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PART II.—LEGAL.

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

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DRAFT ORDINANCES.

MINUTE.

The following Draft of a proposed Ordinance is published for general information :—

L.D.—O. 32/44

An Ordinance to amend the Criminal Procedure Code.

Chapter 16.
(Vol. I., p. 327).

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

1. This Ordinance may be cited as the Criminal Procedure Code (Amendment) Ordinance, No. of 1945.

Short title.

2. Section 406 of the Criminal Procedure Code is hereby amended as follows :—

Amendment of section 406 of Chapter 16.

- (1) in the marginal note thereto, by the substitution, for the words " Government Analyst receivable ", of the words " Government Analyst or Government Radiologists receivable " ;
- (2) in sub-section (3) thereof—
 - (a) by the substitution, for the words " report may be used ", of the words " report, or any skiagraph purporting to have been made by a Government Radiologist and any document purporting to be a report under the hand of such Radiologist upon such skiagraph, may be used " ; and
 - (b) by the substitution, in the proviso to that sub-section, for the words " trial of the case. ", of the words " trial of the case, or of proving the identity of the person skiagraphed by a Radiologist with the person a skiagraph of whom is so needed. " ;
- (3) in sub-section (4) thereof, by the substitution in the proviso to that sub-section, for the words " Government Analyst referred to ", of the words " Government Analyst or a Government Radiologist referred to ", and for the words " Government Analyst as the case may be ", of the words " Government Analyst or Government Radiologist as the case may be " ; and
- (4) in sub-section (5) thereof, by the substitution, for the words " Government Analyst as to ", of the words " Government Analyst or Government Radiologist as to ".

Objects and Reasons.

The object of this Bill is to implement the proposal that provision should be made in the Criminal Procedure Code (Chapter 16) enabling a skiagraph and a report thereon by a Government Radiologist to be produced in any proceeding under the Code in the absence of such Radiologist and requiring such Radiologist to attend court as a witness only if the court considers his presence necessary or at the request of either party to the proceeding.

J. H. B. NIHILL,
Legal Secretary.

22nd February, 1945.

MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

L.D.—O. 40/44.

Chapter 18.
(Vol. I., p. 576).

An Ordinance to amend the Prevention of Crimes Ordinance.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows:—

Short title.

1. This Ordinance may be cited as the Prevention of Crimes (Amendment) Ordinance, No. of 194, and shall come into operation on such date as the Governor may appoint by Proclamation published in the *Gazette*.

Amendment of section 3 of Chapter 18.

2. Section 3 of the Prevention of Crimes Ordinance is hereby amended, in sub-section (1) thereof, by the substitution, for the words "Where any accused person is found guilty of a crime after summary trial," of the words "Where, after summary trial of any person accused of a crime, a Magistrate finds him guilty thereof or without proceeding to conviction proposes to deal with him under section 325 (1) of the Criminal Procedure Code,".

Cap. 16.

Objects and Reasons.

The provisions of section 3 (1) of the Prevention of Crimes Ordinance, which enable a Magistrate to secure information relating to the past convictions of an accused person, apply only in a case where such a person has been found guilty, after summary trial, of a crime within the meaning of that Ordinance. As the law now stands, those provisions cannot be invoked in the case of an accused person who is to be dealt with under section 325 (1) of the Criminal Procedure Code, because action under that section has to be taken by the Magistrate without recording a conviction. The object of this Bill is to amend section 3 (1) of the Prevention of Crimes Ordinance so as to enable a Magistrate, before he decides to make an order against any accused person under section 325 (1) of the Criminal Procedure Code, to make sure that there is no record of any previous conviction of a serious offence against him.

J. H. B. NIHILL,
Legal Secretary.

21st February, 1945.

MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

L.D.—O. 17/44.

M.L.A.—B. 1487.

Cap. 93.
(Vol. III.,
page 77).

An Ordinance to amend the Auctioneers and Brokers Ordinance.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows:—

Short title.

1. This Ordinance may be cited as the Auctioneers and Brokers (Amendment) Ordinance, No. of 194.

Amendment of section 4 of Chapter 93.

2. Section 4 of the Auctioneers and Brokers Ordinance is hereby amended in sub-section (1), by the substitution in the proviso to that sub-section, for paragraph (a), of the following new paragraph:—

"(a) in the case of Municipal towns—

	Rs.	c.
Auctioneer and broker	..	250 0
Auctioneer	..	200 0
Broker	..	200 0."

Objects and Reasons.

The object of this Bill is to amend section 4 of the Auctioneers and Brokers Ordinance in such a manner as to increase the maximum limit of the fees that may be prescribed in respect of licences to carry on the trade or business of an auctioneer or of a broker or of an auctioneer and broker in Municipal towns.

S. W. R. D. BANDARANAIKE,
Minister for Local Administration.

Colombo, February 23, 1945.

NOTIFICATIONS OF CRIMINAL SESSIONS.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Western Circuit will be holden at the Court-house at Hulftsdorp, on Tuesday, March 20, 1945, at 11 o'clock of the morning of the said day.

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

Fiscal's Office,
Colombo, February 22, 1945.

H. C. WIJESINHA,
for Fiscal.

BY virtue of a mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said court for the Central Province will be holden at the court-house at Kandy on Monday, March 12, 1945, 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, February 27, 1945.

H. F. RATWATTE,
for Fiscal.

BY virtue of a Mandate to me directed by the Hon. the Supreme Court of the Island of Ceylon, I do hereby proclaim that a Criminal Session of the said Court for the Districts of Ratnapura and Avissawella will be holden at the Court-house at Colombo, on Tuesday, March 20, 1945, 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,
Ratnapura, February 23, 1945.

S. H. WADIA,
Acting Fiscal.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Avissawella.

Manamperi Mudiyansele William Loku Bandara of Hango-muwa in Ratnapura Plaintiff.
No. 3,031. Vs.

(1) Kulatunga Wijekoon Mudiyansele Subandiyar Bandara Mahatmaya of Mapiitigama and others Defendants.

NOTICE is hereby given that on Tuesday, March 27, 1945, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property for the recovery of Rs. 16,431.35 less Rs. 1,715 already paid by the first defendant with interest thereon at the rate of nine per centum per annum from May 2, 1941, till payment in full and costs of suit, Rs. 675.99, viz:—

(1) An undivided five-sixth share of Mahawalawwewatta and Pansalewatta, containing in extent about fifteen bushels of paddy sowing, situated at Mapiitigama in Dehigampal korale of three korales in the District of Kegalla, Province of Sabaragamuwa; and bounded on the north by agala and kumbura, east by ganga and agala, south and west by agala, together with the tiled house standing thereon, and registered in D 83/74 in the Land Registry, Kegalla.

At 11.30 a.m.—(2) An undivided two-third share of Horan-ebehena, containing in extent about 25 bushels of paddy sowing, situated at Mapiitigama aforesaid; and bounded on the north by Bopettagehena and kumbura, east by Walawewatta, south by Dikowita and Ankandawele-wetiya, and west by Balalmankada-ela, together with the tiled house (Alut-Walawuwa) standing thereon, and registered in D 83/73 in the Land Registry, Kegalla.

At 12 noon.—(3) An undivided one-half share of Muttetuwe-kumbura, containing in extent about six bushels of paddy sowing, situated at Mapiitigama aforesaid; and bounded on the north by Goda-idama and Inniyara, east and south by Depawella, and on the west by Wewukandiya, and registered in D 87/254 in the Land Registry, Kegalla.

At 12.30 p.m.—(4) An undivided one-half share of Nakkawala-owitahena and Pahala-owiti-thuna, containing in extent about one hundred bushels paddy sowing, situated at Medagoda in Dehigampal korale aforesaid; and bounded on the north by Gammaine-ela and Werellehena, east by Gonagala-oya and Kelaniganga, south by Bate-ela, and west by Indiwetiya and the field belonging to Subaddara, and registered in D 83/204 in the Land Registry, Kegalla.

At 1 p.m.—(5) An undivided one-half share of Medakele-hena, containing in extent fifteen acres three roods and fourteen perches, situated at Mapiitigama aforesaid; and bounded on the north by the portion of land 1236 in preliminary plan No. 65, east by the land claimed by the natives and the portion of land 1232 in Preliminary plan No. 65, south by the portion of land 1232 in preliminary plan No. 65, and west by the portion of land 2794 in preliminary plan No. 1003, and registered in D 55/246 in the Land Registry, Kegalla.

At 2 p.m.—(6) An undivided one-fourth share of a portion of Badaheladeniyehena, portion of Etambagahamulahena, containing in extent sixteen acres, one rood and twenty-eight perches, situated at Gonagala in Dehigampal korale aforesaid; and bounded on the north by Badaheladeniyehena belonging to G. Hethuhamy and others and a portion of Etambagahamulahena, east by Medikele-hena, south by Mapiitigama Kanuketiye-deniya and Kanu-ketiye-denyahena belonging to G. Ranhamy, and on the west by a portion of Mapiitigamawatta belonging to Mr. J. Braze, and registered in D 69/200, Land Registry, Kegalla.

At 2.30 p.m.—(7) An undivided one-half share of Kanuketiye-deniya, containing in extent six acres and eleven perches, situated at Gonagala aforesaid; and bounded on the north by the portions

of lands Nos. 2,795 and 2,794 in plan No. 1,003, east by the lands appearing in plan No. 234,816, south by the lands appearing in plan No. 101,528, and on the west by the portion of land bearing No. 2,795 in plan No. 1,003 and registered in D 56/27 in the Land Registry, Kegalla.

At 3 p.m.—(8) An undivided one-fourth share of the planted portion of the land called Andunwennehena, containing in extent about fifteen kurunies of paddy sowing, situated at Gonagala aforesaid; and bounded on the north by a waste portion of this land and Panugala, east by oya, south by Kudagal-owite-ima, on the west by Mauladeniyehena and Binhubaha, and registered in D 68/68 in the Land Registry, Kegalla.

At 4 p.m.—(9) An undivided one-twenty-fourth share of the land called Welhundahenyaya, containing in extent about twenty bushels of paddy sowing, situated at Dehiowita in Dehigampal korale aforesaid; and bounded on the north by Galamune-kumbure-ela and Kekuna-atula-dola, east by oya, and watu, south by dola, and on the west by Udakanugal-gammama, and registered in D 58/137 in the Land Registry, Kegalla.

Valuation Rs. 54,292.
The aforesaid properties have been mortgaged by the 1st defendant.

Fiscal's Office,
Avissawella, February 21, 1945.

A. V. P. SAMARANAYAKE,
Deputy Fiscal.

Central Province.

In the District Court of Kandy.

The Imperial Motor Garages, Limited, Kandy Plaintiffs.

No. M. R. 1,492. Vs.
Jael Paul of Katugastota Defendant.

NOTICE is hereby given that on Saturday, March 24, 1945, at 2 o'clock in the afternoon, will be sold by public auction at the Stephen's Garage, Kerk Street, Kandy, the right, title, and interest of the said defendant in the following property for the recovery of the sum of Rs. 221.40 and poundage, viz:—

1 Morris car bearing No. 2140 (dismantled) with its—

- (1) 2 front lamps,
- (2) 1 battery bearing 6-13,
- (3) 1 tyre bearing No. 3 L 149 E 64,
- (4) 1 tyre bearing No. C 3066,
- (5) 1 tyre bearing No. V. H. 61716,
- (6) 1 tyre bearing No. C.E.X. 01910, and
- (7) 1 engine (dismantled).

Valuation Rs. 2,500.

Fiscal's Office,
Kandy, February 27, 1945.

H. F. RATWATTE,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Wedanelage, Haramanis Soysa, late of 13th No. 10,938. lane, Bambalapitiya, deceased.

W. Justin Soysa of 19, 13th lane, Bambalapitiya Petitioner.

And
(1) W. Rofin Soysa, New Bullers road, Colombo, (2) W. Joseph Soysa, c/o Kandy Club, Kandy, (3) W. Douglas Soysa, c/o Soysa Bros., Imperial Bank buildings, Colombo, (4) Mrs. Ruby Abeygoonewardena Samarajeewa, c/o Sanitary Inspector, Agalawatta, (5) Mrs. Emily de Alwis, Swastika, 13th lane, Bambalapitiya Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on November 4, 1944, in the presence of Messrs. Pieroz & Anthonisz, Proctors, on the part of the petitioner above named; and the affidavit of the said petitioner dated April 18, 1944, having been read:

It is ordered that the last will and testament of Wedanelage Haramanis Soysa *alias* Wedanelage Henry Soysa of Swastika, 13th lane, Bambalapitiya in Colombo, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved; and the petitioner is the executor named in the said will and he is hereby declared entitled to have probate of the same issued to him accordingly, unless the respondents above named or any other person or persons interested shall, on or before December 7, 1944, show sufficient cause to the satisfaction of this court to the contrary.

September 23, 1944. S. J. C. SCHOKMAN,
Additional District Judge.

The date of showing cause against the foregoing *Order Nisi* is extended to February 1, 1945.

December 13, 1944. S. J. C. SCHOKMAN,
Additional District Judge.

The date of showing cause against the foregoing *Order Nisi* is extended to March 8, 1945.

February 6, 1945. S. J. C. SCHOKMAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Kiriya-Jurisdiction. purage Rosalme Fernando of Hunupitiya in No. 11,245. Adikari pattu of Siyana Korale, deceased.

Annakkarage Saramis Pieris of Hunupitiya aforesaid .. Petitioner.

Vs.
(1) Annakkarage Muriel Pieris, (2) Annakkarage Benedict Pieris, (3) Annakkarage Tillekeratne Pieris (minor), appearing by his guardian *ad litem* (4) Annakkarage Simon Pieris, all of Hunupitiya aforesaid Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on January 17, 1945,

in the presence of Mr. D. S. Ganegoda, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 13, 1944, having been read:

It is ordered that the 4th respondent above named be and he is hereby declared appointed guardian *ad litem* over the minor the 3rd respondent above named and the petitioner above named be and he is hereby declared entitled, as the son of the deceased, to have letters of administration to the estate of the said deceased issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before March 8, 1945, show sufficient cause to the satisfaction of this court to the contrary.

February 13, 1945.

S. J. C. SCHOKMAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of No. 11,246. Bahar Kassim Yusoo of 30, Stewart street, Slave Island, Colombo, deceased.

Suja Yusoo, widow of Bahar Kassim Yusoo of 30, Stewart street, Slave Island, Colombo. Petitioner.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on January 17, 1945, in the presence of Mr. H. V. Ram Iswara, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated December 5, 1944, the affidavit of the attesting notary dated December 22, 1944, and the affidavit of one of the attesting witnesses dated December 6, 1944, having been read:

It is ordered that the last will and testament of the late Bahar Cassim Yusoo, deceased, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved, and the petitioner is the executrix mentioned in the said will and she is hereby declared entitled as the executrix to have probate of the said will issued to her accordingly, unless the respondents or any person or persons interested shall, on or before March 8, 1945, show sufficient cause to the satisfaction of this court to the contrary.

February 8, 1945.

S. J. C. SCHOKMAN,
Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Duncan McIver Mundell of Tarradale Muir-of-Ord. No. 11,258. Ross-shire, Scotland, and Morankande estate, Galagedera, in the Central Province of the Island of Ceylon, deceased.

And

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

NOTICE is hereby given that after the expiry of 14 days from the date hereof application will be made to the District Court of Colombo, under the British Courts Probates (Re-sealing) Ordinance, (Chapter 84) for the sealing of the confirmation of the last will and testament of Duncan McIver Mundell of Tarradale Muir-of-Ord, Ross-shire, Scotland, and Morankande estate, Galagedera in the Central Province of the Island of Ceylon, deceased, granted by the Sheriff of Ross and Cromarty at Dingwall, Scotland, on June 16, 1944.

I. F. M. PULLENAYEGUM,
Proctor for George Mundell the executor named in the will.

Colombo, March 1, 1945.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament with Jurisdiction. two Codicils annexed of the late William Weeratunga of "Janaki", Havelock road in Colombo, deceased.

(1) Bamunu Aratchige Don Henry Senewiratne of "Kathuwana House", Homagama, (2) Bamunu Aratchige Dona Pemawathie Weeratunga of "Janaki", Havelock road in Colombo. Petitioners.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on February 7, 1945, in the presence of Mr. N. J. S. Cooray, Proctor, on the part of the petitioners above named; and the affidavit of the said petitioners dated January 31, 1945; the affidavit of the notary attesting the will and the affidavit of the notary attesting the two codicils having been read:

It is ordered that the last will and testament dated October 16, 1934, and two codicils dated May 23, 1943, and June 13, 1944, respectively of William Weeratunga the above named deceased the originals of which have been produced and are now deposited in this court, be and the same are hereby declared proved, and the petitioners are the executors named therein and they are hereby declared entitled to have probate of the said will and codicils issued to them accordingly, unless the respondents above named or any person or persons interested shall, on or before March 8, 1945, show sufficient cause to the satisfaction of this court to the contrary.

February 28, 1945.

S. J. C. SCHOKMAN,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects of Jurisdiction. of the late Winifred Ethel Ohlmus, widow of No. 11,267. Dr. E. Ohlmus of 2, Ohlmus place, Borella, deceased.

(1) Perle Margaret Vanderwall *nee* Ohlmus and (2) Edward Noel Ohlmus, both of 2, Ohlmus place, Borella. Petitioners.

Vs.

(1) Alice Carmel Joseph *nee* Ohlmus of 5, Ohlmus place, Borella, (2) Michael St. Elmo Aubrey Ohlmus, and (3) Francis Bertram Ohlmus, both of 2, Ohlmus place, Borella. Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on February 8, 1945, in the presence of Mr. L. L. Fonseka, Proctor, on the part of the petitioners above named, and the affidavit of the said petitioners dated February 4, 1945, having been read:

It is ordered that petitioners above named be hereby declared entitled, as the children of the deceased, to have letters of administration to the estate of the said deceased issued to them accordingly, unless the respondents above named or any person or persons interested shall, on or before March 22, 1945, show sufficient cause to the satisfaction of the court to the contrary.

February 16, 1945.

S. J. C. SCHOKMAN,
Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament of Sarah Louise Annette Anson of 7, Burgess Park Mansions, Fortune, Green road, London, formerly of the Parsonage, Eastcote, Middlesex, widow, deceased.

And in the Matter of the British Courts Probates (Re-sealing) Ordinance (Chapter 84).

NOTICE is hereby given that after the expiry of twenty-one days from the date hereof, application will be made to the District Court of Colombo, under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the sealing of a certified copy of Probate of the last will and testament of Sarah Louise Annette Anson of 7 Burgess Park, Mansions, Fortune, Green road, London, formerly of the Parsonage, Eastcote, Middlesex, widow, deceased, granted by the Principal Probate Registry of His Majesty's High Court of Justice at Llandudno, on the 6th day of November, 1944.

Colombo, 13th day of February, 1945.

JULIUS & CREASY,
Proctors for Andrew Gray Fraser Attorney for Florence Louisa Lewis the sole Executrix of the Last Will and Testament of Sarah Louise Annette Anson, deceased.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Noel Stanley Gunawardena of 459, Waidya road, Dehwala, deceased.

Somawathie Gunawardena of 459, Waidya road, Dehwala. Petitioner.

Vs.

(1) Sarath Chandranath Gunawardena, (2) Dhanmika Gunawardena, both minors, appearing by their guardian *ad litem* the 3rd respondent, (3) J. P. Rupasinghe, all of 459, Waidya road, Dehwala. Respondents.

THIS matter coming on for disposal before S. J. C. Schokman, Esq., Additional District Judge of Colombo, on February 15, 1945, in the presence of Mr. D. F. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated February 10, 1945, having been read:

It is ordered that the 3rd respondent above named be and he is hereby declared appointed guardian *ad litem* over the minors, the 1st and 2nd respondents above named and the petitioner above named be hereby declared entitled, as the widow of the deceased, to have letters of administration to the estate of the said deceased issued to her accordingly, unless the respondents above named or any person or persons interested shall, on or before March 22, 1945, show sufficient cause to the satisfaction of this court to the contrary.

February 20, 1945.

S. J. C. SCHOKMAN,
Additional District Judge.

In the District Court of Colombo.

Notice of Application.

Testamentary In the Matter of the Last Will and Testament with Jurisdiction. one codicil of Nora Hope Unwin, formerly of Havelock Craighourne road, Swanage, England but late of 62, Grosvenor Gardens, Bournemouth, England, deceased.

And In the Matter of the British Courts of Probates (Re-sealing) Ordinance, (Chapter 84).

NOTICE is hereby given that after the expiry of 14 days from the date hereof application will be made to the District Court of Colombo under the British Courts Probates (Re-sealing) Ordinance (Chapter 84) for the sealing of the probate of the last will and

testament and one codicil of Nora Hopo Unwin, formerly of Havelock Cranbourne road, Swanage, England, but late of 62, Grosvenor, Gardens, Bournemouth, England, Spinster, deceased, granted by His Majesty's High Court of Justice in England at the Principal Probate Registry thereof at Llandudno on April 7, 1944.

F. J. & G. DE SARAM,
Proctors for the Applicants.
Colombo, March 2, 1945.

In the District Court of Avissawella.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Handapangoda Mudalige Dona Josaphina Hamine
No. 348. of Hanwella, deceased.

Don William Senaratna of Hanwella Petitioner.

Vs.

(1) Don Paul Senaratna, (2) Don Francis Senaratna, (3) Dona Mary Juliet Senaratna, (4) Dona Mary Elisabeth Senaratna, (5) Dona Mary Agnes Senaratna, all of Hanwella, minors by their guardian *ad litem* the (6) Handapangoda Mudalige Don Leon of Welgama Respondents.

THIS matter coming on for disposal before L. B. de Silva, Esq., District Judge of Avissawella, on February 21, 1945, in the presence of Mr. S. H. Sirwardena, Proctor, on the part of the petitioner above named; the affidavit of the petitioner dated February 16, 1945, and the petition dated February 21, 1945, having been read:

It is ordered that the petitioner above named be and he is hereby declared entitled, as the husband of the said deceased, to have letters of administration to her estate issued to him, and that the 6th respondent be and he is hereby appointed guardian *ad litem* over the minors 1st to 5th respondents above named for the purpose of this case, unless the respondents above named or any other person or persons interested shall, on or before March 22, 1945, show sufficient cause to the satisfaction of this court to the contrary.

L. B. DE SILVA,
District Judge.

February 21, 1945.

In the District Court of Negombo.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Liyanage
Jurisdiction. Maria Madalena Fernando of Pitipana, deceased.
No. 3,301.

Panambarage Mary Fernando of Pitipana Petitioner.

Vs.

(1) Panambarage Mary Margaret Fernando, (2) Panambarage Nicholas Theodore Fernando, both of Pitipana Respondents.

THIS matter coming on for disposal before T. F. C. Roberts, Esq., District Judge of Negombo, on January 19, 1945, in the presence of Mr. D. C. E. V. Karunaratne, Proctor, on the part of the petitioner, above named; and the affidavit of the petitioner dated January 11, 1945, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as the eldest daughter of the deceased 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 February 15, 1945, show sufficient cause to the satisfaction of this court to the contrary.

January 19, 1945.

T. F. C. ROBERTS,
District Judge.

Time for showing cause against this *Order Nisi* is extended to March 9, 1945.

February 15, 1945.

T. F. C. ROBERTS,
District Judge.

In the District Court of Negombo.

Order Nisi.

Case In the Matter of the Intestate Estate of the late
No. 3,302/T. Witharanage Charles Anthony Rodrigo of
Mookalangamuwa, deceased.

K. Dona Leandra Rodrigo of Mookalangamuwa Petitioner.

And

(1) Witharanage Charlotte Catherine Rodrigo, (2) ditto Anne Beatrice Rodrigo, (3) ditto Lilian Bernadette Rodrigo, (4) ditto Ernie Martha Rodrigo, (5) ditto Anthony Lawrence Victor Rodrigo (minors), (6) ditto Daniel Rodrigo as guardian *ad litem* over 1st to 5th respondents Respondents.

THIS matter coming on for disposal before T. F. C. Roberts, Esq., District Judge of Negombo, on January 19, 1945, in the presence of Mr. D. C. E. V. Karunaratne, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated January 22, 1945, having been read:

It is ordered that the 6th respondent above named be appointed guardian *ad litem* over the 1st to 5th respondents above named, who are minors, to represent them for all the purposes of this action and 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 February 19, 1945, show sufficient cause to the satisfaction of this court to the contrary.

January 23, 1945.

T. F. C. ROBERTS,
District Judge.

Time for showing cause against this *Order Nisi* is extended to March 13, 1945.

February 19, 1945.

T. F. C. ROBERTS,
District Judge.

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In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate of the late Magantha
Jurisdiction. Rambukwella of Hiyarapitiya Walawwa, Hiyara-
T. 487. pitiya in Medapalata korale of Udunuwara,
in the District of Kandy.

Herat Banda Rambukwella Dissawa of Nilgala Walawwa in
Udispattu, in Uda Dumbara Petitioner.

Vs.

(1) Earle Rambukwella, (2) Iris Magantha Rambukwella,
(3) Anil Rambukwella, (4) Kawan Tissa Rambukwella, all of
Hiyarapitiya aforesaid, (5) Richard Aluvihare, Government
Agent, Anuradhapura Respondents.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on January 3, 1945, in the presence of Messrs. Panabokke and Kobbekaduwe, Proctors, on the part of the petitioner, Herat Banda Rambukwella Dissawa of Nilgala Walawwa, in Udispattu; and the affidavit of the said petitioner dated November 28, 1944, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the cousin of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents (1) Earle Rambukwella, (2) Iris Magantha Rambukwella, (3) Anil Rambukwella, (4) Kawan Tissa Rambukwella, (5) Richard Aluvihare, Government Agent, Anuradhapura; or any other person or persons interested shall, on or before March 12, 1945, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 5th respondent be appointed guardian *ad litem* over the 1st to 4th respondents, unless the respondents or any other person or persons shall, on or before March 12, 1945, show sufficient cause to the satisfaction of this court to the contrary.

January 3, 1945.

C. NAGALINGAM,
District Judge.

In the District Court of Kandy.

Order Absolute in the First instance declaring Will proved.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Louis Muriel Wambeck, deceased, of Asgiriya.
No. T 488.

THIS matter coming on for final determination before C. Nagalingam, Esq., District Judge, Kandy, on January 12, 1945, in the presence of Messrs. Coomaraswamy and Vijayaratham, Proctors, on the part of the petitioner, Cecil Percival Wambeck of Kurunegala, and the affidavit of the said petitioner dated December 8, 1944, and of the attesting notary dated January 11, 1945, having been read:

It is ordered that probate of the last will of the above-named deceased be issued to the said petitioner annexing copy of the last will as the sole executor named in the last will, unless sufficient cause be shown to the contrary by any person or persons interested to the satisfaction of this court on or before March 15, 1945.

January 12, 1945.

C. NAGALINGAM,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Estate and Effects of the late
Jurisdiction. Muttusamy Kadiravel, deceased, of Dotel-oya
No. T. 491. estate, Dolosbage.

THIS matter coming on for disposal before C. Nagalingam, Esq., District Judge, Kandy, on January 18, 1945, in the presence of Messrs. Liesching and Lee, Proctors, on the part of the petitioner, Muttusamy Kadiravel Tangiah of Dotel-oya estate; and the affidavit of the said petitioner dated January 14, 1945, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the eldest son of the above-named deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents (1) Ramaiya Kalamma, (2) Ramaiya Selatchi-amma, both of Kengalle, (3) Mutiah Sannamma of Dotel-oya estate, (4) Muttusamy Kadiravel Thangamm of Kengalla, (5) Muttusamy Kadiravel Sammugawadivu of Dotel-oya estate, (6) Muttusamy Kadiravel Dhanapakiam of Doombagastalawa, Kotmale, (7) Muttusamy Kadiravel Ponnambalam of Kengalla, (8) Muttusamy Kadiravel Sivagamy of Dotel-oya estate, (9) Muttusamy Kadiravel Sigaruv of Dotel-oya estate, (10) Muttusamy Kadiravel Pangatharam of Dotel-oya estate, (11) Muttusamy Kadiravel Rajamany of Kengalla, (12) Muttusamy Kadiravel Chinthamany of Dotel-oya estate and (13) Muttusamy Kadiravel Sundara Lakshmi of Dotel-oya estate or any other person or persons interested shall, on or before March 22, 1945, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 3rd respondent be appointed guardian *ad litem* over the 8th to 13th respondents, unless the respondents or any other person or persons interested shall, on or before March 22, 1945, show sufficient cause to the satisfaction of this court to the contrary.

January 18, 1945.

C. NAGALINGAM,
District Judge.

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of
Jurisdiction. Gigana Achchige Bais Appu ex Vol Vidano,
No. 1,385. late of Sitinamaluwa, deceased.

Gigana Achchige David, Vol Vidano of Sitinamaluwa. Petitioner.

Vs.

(1) Wijerama Balahamy, (2) Gigana Achchige Punchihamy,
(3) ditto Sadulhmy, (4) ditto Gimarahamy, all of Sitina-
maluwa Respondents.

THIS matter coming on for disposal before G. C. T. A. de Silva, Esq., District Judge of Tangalla, on December 6, 1944, in the presence of Mr. D. P. Atapattu, Proctor, on the part of the petitioner, and the affidavit of the said petitioner dated October 10, 1944, and of the attesting notary and of the two witnesses, Mutucumarange Jayanamy and Kahandaiva Gigana Achchige Dinoris, both of Sitinamaluwa, dated December 6, 1944, having been read:

It is ordered that the last will of Gigana Achchige Bais Appu, late of Sitinamaluwa, deceased, of which the original has been produced and is now deposited in this court bearing No. 20,812 be and the same is hereby declared proved, unless any person or persons interested in the said last will shall, on or before December 20, 1944, show sufficient cause to the satisfaction of the court to the contrary.

It is further ordered that the petitioner above named is the executor named in the said last will and that he is entitled to have probate thereof issued to him accordingly, unless any person or persons interested in the said last will shall, on or before December 20, 1944, show sufficient cause to the satisfaction of the court to the contrary.

December 6, 1944.

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

Date for showing cause is extended till January 31, 1945.

December 20, 1944.

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

Date for showing cause is extended till March 7, 1945.

January 31, 1945.

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

In the District Court of Tangalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Wiratun
Jurisdiction. Aratchige Don Davith, late of Palapota, deceased.
No. 1,387.

Wiratun Aratchige Don Andris of Palapota Petitioner.

Against

(1) Mananperige Lottahamy of Palapota, (2) Wiratun Aratchige Gimarahamy of Kadurupokuna, (3) ditto Dmgihamy of Oviyana, (4) ditto Don Samel of Palapota, (5) ditto Don Suwaris of ditto, (6) Rev. Palapota Ariyawansa Thero of Tapodanarama in ditto, (7) Wiratun Aratchige Don Hendrick of ditto, (8) ditto Emalihatmy of ditto, (9) ditto Don Janeris of ditto, (10) Kumarasinwanni Aratchige Karunawati of Kadurupokuna, minor (11) ditto Don Julyias of ditto Respondents.

THIS matter coming on for disposal before G. C. T. A. de Silva, Esq., District Judge of Tangalla, on November 30, 1944, in the presence of Mr. D. P. Atapattu, Proctor, on the part of the petitioner; and the affidavit dated November 28, 1944, of the petitioner above named 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 letters of administration to the estate of the said deceased, issued to him, unless the respondents above named or any person or persons interested in the said estate show on or before January 11, 1945, sufficient cause to the satisfaction of the court to the contrary.

It is further ordered that the 11th respondent above named be and he is hereby appointed guardian *ad litem* over the 10th named, minor, respondent, unless any person or persons interested shall, on or before January 11, 1945, show sufficient cause to the satisfaction of the court to the contrary.

November 30, 1944.

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

Date for showing cause is extended till February 15, 1945.

January 11, 1945.

P. SRI SKANDARAJAH,
Additional District Judge.

Date for showing cause is extended till March 22, 1945.

February 15, 1945.

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

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

Order Nisi.

Testamentary In the Matter of the Estate of the late Manonammal
Jurisdiction. Annma, wife of Veluppillai Ratnam of Thunnalai South, deceased.
No. 265/P.T.

T. Selvakulasigam of Thunnalai South Petitioner.

Vs.

(1) Veluppillai Ratnam of Thunnalai South, presently of Clerk, Chief Accountant's Office, C. G. R., Colombo, (2) Thamotharampillai Vanniasigam, K. V. of Thunnalai South Respondents.

THIS matter coming on for disposal before Eardley Wijewardene, Esq., Additional District Judge, Jaffna, on February 21, 1945, in the presence of Mr. M. Sivapragasam, Proctor, on the part of the petitioner and the petition and affidavit of the petitioner having been read:

It is ordered that the petitioner, as brother of the above-named deceased, be declared entitled to have letters of administration to the estate of the said deceased and that letters of administration be issued to the petitioner accordingly, unless the respondents or any other persons, shall appear before this court on or before March 23, 1945, and show sufficient cause to the satisfaction of this court to the contrary.

February 21, 1945.

E. WIJEYAWARDENE,
Additional District Judge.

In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Wmfred Ratnam Piragasam wife of Felix
No. 360. Piragasam, deceased.

Felix Piragasam of Atchuvally presently of Colombo Petitioner.

Vs.

(1) Felix Ratnarajah Piragasam, (2) Mildred Ratnaranoo ditto, (3) Pauline Ratnaruby ditto, (4) Josephine Ratnam Dase ditto, (5) Philomena Ratnapushpam ditto, (6) Angeline Ratnamalar ditto, (7) Christina Ratnajeyamane ditto, (8) Regina Ratnanasamy ditto, all of Atchuvally, (9) James Francis of 12, Forbes road, Colombo. The 3rd to 8th respondents are minors, appearing by their guardian *ad litem* the 9th respondent Respondents.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge, Jaffna, on January 26, 1945, in the presence of Mr. R. Kanagaratnam, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated January 22, 1945, been read:

It is declared that the 9th respondent be appointed guardian *ad litem* over the 3rd, 4th, 5th, 6th, 7th and 8th respondents and that the said Felix Piragasam, the petitioner entitled to have letters of administration over the estate of the above-named deceased and the same be issued to him accordingly, unless the respondents or others shall, on or before March 23, 1945, show sufficient cause to the satisfaction of this court to the contrary.

January 26, 1945.

H. A. DE SILVA,
District Judge.

In the District Court of Trincomalee.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction. Thampar Sandrasegaram of Division No. 2,
No. 288. Trincomalee, deceased

Nagamuttu, widow of Sandrasegaram of Division No. 2, Trincomalee Petitioner.

Vs.

(1) Sandrasegaram Subramaniam of Division No. 2, Trincomalee, minor, appearing by his guardian *ad litem* the 2nd respondent (2) Venasithamby Culanthaivelu of Division No. 8, Trincomalee Respondents.

THIS matter coming on for disposal before Aohan W. Pereira, Esq., District Judge of Trincomalee, on January 31, 1945, in the presence of Mr. S. M. Manikka Rajah, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated September 29, 1944, having been read:

It is ordered that the said petitioner, as the widow of the deceased, be and she is hereby entitled 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 March 6, 1945, show sufficient cause to the satisfaction of this court to the contrary.

January 31, 1945.

A. W. PEREIRA,
District Judge.

In the District Court of Kurunegala.

Order Absolute in the First Instance.

Testamentary In the Matter of the Estate of the late Weera-
Jurisdiction. sekara Danapala Mudiyanse Ralahamillage Dmgri Banda Weeraseskara of Narammala, deceased.
No. 4,545.

Kuda Banda Walgampaya of Naranwela Walawwa, Peradeniya Petitioner.

THIS matter coming on for final disposal before S. S. J. Goonesekara, Esq., District Judge of Kurunegala, on January 26, 1945, in the presence of Mr. P. M. P. Ratnayake, Proctor, on the part of the above-named petitioner; and the affidavit of (1) the said petitioner dated January 25, 1945, (2) the attesting notary dated January 26, 1945, (3) the two attesting witnesses dated December 21, 1944, having been read:

It is ordered that the last will No. 5,754 made by the above-named deceased, attested by Mr. P. M. P. Ratnayako, Notary Public, and dated October 12, 1944, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved.

It is further ordered that the petitioner above named is the executor named in the said will and he is hereby declared entitled, to have probate thereof issued to him accordingly, on his taking the usual oath and on publication of this order in the *Government Gazette* and twice in the "Daily News".

January 26, 1945.

S. S. J. GOONESEKARA,
District Judge.

In the District Court of Puttalam.

Order Nisi.

Testy. In the Matter of the Intestate Estate of the late Meera Saibo Sego Mohideen of Tetapalai, deceased.

Meera Saibo Sahul Hameedo of Puludivayal Petitioner.

Vs.

- (1) Peer Saibo Levvai Rahuma, Uma, widow of deceased,
 (2) Segu Mohideen Meera Saibo, (3) Segu Mohideen Muhammad Sareefu, (4) Segu Mohideen Semambu Natchiya, (5) Segu Mohideen Muhammad Haniffa, the 2nd, 3rd, 4th and 5th respondents, minors, appearing by their guardian *ad litem* (6) Meera Saibo Semil Abdeen of Tetapalai Respondents.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Puttalam, on January 26, 1945, on the motion of Mr. H. S. Ismail, Proctor, on the part of the petitioner; and the petition of the petitioner dated January 26, 1945, and affidavit dated January 6, 1945, having been read: It is ordered that the above-named petitioner, Meera Saibo Sahul Hameedo, be and he is hereby appointed administrator of the estate of the above-named deceased Sego Mohideen, and that letters of administration be accordingly issued to him.

It is further ordered that the above-named Meera Saibo Semil Abdeen, the 6th respondent be and he is hereby appointed guardian *ad litem* over the 2nd, 3rd, 4th and 5th minor respondents above named, unless the respondents above named or any other person or persons interested in the matter of this application shall, on or before March 6, 1945, show sufficient cause to the contrary.

V. H. WIJAYARATNE,
 District Judge.

February 12, 1945.

In the District Court of Chilaw.

Order Nisi.

No. 2,330. In the matter of the Intestate Estate of the late Testamentary. Uswatta Liyanage Juan Perera of Lunuwila, deceased.

Mihindukulastriya Mutubandana Poritotage Alice Milina Fernando of Lunuwila Petitioner.

And

- (1) Uswatta Liyanage Juan Perera, (2) Uswatta Liyanage Paulu Perera both of Lunuwila Respondents.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Chilaw, on December 14, 1944, in the

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presence of Mr. Albert F. Peries, Proctor, on the part of the petitioner; and the affidavit of the said petitioner dated August 17, 1944, having been read:

It is ordered that the 2nd respondent above named be and he is hereby appointed guardian *ad litem* of the minor (1st respondent, to represent him for all the purposes of this action and 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 aforesaid respondents or any other person or persons interested shall, on or before March 8, 1945, show sufficient cause to the satisfaction of this court to the contrary.

V. H. WIJAYARATNE,
 District Judge.

December 14, 1944.

In the District Court of Chilaw.

Order Nisi.

No. 2,331. In the Matter of the Intestate Estate of the late Testamentary. Wijesinghe Abeykoon William Singho Appuhamy, Village Headman of Nathandiya, deceased.

Nehe Siriwardene Goonetilleke Hamine (widow) of Nathandiya Petitioner.

And

- (1) Chandra Wijesinghe Abeykoon, (2) Eron Premasinghe Wijesinghe Abeykoon, (3) Bernard Ratnasena Wijesinghe Abeykoon, (4) Douglas Munidasa Wijesinghe Abeykoon (minors) all of Nathandiya, appearing by their proposed guardian *ad litem* (5) Charles Siriwardene Goonetilleke Appuhamy of Kakkapalliya Respondents.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Chilaw, on December 14, 1944, in the presence of Mr. Albert F. Peries, Proctor, on the part of the petitioner above named, and the affidavit of the said petitioner dated November 3, 1944, having been read:

It is ordered that the 5th respondent above named be and he is hereby appointed guardian *ad litem* of the aforesaid 1st to 4th respondents, minors, to represent them for all the purposes of these proceedings and that the aforesaid petitioner be and she is hereby declared entitled, as the widow of the said deceased, to have letters of

administration to the above estate issued to her accordingly, unless the aforesaid respondents or any other person or persons interested shall, on or before March 8, 1945, show sufficient cause to the satisfaction of this court to the contrary.

December 14, 1944.

V. H. WIJEYARATNE,
District Judge.

In the District Court of Chilaw.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Gajamutu Lankatilleke Chandrappulige Anura of Mungandaluwa, deceased.

Gajamutu Lankatilleke Chandrappulige Selestina of Mungandaluwa Petitioner.

THIS matter coming on for disposal before V. H. Wijeyaratne, Esq., District Judge of Chilaw, on January 4, 1945, in the presence of Mr. C. A. L. Corea, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated November 20, 1944, and her petition dated January 4, 1945, having been read:

It is ordered that the petitioner, as the daughter of the above-named deceased, be and she is hereby declared entitled to administer his estate and to have letters of administration to the said estate issued to her accordingly, unless any person or persons interested shall, on or before February 9, 1945, show sufficient cause to the satisfaction of this court to the contrary.

January 4, 1945.

V. H. WIJEYARATNE,
District Judge.

The date for showing cause is extended to March 9, 1945.

February 14, 1945.

V. H. WIJEYARATNE,
District Judge.

In the District Court of Ratnapura.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Mahawaduge Angulina Fernando of Pattiya North, deceased.

Weerahennedige Solomon Fernando of Ratnapura . . . Petitioner.

And

(1) Weerahennedige Arthur Fernando of Hingurakgoda, and
(2) Weerahennedige David Fernando of Colombo Respondents.

THIS matter coming on for disposal before Spencer Rajaratnam, Esq., District Judge, Ratnapura, on February 14, 1945, in the presence of Mr. P. Marapana, Proctor, on the part of petitioner, and the petition and affidavit dated January 30, 1945, of the said petitioner and the affidavit of the attesting witnesses dated January 5, 1945, having been read: It is ordered that the will of Mahawaduge Angulina Fernando of Pattiya North, deceased, dated November 17, 1939, and now deposited in this court, be and the same is hereby declared proved, unless the respondents above named or any other person or persons interested shall, on or before March 15, 1945, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the said petitioner above named is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless the respondents or any other person or persons interested shall, on or before March 15, 1945, show sufficient cause to the satisfaction of this court to the contrary.

February 14, 1945.

S. RAJARATNAM,
District Judge.