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THE CEYLON GOVERNMENT GAZETTE

අංක 12,149 — 1960 ජූනි 24 වැනි පිතුරාදා — 24.6.1960

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PART II — LEGAL

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

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PART VI published with this issue contains List of Jurors and Assessors, &c.

Notifications of Criminal Sessions of the Supreme Court

PROCLAMATION

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, the 27th day of June, 1960, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Kandy, 20th June, 1960.

A. B. S. N. PULLENAYEGUM,
Fiscal.

IN THE DISTRICT COURT OF GAMPAHA

T. G. John Appuhamy of 126, King George's Avenue,
Gampaha Plaintiff.
No. 6,916/M. Vs.

Edmund Ranatunga Jayasekera of 106/6, Colombo
Road, Gampaha Defendant.

NOTICE is hereby given that on Wednesday, July 20, 1960, at 2.30 p.m., will be sold by public auction at the spot the right, title, and interest of the said defendant in the property described in the Schedule hereto for the recovery of the sum of Rs. 2,500 with legal interest thereon from 7.10.1958, till payment in full and costs Rs. 131.02, Fiscal's charges and poundage, viz.:—

Schedule of property referred to above

1. An undivided 5/16th share from and out of the field called Halgahakumbura, situated at Gampaha Medagama, in the Bagam Pattu of Alutkuru Korale, in the District of Colombo, Western Province; and bounded on the north-east by the lands depicted in plans Nos. 95124 and 96184, south by the land of M. Don Allis Appuhamy and others, south-west by the land depicted in plan No. 95183, north-west by Mahawala; containing in extent one rood and twenty-eight perches (OA. 1R. 28P.).

2. An undivided 5/16th share from and out of the field called Halgahakumbura, situated at Gampaha Medagama aforesaid; and bounded on the north by the liminary ridge of the field of Wagawatta Appuhamillage Arnolis Appuhamy, east by the liminary ridge of the field of Jayasuriya Aratchige Matthes Appuhamy, south by the liminary ridge of the field of Don Allis Vel Vidane, and on the west by the liminary ridge of the field of Kattotarallage Don Allis Appuhamy; containing in extent two and half kurunies of paddy sowing.

3. An undivided 5/16th share from and out of the field called Halgahakumbura, situated at Gampaha Medagama aforesaid; and bounded on the north by Mahawala, north-east and east by the field of Siman Peiris, south by the field of Don Allis Velvidanerala, and on the west by the field depicted in plan No. 95125 of Don Adonis Appuhamy; containing in extent two roods and twenty-two perches (OA. 2R. 22P.).

4. An undivided 5/16th share from and out of the field called Godaerawellakumbura, situated at Gampaha Medagama; aforesaid and bounded on the north-east and south-east by the lands belonging to J. Samel Appu and others, south-west by the lands belonging to W. Thelenis Appu and others, and on the north-west by Mahawala; containing in extent one rood and thirty perches (OA. 1R. 30P.).

Notices of Fiscals' Sales

WESTERN PROVINCE

IN THE COURT OF REQUESTS OF COLOMBO

Jalathjege Missihamy of Mulleriyawa, Kolonnawa Plaintiff.
No. 64,871. Vs.

(1) Dampahala Mudiyanselege Simon Dias, (2) Mudun-
kotuwage Meisingho, both of Kelanimulla Defendants.

NOTICE is hereby given that on Friday, the 15th July, 1960, at 2 o'clock in the afternoon, will be sold by public auction at the premises the following immovable property declared specially bound and executable under the decree in the above case and ordered to be sold by the order of the above court dated 4th March, 1958, for the recovery of the sum of Rs. 296 with further interest on Rs. 200 at the rate of 16 per centum per annum from 23rd day of January, 1957, to date of decree and thereafter at the rate of 5 per centum per annum from date of decree on the aggregate amount till payment in full and costs of suit which taxed at Rs. 56.50 being incurred costs and Rs. 13 being prospective costs, viz.:—

All that undivided one-twelfth (1/12) part or share from and out of all that land called and known as Lindamulawatte, situated at Kelanimulla in Ambatalen Pahala (Colombo Mudaliyar's Division) in Alut Kurū Korale in the District of Colombo, Western Province; and bounded on the north and east by Lindamulla Kumbura, south by Bombigahawatte and Darawattegawatta, and on the west by Odeniya Owita; and containing in extent about eight bushels of paddy sowing together with the tiled house built by the said obligor and all trees and plantations standing thereon.

Fiscal's Office,
Colombo, 20th June, 1960.

S. D. WILFRED,
Deputy Fiscal.

Fiscal's Office,
Gampaha, 18.6.1960.

R. ABEYSINGHE,
Deputy Fiscal.

IN THE DISTRICT COURT OF GAMPAHA

Vithanage Siman Appuhamy of Parakandeniya, Gana-mulla Plaintiff.
No. 6,931/MB. Vs.
Suriapperuma Arachchige Jinadasa of Bendiyamulla, Gampaha Defendant.

NOTICE is hereby given that on Monday, July 18, 1960, at 2.30 p.m., will be sold by public auction at the spot the right, title, and interest of the said defendant in the property described in the Schedule hereto for the recovery of the sum of Rs. 2,000 together with legal interest from the date of decree up to 27th March, 1960, which is Rs. 116.66, in respect of Mortgage Bond No. 7692 dated 6.1.1960, attested by M. T. Basnayake, Notary Public, and thereafter on the full amount of the decree with legal interest till payment in full and cost of suit incurred Rs. 159.30 and prospective costs Rs. 80.10, Fiscal's charges and poundage, viz.:

Schedule of property referred to

The undivided 41/168 part from and out of the land called Palangahawatta, situated at Bendiyamulla in the Meda Pattu of Siyane Korale in the District of Colombo (now in the District of Gampaha), Western Province; and which said land is bounded on the north by cart road leading to Heneratgoda, on the east and on the south by the parapet separating the land belonging to Don Johannis Perera Vedamahatmaya, and on the west by the live fence separating the land belonging to Hendrick Perera Appuhamy; and containing in extent about two acres (2A. 0R. 0P.) together with plantations, buildings and all the appurtenances thereto belonging; and registered in E 330/3.

Fiscal's Office,
Gampaha, June 18, 1960.

R. ABEYSINGHE,
Deputy Fiscal.

IN THE DISTRICT COURT OF PANADURA

W. Adaline Fernando of Nalluruwa Plaintiff.
No. 5,937. Vs.
P. Gilbert Fernando of Dibbedda Defendant.

NOTICE is hereby given that on Thursday, 28th July, 1960, at 2 o'clock in the afternoon, will be sold by public auction at the premises at Dibbedda the right, title, and interest of the said defendant in the following immovable property for the recovery of the sum of rupees six thousand five hundred (Rs. 6,500) and costs, viz.:

The land called Kongahawatta alias Deigahawatta, situated at Dibbedda in the Talpiti Badde of the Panadura Totamune in the District of Kalutara, Western Province; bounded on the north by Kongahawatta, east by remaining portion of this land, south by cart road to and from Nalluruwa, and west by Gulugahawatta or cart road; and containing in extent 57 feet along the sun on the northern side, 47 feet along the sun on the southern side, 106 feet across the sun on the eastern side, and 95 feet across the sun on the western side together with the buildings standing thereon constructed by the defendant (judgment debtor); and registered in Volume B 341/161 of the Land Registry, Panadura.

Deputy Fiscal's Office,
Panadura, 16th June, 1960.

S. NADARAJAH,
Deputy Fiscal.

IN THE DISTRICT COURT OF KALUTARA

(1) Simon Henry de Joodt, deceased, (2) Cyril Alfred de Joodt of Paranakade, Beruwala, substituted in place of the 1st plaintiff Plaintiffs.
No. 28,017 Vs.

D. C. Kalutara. Vs.
(1) Mohamadu Lebbe Marikar Mohamadu Haniffa, (2) Mohamadu Lebbe Marikar Mohamada Ali, both of Deenagoda, Beruwala Defendants.

NOTICE is hereby given that on Friday, the 15th July, 1960, at 10.30 a.m., will be sold by public auction at the premises the following property, mortgaged by the defendants with the plaintiff and declared bound and ordered to be sold by the decree entered in the said case for the recovery of rupees six thousand three hundred and forty-four and cents thirty-eight (Rs. 6,344.38) with interest thereon at 5 per cent. per annum from 18th August, 1950, till payment in full and costs of suit Rs. 299.70, viz.:

Undivided half plus one-eighth (1/2 plus 1/8) shares of the soil and of the plantations together with the entirety of the tiled house bearing assessment No. 30/2 (Katukurunda Road) standing on the land called the portion of Kitulgahawatta wherein Ahamadu Lebbe resided, situated at Deenagoda,

in Beruwal Badda of Kalutara Totomna, in the District of Kalutara, Western Province; and bounded on the north by Kitulgahawatta belonging to Periyatamby Ahamadu Lebbe Marikar, east by (Pattu Mawata) minor road, south by portion of Kitulgahawatta wherein Pakir Tamby Wappu Marikar resided, west by portion of Kitulgahawatta belonging to Idrus Lebbe Marikar and others; containing in extent two roods (0A. 2R. 0P.); and registered in A 323/29 and 386/192 and all the right, title, and interest and claim whatsoever of the said defendants in to upon and out of the said premises.

Deputy Fiscal's Office,
Kalutara, 17th June, 1960.

F. R. FERNANDO,
for Deputy Fiscal.

SOUTHERN PROVINCE

IN THE DISTRICT COURT OF GALLE

Gammuduwattege Podiappuhamy of Narawala Plaintiff.
No. X 1,586. Vs.

P. G. H. Nanayakkara and others of Narawala ... Defendants.

NOTICE is hereby given that on Tuesday, the 26th July, 1960, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said plaintiff in the following property, for the recovery of Rs. 4,531.07.

All that the right, title, and interest reserved by the plaintiff judgment debtor to ask for a reconveyance of the following property on deed of Transfer No. 7294, dated 30th November, 1959, attested by S. Maitipe, Notary Public of Galle, viz.:

All the soil and trees of the divided lot No. 4 of the land called Dolagawawatta, situated at Narawala in Akmeemana within the Four Gravets of Galle, together with all the buildings standing thereon; and bounded on the north by lot No. 3 of the same land, east by Citrus Group, south by lot No. 5, and west by Indigaha Owita and Hatarahau Owita; and containing in extent 0A. 0R. 28.64P.

Fiscal's Office,
Galle, 17th June, 1960.

K. A. A. R. WIJESEKERA,
Additional Deputy Fiscal.

IN THE DISTRICT COURT OF BALAPITIYA

Talangama Arachige James Singho of Urugaha Plaintiff.
No. P 1,017. Vs.

(4) Talangama Arachchige Subalihamy of Urugaha and others Defendants.

NOTICE is hereby given that on Tuesday, the 26th July, 1960, at 3.30 p.m., will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 725.55, viz.:

Against 29th, 30th and 32nd Defendants

All that defined lot No. 13 together with everything standing thereon of the land called "Dombagahapitiyewatta" alias "Kanda Addarawatta", situated at Urugaha in Bentota Walalla-witi Korale of Galle District, Southern Province; and bounded on the north by road, east by lot Nos. 19 and 16 of the same land, south by lots Nos. 14 and 15 of the same land and Kanda-addarakele, and west by lot No. 12 of the same land; and containing in extent one rood and thirty perches (0A. 1R. 30P.)

Fiscal's Office,
Balapitiya, 7th June, 1960.

K. S. DE SILVA,
Additional Deputy Fiscal.

IN THE DISTRICT COURT OF TANGALLA

Kattadige Ensa of Kanumudeniya Plaintiff.
No. L 558. Vs.

(1) H. Dingirisi, (2) H. Sarichcha, (3) H. G. Mensi, and (4) H. G. Wijepala of Natuwala Defendants.

NOTICE is hereby given that on Friday, the 22nd July, 1960, at 3 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said 1st, 3rd and 4th defendants in the following property for the recover a sum of Rs. 212.90, viz.:

1. An undivided 3/4 share of the soil and plantations of the land called Suriyagahakoratuwa, situated at Paddapitiya; and bounded on the north by Bandarawattadeniya Bedewetiya, east by Hewagewatteweta, south by Kiribabagewatteweta, west by Mahaduragewatteweta; containing in extent two kurunies of kurakkan sowing.

2. An undivided 3/4 share of the soil and plantations of the land called Mahadurage Mahawatta, situated at Paddapitiya; and bounded on the north by Bandarawatta, east by Suriyagaha-koratuwa, south by Ruppewatta, west by Baiyagewatta; containing in extent about 2 kurunies of kurakkan sowing.

Deputy Fiscal's Office,
Tangalla, 16th June, 1960.

A. B. RAJANAYAKE,
Additional Deputy Fiscal.

NORTHERN PROVINCE

IN THE DISTRICT COURT OF JAFFNA

(1) Sinnathamby Naganathy and wife, (2) Sivakolunthu of Analaitivu Plaintiffs.
No. 6,469. Vs.

(1) Sinnathamby Ariyaputhiran and wife, (2) Meenadchippillai of Analaitivu Defendants.

NOTICE is hereby given that on Friday, the 29th July, 1960, at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said 1st defendant in the following property for the recovery of the sum of Rs. 800 being damages per year from July, 1949, till the plaintiffs are placed in quieted possession of the land and costs of suit Rs. 583.45 and poundage, viz.:-

All that piece of land situated at Analaitivu, in the Parish of Analaitivu, Islands Division of the Jaffna District, Northern Province, called "Kallalampullam, Periyavalavu, Sallian Valavu", in extent 10 lms. v. c. and 9 1/2 kulies; bounded on the east by the property of Sinnathamby Ariyaputhiran and others, north by the property of the heirs of Yogamma, wife of Shanmugam, west by the property of Thangamma, wife of V. Ponnampalam, and on the south by lane.

Fiscal's Office,
Jaffna, 16th June, 1960.

P. PAKIYANATHAN,
Additional Deputy Fiscal.

EASTERN PROVINCE

IN THE DISTRICT COURT OF BATTICALOA

M. M. Mirza Hadjar of Nindavur Plaintiff.
No. 3,024/M. Vs.

Ahamaduleve Meerasaibo of Nindavur Defendant.

NOTICE is hereby given that on Monday, the 25th July, 1960, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 1,530.75 with further interest on Rs. 1,000 at the rate of 15 per cent. per annum from 17.3.58 till 15.10.58, and thereafter on the aggregate amount with interest at 5 per cent. per annum from 15.10.58, until payment in full and costs of suit being Rs. 293.62 and incidental costs Rs. 13.20, viz.:-

Schedule of Property

A garden called "Kovilady Walavu", situated in Division 4, Nindavur in Nindavur Pattu, in the District of Batticaloa, Eastern Province; and bounded on the north by gardens belonging to M. Kochchiummah and Uthambilebbe, south and west by lanes, east by the garden of N. Thambirajah, in extent from north to south 10 (ten) fathoms, east to west 19 (nineteen) fathoms together with brick house, well, coconut trees, arecanut trees and all other rights of this an undivided 2/3 share.

Fiscal's Office,
Batticaloa, 13th June, 1960.

T. KANDIAH,
for Fiscal.

IN THE DISTRICT COURT OF BATTICALOA

Commission Sale

Mylvaganam Ponnamma of Nöchchimunai Plaintiff.
Case No. 3,038/M. Vs.

(1) Innasi Ambrosia and husband, (2) Sokkalingam Mariyan, both of Puliantivu Defendants.

BY virtue of commission issued to me in the above case, I shall sell by public auction the undermentioned property on Wednesday, 27th July, 1960, commencing at 10 o'clock in the forenoon at the spot for the recovery of the sum of Rs. 2,400 with further interest on Rs. 1,800 at the rate of 16 per cent. per annum from 27.3.58 till 6.8.58, and thereafter on the aggregate amount at 5 per cent. per annum till payment in full and costs Rs. 211.45 and incidental costs Rs. 43.20, viz.:-

SCHEDULE OF PROPERTY

Out of the northern portion of Vilavadi Valavu, situated at St. Anthony's Street in Puliantivu in Manmunai Pattu in the District of Batticaloa, Eastern Province, the southern half share bearing assessment No. 31; bounded on the north by the northern half share of this belonging to Rayappu Innasi, south by the garden of Thambimuthu Yooaimuttu, east by road, and west by the garden of Bernard Johnson; and containing in extent north to south 33 1/2 feet, and east to west 24 feet and eight inches together with the house, produce and plantations therein contained.

Fiscal's Office,
Batticaloa, 15th June, 1960.

S. GUKATHASAN,
for Fiscal.

IN THE DISTRICT COURT OF BATTICALOA

Commission Sale

Ahamadulevvai Aliyar of Division No. 6, Kattankudy ... Plaintiff.
Case No. 2,695/M. Vs.

Seyadu Muhamadulevvai Avvaammah of Division No. 1, Sammanturai Defendant.

BY virtue of commission issued to me in the above case, I shall sell by public auction the undermentioned property on Saturday, 30th July, 1960, commencing at 10 o'clock in the forenoon at the spot for the recovery of the sum of Rs. 1,000 with legal interest thereon from 6th May, 1957, till payment in full and costs Rs. 197.77 1/2 and incidental costs Rs. 22.50, viz.:-

SCHEDULE OF PROPERTY

Out of the western share of the garden called "Periyakadai Valavu", situated at Sammanturai in Sammanturai Pattu in the District of Batticaloa, Eastern Province, the eastern share containing in extent north to south on the eastern side three fathoms, on the western side four fathoms, and east to west five fathoms and two feet; and bounded on the east by the land in width 2 cubits lying in between this and the other boutique, north by the garden of Immamsaibulevvai, west by the remaining land of this belonging to A. Aliyalevvai, and on the south by road. This and the boutique house therein contained and all its rights.

Fiscal's Office,
Batticaloa, 15th June, 1960.

S. GUKATHASAN,
for Fiscal.

IN THE DISTRICT COURT OF BATTICALOA

Musthappalevai Shaheed of Division 6, Saindamaruthu Plaintiff.
No. 1,142/L. Vs.

(1) Casimbawa Munilai Meeralevai, (2) Casimbawa Munilai Yasinbawa and 8 others, all of Division 6, Saindamaruthu Defendants.

NOTICE is hereby given that on Monday, the 1st August, 1960, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title, and interest of the said plaintiff in the following property for the recovery of the sum of Rs. 894 being costs of suit, viz.:-

Schedule of Property

A garden called Puthukkadai, situated in Saindamaruthu in Karavaku Pattu in the District of Batticaloa, Eastern Province; and bounded on the north by garden belonging to M. A. M. Yooosuf, on the south by lane, on the east by public road on the west by land occupied by M. Paththumma in extent from north to south ten (10) fathoms, east to west twelve (12) fathoms together with house, well and all other rights of this an undivided half share.

Fiscal's Office,
Batticaloa, 17th June, 1960.

S. GUKATHASAN,
for Fiscal.

NORTH-WESTERN PROVINCE

IN THE DISTRICT COURT OF KURUNEGALA

Rajapaksa Dewage Ratnayake Rajapaksa of Gonadeniya in Hewavissa Korale Plaintiff.
No. 83/M.B. Vs.

Samuel Navaratnam Joseph of Sandapola Estate in Sandapola, in Kudagalboda Korale, presently of Manipay in Jaffna Defendant.

NOTICE is hereby given that on Friday, the 29th July, 1960, 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. 7,833.33 together with interest on Rs. 4,000 at the rate of 10 per centum per annum from 17th February, 1958, to date of decree (13.2.1959) and with interest on Rs. 2,500, at the rate of 10 per centum per annum from 25.3.1958 to date of decree and thereafter with legal interest on the aggregate amount till payment in full and costs Rs. 502.32 namely, Rs. 347.67 being incurred cost Rs. 58.75 being prospective costs A and Rs. 95.90 being prospective costs B but less a sum of Rs. 3,000, viz.:-

An undivided one half (1/2) share of that allotment of land called Sundapola Estate; containing in extent about forty acres with the buildings, plantations and everything thereon, situated at Sundapola and Kalohogedera in Kudagalboda Korale in Weuda Willi Hat Pattu, Kurunegala District, North-Western Province; and bounded on the north by Crown forest, east by land of Abeykoon, now belonging to Charles Amerasinghe, south by Crown forest, land of Udayappa Chettiar, field of Sonda and others, and field of Jeewathammy and field belonging to the mortgagor (the defendant above named), and west by Crown land; registered in A. 642/254.

Fiscal's Office,
Kurunegala, 14th June, 1960.

LIONEL A. POTUHERA,
for Fiscal.

IN THE DISTRICT COURT OF KURUNEGALA

A. U. Yakub of Paragahadeniya Plaintiff.
No. 244/M. Vs.
A. Nandawathi Fernando of Oliyamulla Defendant.

NOTICE is hereby given that on Wednesday, the 27th July, 1960, 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. 800, viz.:-

All that land called Kongaha Kumbura Pillewa, in extent of 2 roods and ten perches (0A. 2R. 10P.), situated at Oliyamulla in Mawatagama in Gandaha Korale of Weuda Willi Hat Pattuwa in the District of Kurunegala, North-Western Province; and bounded on the north by the Seafield Estate, east by Mawatagama-Rambukkana Road, south by ela yella, and west by the Seafield Estate.

Fiscal's Office,
Kurunegala, 16th June, 1960.

LIONEL A. POTUHERA,
for Fiscal.

IN THE RURAL COURT OF POLGAHAWELA

The Queen Plaintiff.
No. AL. 92. Vs.
A. Martha of Bujjanuwa Defendant.

NOTICE is hereby given that on Tuesday, 2nd August, 1960, 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, viz.:-

All that land called Moragahanulawatta of about 11 acres in extent, situated at Yattalgoda in Dambadeni Uducaha Korale South of Dambadeni Hatpattu of Kurunegala District, North-Western Province; and bounded on the north by Hettigewatta, east by village limits of Yattalgoda and Kendahena, south by Hathlahepillewa and land of Carolis, and west by Elawella. Amount to be recovered Rs. 18.15 and Fiscal's charges.

Fiscal's Office,
Kurunegala, 18.6.1960.

LIONEL A. POTUHERA,
for Fiscal.

CORRECTION

"THE name of Court in respect of case No. 267/M.B. given in the Gazette Notification No. 12,139 of June 3, 1960, should read as "In the Court of Requests of Kurunegala".

Kurunegala, June 16, 1960.

LIONEL A. POTUHERA,
for Fiscal.

NORTH-CENTRAL PROVINCE

IN THE DISTRICT COURT OF ANURADHAPURA

Devundara Sirinanda Thero, Upcot, Kandy Plaintiff.
No. 4,730. Vs.

U. S. S. Sirisena, General Merchant, Cheapside,
Hingurakgoda Defendant.

NOTICE is hereby given that on Friday, 15th July, 1960, commencing at 3 p.m., will be sold by public auction at respective premises the right, title, and interest of the said defendant for the recovery of Rs. 4,000 with interest thereon at the rate of 9 per cent. per annum from 19th December, 1957, until payment in full and costs of suit being Rs. 157.50, and further sum of Rs. 24 being costs of execution and other expenses less a sum of Rs. 2,100 already paid to court, in the following property, viz.:-

All that building called and known as Cheapside and situated in Hingurakgoda of Hingurakgoda Talana 71A of Sinhalapattu in the District of Polonnaruwa; and bounded on the north by the public road, east by the boutique property belonging to L. Miguel de Zoysa, south by the paddy field belonging to W. Somawathie Jayasuriya, and west by the boutique property belonging to Bempy Appuhamy.

Deputy Fiscal's Office,
Polonnaruwa, 16th June, 1960.

T. RANASINGHA,
Additional Deputy Fiscal.

(Continued on page 285)

Notices in Testamentary Actions

IN THE DISTRICT COURT OF COLOMBO

Order Nisi

No. 19,305/T. In the Matter of the Intestate Estate of the late Athauda Aratchige Sarnelis Appuhamy alias Perera of Borukgamuwa, deceased.

Athauda Aratchige Ariyapala of Borukgamuwa Petitioner.

Vs.

(1) Jayalath Tantrige Alice Perera, (2) Athauda Aratchige Nandawathi, (3) ditto Jipapala, (4) ditto Nandapala Wickremasiri, (5) ditto Kanthi, (6) ditto Piyal Ranjith, (7) ditto Chinta, all of Borukgamuwa, the 4th to 7th respondents, minors, appearing by their guardian *ad litem* the 1st respondent above named Respondents.

THIS matter coming on for disposal before J. E. A. Alles, Esq., Additional District Judge, Colombo, on the 17th day of May, 1960, in the presence of Mr. P. H. P. Sugathadasa, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated 4th April, 1960, having been read:

It is ordered that the 1st respondent above named be and she is hereby declared appointed guardian *ad litem* over the said 4th to 7th respondents, minors above named:

It is further ordered 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 deceased issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before the 7th day of July, 1960, show sufficient cause to the satisfaction of this court to the contrary.

17th day of May, 1960.

J. E. A. ALLES,
Additional District Judge.

IN THE DISTRICT COURT OF COLOMBO

Order Nisi

Testamentary In the Matter of the Intestate Estate of Don No. 19,323/T. Baron Wanigasuriya of 449, Galle Road, Mount Lavinia, deceased.

Dona Caroline Wanigasuriya of 449, Galle Road, Mount Lavinia Petitioner.

And

(1) Don Mahindadasa Wanigasuriya, (2) Leela Wanigasuriya, and (3) Don Stripala Wanigasuriya, all of 449, Galle Road, Mount Lavinia Respondents.

THIS matter coming on for disposal before J. E. A. Alles, Esq., Additional District Judge, Colombo, on the 25th day of May,

1960, in the presence of Mr. S. Wickramasinghe, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated 24th May, 1960, 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 issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before the 30th day of June, 1960, show sufficient cause to the satisfaction of this court to the contrary.

J. E. A. ALLES,
Additional District Judge.
The 25th May, 1960.

IN THE DISTRICT COURT OF GAMPAHA

Order Nisi

No. 581/T. In the Matter of the Intestate Estate of Mullekandage Miguel Appuhamy of Ihala Karagahamuna, Kadawata, deceased.

Dona Josephine Maria of Ihala Karagahamuna, Kadawata Petitioner.

and

(1) Mullekandage Donald Karunaratne, (2) Mullekandage Wally Gunaratne, (3) Mullekandage Kusuma Jayakanti, all of Ihala Karagahamuna, Kadawata, being minors by their guardian *ad litem*, (4) Mullekandage Clement Simon Mathew of 95, St. Joseph's Street, Negombo Respondents.

THIS matter coming on for disposal before F. Conrad Perera, Esq., District Judge of Gampaha, on the 15th day of February, 1960, in the presence of Mr. Winston Rajapaksa, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated 1st day of February, 1960, having been read:

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

It is further ordered that the 4th respondent be and he is hereby declared appointed guardian *ad litem* over the persons of the 1st, 2nd and 3rd respondents minors, unless the respondents above named or any other person or persons interested shall, on or before the 3rd day of May, 1960, show sufficient cause to the satisfaction of this court to the contrary.

D. H. DE S. GOONEWARDENE,
District Judge.
This 15th day of February, 1960.

The date for showing cause against the said *Order Nisi* is extended to the 28th June, 1960.

D. H. DE S. GOONEWARDENE,
District Judge.

IN THE DISTRICT COURT OF GAMPAHA

Order Nisi

No. 582/T. In the Matter of the Intestate Estate and Effects of the late Makolage Arnolis Fernando of Makola, Kadawata, deceased

Weerappulige Sumanawathie of Makola, Kadawata Petitioner.

Vs.

(1) Makolage Jinasena, (2) ditto Ariyawathie, (3) ditto Thomas Fernando, all of Makola, Kadawata, Respondents.

THIS matter coming on for disposal before F. Conrad Perera, Esq., District Judge of Gampaha, on the 26th day of February, 1960, in the presence of Mr. Henry D. Ranasinghe, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been taken into consideration:

It is ordered that the petitioner be and she is hereby declared entitled to have letters of administration to the estate of the above named, deceased, unless the respondents above named or any other person or persons interested shall show sufficient cause to this court to the contrary on or before the 17th day of May, 1960.

It is further ordered that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* over the 1st and 2nd respondents above named, minors for the purpose of this action, and it is further ordered that the 3rd respondent, do produce 1st and 2nd respondents, minors in court on the said date at 9.30 o'clock in the forenoon.

F. CONRAD PERERA,
District Judge.
The 26th day of February, 1960.

The date for showing cause against the above *Order Nisi* is hereby extended to 26.7.1960.

D. H. DE S. GUNAWARDANA,
District Judge.
19.5.1960.

IN THE DISTRICT COURT OF GAMPAHA

Order Nisi

No. 590/T. In the Matter of the Last Will and Testament of the late Dona Sumana Wethasinghe *nee* Abeysekera of Morakelle Estate, Pinnawala, Waga, deceased.

Hemawathie Alahakoon *nee* Wethasinghe of 34, Right Circular Road, Jayanthi Pura, Baththaramulla Petitioner.

Vs.

(1) Don Cyril Wethasinghe of Post Office, Puwakpitiya, (2) Don Phontas Wethasinghe of 73, Wewelduwa, Kelaniya, (3) Dona Seelawathie Perera *nee* Wethasinghe, (4) Dona Gunawathie Wethasinghe both of Degawatta, Dompe, (5) Don Buddhadasa Wethasinghe of 1167, Maradana Road, Radio Electons, Borella Respondents.

THIS matter coming on for disposal before D. H. de S. Gunawardena, Esq., District Judge of Gampaha, on the 9th day of May, 1960, in the presence of Mr. P. P. Jayawardena, Proctor, on the part of the petitioner above named; and the petition and affidavit of the said petitioner and the affidavit of the attesting notary and witnesses dated 20th February, 1960, having been taken into consideration:

It is ordered that the last will and testament of the late Dona Sumana Wethasinghe *nee* Abeysekera bearing No. 1461, dated 14th January, 1959, and attested by Ben Samarasinghe, Notary Public, and the original of which has been produced and is now deposited in court be and the same is hereby declared proved and that 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 other person or persons interested shall, on or before the 12th day of July, 1960, show sufficient cause to the satisfaction of this court to the contrary.

D. H. DE S. GUNAWARDENA,
District Judge.
This 9th day of May, 1960.

IN THE DISTRICT COURT OF NEGOMBO

Order Nisi

No. 4013/T. In the Matter of the Intestate Estate of late Pallawattage Walenteenu Costa of Ethgala, deceased.

Porlentina Fernando Sinnathamby of Ethgala Petitioner.

Vs.

(1) Pallawattage Jokeenu Costa of Ethgala, Kochchikade, (2) Pallawattage Regina Costa of Ethgala, Kochchikade Respondents.

THIS action coming on for disposal before N. Edirisinghe, Esq., District Judge of Negombo, on the 9th day of May, 1960, in the presence of Mr. S. A. I. Dheen, Proctor, on the part of the petitioner; and affidavit of the petitioner dated 29th April, 1960, and petition dated 9th May, 1960, respectively, 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 above estate issued to her accordingly, unless the respondents above named or any other person or persons interested shall on or before the 1st day of July, 1960, show sufficient cause to the satisfaction of this court to the contrary.

N. EDIRISINGHE,
District Judge.
This 9th day of May, 1960.

IN THE DISTRICT COURT OF NEGOMBO

Order Absolute in the First Instance

Testamentary In the Matter of the Last Will and Testament of Emily Grace Kulatilakam Breckenridge of No. 4,016, 24, 1st Cross Street, Negomb, deceased.

Reggie Daniel Pushparajah Breckenridge of 10, Palmyrah Avenue, Colombo 10 Petitioner.

THIS matter coming on for disposal before N. Edirisinghe, Esq., District Judge of Negombo, on the 30th day of May, 1960, in the presence of Mr. H. V. M. Arul-Nayakan, Proctor, on the part of the petitioner; and the affidavits of the petitioner and the notary and the witnesses having been read:

It is ordered that the last will and testament No. 97 made by the deceased above named, on the 15th day of October, 1959,

and attested by Mr. M. K. Raheeman, Notary Public of Negombo, the original of which has been produced and is now deposited in this case, be and the same is hereby declared proved and that the petitioner above named is the executor named therein and that he is entitled to have probate thereof issued to him accordingly, on his payment of estate duty and taking oath of office.

N. EDRISINGHE,
District Judge.

The 30th day of May, 1960.

IN THE DISTRICT COURT OF MATARA

Order Nisi

Testamentary In the Matter of the Last Will and Testament Jurisdiction of Uyana Hewage Dharmadasa of Polhena, No. 4,780. Matara, deceased.

Uyana Hewage Misinona of Polhena, Matara Petitioner.

Vs.

(1) Welle Hewage Sadinahamy of Polhena, Matara, (2) Raigam Koralege, Podinoha, recently of Mental Hospital, Angoda, (3) Raigam Koralege Albert de Silva, Proctor, Supreme Court, Galle Respondents.

THIS matter coming on for disposal before G. C. Niles, Esq., Additional District Judge of Matara, on the 23rd day of December, 1959, in the presence of Mr. A. S. de S. Amarasuriya, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated 3rd December, 1959, the affidavit of the notary and the affidavit of the witnesses both dated 21st December, 1959, having been read:

It is ordered that the last will and testament No. 4,273 dated 6th August, 1959, made by the above-named deceased and attested by Mr. A. S. de S. Amarasuriya, Notary Public, the original of which has been produced and is now deposited in court be and the same is hereby declared proved and it is further ordered that the petitioner above named is the executrix named in the said will and she is hereby declared entitled to have probate thereof issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before the 23rd day of February, 1960, show sufficient cause to the satisfaction of court to the contrary.

It is further ordered that the 3rd respondent above named be and he is hereby appointed guardian *ad litem* of the 2nd respondent who is not of sound mind to represent her for all purposes of this action, unless the respondents above named or any other person or persons interested shall, on or before the 23rd day of February, 1960, show sufficient cause to the satisfaction of this court to the contrary.

E. BERTRAM S. COREA,
District Judge.

This 23rd day of December, 1959.

Date for showing cause is extended to April 5, 1960.

E. BERTRAM S. COREA,
District Judge.

February 23, 1960.

Date for showing cause is extended to June 28, 1960.

5.4.60. E. BERTRAM S. COREA,
District Judge.

IN THE DISTRICT COURT OF JAFFNA

Order Nisi

No. 768/Testy. In the Matter of the Last Will and Testament of the late Sinnadurai Nalliah of Puttur, deceased.

(1) Kanagarayar, Sinnathurai and wife, (2) Thangammah, both of Puttur Petitioners.

Vs.

Amirtham, wife of Sinnathurai Nalliah of Kopay North Respondent.

THIS matter coming on for disposal before P. Sri Skanda Rajah, Esq., District Judge of Jaffna, on the 2nd day of March, 1960, in the presence of Mr. S. Ambalawane, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioners having been read:

It is ordered that the last will and testament of the above named deceased, dated 27th July, 1959, and attested by S. Ambalawane, Notary Public, under No. 3208 be declared proved and that probate be issued to the 2nd named petitioner as executrix named therein, unless the respondent or any other

person interested shall appear before this court on the 4th day of May, 1960, and show sufficient cause to the satisfaction of this court to the contrary.

This 2nd day of March, 1960.

P. SRI SKANDA RAJAH,
District Judge.

Time to show cause is extended for 30.5.60.

P. S. (Initials)
District Judge.

Extended for 13.6.1960.

C. T. (Initials)
Acting District Judge.

Time to show cause is extended to 27.6.60.

P. S. (Initials)
District Judge.

IN THE DISTRICT COURT OF JAFFNA

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction Kandappu Ponniah of Payarikoodal Karainagar West, deceased.

Aiyampillai Palasingham of Karainagar West Petitioner.

Vs.

(1) Thavamany, wife of Aiyampillai Palasingham and (2) Sinnappillai, widow of Kandappu Ponniah, both of Karainagar West Respondents.

THIS matter coming on for disposal before P. Sri Skanda Rajah, Esq., District Judge, Jaffna, on the 24th day of May, 1960, in the presence of Mr. A. Kanagasabai, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled to take letters of administration to the estate of the said deceased above named and that letters of administration be issued to the petitioner as his son-in-law, unless the said respondents or any other person or persons interested shall, on or before the 11th day of July, 1960, appear and show sufficient cause to the satisfaction of this court to the contrary.

This 24th day of May, 1960.

C. THANABALASINGHAM,
District Judge.

IN THE DISTRICT COURT OF POINT PEDRO

Order Nisi

Testamentary In the Matter of the Intestate Estate of Karthigesu Thalaisyasingam of Puloly West, deceased. No. 671.

(1) Kandiah Alvapillai and (2) wife Periyarachipillai, both of Puloly South Petitioners.

Vs.

(1) Karthigesu Subramaniam, (2) Karthigesu Thirunavakarasu, (3) Eledchumipillai, widow of Elyathamby, (4) Alvainar Arumugam and (5) wife Wallipillai, all of ditto, (6) Alvapillai Mahendiram of Puloly West, (7) Alvapillai Ganasaratnam of Puloly South, (8) Sinniah Thanigasalam and (9) wife Kanthimathiammah of ditto, (10) Muttucumarasamy Nadarajah and (11) wife Sernamma, both of Puloly East, (12) Sivacolunthu Sivakandas and (13) wife Manicczmalai of Puloly West, (14) Kanapathipillai Karthigesu of Puloly South, (15) Kanapathipillai Perampalam of ditto, (16) Kanapathipillai Sandirasegaram of ditto, (17) Parupathipillai (minor) daughter of Kanapathipillai of ditto ... Respondents.

THIS matter coming on for disposal before N. Sivaganasundaram, Esq., District Judge, Point Pedro, on the 9th day of May, 1960, in the presence of Mr. N. A. Rajaratnam, Proctor, on the part of the petitioners; and the petition and affidavit of the petitioners having been read:

It is ordered that the 14th respondent be hereby appointed under guardian *ad litem* over the minor, the 17th respondent above named for the purpose of watching her interest in these proceedings and that the 2nd petitioner above named be declared entitled to obtain letters of administration of the above estate as the sister of the deceased, unless the respondents or any other persons appear before this court on the 8th day of July, 1960; and show sufficient cause to the satisfaction of the court to the contrary.

It is further ordered that the said minor, 17th respondent be produced on the 8th July, 1960.

This 9th day of May, 1960. N. SIVAGANASUNDARAM,
District Judge.

IN THE DISTRICT COURT OF JAFFNA

Order Nisi

No. 824/Testy. In the Matter of the Intestate Estate and Effects of Sinnathamby Manickam of Naran-tanai, deceased.

Kengaimuthu, widow of Sinnathamby Manickam of Naran-tanai North Petitioner.

Vs.

(1) Sinnathamby Vaithilingam and (2) Wife, Parameswary of Naranatanai, (3) Susiladevy, daughter of S. Manickam, (4) Ambihalechchumy, daughter of S. Manickam, (5) Sara-jadevi, daughter of S. Manickam, (3rd to 5th minors) all of Naranatanai, (6) Sinnathamby Arumugam of Man-daitivu Respondents.

THE matter coming on for disposal before P. Sri Skanda Rajah, Esq., District Judge, Jaffna, on the 30th day of May, 1960, in the presence of Mr. N. T. Sivagnanam, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner from which it appears that the 6th respondent is a fit and proper person to be appointed guardian *ad litem* over the minors 3rd to 5th respondents and that the petitioner who is the wife of the deceased is entitled to have letters of administration to the estate of the above named deceased, having been read:

It is ordered that the 6th respondent be appointed guardian *ad litem* over the minors 3rd to 5th respondents and that the letters of administration to the estate of the above named deceased be issued to the petitioner, unless the respondents shall appear before this court on or before the 18th day of July, 1960, and show cause to the contrary to the satisfaction of this court. The petitioner to produce the minors before this court on the said date.

This 30th day of May, 1960.

P. SRI SKANDA RAJAH,
District Judge.

IN THE DISTRICT COURT OF KURUNEGALA

Order Nisi

Testamentary In the Matter of the Estate of the late Ata-Jurisdiction pattu. Mudiyanseilage Appuhamy Atapattu of No. 5,555/T. Gopallawa.

Jayapala Mudiyanseilage Sumanawathie Atapattu Kumari-hamy of Gopallawa Petitioner.

Vs.

(1) Atapattu Mudiyanseilage Cicira, (2) ditto Chitra, (3) ditto Ranhamy Atapattu, all of Gopallawa Respondents.

THIS matter coming on for disposal before P. A. de S. Senaratne, Esq., District Judge of Kurunegala, on the 8th day of March, 1960, in the presence of Mr. T. B. Herat, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated 8th day of March, 1960, having been read:

It is ordered that the petitioner as widow of the deceased above named is hereby appointed as administratrix over the estate of the said deceased, unless the respondents or any other person or persons interested shall, on or before the 5th day of May, 1960, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 3rd respondent be and he is hereby appointed guardian *ad litem* over the 1st and 2nd respondents, unless the respondents or others interested shall, on or before the 5th day of May, 1960, show sufficient cause to the satisfaction of this court to the contrary.

The 8th day of March, 1960.

P. A. DE S. SENARATNE,
District Judge.

This is extended for showing cause for 30.6.1960.

16.6.1960.

P. A. DE S. SENARATNE,
District Judge.

**IN THE DISTRICT COURT OF KURUNEGALA
HOLDEN AT KULIYAPITIYA**

Order Nisi

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction Herath Mudiyanseilage Karunaratne of ex-Vel No. 15 T. Vidane of Bibiladeniya, deceased.

Witharnage Mary Ansalin Fernando of Dunaka-deniya Petitioner.

And

(1) Herath Mudiyanseilage Ransohamy alias Siriyawathie Kumarihamy of Bibiladeniya, (2) Narasingha Mudiyanseilage Somapala, (3) Narasingha Mudiyanseilage

Premaratna, both of Bunnehepola, (4) Herath Mudiyanseilage Navaratna of Bibiladeniya Respondents.

THIS matter coming on for disposal before A. M. Ameen, Esq., Additional District Judge of Kurunegala at Kuliypitiya, on the 23rd day of May, 1960, in the presence of Messrs. Perera and Perera, Proctors, on the part of the petitioner; and the affidavit and petition of the petitioner above named having been read:—

It is ordered that the petitioner above named be appointed administratrix over the estate of the above named deceased, and letters of administration be issued to her as widow of the said deceased, unless the respondents above named or any other person interested shall, on or before the 13th day of July, 1960, show sufficient cause to the satisfaction of the court to the contrary.

This 23rd day of May, 1960.

A. M. AMEEN,
Additional District Judge.

Notices of Fiscals' Sales

(Continued from page 282)

SOUTHERN PROVINCE

IN THE DISTRICT COURT OF TANGALLA

L. D. Ratnatunga of Aranwela, Beliatta Plaintiff.
No. 6,584.

Vs.

W. G. Don Kirigoris, Appuhamy alias Kirigoris Appuhamy of Tangalla Defendant.

NOTICE is hereby given that on Saturday, the 23rd July, 1960, commencing at 10 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rupees Twenty thousand one hundred and ninety-seven and cents forty-one together with further legal interest on Rs. 18,328.56 from 8.4.60, till payment in full, viz.:—

1. All that soil, plantations, buildings and machinery and all accessions thereto of the allotment of the land called Aggraherakale known at one time as St. Joseph's Estate and now known as Sirikandura Estate and also as Boundarewatta; containing in extent three hundred acres, two roods and fourteen perches according to the survey and description thereof in T. P. No. 219888 annexed to Crown grant dated 9th October, 1905, registered in A 92/343, situated at Aggrahera in West Giruwa Pattu of the Hambantota District, Southern Province; and bounded on the north by reservation along the road, T.Ps 199483, 199484, 199485, 201229 and 199486 and a bund, east by lot 13051 in P.P. 5532 and Crown land, south by reservation for a road, and west by reservation along the road, lots 16395 and 16396 in P. P. 6233, lot 13041 in P. P. 5532 and T. P. 199490 and T. P. 164647.

2. All that soil, trees and plantations and buildings and all accessions thereto of the allotment of the land called Godakadurugahahena, containing in extent exclusive of the water way passing through the land, one acre, two roods and eight perches according to T. P. No. 257657 annexed to Crown grant dated 6th February, 1909, situated at Mandaduwa aforesaid; and bounded on the north by lot 49LI in P. P. 243, east by Muhandiramwewa and T. P. 219888, south and west by lot 49KI in P. P. 243.

3. All the soil, trees, plantations, buildings and all accessions thereto of the allotment of land called Godakadurugahahena-kumbura and Wellinger Estate; containing in extent one rood and nineteen perches according to T. P. No. 418056 dated 20th November, 1931, annexed to Crown grant dated 28th November, 1931, situated at Mandaduwa aforesaid; and bounded on the north by lot 49KIB, east by T. P. 257657, south and west by reservation along the channel.

4. All the soil, trees, plantations, buildings and all accessions thereto of the allotment of land called Kongahahena; containing in extent one acre, two roods and sixteen perches according to T. P. No. 420728 annexed to Crown grant dated 11th June, 1932, situated at Aggrahera aforesaid; and bounded on the north by T. P. 219888, east by Udawakamulla Village boundary, south by T. P. 199819 and 199818, west by T. P. 419103.

5. All the soil, trees, plantations, buildings and all accessions thereto of the allotment of land called Kongahahena alias Welinger Estate and Kongahahena which are adjoining each other and forming one land; containing in extent one acre three roods and thirty-six perches according to T.P. No. 419103 annexed to Crown grant dated 20th February, 1932, situated at Aggrahera aforesaid; and bounded on the north by T. P. 219888, east by T. Ps 219888 and 199818 and lot 16C, south by T. P. 418650, west by reservation along the channel.

Deputy Fiscal's Office,
Tangalla, 13th June, 1960.

A. B. RAJANAYAKE,
Additional Deputy Fiscal.