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Saiva Prakasa

FOR YOUR

JAFFNA, FRIDAY MAY 29, 1970

30

NO. 8

BOOKS

The Law and the Common Man

BY

Hon. Dr C. G. Wesramantry, LL. D. (Lond.)
Puisne Justice

(Continued from our last issue)

Then again here is the old criticism of the legal profession, that it is wrapped up in its own work and not giving of its expert knowledge to the public and not making its due contribution to public life. It is of course true that there is tremendous pressure on a lawy-r's time. But there is no doubt that a very honoured place awaits lawyers in society if only they will reach out to it from their offices and chambers. The public is awaiting their emergence to take their due place in society and in the administration of the varied voluntary organisations representative of civic activity. It is necessary in other words for the legal procession to join in the flow of history if it is to fulfil its proper and time-honoured function in society. The emergence of the lawyer in this way will have the most salutary effect on society, for his experience, his knowledge, his judgment and his sense of responsibility when displayed upon this wider stage cannot but result in a toning up of public life generally. I do appeal therefore to the members of the profession to make that necessary sacrifice of their time which I think the conditions of our age demand.

Finally I think it is necessary that the legal profession should be alert to this fact that the time is past for the more mechanical implementation of rules of law. The time has come when the profession should be more keenly aware of the jurisprudential aspect of the law and more keenly aware of their duty to make their due contribution towards the moulding of the law. While law making and the impulse for law re. form fall largely within the sphere of the lay public, the prefession, by virtue of its special knowledge and experience has a peculiarly valuable contribution to make in this regard-a role which has been going by default in the recent past. Lawyers should not be more practitioners but should tend to become jurists as well, in this age which, more than any other in history, demands so much more from the technically skilled,

Finally I would like to stress that the profession is a dedicated body of men willing to place at the layman's disposal all their talents so patiently and painfully acquired over so long a period Even more, it is a repository of inde. pendence in the face of wealth and position which cannot be matched by any other group of men in our society. Let this be realised by the piblic and let them look upon the profession as friends and protectors, ever present in time of need, for it is largely owing to the profession that the citizen can walk among his tellows with the dignity of equal liberty under the law and the assurance that no wealth or influence or power will stand between him and the assertion of his rights.

I come finally to the citizen and the courts.

If a citizen should ascend Hulisdorp hill any morning and walk into the courts of law he

would probably see in one court a divorce suit in progress; in another, two people fighting for one perch of land or for a jak tree, in another, a guarrel over the estate of some deceased testator and in another a dispute arising from the refusal of an aggrieved customer to pay a garage repair bill for some paltry sum. Well, he may think to himself what a waste of expenditure all this involves. Why is it that when two persons are fighting for a jak tree or for a paltry sum the State must maintain a judge to sit in open court, pay so many officers of court, and keep up an expensive court-house and all its attendant paraphernalia? Why may not the same result be achieved by a competent and qualified public official seated in his office? The answer lies in the importance of the principle of publicity in the administration of justice. The courts are, as Lord Hewart has said a public spectacle demonstrating to society that if contracts are not honoured damages must be paid, if assault takes place punishment must follow, and if torts are committed damages must be paid The know. ledge that the process for securing this result is available to every citizen operates as a great insurance policy which prevents contracts being broken, torts being committed and crimes being perpetrated It is the knowledge that the machinary exists and that when it is employed it is employed with skill and without favour that renders its employment unnecessary save only in the exceptional case.

Secondly it is considered by many historians and lawyers to be even more important than the sovereignty of Parliament itself that justice

(Continued on page 2)

Verdict of the People Reveals Variegated View-Points

The Swing to the Left United Front

Swayed by the S. L. F, P.

Unprecedented in the history of parliamentary elections, the 1970 May Election held in Lanka, stands out as a performance which even the nost optimistic Coalitionist Leader would not have be ped for. It was a guest of S.L.F.P.C.P. L.S.S.P. wind that swept the polla and incident ally swept the U.N.P. and allied parties off their seats. The blowing was however dominated by a strong S.L.F.P. direction with the C.P. and the L.S.S.P. keeping to specified areas. And when the wind stopped after full ten hours of chartered course, the result was clear; the up-rooting of well rooted political trees was in the pattern of a periodical cyclone. Here and there some old trees braved the blowing and survived the storm. And the result was the picture of a wind-worn U.N.P. acknowledging decisive defeat.

In the traditional strug-strong blowing changing gle between the major direction swiftly and parties of the Tamil suddenly. The F. P. saw speaking people the electron wind burst into a the Secretary being swept

away along with their Iron man. As if to confirm the dramatic turn in political thinking, the T. C, suffered the same fate. the storm making short work of the President, the Secretary and the Youth Front Leader. But more propounced was the drifting away of the C. P. and L S. S. P. candidates from the march owards the post of poliical victory. The North and the East maintained the tradition of returning members not belonging to be C P. and the L. S. S P.

The North

The F. P. contested all seats in the North, the T. C. all seats but one. The C. P. 2, the L S S. P. 5, the S. L. F P 1. The Eela Tamil Front 1 the Tamil Freedom Party 1.

Independents with miscellaneous convictions also contested the E ections The F. P. retained 10 seats and the T. C. ikewise had 3 seats. All others were rejected The party strength remained he same but the actual voting revealed a very interesting features of public opinion.

Analysing the voting in the Northern Electorates, the student of politics will find that 159797 were F P minded while 115507 avoured the Tamil Congress. Only 12433 voted for the C.P. and a meagre

Continued on page 3/

TIME IS PRECIOUS

FOR INSTANT WASH

Use Milk White Washing powder



COLLECT THE WRAPPERS and WIN PRIZES

MILK WHITE SOAP WORKS JAFFNA

THOUGHTS TO BE TREASURED

to dance.

Who will not submit, if controlled.

to run,

Who will not sympathise if caused to sympathise, Who will not sing, if caused to sing,

to obey,

Who will not ase, if caused to see.

Who will see, O, God having an eye on the forehead, if not caused to see.,'

_Dhevaram



passing a group of the கமச்சிவாயவே நானர் மக்கையும் நமக்கிவாயவே நாநவின் நேத்துமே நமச்சிவாயவே நன்னெறி காட்டுமே a francisco population la

FRIDAY, MAY 23, 1970

LEFT ABOUT TURN

Spectacular was the suc- for calm and harmony. cess of the S. L. F. P. in the 1970 General Election with ninety one seats out of one hundred and fifty one The alied partners of the U. L. F. brought up the rear with equal dexterity and enabled the Coalition began to think a bit deep till the end of March, reach the mighty figure of about the epoch-making 1970. The total number one hundred and fifteen, election of 1970 in this of Indian Nationals who As a performance in a country. From 66 to 17 is have left Ceylon since parliamentary election the triumph of requires to be explained the Indo-Ceylon Agree-U. L. F. is a feat that may by the outgoing Premier stand unchallenged for and his colleagues. What ever. It looks as if the a fall! It was more in the climax of the Coalition's nature of a crashing colaspirations has been reach- lapse resulting from the ed.

gathered momentum day went down leaving a few by day with the contesting pillars standing prominent | 2599 echoing was perfect as in stock and barrel. ciplined and decisive.

the simple reason that any opening hitherto 'locked' T. C leanings study of the way of the electorates

for a change. The verdict ColomboCentral Star glowof the voters, jurors em- ing better indicating its panelled to help a consti- true-fixed quality. Who will not dance, if caused tutional decision in the appeal to the nation being areas, Kuliyapitya of Who will not run, if caused tio of five to two in favour the pathetic picture of the of the U. L. F., a verdict centre of the cyclonic dethat had the force of ap vastation. The then Mi-

proximate unanimity. Who will not obey, if ordered ties will be anxious to agent of self-decay. Every and promises The Na- an infinitesimal claim charged with the accusa- ture of setting afoot mis was mounting confusion character, Sakuni of Bhacommon man became bur in his vicious campaign of in on these issues, the res-mindful of the internal ponsibility of Premier damage. Srimavo Bandaransike becomes more and more solemn.

> The people accept their own verdict and assure the new Premier of their co-operation. And we are confident that the people pond to the Premier's call 1964. This figure in-

STARTLING SWING

(communicated)

sudden bursting of a hid-The battle of the ballot den volcano. Everything

Among the blown-up arrived at, was in the ra Iriyagolle fame presents nister of Education stood What a student of poli- above all as the stalwart learn would be the capa- single step that was taken city of the winning coali- by this Minister in a sphere tion to fulfil its pledges where he had not even tional Government was to be, had been in the nation of gross negligence in chief and inducing even the matter of keeping up normal supporters to get their promises. In the together and declare war sphere of education there on him. Like the evil and the ministerial directata war, Kuliyapitya tion was provocative. The Iriyagolle was unfailing dened more and more with inviting trouble on his the inexplicable soaring leader Dudley Senanayake up of the cost of living who as if destined to be Now that the New Gov-let down by his own ernment has been voted colleagues, remained un-

Indian Citizenship

Indian Citizenship has been granted to 69,983 persons till 30th April, 1970 in terms of the In will whole-heartedly res- do Ceylon Agreement. cludes 63,522 persons accountable towards the Agreement figure and 6,461 persons who represent the 'Natural Increase."

Of these persons 13,639 The common man has have already left Ceylon general a fall for the UNP that 30-10-1964, the date of ment, till the end of January 1970 is 30,384.

Verdict of the.....

(Continued from page 1)

for L. S. S. P. parties bringing to bear ly in the midst of the de- Whereas 10628 voted for on their respective cam- bris. Colombo North, Cen- the U. N. P and 1226 for paigns every bit of propatral and South, Galle and the S. L. F. P. Mr. V. ganda and persuasion. Kandy, the metropolis Navaratnam's newly And when the day of and two provincial capitals formed Party had 7913 judgment arrived the remained unblasted. The votes and Mr. C. Suuthamind of the common man Eastern Province went a ralingam got 5778. Mr. had been quite determin- little to the resone of the A. Thursiappah obtained ed about the use of the rejected UNP; and that 8792 and the other indeprecious privilege, the was all. Here is a pattern pendents all of them votvote. The tune was defi of judgment that must ed 9756 of whom 5013 nitely set up for a change awaken the UNP to some backed Mr. Kathiravelu. -a sweeping change. The serious thinking on the But in the Eastern Prothinking was loud and the eve of its rejection, lock, vince in the 6 seats contested by the F. P, the a well-tuned chorus It | On the other hand, that U. N. P and the S. L.F. P was a left about turn, dis- promised stomach-full of also contested. The T. C. rice has received the clasp- did not enter the contest. We are not inclined to ing of co-operative good- The voting was 85966 for embark on a voyage of in. will from the masses. But U. N. P (3) 80118 (3) the vestigation into the cir the Hand that held the S. L. F. P. 54990 (1) the oumstances and factors Key to good advantage also S. M. P 601. While one that led to the swing from saw the Key perform- Independent who won a the Right to the Left for ing true to promise and seat and is known to have And more 23082. One voters would merely show 'stars' appeared in the po- eandidate in Mutur consthat the time had arrived litical horizon with the tituency obtained 18698.

NORTH AND EAST

IN THE NEW PARLIAMENT		
Kaukesanthurai		
S. J. V. Chelvanayakam (FP) V. Ponnambalam (CP) C Suntheralingam (Ind) T. Thirunavukarasu (TC) Majority	18,520 8,164 5,788 8,051 5,356	
Kayts		
K. P. Ratnam P. Kathiravelu V. Navaratnam N. T. Sivagnanam (TC) Majority Uduvil	13,079 5,013 4,718 1,667 8,066	
	14,120	
V. Dharmalingam (FP) N. Sivanesan (TC) K Vinothan (Ind) V. Karalasingham (LSSP) V. M. Mudaliyar (Ind) Majority	11,656 1,362 1,264 254 2,464	
Vaddukkoddai		
A. Thiagarajah (TC) A. Amirthalingam (FP) Majority	14,359 13.634 725	
Jaffna		
C. X. Martin (FF) A. T. Duraiappah (Ind) G. G. Ponnambalam (TC) Majority	8,848 8,792 7,222 56	
Nallur		
C. Arulambalam (TC) E. M. V. Naganathan (FP) A. Ratnam (Ind) V Satchithanantham (LSSP) C. Thanabalasingam (Ind) S Sreenivasan (Ind) Majority	13,116 12 508 1,593 484 223 114 608	
Kopay		
S. Kathiravetpillai (FP) T. Gunaratnam (TC) S. Kanagasundaram (Ind) M. Thurairajah (SLFP) Majority	16,428 17,288 283 213 5,140	
Uduppiddy	0,110	
K. Jayakody (FP) M. Sivasithamparam (TC) Pon Kumarasamy (CP) K. Piliniyenar (Ind) R. R. Tharmaratnam (LSSP) S. Suntheram (Ind) Majority	12,918 11662 1,149 724 712 591 1,256	
Point Pedro		
K. Thurairatnam (FP) N Nadarajah (TC) P. Kanagarajah (Ind) A Visagaratnam (Ind) Majority	9,217 8 902 579 305 315	
V. N. Navaratnam (FP)	15.473	
V. Coomerasamy (TC) Majority Kilinochchi	12,921 2 ,552	
V. Ananthesangari (TC)	9,049	
M. Alalasunderam (FP) K. A. Jerome (Ind) A. Sivasuntharam (nd) A. S. Kanageratnam (LSSP)	8,392 263 193 139	
Majority	657	

Vavuniya

10.947

10,674

M. S. Sellathambu (FP)

T. Sivasithamparam (TC)

May 29, 1970	1	
F. Pathmanathan (CP) S. M. K. Subasinghe (Ind) A. D. A. Senevaratna (Ind)	3,120 584 184	-
Majority	273	1
Mannar		3
V. A. Alakagone (FP)	10,697	
S. A Riheem (UNP)	10,628	ı
N. M. Abdul Cader (SLFP)	513	
Majority	69	
Trincomalee		(
B. Neminathan (FP)	12,395	
S. M. A. Jamaludeen (SLFP)	8346	
R. Navaratuarajah (UNP)	5703 601	
R G Senanayake (SMP) Majority	4049	,
Mathur		-
A. L. Abdul Majacd (SLFP)	22,727	
A. Thangathurai (FP)	19,787	2
H. D. L. Leelaratoa (Ind)	18698	
M. E. H. Muhamed Ali (UNP) B. G. Srisena (Ind)	15018 253	476
2. di siischi	200	ľ
Batticalca		l,
C. Rajadurai FP	1st M. P.	-
Rajan Selvanayagam Ind	2nd M. P.	ŀ
Kalkudah		-
K. W. Devanayagam (UNP)	11,205	ľ
P. Manickavasagam (FP)	8420	
S. Sivagnanam (Ind)	1660	1
S. S. Gabriel (Ind)	557	1 1
A. M. A Cafoor (SLFP)	331	t
Amparai		I
Senerat Somaratne SLFP	18,510	ľ
P. Dayaratne UNP	14,194	
Y. S. Minoris Ind.	414	000
Paddiruppu	Caller Tage	-
S. Thambirajah (U.P)	13,370	-
S. M. Rasamanickam (FP)	12,723	ì
		7
Kalmunai	0550	1
M C Ahmed (SLFP) A R Munsoor (UNP)	87791 7827	100
A Udumalebbe (F P)	4930	1
Nintavur		2
M M Mustapha (UNP)	13,481	-
M I M Abdul Majeed (Ind)	13,406	100
C I S Cassim SLFP	556	1
Pottuvil		
M A Abdul Majord UNP	10610	,
N Tharumalingam Ind M I Abdul Jabbar SLFP	9335 5209	-
Tabada onoda Dilla	0400	

The Law and the Common Man

(Continued from page 1;

should be publicly and openly administered. On that point Bentham has said "In the darkness of secrecy sinister interest and evil in every shape have full swing. Only in proportion as publicity has place can any of the checks applicable to judicial injustice operate. Where there is no publicity there is no justice..."Publicity is the very soul of justice. It is the keenest spur to exertion and the surest of all guards against improbity. It keeps the judge himself while trying under trial-" And again he has observed, "The security of securities is publicity."

To the same effect Hallam observes that there is no real freedom in any State where the judicial process does not take place in public. He too places this even above the sovereignty of Parliament as a safeguard of the liberties of the subject. As with the law and the legal profession, so also with the judicial process as well, it is a need of the times that there should be more acquaintance with it on the part of the public. The present attitude of indifference and apathy ought not be permitted to continue.

To illustrate the complete lack of interest of the citizen in the judicial process may I give you one illustration. The great Justice Holmes was considered by many to be the most eminent IN THE DISTRICT COURT OF JAFFNA

Case No. T/2586

In the matter of the application for Letters of Administration over the estate ef the late Neelayathevi daughter of Sittampalam of Jaffna. Deceased

unapooshani widow of Kandavanam of 15 Oddumsdam Road, Vannarponnai

Petitioner

Subramaniam Balasubramaniam of Wyman Road, Jaffna

Manickavasagar son of Ramanathan of Eastern Valaichensi

Ramanather Shanmugana- 3 Seenivasagam Thevaindra than of 15 Oddumadam of do Road Vannarponnai

S. Sittampalam, Periyathoddam, Karaveddi Esst

disposal before I. M. Ismail Esquire District Judge, Jaffnh on the 22nd day of April, 1970 in the presence of Mr. K. Gunaratnam Proctor on the part of the Patitioner. and the Petition and affidavit of the Petition dated the 24th day of March, 1970 having been read,

It is ordered that the Petisioner abovenamed as grand mother of the decessed and as one of the heirs of the estats of the deceased abovenamed be declared entitled to have Letters of Admi istration be issued to ber and that Letters of Administration be issued to her secordingly unless the Respondents abovenamed or any other person or persons interested shall accordingly unless the resappear on or before the the contrary.

This 22nd day of April, 1970 8gd. 1 M. Ismail District Judge. Jaffna Drawn by: Sgd, K. Gunaratnam

Proctor for Petitioner 34 29 & 5

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

No. T/2590

In the matter of intestate estate of the late Saravanamuttu Seenivasagam of Kalasalai Road, Tirunelveli North, Jaffna; (deceased)

Thangammah widow of Saravanamuttu Seenivasagam of Kaiasalai Road, Tirunelveli North, Jaffna:

V8. Petitioner

1 Seenivasagam Mahendra of Tirunelveli North, Jaffna; Paper Mills Corporation, 2 Seenivasagam Nagendra of do

of do

4 Seenivasassgam Rajendra of

5 Pooshparani wife of Respondents 6 Kanagaratnam Wilwarajah

This matter coming on for 7 Jeyarani daughter of Seenivasagam of do

Respondents

This action coming on for disposal before 1 M. Ismail Esquire, District Judge Jaffna on this 25th day of April 1970 in the presence of Mr. R. Sivasubramaniam Proctor on the part of the petitioner and affidavit of the petitioner dated 29th March 1970 having been read.

It is ordered that the petitioner abovenamed be and she is hereby declared entitled as the widow of the deceased to have Letters of Administration to the estate of the abovenamed deceased issued to her 9th day of June, 1970 and interested shall show sufficient show sufficient cause to the cause to the contrary to the satisfaction of this Court to pondents or any other persons the 28th day of June, 1970.

This 25th day of April 19.0 Sgd, I M. Ismail District Judge, Jaffua.

Drawn by R. Sivasubramaniam Proctor for Petitioner (O36 29 & 51

judge that set on the American Supreme Court bench, and by any standards he was certainly a judicial phenomenon of his age. He made probably the most outstanding judicial contribution to the development of the American Constitution and of the liberties of the subject in that country and served long years on the Supreme Court Bench When he resched his 90th birthday, whilst still in office, a New York newspaper sent out a team of reporters to interview the average citizen in order to gauge the public reaction to the life and work of this great judge Sad to relate, many a citizen when questioned by this team of reporters, asked whether they were being questioned about "that young fellow on the Supreme Court bench who is always disagreeing with the other chaps."

Such a reaction could not possibly have preceeded from any enlightened citizen who was taking an intelligent interest in the maintenance and growth of liberty in his country.

We would also desire a more general realisation that the work of the judiciary is not an impersonal process but is the work of human beings striving to achieve by the purely human means at their disposal that perfection in the administering of justice which is really the attribute of a power higher than ourselves. Judges

(Continued on page 4)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 2587

In the matter of the intestate estate of the late Assimuthu widow of Ramalingam of Moolai

Deceased Theivanaipillai alias Saraswathipillai widow of Pennambalam Kathiravelupillai of Moolai, presently of Malaysia by her duly appointed attorney Subramaniam Ambalavanar of Vaddukkod-

 ∇_{B_*} Petitioner Ambalavanar Paramalingam and wife

2 Sivapakkiam both of Moolsi Respondents

This matter coming on for disposal before I M. Ismail Esquire, District Judge Jaffna on the 25th day of April 1970 in the presence of Mr. S. Coomaraswamy Proctor on the part of the petitioner and the 8 Indrani daughter of Sesni-vassgam of do dated 24th March 1970 having been read.

It is ordered that Letters of Administration to the estate of the abovenamed deceased be issued to the petitioner as one of the heirs of the abovenamed deceased. unless the abovenamed rescondents or any others interested shall appear before this court on or before the 28th day of June 1970 and show sufficient cause to the satisfaction of this court to the contrary

This 25th day of April 1870 K. E. Kathirgamalingam Acting District Judge

Drawn by S. Coomaraswamy Proctor for Petitioner 33 29 & 5

IN THE DISTRICT COURT Of

No. P/1218

I Seenivasagam Thambirajah and wife 2 Nallammsh both of Kanda

rodai Va-Plaintiffs

7 Arumugam Sabanayagam and wife

3 Annaratnam both of Kandarodai

3 Sinnathamby Ponouthura1 and wife

4 Manonmany both of do 5 Nallathamby Arumaithurai

Suseelathevi daughter of Nallathamby do

.. 7 Atputhem daughter of Nallathamby of do The 6th and 7th being minors by their guardianad-litem the 8th

S Sinnakuddy Nallathamby of da

9 Vettivelu Apimanasingam of Uduvil

Defendants

It is hereby notified that action No. P/1218 has been instituted in the District Court of Jaffna under the Parairion Act No. 16 of 1951 for the partition of the land oxlied Sankavattai and situated in ti s village of Kandarodai in he Jaffna District

The defendants aforesaid action are summoned to appear in Court on the 27th day of January 1970 at 10 O'clock of the forencon.

By Order of Court Sgl. S. Perfathamby 0.0.

This 18th day of October 1989 39 39 & 5

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 2592/T

In the matter of the intestate estate of the late Arumugam Nadarajah of Alvai North, Alvai

Deceased

Annapooranam wife of Murugupillai Arumugam of Alvai North, Alvai

> Vs Petitioner

Murugapillei Aramugam of Alvai North, Alvai

garatnam Proctor on the and the affidavit of the having been read. part of the Petitioner and petitioner dated 18th day the Petition and Affida of March, 1970 baving vit dated 22nd day of been read. April 1970, of the Peti tioner having been read.

It is ordered that the entitled as tate of the said deceased to the above estate issued be and the same is 10 A. M. show sufficient 1970 and show sufficient cause to this court to the cause to the satisfaction contrary

This 7th day of May 1970

K. E. Kathirgamalingam Actg. District Judge 17-5-70

Drawn by Sgd. S. Kanagaratnam Proctor for Petitioner 32 29 & 5

HINDU ORGAN 8 INTHUSATHANAM

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ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 2583/T

In the matter of the intestate Estate of the late Ponnammah wife of Ponnammah wife of Vallipuram Sathasivam of Kondavil East, Kon-

Petitioner 1 Sathasivam Kathirgamanathan,

2 Sathasiyam Yoganathan

3 Sathasivam Arunthava nayagy all of Kondavil East, Kondavil

petitioner abovenamed be ceased dated 16th May and he is hereby declared Petitioner be declared en- spouse of the deceased titled to have Letters of abovenamed to have Let-Administration of the es ters of Administration to issued to her as his mother to him accordingly unless hereby declared proved Unless the Respondent the respondents aboveabovenamed or any other named or any other perperson or persons interest- son or persons interested shall on or before the ed shall on or before 6th day of July 1970, at the 2nd day of June of this Court to the con-

This 31st day of March, court to the contrary.

1970

Sgd I. M. Ismail District Judge

Drawn by Sgd. A. Thanabalasingam Proctor for Petitioner (0.30 22 & 27)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction Testy No. 2584

In the matter of the Intestate Kishan Devee widow of Road, Jaffna

Bajarangalal Prahladrai of 159, K. K. S. Road, Jaffna

Makar Road, Calcutta

3 Pans widow of Frahladrai Nathoramka L/c Puranmal Paddar of 19, Balmukand Makar Road, Calcutta

4 Ilayachi wife of Ratanial Singhania of P 40 B.K. Paul Byenne, Calcutta

This matter coming on for Proctor for Petitioner disposal before I. M. Ismail 29 22 & 29

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 2585

In the matter of the Last Will and Testament of the late Canagasabai Arnlampalam of Koddady, Jaffna

Deceased Mahadeva Arulampalam of Hospital Road, Koddady. Jaffra

Petitioner

This mat'er coming on or disposal before 1 M. Respondents Ismail Esquire. District This matter coming on Judge, Jaffna on the 31st for disposal before I. M. day of March 1970 in the Respondent Ismail, Esquire, District presence of Mr C. C. So-Judge of Jaffos on the masegaram Proctor on This matter coming on 31st day of March, 1970 the part of the petitioner for disposal before I. M. in the presence of Mr. A. and the affidavit of the Ismail Esquire, District Thanabalasingam and his petitioner dated loth day Judge, Jafina, on the 7 h assistant Mr. S. Sitham- of March 1970 and the day of May 1970, in the paramathan, Proctors on affidavit of the 2nd wit presence of Mr. S. Kana- the part of the petitioner ness to the said Last Will

> It is ordered that the Last Will and Testament It is ordered that the of the abovenamed de-1955 and attested by A surviving Arulambalam Notary Publie under No. 476, original of which is filed record in this case, and probate thereof issued to the petitioner as the Executor name therein unless any others interested appear before this court on or before the 2nd day of June 1970 and show sufficient cause to the satisfaction of this

> > This 31st March 1970.

Sgd. I. M. Ismail District Judge

(0.27 22 & 29)

Esquire, District Judge Jaffins on the 31st day of March 1970 in the presence of Mr C Mahesan, Proctor on the part of the petitioner and the petition dated 18-3-1970 and affidavit of the petitioner dated 16-8-1970 having been

It is ordered that the pati-Estate and effects of the late tioner as the son of the deceased be declared entitled to Bajarangalal of 159, K. K. S. have Letters of Administration over the estate of the deceased abovenamed issued to him and that Letters of Administration be issued to Vs. Petitioner him accordingly unless the I Laxmi Devi wife of Praha-respondents ab venamed or ladrai of 159, K. K. S. Road any other person or persons Jaffna shall appear on or before the 2 Mohri wife of Puranmal 22nd day of June 1970 and Poddar of 19, Balmukand show sufficient cause to the satisfaction of court to the

K, E Kathirgamalingam Actg. District Judge. Jaffna Drawn by Respondents (Sgd.) C. Mahesan

The Law and the Common Man

(Continued from page 2)

must occasionally err as all human beings must err but we hope our errors are few and far between and can only emphasise that if errors do occur they are not for want of striving. It would be well to remember the words of Justice Cardozo that the judges "do not stand aloof on those chill and distant heights. The great tides that affect humanity do not turn aside in their course and pass the judges by." Let it be remembered therefore that the judges are but human and striving towards the attainment of that ideal of perfect justice so dear to us all, and that they are human beings striving to this end to the limit of their abilities and within the limits of their human frailties.

It is indeed a happy augury for this country that succeeding generations of judges have by their rectitude, their devotion and their scholarship built for the judiciary a high place in the people's esteem and affection. The built in respect for the judges and the courts which is characteristic of our people makes it easier to suggest that ways and means should be found to bring the judicial process even closer to the understanding of those whom it saeks to serve. In gard to the jupicial procees itself I would like to emphasise that in the silting of truth from falsehood, in the disregard of power and position, in the shedding of pride and prejudice, partisanship and intolerance and in the thirst for what is true and just which accompany the judicial process we see also some of the attributes of the divine. For these reasons, all those who are engaged in that guest for justice shed the dross of their human nature and stand transfigured even momentarily with those higher attributes. It is for this reason that all who are engaged in this search whether as lawyers or as judges whether as officers of court or as jurors are specially honoured in every society and in every age. Well has it been said that there is no work more worthy of the human mind and no greater duty that we in this world can propose to ourselves than to exert our best energies in the quest for justice and in the ascertainment of truth. To quote an old English judge: 'This court in which we sit is a temple of justice, and the advocate at the bar as well as the judge upon the bench are equally ministers of that temple. We are all judges, jurors, advocates and attorneys together concerned in the search for truth; the pursuit is a noble one and those are honoured who are the instruments engaged in it. Let us never forget that the attainment of justice and the pursuit of truth are higher and nobler results than any which in this place we can propose to ourselves." Now it is into that honoured circle that we would wish to draw the private citizen. The work we are doing is too tremendous, it is too significant, it is too difficult for us to do it alone. We need his co-operation and with his co-operation the quality of our work will improve. He as a citizen must not fail to take an in elligent interest in this quest for justice, a quest which involves not merely one of the highest forms of human activity in the State but constitutes one of the high watermarks of civilisation itself.

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This 3 st day of March 1970 Printed and published by Mr. M. Mylvaganam residing at No. 2, Second Lane Brown Road Jaifna, for and on behalf of the Proprietors, the Saiva Paripalana Sabhai, Jeffna at their Press, the Saiva Prakasa Press, 450 K. K. S. Bord Vannarpennal; Jafina, on Friday May 29, 1970

Editor : R. N. SIWADIRAKASAM