy Supramaniam (Kosgolla village boundary), Weldeniya Kumbura of E. Menika, Weldeniya Pillewa of G. Bandiya, Monefakelina Hena of G. Bandiya, Galagawahena of G. Bandiya, Alwelayawatte of G. Balaya, T. P. 335,935 Godawela kumbura pillewa of Galhiya Welduraya, Pallegederawatte, Elagaderawatte of Heratole, Ritigahapitiyakumbura pillewa of Tenna and Bandiya, Pasinge kumbure pillewa of E. Getaya Honderawalapitiya, Weldoning to Muttuwa and others and Hitinikaduve kumbura pillewa of B. M. Panchi Rala, Unagahakotuwehena of Ukku Banda, Pitakotuwewatte of Tikiri Menika, Nekataralagawatte of A. Appuhamy, Pahalgederawatte of A. Appuhamy of Pahala Siyambalata (paddy) of Cassim Lebbe and others, and on the west by paddy land called Weldeniya of E. Menika, Riligahapitiya kumbura of Tenna and Bandiya, Weragalle temple land, Pasinge kumbure pillewa of E. Getaya, Hondawalapitiya of Muttuwa and others, kamata, pahala Totanaruwa of B. M. Dingiri Amma, Kitulagawa peelee pillewa of G. Ahamadu and others, Tuttiripitiya kumbura pillewa of Naina Lebbe and others, Wewe kumbura pillewa of G. Cassim Lebbe, Unagahakotuwehena of B. Panchi Rala, Unagahakotuwehena of Ukku Banda, Ihala Siyambalatte kumbura pillewa of Mohamadu Lebbe and Pahala Siyambalawatte (paddy) of Cassim Lebbe and others and Deduru Oya; and containing in extent exclusive of the paddy fields called Heen Kande kumbura of Kulu Banda and Indagolle kumbura, in extent about four acres, situated within the said Mahayaya Estate marked 'X' in the said plan four hundred and sixty-one acres and two perches (A.46 R.0 P.02) more or less according to the said survey plan No. 557 dated May 12, 1921, and made by Ferdinand & Co., Licensed Surveyors, comprised of the following allotments of land to wit:

(1) An allotment of land called Mahayaya Estate, Warakumariyakotuwala, &c., situated at Padeniya and Akalagamuwa aforesaid; bounded on the north by lot 1 in P. P. 840, east by lots 1, 19, 5, 6, 7, 12 and 13 in P. P. 840, lots 3, 2 and 25 in P. P. 839 and an Ela, south by lots 6, 1 and 2 in P. P. 838 and lots 24 and 23 in P. P. 839, and on the west by Deduru Oya; containing in extent exclusive of the footpath passing through the land and lot 10 in P. P. 840 one hundred and sixty-three acres two roods and six perches (A163 R2 P06.) according to title plan No. 296,260 dated 18th September, 1913, and authenticated by R. S. Templeton, Esq., Surveyor-General; registered under title A. 217/408 in the Kurunegala District Land Registry.

(2) An allotment of land called Mahayaya Estate, situated in the villages of Padeniya, Akalagamuwa, Mahawela and Kosgolla villages aforesaid; bounded on the north by Deduru Oya, Gallawa Ela, a footpath and lot 3 in P. P. 840, east by P. P. Gallawa Ela, lots 5 and 30 in P. P. 836, lots 37 and 26 in P. P. 838 and lot 11 in P. P. 838, south by the divided portion of Mahayaya Estate marked field 12 in the estate plan sold to Muttusamy Supramaniam, and on the west by Ela and lots 8, 10, 9 in P. P. 838, lots 12, 13, 11, 5, 19, 14, 16, 17 and 3 in P. P. 839) T. P. 251,844 lots 16, 9 and 2 in P. P. 840 and Deduru Oya; and containing in extent two hundred and eighty-one acres one rood and one perch (A281 R1 P01) being the northern divided portion of the land in title plan No. 298,573 dated 24th November, 1913, and authenticated by R. S. Templeton, Esq., Surveyor-General; registered under title A. 217/408 in the Kurunegala District Land Registry.

(3) An allotment of land called Balendagahamulamukalana, situated in the village of Padeniya aforesaid; bounded on the east by lot 62 in P. P. 91 and all other sides by lot 45 in P. P. 91; and containing in extent one acre three roods and eighteen perches (A1 R3 P18) according to title plan No. 251,843 dated 23rd April, 1908, and authenticated by P. D. Warren, Esq., Surveyor-General; registered under title A. 181/261 in the Kurunegala District Land Registry.

(4) An allotment of land called Kosgollamullakela, situated in the village of Akalagamuwa and Mahawela aforesaid; bounded on the north by lots 45 and 61 in P. P. 91, east by lots 61 and 59 in P. P. 91, south by lots 59 and 57 in P. P. 91, and on the west by lots 57 in P. P. 91 and land claimed by villagers; containing in extent two acres one rood and ten perches (A2 R1 P10) according to title plan No. 251,844 dated 23rd April, 1908, and authenticated by P. D. Warren, Surveyor-General; registered under title A. 181/262 in the Kurunegala District Land Registry.

(5) An allotment of land called Belindagahamullakela, situated in the village of Mahawela aforesaid; bounded on the north by lot 63 in P. P. 91; east by lots 63 and 64 in P. P. 91; south by lots 64 and 61 in P. P. 91 and on the west by lots 61 and 46 in P. P. 91 and containing in extent five acres three roods and twenty perches (A5 R3 P20) according to title plan No. 251,845 dated 23rd April, 1908, and authenticated by P. D. Warren, Esq., Surveyor-General; registered under title A. 181/263 in the Kurunegala District Land Registry.

(6) An allotment of land called Kosgahamullakela, situated in the village of Mahawela aforesaid; bounded on the north and east by lot 64 in P. P. 91, south by an Ela, west by lot 61 in P. P. 91; and containing in extent (exclusive of the footpath passing through the land) one acre and two perches (A1 R0 P02) according to title plan No. 251,845 dated 23rd April, 1908, and authenticated by P. D. Warren, Esq., Surveyor-General; registered under title A. 181/264 in the Kurunegala District Land Registry.

(7) An allotment of land called Kosgahamulamukalana, situated in the village of Mahawela aforesaid; bounded on the north by lot 66 in P. P. 91, and on all other sides by lot 63 in P. P. 91; and containing in extent one acre two roods and twenty-four perches (A1 R2 P24) according to title plan No. 251,847, dated 23rd April, 1908, and authenticated by P. D. Warren, Esq., Surveyor-General; registered under title A. 181/265 in the Kurunegala District Land Registry.

Fiscal's Office,
Kurunegala. 6.1.1959.

LIONEL A. POTUHERA,
for Fiscal.

Notices in Testamentary Actions

IN THE DISTRICT COURT OF COLOMBO

No. 18,559/T. In the Matter of the Last Will and Testament of Denagamage Chandradasa of No. 5, Etul Kotte, deceased.

And
In the Matter of the Civil Procedure Code (Cap. 86) Chapter XXXVIII.
Denagamage Piyadasa de Silva Jayawardena, Post Master, Deniyaya Petitioner.

THIS matter coming on for disposal before V. Siva Supramaniam, Esq., Additional District Judge, Colombo, on the 2nd day of December, 1958, in the presence of Messrs. Abrahams, Procursors on the part of the petitioner; and the affidavit of the petitioner dated 28th November, 1958, and the affidavit of the Notary and the witnesses dated 29th November, 1958, having been read:

It is ordered that the last will and testament No. 1060 made by the deceased above named on the 18th September, 1953, and attested by Mr. C. J. Oorloff, Notary Public of Colombo, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved and that the petitioner above named is the executor named therein and he is hereby entitled to have probate issued to him accordingly on his payment of estate duty and taking oath of office.

A. L. S. SIRIMANNE,
Additional District Judge.

2nd day of December, 1958.

IN THE DISTRICT COURT OF COLOMBO

Order Nisi
No. 18,544/T. In the Matter of the Inheritance Estate and Effects of Vinturu Sivage Sojo Silva, late of Meetotamulla, deceased.

Mapatunage Peiris Perera of 95, Meetotamulla Road, Wellampitiya Petitioner.

And

(1) Mapatunage Sumanapala Perera of Kolonnawa, (2) Mapatunage Themanis Perera of Kolonnawa, (3) Mapatunage Seelawathie Perera of Ketawalamulla, (4) Mapatunage Theodoris Perera of Kolonnawa, (5) Mapatunage Mallika Premalatha Perera of Bandaragama, (6) Mapatunage Elaris Perera of Meetotamulla, (7) Mapatunage

Somarathna Perera of Kolonnawa, (8) Mapatunage George Perera of Kolonnawa, (9) Nallaperuma Arachchige Dona Belgi Padma Karunatileka, (10) Nallaperuma Arachchige Don Diamond Tilak Karunatileka, (11) Nallaperuma Arachchige Dona Adilin Seetha Karunatileka, (12) Nallaperuma Arachchige Don Vinnie Walter Karunatileka, (13) Nallaperuma Arachchige Dona Harriet Malinie Karunatileka, (14) Nallaperuma Arachchige Dona Gilda Hemalatha, (15) Nallaperuma Arachchige Don Lionel Mahinda Karunatileka, (16) Nallaperuma Arachchige Dona Beatrice Soma Karunatileka, (17) Nallaperuma Arachchige Dona Princess Mallika Karunaratne, (18) Nallaperuma Arachchige Don Nibalgamini Karunatileka, the 14th to 18th respondents being minors appearing by their guardian *ad litem*, (19) Nallaperuma Arachchige Don Johannes Karunatileka of 168, Kolonnawa Road Respondents.

THIS matter coming on for disposal before V. Siva Supramaniam, Esq., Additional District Judge, Colombo, on the 19th day of November, 1958, in the presence of Mr. D. E. Wanigasooriya, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated 11th November, 1958, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as a son of the deceased above named, to have the letters of administration to the estate of the deceased issued to him accordingly.

It is further ordered that the 19th respondent be and he is hereby declared appointed guardian *ad litem* over the persons of the 14th, 15th, 16th, 17th and 18th respondents minors, unless the respondents above named or any other person or persons interested shall, on or before the 29th day of January, 1959, show sufficient cause to the satisfaction of this court to the contrary.

V. SIVA SUPRAMANIAM,
Additional District Judge.

IN THE DISTRICT COURT OF COLOMBO

Order Nisi

No. 18,591/T. In the Matter of the Intestate Estate and Effects of the late Ranasinghe Arachchige Peter Ranasinghe of 64/4, Wall Street, Kotahena, Colombo, deceased.

Margaret Amarasinghe of 64/1, Wall Street, Kotahena, Colombo Petitioner.

(1) Jayapooriya Arachchige Isabella Perera and (2) Samarasinghe Arachchige Ruban Perera, both of 64/4, Wall Street, Kotahena, Colombo Respondents.

THIS matter coming on for disposal before M. M. I. Kariapper, Esq., Additional District Judge, Colombo, on the 1st day of January, 1959, in the presence of Mr. V. Siva Supramaniam, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated 29th December, 1958, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled as the niece of the deceased above named, to have the 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 the 26th day of February, 1959, show sufficient cause to the satisfaction of this court to the contrary.

M. M. I. KARIAPPER,
Additional District Judge.

This 1st day of January, 1959.

IN THE DISTRICT COURT OF COLOMBO

TRANSFERRED TO THE DISTRICT COURT OF RATNAPURA

Order Nisi

D. C. Colombo No. 18,286 T. In the Matter of the Last Will and Testament of Wijewardena Seneviratne Panditha Abayakoon Bandaranayake Wahala Mudaliyaruilage Meegastenne Mackenzie Barnes Ratwatte Dissawe, Justice of the Peace late of Balangoda, deceased.

(1) Rosamund Hilda Constance Mahawelatenne Ratwatte Kumarihamy of "Ratwatte Walauwa" in Balangoda in the District of Ratnapura, (2) Barnes Shelton Carlyle Ratwatte of "Ratwatte Walauwa", Balangoda, presently at 291/17, Havelock Road, Colombo 6 Petitioners.

(1) Sirimawo Ratwatte Bandaranayake Kumarihamy, wife of Hon. S. W. R. D. Bandaranayake of 65, Rosmead Place,

Colombo, (2) Patricia Wimalawathie Ratwatte Divitawela Kumarihamy, wife of E. J. Divitawela of Wangie-cumbura Gurutalawa in Badulla District, (3) Dr. Clinton Mackenzie Mahawelatenne Ratwatte of 90, Chitra Lane, Havelock Town, Colombo 5, (4) Dr. Sivali Hansasara Ratwatte of 15/16, 25th Lane, Colpetty, Colombo 3, (5) Clifford Senaka Ratwatte of "Ratwatte Walauwa", Balangoda, (6) Reverend Balangoda Ananda Maitri of Sri Dhammananda Pirivena, Balangoda, (7) Chief Incumbent of Mahawelatenne Sri Chandrasekera Aramaya, Mahawelatenne, Balangoda Respondents.

THIS matter coming for disposal before V. Siva Supramaniam, Esq., Additional District Judge, Colombo, on the 9th day of July, 1958, in the presence of Mr. M. A. V. Goonesekere, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated the 1st day of July, 1958, and the affidavit of the notary and the subscribing witnesses dated the 1st and 7th day of July, 1958, having been read:

It is ordered that the last will and testament No. 2152 and Codicils Nos. 2185 and 2311 made by the deceased above named, and his wife Rosamund Hilda Constance Mahawelatenne Ratwatte, on the 7th day of June, 1951, and 29th day of February, 1952 and 16th day December, 1955, and attested by M. A. W. Goonesekere, Notary Public, the originals of which have been produced and is now deposited in this court be and the same are hereby declared proved and that the petitioners be the executors named therein and they are hereby entitled to have probate thereof issued to them accordingly, unless the respondents above named or any other person or persons interested shall, on or before 4th day of September, 1958, show sufficient cause to the satisfaction of this court to the contrary.

V. SIVA SUPRAMANIAM,
Additional District Judge.

The 9th day of July, 1958.

The date for showing cause against the foregoing Order Nisi is extended to the 16th day of October, 1958.

4.9.1958. V. SIVA SUPRAMANIAM,
Additional District Judge.

The foregoing Order Nisi is extended to 11th February, 1959.

Ratnapura, 10.12.1958. A. S. PONNAMBALAM,
District Judge.

IN THE DISTRICT COURT OF COLOMBO

Order Absolute

Testamentary In the Matter of Last Will and Testament of Jurisdiction Sceman Pillai Francis Chellappah, late of No. 18,590. Colombo, in the Island of Ceylon, deceased.

THIS matter coming on for final determination before A. L. Sirimanne, Esq., Additional District Judge of Colombo, on the 27th day of December, 1958, in the presence of Messrs. Julius & Creasy, Proctors, on the part of the petitioner Cicely Chellappah, presently of England; and the affidavit of the said petitioner dated the 2nd day of December, 1958, an affidavit as to the due execution of the will, original will, certificate of death of the above named deceased, and Supreme Court's order dated the 20th day of October, 1958, having been read:

It is ordered that the will of the said deceased bearing No. 2058 dated the 4th day of March, 1942, of which the original 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 petitioner is the sole executrix named in the said will and that she is entitled to have probate of the said will issued to her on her paying estate duty and taking oath of office.

1st day of January, 1959. A. L. SIRIMANNE,
Additional District Judge.

IN THE DISTRICT COURT OF COLOMBO

Order Nisi

No. 18,551/T. In the Matter of the Intestate Estate of Cecelia Fernandopulle of 10, Ward Place, in Colombo, deceased.

Michael John Alles of 148/3, Kynsey Road, Colombo Petitioner.

(1) Rev. Mother Scholastica of the Convent, Wabacotte, (2) Joseph Benjamin Fernandopulle of "St. Cecilia", Station Road, Kelaniya Respondents.

THIS matter coming on for disposal before V. Siva Supramaniam, Esq., Additional District Judge, Colombo, on the 27th day of November, 1958, in the presence of Mr. D. F. de Silva, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated 26th November, 1958, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled as a relative of the deceased above named, to have letters of administration to the estate of the

deceased, unless the respondents above named or any other person or persons interested shall, on or before 29th January, 1959, show sufficient cause, to the satisfaction of this court to the contrary.

A. L. S. SIRIMANNE,
Additional District Judge.

27th day of November, 1958.

IN THE DISTRICT COURT OF COLOMBO

Order Absolute in the First Instance

Testamentary In the Matter of the Last Will and Testament of Leonard Owen Weiman of No. 5, 33rd Lane, off Bagatelle Road, Colombo, in the Island of Ceylon, deceased.

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

Lilian May Weiman (widow) of No. 5, 33rd Lane, off Bagatelle Road, Colombo Petitioner.

THIS matter coming on for disposal before J. E. A. Alles, Esq., Additional District Judge of Colombo, on the 6th day of January, 1959, in the presence of Messrs. D. L. & F. de Saram, Proctors, on the part of the petitioner Lilian May Weiman of No. 5, 33rd Lane, off Bagatelle Road, Colombo, and (1) the affidavit of the said petitioner dated the 5th day of January, 1959, and (2) the affidavit of the Notary Harold James Frederick Van Langenberg who attested the last will dated 4th day of December, 1958, having been read:

It is ordered that the will of the said Leonard Owen Weiman, deceased, bearing No. 11, dated the 2nd day of December, 1933, attested by Harold James Frederick Van Langenberg, Notary Public, the original of which has been produced and is now deposited in the court, be and the same is hereby declared proved; and it is further declared that the said Lilian May Weiman is the executrix named in the said will and that she is entitled to have probate thereof issued to her accordingly.

M. M. I. KARIAPPER,
Additional District Judge.

The 6th day of January, 1959.

IN THE DISTRICT COURT OF COLOMBO

Order Nisi

No. 18,552/Testamentary In the Matter of the Intestate Estate of Atalage Thomas Perera of Dewaas Lane, Grandpass Road, Colombo, deceased.

Amerasinghe Allen Perera of 56/33, Dewaas Lane, Grandpass, Colombo Respondents.

(1) Atalage Ariyasena Perera, (2) Atalage Sepalika Dayakantha Perera, and (3) Atalage Upa Jayasiri Perera, all of 56/33, Dewaas Lane, Grandpass Road, Colombo, by their guardian *ad litem*, (4) Weerasinghe Kurupuge Elias Perera of 157, Dewaas Lane, Grandpass Road, Colombo Respondents.

THIS matter coming on for disposal before V. Siva Supramaniam, Esq., Additional District Judge, Colombo, on the 27th day of November, 1958, in the presence of Mr. G. C. Abeyaratne, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated 17th November, 1958, having been read:

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

It is further ordered that the 4th Respondent be and he is hereby declared appointed guardian *ad litem* over the persons of 1st, 2nd and 3rd Respondents, minors, unless the respondents above named or any other person or persons interested shall, on or before the 29th January, 1959, show sufficient cause to the satisfaction of this court to the contrary.

V. SIVA SUPRAMANIAM,
Additional District Judge.

27th day of November, 1958.

IN THE DISTRICT COURT OF PANADURA

Order Nisi

No. 528/Testy. In the Matter of the Intestate Estate of the late Yakupitiyage Diyes Singho of Haltota, deceased.

Yakupitiyage Gimosingho of Haltota Petitioner.

(1) Yakupitiyage Emis Singho of Haltota, (2) ditto Punchinona of Govinna, (3) Galabodage Minel Singho of Haltota,

(4) Undupitikananage Don Nomis Singho of Undupitigoda, Bombuwala, Kalutara, (5) ditto Don Liyanoris Singho of ditto, (6) Galabodage Arnolis Singho of Haltota Respondents.

THIS matter coming on for disposal before D. Q. M. Sirimanne, Esq., Additional District Judge of Panadura, on the 18th day of November, 1958, in the presence of Mr. K. J. R. Kuruppu Proctor, on the part of the petitioner; and of Mr. E. F. B. Suriyabandara, Proctor, on the part of the 1st respondent and of Mr. W. James Fonseka, Proctor, on the part of the 2nd to 6th respondents and the affidavit of the petitioner dated the 11th day of November, 1958, having been read and the 2nd to 4th and 6th respondents heard:

It is ordered that the petitioner as eldest son of the deceased is entitled to have letters of administration to the estate of the said deceased issued to him unless the respondents or any other person or persons shall, on or before the 19th day of January, 1959, show sufficient cause to the satisfaction of this court to the contrary.

D. Q. M. SIRIMANNE,
Additional District Judge.

The 26th day of November, 1958.

IN THE DISTRICT COURT OF PANADURA

Order Nisi

Testamentary In the Matter of the Intestate Estate of Mututantrige Simeon Cooray of No. 48, Joseph Place, Katukurunda, Moratuwa, deceased.

Hewafonsekage Misilin Fonseka of No. 48, Joseph Place, Katukurunda, Moratuwa Petitioner.

(1) Mututantrige Jinadasa Cooray, (2) Mututantrige Ariyadasa Cooray, (3) Mututantrige Owen Cooray, all of No. 48, Joseph Place, Katukurunda, Moratuwa, the 1st to 3rd respondents are minors, appearing by their guardian *ad litem* the 4th respondent, (4) Mututantrige Abraham Cooray of No. 35, Katukurunda, Moratuwa Respondents.

THIS matter coming on for disposal before D. Q. M. Sirimanne, Esq., Additional District Judge of Panadura, on the 3rd day of November, 1958, in the presence of Mr. G. A. Fernando, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated 2nd day of October, 1958, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as the widow of the above-named deceased to have letters of administration issued to her accordingly, unless the respondents above named or any other person or persons entitled shall, on or before the 15th day of December, 1958, show sufficient cause to the contrary to the satisfaction of this Court.

It is further ordered that the 4th respondent above named be and he is hereby appointed guardian *ad litem* over the 1st, 2nd and 3rd minor respondents above named for all the purposes of these proceedings, unless any other person or persons interested shall, on or before the 15th day of December, 1958, show sufficient cause to the contrary.

D. Q. M. SIRIMANNE,
Additional District Judge.

This 3rd day of November, 1958.

Date for showing cause is extended to 2nd February, 1959.
15.12.1958.

D. Q. M. SIRIMANNE,
Additional District Judge.

IN THE DISTRICT COURT OF KALUTARA

Order Nisi

Testamentary In the Matter of the Last Will and Testament of Jurisdiction Jamuni Pueris de Silva Gunasekera of Paiyagala, No. 3,643, deceased.

Kaluperuma Aldin Nona de Silva of Paiyagala Petitioner.

Jamuni Somasiri de Silva Gunasekera of Paiyagala Respondent.

THIS matter coming on for disposal before K. C. E. de Alwis, Esq., Additional District Judge of Kalutara, on the 26th day of December, 1958, in the presence of Mr. S. M. Wickramasinghe, Proctor, on the part of the petitioner; and the affidavit of the petitioner having been read:

It is ordered that the last will and Testament No. 3692 dated 31st January, 1952, attested by S. M. Wickramasinghe, Notary Public, made by the deceased above named, be and the same is hereby declared proved, and that the petitioner above named is the executrix named therein and she is entitled to have probate thereof issued to her accordingly, unless the respondent above named or any other person or persons interested shall, on or before the 13th day of February, 1959, show sufficient cause to the satisfaction of this court to the contrary.

D. J. R. GUNAWARDENA,
District Judge.

The 26th day of December, 1959.

IN THE DISTRICT COURT OF KANDY

Order Nisi

Testamentary In the Matter of the Intestate Estate of
Jurisdiction: Hendahe wage Jane North of Halloluwa Road,
No. T-1,540. Kandy, deceased.

Hendahe wage Nancy Nona of St. Georges Halloluwa
Road, Kandy Petitioner.

Vs.

(1) Hendahe wage Wilson-Rodrigo of St. Georges, Hallo-
luwa Road, Kandy, (2) Hendahe wage Thomas Rodrigo of
Ampititiya Respondents.

THIS matter coming on for disposal before W. Thalgodapitiya,
Esq., District Judge of Kandy, on the 5th day of November,
1958, in the presence of Messrs. De Silva & Karunaratne,
Proctors, on the part of the petitioner above named; and the
affidavit of the petitioner dated the 8th day of July, 1958, having
been read:

It is ordered that the petitioner be and she is hereby declared
entitled, as daughter of the above-named deceased, to have
letters of administration to the above estate issued to her
accordingly, unless the respondents above named or any other
person or persons interested shall, on or before the 21st day
of January, 1959, show sufficient cause to the satisfaction of
the court to the contrary

W. THALGODAPITIYA,
District Judge.

The 5th day of November, 1958.

IN THE DISTRICT COURT OF JAFFNA

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction Thangamamah widow of Kanapathipillai Myl-
No. 547. vagadam of Atchuveley South, deceased.

Sivagurunathan Rajadurai, Police Station, Wel-
veriya Petitioner.

Vs.

(1) Senthirurai Sannugam of Atchuveley South, (2) Kathiresu
Nadarajah of P. W. D. Office, Newwood, (3) and wife
Navaranam of Atchuveley South Respondents.

THIS matter coming on for disposal before P. Sri Skanda Rajah,
Esq., District Judge, Jaffna, on the 12th day of December, 1958,
in the presence of Mr. T. Gunaratnam, Proctor, on the part of
the petitioner; and the affidavit of the petitioner dated 26th
October, 1958, having been read:

It is declared that the said petitioner Sivagurunathan Raja-
durai, as one of the heirs, is entitled to have letters of adminis-
tration of the estate of the deceased above named and that the
same be issued to him accordingly, unless the respondents or
others interested shall, on or before the 30th day of January,
1959, show sufficient cause to the satisfaction of this court to
the contrary.

P. SRI SKANDA RAJAH,
District Judge.

This 12th day of December, 1958.

IN THE DISTRICT COURT OF PUTTALAM

Order Nisi

Testamentary In the Matter of the Last Will and Testament
Jurisdiction of the late Simeethamb Anapillai Maraikar of
No. 858. Puttalam, deceased.

(1) Anapillai Maraikar Simeethamb of 3rd Cross Street,
Puttalam, (2) Hameedu Mohamedo Haniffa of Kangani-
kulam Street, Puttalam Petitioners.

Vs.

(1) Anapillai Maraikar Mawna Maraikar of Puttalam,
presently of Attavillu, (2) Anapillai Maraikar Nagoor
Meera Natchiya, (3) Anapillai Maraikar Mohamedo Cas-
sim Maraikar, (4) Anapillai Maraikar Mohamedo Meera
Natchiya, wife of N. Ibrahim, (5) Anapillai Maraikar

Thangatchi Pillai, wife of Maraikar, all of Kangapikulam
Street, Puttalam, (6) Anapillai Maraikar Cader Saibu
Maraikar of 2nd Cross Street, Puttalam, (7) Anapillai
Maraikar Poomalai Maraikar of 3rd Cross Street, Puttalam,
(8) Anapillai Maraikar Mohideen Meera Natchiya, wife of
of M. M. Ibrahim, (9) Hameedu Abdul Rasheed, (10)
Hameedu Hayula Umma, wife of Neina Mohamedo Lebbe,
(11) Hameedu Asiya Umma, wife of Notharis Maraikar,
(12) Hameedu Aysa Umma, wife of Mohamedo Haniffa,
all of Kangapikulam Street, Puttalam Respondents.

THIS matter coming on for disposal before W. E. Abayakoon,
Esq., District Judge of Puttalam, on the 31st day of July, 1958,
on the motion of Mr. S. M. M. Cassim, Proctor, on the part
of the petitioners; and the petition of the petitioners dated
the 31st day of July, 1958, and their affidavit dated the 31st
day of July, 1958, the affidavit dated the 31st day of July, 1958,
of the witness to the codicil having been read:

It is ordered that the last will bearing No. 2791 of 11.6.1922,
and the codicil bearing No. 2793 dated 13th June, 1922, of the
deceased filed in this case be and the same is hereby declared
proved and the petitioners above named be and they are hereby
declared the executors of the said last will and codicil and the
probate thereof accordingly issued to them, unless the respondents
above named or any other person or persons interested in the
matter of this application shall appear and show sufficient cause
to the contrary to the satisfaction of this court on or before the
9th day of October, 1958.

W. E. ABAYAKOON,
District Judge.

This 31st day of July, 1958.

Time to show cause against the Order Nisi is extended till
13th day of November, 1958.

28.10.1958.

W. E. ABAYAKOON,
District Judge.

Time to show cause against the Order Nisi is extended till 18th
December, 1958.

13.11.1958.

W. E. ABAYAKOON,
District Judge.

Time to show cause against the Order Nisi is extended till
29th day of January, 1959.

5.12.1958.

W. E. ABAYAKOON,
District Judge.

IN THE DISTRICT COURT OF KEGALLA

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction Kiri Bandara Dissanayake of Arthur's Hill
No. 1,956. Group, Nelundeniya, deceased.

Dona Helena Jayasinghe Dissanayake of Arthur's Hill
Group, Nelundeniya, Kegalla Petitioner.

(1) Mrs. Kamalawathie Wijetilleke nee Dissanayake of Para-
gammana, Kegalla, (2) Arthur Tikiri Bandara Dissanayake,
(3) Chandrawansa Jayatissa Dissanayake, (4) Chandra-
wathie Mallika Dissanayake, and (5) Tilaka Amarawathie
Dissanayake, all also of Arthur's Hill Group, Nelundeniya,
Kegalla, (6) Mrs. G. W. Perera alias K. M. Dissanayake,
presently of Angangoda, Payagala Respondents.

THIS matter coming on for disposal before J. H. Fernando,
Esq., Acting District Judge, Kegalla, on the 15th day of Sep-
tember, 1958, in the presence of Mr. A. I. Abeyewickreme,
Proctor, on the part of the petitioner; and the affidavit and the
petition of the above named petitioner dated 18.3.1956 and
21.1.1957, respectively having been read:

It is declared that the said petitioner be appointed the adminis-
tratrix of the estate of the said deceased and that she is entitled
to have letters of administration issued to her accordingly, unless
the respondents or others interested shall on or before the 18th
day of December, 1958, show sufficient cause to the satisfaction
of this court to the contrary.

J. H. FERNANDO,
District Judge.

This 15th day of September, 1958.

Time to show cause is extended to 27th February, 1959.

18.12.1958.

V. M. COOMARASAMY,
Additional District Judge.