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Saiva Prakasa
Book Depot

Estd. Sept. 11, 1889.]

[The Only Newspaper in Ceylon for the Hindus]
PUBLISHED EVERY FRIDAY

PHONE No. 356

[PRICE 10 CENTS]

VOL LXXIV

X

JAFFNA, FRIDAY JUNE 15, 1962

X

NO. 10

DEMOCRACY IS NOT SHEER MAJORITY RULE

I. Its Essentials Are Federalism And Constitutionalism

BY A STUDENT OF POLITICS.

Those who have wielded political power in Ceylon since Independence have equated democracy with majority rule, more precisely with the rule of an irremovable communal majority. They have also assumed that there are no limits to what a parliament or government can do. Nothing is sacred to them. Everything is grist for the legislative mill. It is our business in this article to examine the validity of these two assumptions.

We have the high authority of Lord Lindsay of Oxford that majority rule is not a principle of democracy: "It is only a method at best it is a rough and ready means of getting a second best decision". It has some justification in countries with a homogeneous population where the official opposition has a chance of forming an alternative government. But "it cannot be applied to a plural society" (Ivor Jennings). "It is a common place that successful political democracy on a large scale implies something we call nationality... nationality is a sense of belonging together, involving a readiness on the part of a state to subordinate their differences to it. It involves something more. It has a connexion with the notion of a distinctive culture... If men's sense of economic cleavage is greater than their sense of common nationality, if religious or social or race or colour cleavages are too strong, if there are permanent social minorities, a healthy democracy is so far impossible. Voting in a political democracy is

successful in so far as the ordinary voter can be relied on to insist on fair play between the different sections and interests in the community, or in so far as the right of a minority to turn itself into a majority is a real and effective right; if these conditions do not exist, voting is only a process of counting heads to save the trouble of breaking them" (Lindsay). If majority rule cannot be applied to a plural or federal society then some other arrangement should be devised. Indeed such an arrangement exists in all federal societies. The device is the establishment of a federal form of government either by law or by convention. In either case it is definitely anti majoritarian. By a federal society we do not mean a society with a federal constitution. All communities fall somewhere in a spectrum which runs from what we may call a theoretically wholly integrated society at one extreme to a theoretically wholly diversified society at the other. The more diversified the society the greater is the necessity of providing some means for articulating the diversities. In all federal societies, whether there is a federal constitution or not, there is no place for the doctrine of strict majority rule, if applied to the whole of the federal community. Means are always found for protecting the federal units. The means may not be constitutional provisions. They may be habits, attitudes, acceptances, concepts or theories. The ways in which recognition is given to the various interests or units may not be institutionalized at all. When they are institutionalized only we have a federal constitution." (W. S. Livingston).

The other assumption, that Parliament is all-powerful is also not accepted in mature democracies. Constitutionalism is an essential feature of democracy as understood and practised in Western democracies. By constitutionalism we mean the principle that there should be limits to all organs of the State, to the government, to the legislature and to the people. Constitutionalism is government under law. As McLwain has said "It is the antithesis of arbitrary rule; its opposite is despotic government, the government of will instead of law" Constitutionalism implies that there are rights and values which do not depend on the will of any majority and that they are inherent in the dignity of the human person. Further that a government must not use its power beyond the authority which has been given to it. Otherwise, it is mere might, and not right. In countries with written constitutions like the United States the limitations imposed on the government, the legislature and the people are legal. The constitution lays down what is permissible and what is prohibited. On the other hand in countries with unwritten constitutions like the United Kingdom, the limitations are mainly conventional. But in all these countries the limitations are scrupulously observed. When the legislature of a country oversteps its limits its

YOGA-THE DIVINE SCIENCE

(By SWAMI SIVANANDA)

Yoga is life in the Spirit. It is the science of life, integral self-development of harmonious living. Yoga is a cosmic process of the Divine. It is a system of integral education, not only of the body and the mind or the intellect, but also of inner spirit.

Yoga is complete Life. It is a life well-led, righteously led, with efficiency in action, with a wise and dispassionate outlook with a spirit of detachment of dedication to spiritual values. Yoga is not one sided; but, all-inclusive. It comprises physical, mental and moral education and culture in the higher spiritual sense. It is spirituality in practice.

Yoga is primarily a way of life, not something which is divorced from life. Yoga is life. Life itself is Yoga. When thus it is linked to life, it lives. Yoga is not forsaking of action but is efficient performance in the right spirit.

Yoga is not running away from home and human habits but a process of moulding one's attitude to home and society with a new understanding. Yoga is equanimity, skill in action, restraint of the senses and mind and fixing the mind on God.

Efficient performance of action without attachment and selfish motive is Yoga. The concept that Yoga constitutes physical exercise or merely Asanas or Pranayama is an error. Yoga brings your emotions under control. It increases your power of concentration at work. Yoga discipline gives

acts are considered unconstitutional.

By a happy coincidence American Constitutionalism provides against majority rule as well as

(Continued on page 2)

poise and tranquility and miraculously rebuilds one's life. Yoga way of life deepens man's understanding and enables him to know God and his relationship with him.

Yoga leads from ignorance to wisdom, from weakness to strength from disharmony to harmony from hatred to love from want to fullness, from limitation to infinity, from diversity to unity from imperfection to perfection. It gives hope to the sad and forlorn strength to the weak, health to the sick and wisdom to the ignorant. Through Yogic discipline, mind, body and the organ of speech work together harmoniously.

For a Yoga practitioner, a new outlook, new health, a new awareness and a new philosophy rush in and vividly transforms his life.

Practice of Hatha Yoga reduces excess of fat and develops a beautiful body, removes constipation and rheumatism, increases circulation in arteries and keeps them elastic. Yogic exercises and breathing exercises, right and simple living and high thinking and meditation are the important requisites for the preservation of health, for the attainment of the high standard of vigour and vitality, longevity and everlasting peace and joy.

To tread in the path of Yoga, a thorough knowledge of the human body in its subtle aspects is essential.

Self-purification is one of the basic processes of Yoga. Be in harmony with the fundamental laws of the Universe. This is the first step in the path of Yoga

In a Yogic student the Universal interest should influence the personal interest.

The Yoga of synthesis is what is needed to be practised throughout the world-today.



தமிழகத்தின்
மக்களிடையே நன்றியை ஊட்டும்
மக்களிடையே நன்றியை ஊட்டும்
மக்களிடையே நன்றியை ஊட்டும்
மக்களிடையே நன்றியை ஊட்டும்

Hindu Organ

FRIDAY, JUNE 15, 1962

Treasure These Thoughts

When you look at a man, ignore the form and see only God within.

—SWAMI SIVANANDA

STATEMENT IN THE SENATE

Admitting the fact that the alleged assault on the M. P. for Nallur by certain Police Officers and other similar accusations against the Police were matters of public importance, the Premier made a statement in the Upper House obviously to inform the Senate and the people in general about her conclusions on the question after an enquiry. This attitude is unfortunately not helpful at all and the basic demand for a public enquiry has been carefully ignored. Matters of public importance require a special method of attention. In fact the Premier in the interest of administration must have supported the proposal for a public investigation into the allegation. The situation calls for a further clarification and this will be possible only by the appointment of a Commission of enquiry.

POLIO IN THE PENINSULA

What was generally believed to have been brought under satisfactory control now appears to be otherwise as may be seen from the spread of Polio in the Peninsula. Parents, teachers and the School Health authorities are faced with a menacing situation that requires prompt and efficient attention. Local Bodies have a share of responsibility to take adequate steps for the provision of preventive measures. It is also necessary that the public must be warned against this dangerous disease by means of clear and instructive information on the incidence of Polio and the steps that require to be taken to guard children against

SOURA - CHANDRA - MANA

By SOURI RAYAN

In the vast limitless space it is cold and dark as will be seen when the earth's surface is turned away from the sun which gives us light and warmth without which no life can exist on this planet. The earth rotating on its axis causes day and night both together lasting about 24 hours. Living beings on earth get conditioned to this periodic change of light and darkness and gain an idea of time. In addition to its rotation on its axis the earth goes round the sun inclined at an angle. This causes variation in the length of day and night so that when the north pole of the axis is tilted away from the sun we have longer nights and when it is tilted towards the sun we have longer daylight and in between we have equal length of daylight and night or equinoxes. At the equator when the sun is directly overhead for an observer the sun appears to rise in the East and set in the West but it does not do so exactly at the same spot in the horizon. The sun rises more and more to the north during 6 months and more and more south during six months. This progress of the Sun northwards and southwards is called Uthrayana and Dakshinayana respectively. Uthrayana really begins when the sun appears to turn northwards at the winter solstice that occurs when the sun is in the southernmost point and according to the modern calendar this occurs on the midnight of 22nd December. This moment of turning northwards of the Sun is held sacred by the Souras or worshippers of the Sun as the visible emblem of the invisible God. In the arctic regions this moment is the midnight of the arctic night that lasts from the autumnal equinox till the vernal equinox during which period the northern hemisphere is plunged in darkness. The timing is effected by watching the stars particularly those that go to make up the celestial zodiac beginning from

infection. Health authorities will do well to visit schools daily during this term and explain to the children the nature of the disease, the sources of possible and probable infection and the ways & means of adopting preventive measures.

Aswini to Revati. This zodiac is divided into twenty seven lunar mansions for each star and also not twelve solar mansions so that each of the latter included 2 and 1/4 of the former. By this we get an integrated view of the celestial events in terms of the movements of the sun and the moon. It will be found that when the sun is in one particular zodiacal sign eg aries the full moon occurs exactly opposite eg in Thula. The lunar month gets its name from the star in which the full moon occurs e.g. when the full moon occurs in Chitra it is called Chitra masa but as the Sun is in Mesha or aries it is also called Mesha Ravi. Chitra or Spica is in the boundary between Virgo (Kanya) and Libra (Thula) and 180° opposite to this point is Mesharamha or beginning of Aries. When the sun rises at this point we have Mesha Sankranti and Hindu New Year. The equinoxes occur earlier each year by a few seconds and this is called precession of the equinoxes and it takes 72 years to cover one degree. From the point when the vernal equinox occurs at Mesharamha we have the real New Year but now the vernal equinox occurs about 22 1/2 degrees ahead of Mesharamba. According to the Nirayana system based on the fixed celestial zodiac with its 27 lunar constellations of which Chitra is the point from which the heavens are surveyed. The seasons spring, summer, autumn and winter are caused by the earth tilting its axis so that the poles turn away from or towards the sun. The two equinoxes and two solstices for the four cardinal points that regulate the seasons. The day the sun enters the northern hemisphere is the official beginning of spring and this day has been adopted by Indian Government as the beginning of the New Year for official purposes. By this the calendar can be made to conform to the present Gregorian calendar that is in vogue all over the world and is also in keeping with natural phenomena. The turning of the sun northwards after the summer solstice occurs on the midnight of the polar night and mid-day of the polar day respectively when the sign of Virgo is rising in the Eastern horizon.

Astrological WEEKLY FORECASTS

SRIPATHY

FROM 17-6-62 TO 23-6-62

ARIES Aswini, Barani, Kartikai 1st part [Medha Rasi]

Health upsets will continue for some days. The first day of the week must be spent with care. Rest of the week will be favourable for professional deals.

TAURUS Kartika 2, 3, 4 Rohini, Mithuna 1, 2 [Idapa Ra]

You will be losing your temper in a hurry this week. Monday, Tuesday and Wednesday morning must be spent with care. Rest of the week will be fairly favourable. Financial gains promised.

GEMINI Mirugasirisha 3, 4, Thiruvathirai, Punarpusam 1, 2, 3 [Mithuna Rasi]

The first half of the week will be favourable for professional undertakings. New ventures will bring in good results. Wednesday, Thursday and Friday morning must be spent with care. Week end will turn favourable again.

CANCER Punarpoosa 4, Poosa, Ayilya [Kataka Rasi]

Some old investments will bring in good results this week. New ventures will be delayed. Domestic affairs will continue to be unsatisfactory. Spend the last two days with care.

LEO Maha, Poora 1, Uttira, [Singha Rasi]

You will be able to make much headway in your undertakings this week. Ruin to enemies shown. Gains through landed properties also indicated. But domestic upsets likely.

VIRGO Uttira 2, 3, 4, Atta Chittirai 1, 2 [Kanni Rasi]

Fathers relatives will be on the war path this week. Health upsets also shown. But financial conditions should improve.

LIBRA Chittirai 3, 4, Swati Visaka 1, 2, 3, [Thula Rasi]

Ill health to wife and children shown. Troubles through paternal relatives also indicated. But professionally a good week. Financial gains also indicated.

SCORPION Visaka 4, Anursha, Kettai [Vrischika Rasi]

You will be able to steer clear of obstacles this week. Gains through landed properties promised. But you will have to work hard for your success.

SAGITTARIUS Moolam, Pooradam, Uttiradam 1, [Thanu Rasi]

Health will be affected for some more time. Abdominal complaints shown. But domestic conditions should improve. Financially a fairly good week.

CAPRICORNUS Uttiradam 2, 3, 4, Thiruvonam, Avittam 1, 2, [Makara Rasi]

Domestic affairs will be in a muddle for some time. Clashes with relatives also likely. Mothers health will continue to be affected. But ruin to enemies promised.

AQUARIUS Avittam 3, 4, Satayam, Pooraddati 1, 2, 3 [Kumbha Rasi]

Minor health upsets likely this week. Domestic conditions also will not be very satisfactory. New ventures will be delayed but successful.

PISCUS Pooraddati 4, Uttiraddati, Revati. [Meena Rasi]

Some changes in routine indicated this week. Health will continue to be unsatisfactory. Expenses will soar. But you will get enough to meet them.

DEMOCRACY IS...

(Continued from page 1)

against unlimited exercise of power by any organ of the State. This fact is well brought out by Windolp in his Leviathan and Natural Law. Speaking of American history, he says, "Our history has been a fortunate one. To the extent that it has been exceptional it should

not blind us to the truths that voting is not a democratic principle but a democratic method and that unless the majority, either in obedience to a constitutional requirement or by voluntary self-restraint, is willing to tolerate the continuance of a way of life regarded by the minority as essential to the pursuit of happiness no democracy can long endure".

(To be continued)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

No. T/1094

In the matter of the intestate estate of the late Kumarasamy Namasivayam alias Kanniah of Vannarponnai North West, also of Karampan Deceased, Kanagammah widow of Kumarasamy Namasivayam alias Kanniah of Vannarponnai North West, Jaffna

Vs. Petitioner; Minor 1 Namasivayam Somasundaram
" 2 Sivagamasundary daughter of Namasivayam
" 3 Namasivayam Thillai nathan
" 4 Namasivayam Sivaloganathan
" 5 Namasivayam Balasubramaniam
6 Ponniah Kumarasamy all of Vannarponnai North West

Respondents.

(The 6th Respondent is G. A. L. over the 1-5 Respondents minors).

This matter coming on for disposal before V. M. Cumaraswamy Esqr., District Judge, Jaffna on the 23rd day of January 1962 in the presence of Mr. V. Sivasubramaniam Proctor on the part of the petitioner and the affidavit and petition of the above-named petitioner having been read:

It is ordered that the abovenamed 6th Respondent be appointed Guardian-ad-litem over the minors 1-5 Respondents for the purpose of this case and that the petitioner is entitled to have Letters of Administration to the estate of the said deceased as lawful widow of the deceased issued to the petitioner accordingly unless the respondent or any other person or persons interested shall appear before this Court on the 9th day of March 1962 show sufficient cause to the satisfaction of this Court to the contrary.

Jaffna, this 23rd day of January 1962.

Sgd. V. M. Cumarasamy District Judge, Jaffna.

Drawn by V. Sivasubramaniam Proctor for Petitioner, This Order Nisi is extended to 11-6-62.

N. Sivagnanasundaram District Judge.

This Order Nisi is extended to 22-6-62.

N. Sivagnanasundaram District Judge,

(O. 43, 15 & 22)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 1141.

In the matter of the Intestate Estate of the late Alvar Vairamuttu of Puloly West Deceased, Ponnammah widow of Alvar Vairamuttu of Puloly West and Petitioner.

Wallippillai wife of V. Kanapathippillai Murugupillai of Puloly West Respondent.

This matter coming on for disposal before N. Sivagnanasundaram Esquire, District

Judge, Jaffna on the 3rd day of May 1962 in the presence of Mr. V. K. Subramaniam Proctor on the part of the Petitioner and the petition and affidavit of the Petitioner dated the 2nd day of May 1962 having been read:

It is ordered that the Petitioner abovenamed be and she is hereby declared entitled as widow of the abovenamed deceased to have Letters of Administration to the above estate issued to her accordingly unless the Respondent abovenamed or any person or persons interested shall on or before the 29th day of June 1962 show sufficient cause to the satisfaction of this Court to the contrary.

The 3rd day of May 1962

Sgd. T. Muttusampillai Actg. District Judge.

(O. 41, 15 & 22)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

No. 1092/T.

In the matter of the intestate estate of the late Sinniah Ponniah of Karainagar, Chief Jailor H M. Prison, Jaffna Deceased

Sugirtharatnam alias Nagammah widow of Sinniah Ponniah of Port Bungalow, Jaffna, presently of 18, Senior Lane, Kaladdy, Jaffna Petitioner

Vs.

1 Ponniah Pathmanathan of Port Bungalow, Jaffna presently of the University of Ceylon, Peradeniya

Minor 2 Kamalajany daughter of Sinniah Ponniah

" 3 Ponniah Gnananathan

" 4 Ponniah Ehamparanathan

5 Sinniah Sithamparapillai of Vilanai, Kalapoomy, Karainagar

(the 2nd to 4th are minors appearing by their proposed Guardian-ad-litem the 5th Respondent abovenamed.)

This matter coming on for disposal before V. M. Cumaraswamy Esqr., District Judge Jaffna on the 23rd day of January 1962 in the presence of Mr. V. Sivasubramaniam, Proctor on the part of the petitioner and the affidavit and petition of the abovenamed petitioner having been read:

It is ordered that the abovenamed 5th Respondent be appointed Guardian-ad-litem over the minors 2 to 4 Respondents for the purpose of this case and the petitioner is entitled to have Letters of Administration to the estate of the said lawful widow of the deceased be issued to the petitioner accordingly unless the Respondent or any other person or persons interested shall appear before this Court on the 9th day of March 1962 show sufficient cause to the

Order Nisi

IN THE DISTRICT COURT OF POINT PEDRO

Testamentary Jurisdiction No. 731.

In the matter of the Last Will and Testament of Walliammai wife of V. Eliathamby Mailvaganam of Valveddy Deceased

V. Eliathamby Mailvaganam of Valveddy Petitioner.

Vs.

1 Mailvaganam Sivapathasundaram of do
2 Mailvaganam Maheswaran of do
3 Mailvaganam Duraisamy of do
4 Mailvaganam Elyathamby of do
5 Mailvaganam Thirunavukkarasu of do
Minor 6 Rajarani daughter of Mailvaganam of do Respondents.

This matter coming on for disposal before V. M. Coomaraswamy Esquire, Acting District Judge, Point Pedro, on the 23rd day of May 1962 in the presence of Mr. N. A. Rajaratnam Proctor on the part of the Petitioner, and the Petition and affidavit of the Petitioner and the affidavit of the Notary and attesting witnesses of the Last Will No. 2519 of 20-10-56 having been read:

It is ordered that the said Last Will No. 2519 of 20-10-56 attested by K. Ramalingam Notary Public and now produced and deposited in Court be declared proved, that the Petitioner be declared entitled to obtain Probate thereof as Executor appointed thereunder and that Probate thereof be accordingly issued to the Petitioner; ii. that the 1st Respondent be appointed Guardian ad litem over the said minor 6th respondent for the purpose of watching her interest in these proceedings unless the respondents or any other person or persons appear before this Court on the 13th day of July 1962 at 10 O'clock in the forenoon and show sufficient cause to the satisfaction of this Court to the contrary.

It is further ordered that the said minor 6th Respondent be produced on 13th July 1962.

This 23rd day of May 1962

Sgd. N. Sivagnanasundaram District Judge.

Drawn by Proctor for Petitioner. (O. 40, 15 & 22)

satisfaction of this Court to the contrary.

Jaffna, this 23rd day of January 1962

Sgd. V. M. Cumaraswamy District Judge, Jaffna

Drawn by Sgd. V. Sivasubramaniam Proctor for Petitioner

This Order Nisi is extended to 11-5-62

N. Sivagnanasundaram District Judge

This Order Nisi is extended to 22-6-62

N. Sivagnanasundaram District Judge

(O. 42, 15 & 22)

NOTICE

IN THE DISTRICT COURT OF JAFFNA

No. P/602

1 Francis Alagarajah Alphousus and wife

2 Kamaladevi Gnana-pooranam both of Densworth Estate Dehiowitta Plaintiff.

Vs.

1 Kanapatipillai Thambirajah William presently of 7 Sri Wickrama Road, Wellawatte

2 Parimalam widow of Gulasingam of College Lane, Vaddukodai Defendants.

To: The Fiscal Northern Province

It is hereby notified that action No. P/602 has been instituted in the District Court of Jaffna under the partition act No. 16 of 1951 for the partition/sale of the land/lands called Nalavakadu and Nalavanchaddy in extent 21 Lms. V. C. and 15 Kls. and situated at Chuthumalai with its appurtenances.

The defendants in the aforesaid action are summoned to appear in Court on the 5th day of June 1962 at 10 O'clock of the forenoon.

By order of Court, Sgd. A. Dharmasena for Secretary.

This 30th day of April 1962.

True copy T. Arianayakam Proctor for Plaintiff. 12-6-62. (M. 38 15)

ORDER NISI DECLARING WILL PROVED &c.

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 1070.

Vyramuthu Joseph and wife Mary Josephine alix Sellam both of Koiyathoddam Jaffna Petitioners

vs.

Annammah wife of Francis Xavier Thomas daughter of Kavuriyepillai of Alukkai Alaveddy near St. Joseph's Church Respondent

In the matter of the Last Will and Testament of the late Francis Xavier Thomas of Koiyathoddam Jaffna Deceased

This matter coming on for disposal before N. Krishnadasan Esq. District Judge Jaffna on the 32nd day of November 1961 in the presence of Mr. V. Sivasubramaniam Proctor on the part of the Petitioners and the affidavit of the abovementioned petitioners dated 20th November 1961 having been read and the affidavit of the five witnesses to the Last Will dated 20th November 1961 also having been read:

It is ordered that the Will of the deceased Francis Xavier Thomas dated 25th July 1961 and executed before five witnesses be and the same is hereby declared proved unless the Respondent or others shall on or before the 7th day of March 1962 show sufficient cause to the satisfaction of this Court to the contrary.

This 22nd day of November 1961

Sgd. V. M. Cumaraswamy Actg. District Judge Jaffna

Drawn by Sgd. V. Sivasubramaniam Proctor for Petitioner

Time Extended for 11-4-62 V. M. C. Actg. D. J.

Time Extended for 11-5-62 N. Sivagnanasundaram D. J.

Time Extended for 27-6-62 T. Muttusampillai D. J. (O. 41, 15 & 22)

THE JAFFNA MUTUAL BENEFIT FUND Ltd.

(Established 1918)

Shares 5000 shares of Rs. 100/- each 80 monthly instalments of Re. 1/- per share will earn Rs. 100/- for each at the end of the period. Shares issued all time

Savings Accounts opened and interest allowed at 1% per annum on the average monthly balance when it does not fall below Rs. 500/-.

Fixed Deposits received for periods of 12 months and 36 months and interest allowed at 6% and 8% respectively.

Drafts issued on the National and Imperial Banks to Colombo and the Principal cities of India. Remittances to and from F. M. S. by special arrangements.

Loans on the security of Jewels a speciality Part payments accepted.

FOR FURTHER PARTICULARS

APPLY TO:

S. KANAGASABAI, Shroff.

ORDER NISI

IN THE DISTRICT COURT OF
JAFFNATestamentary Jurisdiction
No. 1147In the matter of the
intestate estate of the
late Aiyampillai Elia-
thamby of Alaveddi
Deceased.Nagammah widow of
Eliathamby of Ala-
veddi Petitioner.

Vs.

- 1 Vythilingam Visuvalingam
- 2 Sinnappu Thuraiappah and wife
- 3 Annaledchumy
- 4 Kathiravelu Vinasithamby and
- 6 Kathiravelu Kandasamy all of Alaveddi Respondents.

This matter coming on for disposal before N. Sivagnanasundaram Esq., District Judge, Jaffna on the 14th day of May 1962 in the presence of Mr. R. N. Sivapiragasam, Proctor on the part of the petitioner and the affidavit of the petitioner having been read:

It is ordered that the petitioner abovenamed be and she is hereby declared entitled as widow to have Letters of Administration of the estate of the abovenamed deceased and that the same be issued to her accordingly unless the respondent or respondents or any other person or persons shall on or before the 6th day of July 1962 appear before this Court and show sufficient cause to the satisfaction of this Court to the contrary.

Jaffna, this 14th day of
May 1962.Sgd.
N. Sivagnanasundaram
District Judge.
(O. 35. 8 & 15)

ORDER NISI

IN THE DISTRICT COURT OF
JAFFNATestamentary Jurisdiction
No. 1139In the matter of the Intestate
Estate of the late Thambiah
Nettsingam of Anaikottai
Deceased.Kanagasabai Sathasivam of
Chavakachcheri

Vs. Petitioner.

- 1 Thangammah widow of T. Nettsingam, lunatic appearing by her guardian ad litem the 2nd Respondent
- 2 Kathiravelu Kanagasabai both of Chavakachcheri Respondents.

This matter of the petition of the petitioner praying that Letters of Administration to the Estate of the abovenamed deceased coming on for determination before N. Sivagnanasundaram Esquire, District Judge, Jaffna on the 3rd day of May 1962 in the presence of K. Gnanachandran Proctor on the part of the petitioner and the affidavit and petition of the petitioner having been read:

It is ordered that the petitioner be and he is hereby declared entitled as Brother-in-Law of the deceased abovenamed to have Letters of Administration to the Estate issued to him accordingly unless the respondents abovenamed or any other person or persons interested shall on or before the 29th day of June 1962 show sufficient cause to the satisfaction of the Court to the contrary.

It is further ordered that the 2nd respondent be and is hereby appointed Manager and Guardian ad Litem of the Lunatic the 1st Respondent to represent her for all the purposes of this action unless the respondents abovenamed or any other person or persons interested shall on or before the 29th day of June 1962 show sufficient cause to the satisfaction of this Court to the contrary.

This 3rd day of May 1962.

Sgd. T. Muthusamipillai,
Acting District Judge.Drawn by
Sgd. K. Gnanachandran
Proctor for Petitioner,
(O. 37. 8 & 15)ORDER NISI DECLARING
LAST WILL PROVEDIN THE DISTRICT COURT OF
CHAVAKACHCHERITestamentary Jurisdiction
No. 108.In the matter of the Last Will
and Testament of the late
Thangamuttu widow of Kan-
diah of Chavakachcheri
Deceased.Kandiah Ponnambalam of
Chavakachcheri now at
Colombo Petitioner.

Vs.

- Minor 1 Murugesu Swaminathar of Chavakachcheri
- 2 Kandiah Thillainathan of Chavakachcheri
- 3 Vaithilingam Vaithesparan of Anuradhapura
- 4 Vaithilingam Viyakesar of Chavakachcheri
- 5 Kumaraswamy Sandrasegar and wife
- 6 Sivapakiam both of Udupidy
- 7 Arumugam Nadarajah and wife
- 8 Maneswari of Velalai East
- 9 Saravanamuttu Sundralingam and wife
- 10 Thayalnayagi both of Chavakachcheri
- 11 Ponniah Pararasasegaram and wife
- 12 Parameswary both of Kokuvil East
- 13 Vaithilingam Kamaladevi
- 14 Vaithilingam Kamalasaney
- Minor 15 Vaithilingam Sundralingam
- 16 Vaithilingam Nadarajah
- 17 Vaithilingam Panchacharam and
- 18 Vaithilingam Vijayanathan all of Chavakachcheri Respondents

This matter of the Application praying that the Last Will and Testament of the deceased abovenamed be declared proved and that Probate be granted to the Petitioner and that the 4th and 18th Respondents be appointed Guardian-ad-litem over the 1st and 15th to 17th Respondents for the purpose of these proceedings coming on for disposal before V. M. Cumaraswamy Esqr., Actg. District Judge, Chavakachcheri on the 5th day of April 1962 in the presence of Mr. V. Kanagasabai Proctor on the part of the Petitioner and the affidavit and Petition of the Petitioner and the Last Will having been read:

It is ordered that the Last Will and Testament of the deceased bearing No. 209 dated 7th March 1949 and attested by S. Siva Rajah Notary Public the original of which is now deposited in Court, be and the same is hereby declared proved and the Petitioner as the surviving Executor named in the said Last Will is declared entitled to Probate thereof and that Probate there of be granted to him on his taking the Oath of Office.

And it is further ordered that the 1st and 18th Respondents be appointed Guardian-ad-litem over the minors 1st and 15th to 17th Respondents respectively for the purpose of these proceedings unless the Respondents or any other person or persons interested

ORDER NISI

IN THE DISTRICT COURT OF
JAFFNATestamentary Jurisdiction
No. 1151/TIn the matter of the intestate
estate of the late Siva-
pakkiam wife of Ponniah
Arumugarajah of Mootha-
ninar Kovilady, AnaicoddaiPonniah Arumugarajah of
Moothaninar Kovilady,
Anaicoddai Petitioner

Vs:

- Minor 1. Arumugarajah Yogarajah of Moothaninar Kovilady, Anaicoddai
2. Seeniar Thambirajah of Anaicoddai Respondents

This matter coming on for disposal before N. Sivagnanasundaram, Esquire, District Judge, Jaffna on the 21st day of May, 1962 in the presence of Mr. S. Kanagaratnam, Proctor on the part of the Petitioner and the affidavit and petition of the abovenamed petitioner having been read.

It is ordered that the 2nd Respondent abovenamed be appointed Guardian-ad-litem over the minor the 1st Respondent abovenamed and that the said Petitioner be declared entitled to administer the estate of the said deceased and that Letters of Administration be issued to him as her lawful husband—unless the Respondents abovenamed or any other person or persons interested shall on or before the 20th day of July, 1962 at 10 a. m. or so soon thereafter show sufficient cause to the satisfaction of this Court to the contrary.

It is further ordered that the Petitioner do produce the said minor in Court on the 20th day of July, 1962.

This 21st day of May, 1962

Sgd. T. Muttusamipillai
District Judge, JaffnaDrawn by
Sgd. S. Kanagaratnam
Proctor for Petitioner
(O 38. 8 & 15)

In this Estate shall appear before this Court on the 21st day of May 1962 and show cause to the satisfaction of this Court to the contrary. The said minors must be produced in Court on the said date.

Sgd. V. M. Coomaraswamy
Actg. District Judge.Drawn by
Sgd. V. Kanagasabai
Proctor for Petitioner.23-5-62.
Order Nisi extended and Re-
issued for 25-6-62.Sgd. V. M. Coomaraswamy
Actg. District Judge.
(O. 39. 15 & 22)

ORDER NISI

IN THE DISTRICT COURT
OF JAFFNATestamentary Jurisdiction
No. 1074In the matter of the Intestate
Estate of the late Nagalin-
gam Thirugunasambanther
of Meesalai South
Deceased.Yogambikai widow of Thiru-
gnanasambanther of Meesa-
lai South Petitioner.

Vs.

- Minor 1 Thirugunasambanther Apathsahayam
- 2 Mathuravasani daughter of Thirugunasambanther
- 3 Thirugunasambanther Athmasahayam
- 4 Thirugunasambanther Ananthasahayam
- 5 Ehamparanather Paramjothi all of Meesalai South, Meesalai Respondents.

This matter coming on for disposal before N. Krishadasan, Esquire, District Judge of Jaffna on the 8th day of December 1961 in the presence of Mr. S. SivaRajah Proctor on the part of the petitioner abovenamed and the affidavit of the petitioner dated the 8th day of December 1961 having been read:

It is ordered that the petitioner be and she is hereby declared entitled as widow of the abovenamed deceased to have Letters of Administration to the above Estate issued to her accordingly, unless the respondents abovenamed or any other person or persons interested shall on or before the 31st day of January 1962 show sufficient cause to the satisfaction of this Court to the contrary.

It is further ordered that the 5th Respondent be and he is hereby appointed the Guardian ad Litem of the minors the 1st, 2nd, 3rd and 4th Respondents to represent them for all the purposes of this action unless the respondents abovenamed or any other person or persons interested shall on or before the 31st day of January 1962 show sufficient cause to the satisfaction of this Court to the contrary.

This 8th day of December 1961

Sgd. T. Muthusamipillai
Acting District Judge.Drawn by
Sgd. K. Gnanachandran
Proctor for Petitioner.Time to show cause extended
till 13-7-1962.Sgd. T. Muthusamipillai
Acting District Judge.

(O. 36. 8 & 15)

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பாசுமறை யந்த சேர்தல் சந்தர்ப்ப சேர்வீ மல
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Printed and Published by Ayampillai Sinnathurai, residing
No. 2 Brown Road, 2nd Lane, Jaffna, for and on behalf of
the Proprietors, the Saiva Paripalana Sabha, Jaffna, at
their Press, the Saiva Prakasa Press, 450, K. K. S. Road
Vannarponnai, Jaffna, on Friday, June 15, 1962.

Editor: B. N. SIVAPIRAGASAM