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NO. 19

The Administration of Justice in Ceylon

(ARTICLE REFERRED TO
IN J. R. SINNATHAMBY'S LETTER)By L. B. Clarence — Puisne Justice
(From "Law Quarterly Review", Jan'y. 1886)

Many people suppose that Ceylon is under the government of India, and that is hardly surprising. Lying close to the continent of India, and inhabited by native races who emigrated originally from India, one would naturally suppose that whatever government might suit India would suit Ceylon also. In fact, the small portion of Ceylon which the Dutch owned and ceded to England in 1796 were at first attached to the Madras Presidency; but an over hasty interference with existing arrangements, coupled with intolerable rapacity and corruption on the part of imported Malabar officials caused the Sinhalese on the west coast to revolt and before the century was out, Mr Pitt determined that the dependency should thenceforward be governed as a crown colony. Hence it is that Ceylon, instead of being governed as part of the great Indian Empire with which she has so much in common, shares the care of the Colonial Office with our West Indian possessions, the Australian colonies, and other dependencies totally unlike herself. Advantages at once suggest themselves which Ceylon might have enjoyed, had she been allowed to share the government of her grand neighbour, instead of being governed by herself, as a little scale, under another department. In India, land settlement, Codes of Substantive Law and Procedure, and many other matters of legislation and government, have been contrived by the high talent at the disposal of a government conducted on a grand scale. Poor Ceylon offers a sorry contrast to all this; much of her legislation embodying substantive law has been very unintelligently framed, and

legal procedure halts in a state of confusion between traditions of the Roman-Dutch Law and innovations tacitly borrowed from England.

In Ceylon, as in India, England undertakes to govern a large native population very unlike Englishman in most of the ways, and in each place the European inhabitants must always, for climatic reasons, be in an infinitesimally small minority, compared with the native population. The task of government includes that of providing suitable law and efficient administration of justice. We English are perhaps a little disposed to plume ourselves on the benefits conferred upon Orientals in the shape of British justice. Our administration of justice is certainly honestly intentioned and, so far as concerns English judicial officers, scrupulously pure. 'Nulli vendemus, nulli negabimus aut differemus reatum aut justitiam.' If we apply the Magna Charta promise to ourselves as rulers of Ceylon, the first branch of it is kept faithfully. As to the 'nulli negabimus aut differemus' I fear we have less cause for self-gratulation. There is no native public opinion in Ceylon, but if we could get at the great mass of private opinions and assess a resultant, I doubt it would be complimentary, on the point of efficiency, to the administration of justice.

Unfortunately we are somewhat prone to underrate the importance of this department of government, and to listen with impatience to suggestions that the administration of justice in an eastern dependency can leave much to be desired.

TENTH DAY OF THIRUMURUGAN FESTIVAL

AT ANCIENT NALLUR



MANJAM

COURTESY: — C. S. K FIRM
the donors of the Manjam

Law is not a popular topic with Englishmen. Ourselves a practical, law-abiding people, we habitually in the main conform ourselves to the law, and litigate as little as possible. The habitually litigious man is rare and deservedly unpopular. We like to hear as little as possible of law and lawyers. The people enjoy incorruptible British justice; what more can they want? and if law in general is an unpopular subject, procedure as distinguished from substantive law is still more so. Some would even seem to regard all procedure as unnecessary mere pettifoggery technically, cunningly devised by lawyers for their own ends. Perhaps this is a tradition lingering from

bygone days when litigation in England was hampered by "valuable forensic invasion" now long since swept away by the besom of law reform.

To ensure justice to the governed we need, beside judicial purity, a body of substantive law adapted to the circumstances of the people, and a well devised system of procedure, by means of which the law may be invoked, enforced and generally brought to bear. Moreover, the judiciary of all sorts must be endowed not only with parity but capacity.

The need for judiciously contrived procedure is even greater in a country like Ceylon than an England. With us a common

Letter to the Editor

Requisites at Saiva Homes

Sir,
Today there is considerable change in the religious practices of the Saivites. Most of us are aware that the practices of the bygone days of Sri la Sri Arumuga Navalar have been forgotten. This is mainly due to the impact of foreign culture and living patterns gone unchallenged during foreign rules, perhaps due to the absence of great men of the calibre of Sri la Sri Arumuga Navalar.

In these days many Saivites do not have the amenities to perform many of the Saiva rituals at home, even if they sincerely wish to do. The main handicap in crowded cities like Colombo, is the lack of suitable accommodation or residence facilities. People living under such conditions should be advised to be in possession of the barest minimum requirements to perform the rites to the best of their ability. All Saivites, whatever their comforts with regard to their living conditions are, should be guided to their observance of religious practices in order of priority.

With this object in view, the Vivekananda Society is compiling a list of rituals to be performed at Saiva homes and the articles and books etc required for their performance.

The Society will be grateful to those who could suggest items for inclusion in this list. The Society also solicits the assistance of all Saiva scholars to make this venture a success.

M. Sivarasa
Hony. General
Secretary

Vivekananda
Society
Colombo

sense and non-litigious temperament of suitors carry proceedings with scarcely a jolt over many a defect in procedure. The native of Ceylon needs emphatically litigious and useless litigation (Continued on page 2)

THOUGHTS TO BE TREASURED

மரக்கும் குடி அல்லோம், நமனை அஞ்சோம்... (Devaram)

We are not subject to any (king), we fear not (even) Death, we shall not suffer in hell, we feel no pain, we rejoice (in ecstasy), we know not what disease is, we shall bow down to none, we are ever happy and never miserable...



திருவள்ளூர்

மலர்சம்பாதிக்க இயக்கம்... மலர்சம்பாதிக்க இயக்கம்...

Mindo Organ

FRIDAY, AUGUST 14, 1970

STIFLING THE SENATE!

Smother the Senate. That is what the infuriated U. L. F. fretting and fuming at the set-back caused to the Government by the Senate, has decided to do. Effectively enthroned in power with an impregnable majority in the House of Representatives, the U. L. F. cannot brook opposition!

Have the people of Lanka been unwittingly led into the inevitable situation of bidding adieu to Democracy? If democracy has respect for justice, that fact must become a demonstrated truth.

The Administration of Justice...

(Continued from page 1)

both criminal and civil, as a weapon of offence against persons whom he wishes to annoy. False criminal charges and false civil claims are weapons very commonly resorted to. Again, unlike the Englishman, who, as a rule, like to mind his own business and come in contact with legal machinery as little as possible, the native of Ceylon seems to court the interference of the law, and in the performance of his own obligations is disposed to await its push.

It appeared, he said, to him, that he had been questioned about the conviction with the view of disparaging his character, and having admitted the fact, he should like to be allowed to explain that the circumstances

Constituent Assembly is setting about its work on producing a new Constitution the U. L. F. leaders have resolved to put cart before horse. The present Constitution provides for two assemblies, the House of Representatives and the Senate. As long as this Constitution is in vogue how can the House of Representatives resolve to remove a vital limb of the Parliament of which it itself is another limb.

were by no means discredit-able to him "the fact was," he continued, "that I and my sister had inherited a piece of land in undivided shares, I wanted the whole to be sold, but she would not agree. What would I do? I was obliged to take another woman before the notary, and say it was my sister come to join in the sale deed." It is not too much to say that in the large majority of contested cases which come before the Supreme Court in appeal the issues involve perjury on the one side or the other. As for instance, the plaintiff sues on a promissory note, and the defendant pleads forgery; or the defendant pleads payment, and the plaintiff denies the payment, or the plaintiff avers that he and his ancestors had been in quiet enjoyment of certain lands up to a certain day when defendant forcibly ousted plaintiff and defendant answers that he and his ancestry were always in possession, and plaintiff's party never had any enjoyment at all.

It is no light task to devise Law and Procedure which shall effect the maximum of good and the minimum of harm under such circumstances, and the task is all the harder on account of the difficulty of ascertaining what the natives themselves think about such matters.

(To be continued)

The Commonwealth Tie

SHELTON C. FERNANDO

Although severance of all links with the Crown is implied in a Republic Constitution, the fateful decision to remain in the Commonwealth or not will have to be taken soon. The trend of some recent speeches is adverse, whilst the former PM has made a fervent plea in favour at least for economic benefits, Nehru once realistically claimed for India that she stood to gain more by remaining in.

To recall the late Mr. Bandaranaike's intention of 1956 may not of course be conclusive in present situation, since his latest ideas till 1959 were best known to the present PM; as pointed out generally by a Coalition leader at Navarangahala.

However, for the information of the Ceylon public, the following pronouncement by him to the Commonwealth Press Association on July 5th 1956 should go on record:

"I have on behalf of my Government informed the Prime Minister's Conference that we intend to take steps to make our country a Republic within the Commonwealth.

Sir Arthur Ranasinghe to whom this verbatim record was handed by him personally, vouched that the minutes of that Conference bear out his assertion that the other members gave acceptance to his proposal to continue. Thus both procedure and propriety seem to indicate that reaffirmation or rescission of such intentions should eminently be a matter for Ceylon at the next Conference scheduled for 1971.

In the meantime, an important constitutional point strikes the present writer as calling for prior elucidation. Reports say that January 8th, 1971, the birth anniversary of Mr. Bandaranaike, has been fixed as Republican Day.

By unanimous decision a Constituent Assembly has been set up and the constitution as passed by it after months of deliberation will be the Constitution of our future Republic.

The Minister for Constitutional Affairs, to judge by all his speeches and press conferences, so far appears anxious to claim validity for it by virtue of the claimed overwhelming mandate of the people as a supremely autochthonous product. But meantime where

stand the King's Order-in-Council of 1940 and subsequent modifications which will presumably remain unrevoked?

It is noteworthy that when the Constitution of the Dominion of Newfoundland was 'put in abeyance' in 1934 it required constitutionally positive action by Britain, even though the Dominion itself was asked for its consent for the suspension because it was founded by British Act of Parliament.

Newfoundland is now, I think a mere province of Canada. And we have an eminent British expert making this observation in a very recent work on "Constitutional Law" (1968) (J. D. B. Mitchell at footnote to page 64):-

"By British theory His Majesty's Declaration of Abdication Act 1936, was necessary to enable Edward VIII's declaration of abdication to be effective in law."

"Thus if Ceylon chooses to finalise all steps on her own 'autochthonously' as admirably claimed will the position of the future Ceylon Republic vis a vis the British Crown be any better than that of the 13 American Colonies who declared their Independence in 1776 snapping their fingers at George III (after winning a war) or very recently that of Ian Smith of Southern Rhodesia disregarding Elizabeth II and even her orders of reprieve (after winning a heavily 'white-loaded' Election?)

So far we then, after a long history, of progressively liberal British rule, which ended gracefully in 1948 with Dominion Status for us and political independence to snap all links brusquely in early 1971 as a virtual rebel Republic vis a vis the Crown and without so much as a formal adieu to the Commonwealth Club?

The writer maintains that we only need a simple constitutional expedient which the British Crown can easily be advised to accord us; and surely that will not rob us of the prized autochthony?

Finally to conclude on a personal note, with an experience the writer had the honour to share.

It once gave Mr. Bandaranaike immense pleasure to read an article in the British Press, "Oxford holds the Commonwealth together" the

Letter to the Editor

BE CALM

Sir,
We believe and trust in the absolute might of the Maviddapuram Kandaswamiyar also known as the Lord Skanda of Nallur, Thiruchanthur, and Kathirgamam, the omnipotent, omnipresent, Lord Muruga, by his Grace the divine manifestation of righteousness, upholder of Dharma in this Kali Yuga, the Protector of the oppressed the depressed and the suppressed beings and the fountain of justice and fairplay for one and all, the destroyer of evil, subjugator of the arrogant and the Master of the whole universe.
His Might, is far greater than the might of monarchs or of any organised Government, whatever is parliamentary majority, dictatorial power and / or its popular support. If He wills, He can make or mar any governmental organisation with all its powers in a moment.
To Him the armed strength of the Police, Army, Navy or the Air Force or the multiple strength of any or all of them is nothing, and if He by his divine grace wills it the whole array of the mightiest of the defence and security forces would be reduced to nought, without even a trace of their previous existence.
And to Him the combined Might of the politicians and the political parties who feel and believe that they and they alone are responsible for the administration or mis-administration of our land or even of the universe, and proclaim and promise that they will even grant heaven and earth to the people, is but a mere shadow; and He could if he desires instantaneously wipe out the whole creed of such politicians and political parties for ever and ever.
Therefore we need not be moved or agitated by their deeds or mis-deeds of commission and omission which have led the way to our insult, humiliation, degradation and ruin.
We believe in the absolute truth and effectiveness of the law of Karma

for all peoples, races and nations at all time and at all places, and He will see that each and all will receive their due deserts in His Lord's good time for their own actions.

And we trust and believe that He will demonstrate and show before our own eyes that the imperial orders of the mightiest governments, the might and insolence of the largest armed forces and the vanity and pompousness of any or all of the political parties or politicians who either profess any one of the various religions prevalent in our land or who do not believe in any of the religions at all, who were directly or indirectly responsible for all the troubles and turbulences at His temple and for the defilement and desecration by foot-clad and bayonet-armed Police and others, of the site of the ancient and sacred Maviddapuram Stalam and insulted and humiliated the followers of both the ancient Hindu Religion and the glorious Saiva sect, and the principle and dogmas sacred to religion itself, and fanned the flames of hatred and rivalry between brothers and brothers contributed to create rivalry between the various castes and classes and conspired to build up and create a tense atmosphere of mutual distrust and suspicion among the various races and nationalities within the state all for personal and selfish reasons would be nevertheless of no avail and of no effect and that Great Lord Skanda with His infinite Grace shall and will cause those who are guilty to get their due deserts and atone for their sinful and evil deeds and He and He alone shall and will at the proper time be accepted and acknowledged by all as the real Master of the sacred Maviddapuram site an ancient place of His divine manifestation, even as He was, is and will ever be the Real Master of the Whole Universe and beyond.

Therefore let us not panic or be heart broken if any force (or forces political parties) try to pit their might against the religious institutions of only the Hindus and Saivaites which they will not dare to do in the case of religious institutions of our brethren belonging to any other religion

Despite the Portuguese, Dutch and British invaders, who destroyed our temples, desecrated our holy places and decreed the abolition of the faith of the indigenous people,

we have survived them all and are now in greater numbers than ever before and we know for certain that we will survive the organised strength and ominous onslaughts of those professing alien faiths and strange ideals in the same spirit with which we withstood for many centuries the state-aided efforts of mass religious conversions of our people.

The Lord will never wish nor will He allow His ancient Hindu Religion and the Glorious Saiva Sect to be disgraced by vandals and destroyed by dis-believers,

By His Divine Grace, the mischief of the vandals will be rectified and the acts of mockery by the dis-believers will be atoned for, and, as in the past when situations of this nature occur, Good Lord Murugan will Himself appear and see that justice prevails.

May all beings live long in service to Him.

By His Grace,
Yours truly,
Raja Rajeswaran Thangarajah
Advocate Jaffna.
16-7-70

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 2614

In the matter of the Last Will and Testament of the late Mailvaganam Mahadeva of 308, Navalar Road, Nallur

Deceased
Mailvaganam Mahalingam of Navalar Road, Jaffna presently of Trincomalee.
Petitioner

- Vs.
- 1 Leelavathy widow of Mailvaganam Mahadeva
 - 2 Malathi daughter of Mahadeva
 - 3 Mahadeva Vasudevan
 - 4 Mahadeva Ravindiran
 - 5 Mahadeva Gajendran all of No. 308, Navalar Road, Nallur the 2nd to 5th respondents being minors appearing by their Guardian-ad-litem the 1st respondent

This matter coming on for disposal before I. M. Ismail Esquire District Judge Jaffna on the 13th day of July 1970 in the presence of Mr S. C. Manadeva Proctor on the part of the Petitioner and the affidavit of the Petitioner dated 23rd day of May 1970 having been read.

It is ordered that the 1st respondent abovenamed be and she is hereby appointed Guardian-ad-Litem over the 2nd to 5th minor respondents abovenamed for the purpose of these proceedings

It is ordered that the Last Will and Testament bearing No. 1332 dated 21st August 1968 attested by C. T. Kumarasamy Notary Public the original of which has been produced and is now deposited in this case be declared proved and that the said petitioner as the Executor named in the said Will be en-

ORDER NISI

IN THE DISTRICT COURT OF MANNAR

Testamentary Jurisdiction No. 889

In the matter of the Intestate Estate of the late Sinnavan Thambiah of Keerimalai Road, Kankesanturai Deceased.

Saraswathy widow of Sinnavan Thambiah of Keerimalai Road, Kankesanturai
Vs. Petitioner

- 1 Thambiah Parameswaran of Keerimalai Road, Kankesanturai
 - 2 Thambiah Balachandran of do presently of Lououla, Poona, Bombay,
 - Minor 3 Thambiah Ledchumi Kanthan
 - 4 Sri Ranganayagi daughter of Thambiah
 - 5 Thambiah Vaikunthavasan
 - 6 Saththiabhamma daughter of Thambiah
 - 7 Anjithy daughter of Thambiah all of Keerimalai Road, Kankesanturai
- The 3rd to 7th respondents are minors by their Guardian-ad-Litem the 1st respondent.
Respondents

This matter coming on for disposal before M. B. G. Dissanayake, Esquire, District Judge, Mannar on the 20th day of July 1970 in the presence of Mr R. N. Sivapirakasam Proctor on the part of the petitioner and the petition and affidavit of the petitioner having been read;

It is ordered that the 1st respondent be and he is hereby appointed Guardian-ad-Litem over the minors the 3rd to 7th respondents for the purpose of these proceedings and that the petitioner be and she is hereby declared entitled to have Letters of Administration to the estate of the abovenamed deceased and that Letters of Administration be issued to her accordingly unless the respondents or any other person or persons shall on or before the 29th day of August 1970 appear before this Court and show sufficient cause to the satisfaction of this Court to the contrary
Sgd. M. B. G. Dissanayake
District Judge
The 20th day of July 1970.
Drawn by
R. N. Sivapirakasam
Proctor for Petitioner.
86 14 & 21.

It is further ordered that the said 1st respondent do produce the said minors in court on the said date
This 13th day of July 1970
Sgd. I. M. Ismail
District Judge Jaffna
Drawn by
Sgd. S. C. Mahadeva
Proctor for Petitioner
85 14 & 21

The Jaffna Co-operative Stores Ltd.

Whereas Mrs. Mercy Thangaratnam Thurai-rajasingham of 49, Vandervet Place, Dehiwela, has applied to the Directors of the abovenamed Company for the issue of a Duplicate Certificate in respect of Two (2) Ordinary Shares of Rs. 100/- each, numbered: 4887 - 4888, registered in her name, the original of which is represented to have been lost or mislaid Notice is hereby given that if within two weeks hereof no claim is made to or no objection lodged with the undersigned the Directors will proceed to deal with the application for Duplicate Certificate the original of which will be deemed to have been cancelled

S. Padmanathan,
Secretary,
The Jaffna Co-operative Stores Limited,
490, Hospital Road, Jaffna
31st July, 1970.
68 31, 7 & 15.

PARTITION NOTICE

IN THE DISTRICT COURT OF JAFFNA

No. P/1329

Sellamuthu Sinnathamby of Tirunelvely East

- Vs. Plaintiff
- Minor 1 Selvakumar son of Selvaratnam
 - 2 Chandrakumar son of Selvaratnam
 - 3 Rajakumar son of Selvaratnam
 - 4 Sakthikumar son of Selvaratnam
 - 5 Basapoorany widow of Selvaratnam all of Urumpiray Junction, Urumpiray
 - 6 Sivanesan son of Sinnathurai
 - 7 Luxshumi Kanthan son of Sinnathurai
 - Minor 8 Kamalathevi daughter of Sinnathurai
 - 8th defendant a minor appearing by her Guardian-ad-litem
 - 9 Kanagammah widow of Sinnathurai all of Tirunelvely East, Tirunelvely.

Defendants
It is hereby notified that action No. P 1329 has been instituted in the District Court of Jaffna under the partition act No. 16 of 1952 for the partition / sale of the land/lands called Pannikkampulam in extent 13 Lms V C. and situated at Kopay, South in the Parish of Kopay, in Valigamam East Division, Jaffna District, Northern Province.

The defendants in the aforesaid action are summoned to appear in Court on the 9th day of October 1970 at 10 O'clock of the forenoon.
By order of Court
T. Sivalasingham
Chief Clerk
This 6th day of August 1970

reference being chiefly to himself, MacMillan and Lester Pearson.

Stopping sentimentality? If so, no worse surely, than the famous newspaper notice in Ceylon the day after the death of Joseph Stalin in 1953, to bewail the loss of our beloved leader!

Order Absolute in the First Instance

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 2605/T

In the matter of the Last Will and Testament of the late Sivakamipillai or Sivakaman wife of Sinner Remanathan of Karainagar East

Deceased

Sinner Remanathan of Karainagar East

Petitioner

This matter coming on for final disposal before I. M. Ismail, Esquire, District Judge, Jaffna on this 8th day of June, 1970 in the presence of Mr. S Candiah, Proctor on the part of the petitioner and the affidavit of the petitioner dated 30-5-70 and the affidavit of the notary and the two witnesses dated 30-5-70 having been read.

It is ordered that the Last Will and Testament bearing No. 3257 made by the deceased abovenamed on the 2nd day of December, 1969 and attested by S. Candiah Notary Public, the original of which has been produced and is now deposited in this court be and the same is hereby declared proved and that the petitioner abovenamed is the executor named therein and that he is hereby declared entitled to have probate thereof issued to him accordingly on his payment of estate duty and taking oath of office.

This 8th day of June, 1970

Sgd. I. M. Ismail District Judge, Jaffna

Drawn by S. Candiah Sgd. Proctor for Petitioner 78 7 & 14

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

No. T/2610

In the matter of the Will of Palaniar Sinnathamby Iyathurai Kandiah of 64/3, K. K. S. Road, Jaffna

Deceased

Sinnathurai Balasuntharam of No. 865 K. K. S. Road, Jaffna

Vs. Petitioner

1 Maheswary wife of Sinnathurai Balasuntharam of 865, K. K. S. Road, Jaffna

ORDER NISI

IN THE DISTRICT COURT OF POINT PEDRO

Testamentary Jurisdiction No- 974

In the matter of the intestate estate of Chinniah Sivanantham of Thunnalai South

Deceased

Alagaratnam widow of Sivanantham of Thunnalai South

Vs. Petitioner

- 1 Sivanantham Ganeshanatham
2 Anandeluxmy daughter of Sivanantham
3 Ananda Sarojini daughter of Sivanantham
4 Sivanantham Vishanantham
5 Sivanantham Eswarasantham
6 Chinniah Rasiah all of Thunnalai South

Respondents

This matter coming on for disposal before C M Tharmalingam Esquire District Judge on the 2nd day of November 1969 in the presence of Mr M Esurapadham Proctor for Petitioner and the Petitioner and Affidavit of the Petitioner having been read.

It is ordered that the 6th Respondent be and he is hereby appointed Guardian-Ad-Litem of the minors the 4th and 5th Respondents, that the Petitioner as widow of the deceased be declared entitled to obtain Letters of Administration to the estate of the said deceased and that Letters of Administration be accordingly issued to the Petitioner unless the Respondents or any other persons interested in the estate appear before this court on or before the 31st day of January 1970 and show cause to the satisfaction of this Court to the contrary.

This 3rd day of November 1969

Sgd C. M. Tharmalingam District Judge

Time to show cause extended to 25. 3. 1970

Inttd. A. V. D. J.

78 7 & 14

palani of Vannarponnai East Jaffna presently of Munneerwaram, Chilaw.

Respondents

This action coming on for disposal before I. M. Ismail Esquire District Judge, Jaffna on this 14th day of July, 1970 in the presence of Mr. B Sivasupramaniam, Proctor on the part of the petitioner and the affidavit of the petitioner dated 19th June, 1970 and the affidavit of the Notary and attesting witness of the Last Will dated 19th June, 1970 having been read.

It is ordered that the Last Will and Testament bearing No. 4507 dated 26th April, 1954 and attested by R. Sivasupramaniam Notary Public made by the deceased abovenamed the original of which has been produced and now deposited in this Court be and the same is hereby declared proved and that the petitioner abovenamed is hereby declared the executor named therein and that he is hereby declared entitled to

PARTITION NOTICE

IN THE DISTRICT COURT OF JAFFNA

No. P. 1331

Sellamattu Sinnathamby of Tirunelvely East, Tirunelvely.

Vs. Plaintiff

1 Kandiah Kathiravelu of Tirunelvely

2 Ramalingam Sinnathamby of Tirunelvely

3 Suntheram Sangaralingam and wife

4 Pavalam both of Tirunelvely

Minor 5 Selvakumar son of Selvaratnam

6 Chandrakumar son of Selvaratnam

7 Rajakumar son of Selvaratnam

8 Sakthikumar son of Selvaratnam 5th, 6th 7th, 8th defendants are minors appearing by their Guardian ad-litem

9 Rajapoorany widow of Selvaratnam of Urumpiray Junction Urumpiray

10 Sivanesan son of Sinnathurai

11 Lakshmi Kanthan son of Sinnathurai

12 Kamalathevi daughter of Sinnathurai 12th defendant a minor appearing by her Guardian ad-litem

13 Kanaganmah widow of Sinnathurai all of Tirunelvely East, Tirunelvely.

Defendants

It is hereby notified that action No. P 1331 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 "Thoppuvalavu" in extent 9 Lms P.C. and 3 1/2 S.Ks. and situated at Tirunelvely in the Parish of Nallur, in the Division and District of Jaffna, Northern Province.

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

By order of Court T. Sivabharatham Chief Clerk.

This 6th day of August 1970

have probate thereof issued to him unless sufficient cause is being shown to the contrary by the respondents or any others interested in the estate of the deceased on or before the 11th day of September, 1970

This 14th day of July, 1970.

Sgd. I. M. Ismail District Judge, Jaffna.

Drawn by Sgd. R. Sivasupramaniam Proctor for Petitioner 78 7 & 15

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

No. 2588/Testy

In the matter of the Last Will and Testament of the late Nagammah daughter of Sabapathipillai Sinnathamby

Deceased

Sinnathamby Sabapathipillai, Arasady Road, Vannarponnai Jaffna

Vs Petitioner

1 Bhuvaneswary w/o Oppilamany

2 M. Oppilamany

3 Pathmavathy d/o S. Sinnathamby

4 Sinnathamby Ambikaipakan all of Vannarponnai Jaffna

Respondents

This action coming on for disposal before I. M. Ismail Esquire District Judge, Jaffna on the 27th day of April, 1970, in the presence of Mr. A. Visvanathan, Proctor on the part of the Petitioner and the petitioner and affidavit of the petitioner dated 24th day of March 1970, and the affidavit of the attesting Notary and the witnesses dated 24th day of March 1970 having been read.

It is ordered and decreed that the Last Will and Testament of the deceased Nagammah daughter of Sabapathipillai Sinnathamby dated the 19th day of February 1968 and attested by A. Shanmuganathan Notary Public under No. 1780 the original of which has been produced and is now deposited in this Court be and the same is hereby declared proved and probate thereof issued to the Petitioner as the executor named in the said Last Will, and thus the Respondents abovenamed or any other persons shall on or before the 30th day of June 1970 show sufficient cause to the contrary to the satisfaction of this Court.

This 25th day of April, 1970

Sgd. I. M. Ismail District Judge, Jaffna

78-5-70 Time to show cause is extended for 26. 3 - 70

Sgd. I. M. Ismail District Judge, Jaffna

Drawn by Sgd. A. Visvanathan Proctor for Petitioner 80 7 & 14

ORDER NISI

IN THE DISTRICT COURT OF POINT PEDRO

No. 979 Testy

In the matter of the intestate estate of Thuraihamy Sinnathamby of Valvettiturai

Deceased

Parupathipillai widow of T. Sinnathamby of Valvettiturai

Vs. Petitioner

1 Kanagadevi daughter of Thuraisamy Sinnathamby

2 Umadevi daughter of Thuraisamy Sinnathamby

3 Sinnathamby Thuraiyajah

4 Mahaledhomy daughter of Thuraisamy Sinnathamby

5 Sinnathamby Kannan

6 Sugutharani daughter of Thuraisamy Sinnathamby

7 Indirai daughter of Thuraisamy Sinnathamby

8 Thuraisamy Navaratnam all of Valvettiturai

Respondents

This matter coming on for disposal before A. Vaithilingam Esquire, District Judge Point Pedro, on the 27th day of June 1970 in the presence of Mr. N. A. Rajaratnam Proctor on the part of the Petitioner and the affidavit of the Petitioner having been read.

It is ordered that the 8th respondent be and he is hereby appointed guardian-ad-litem over the 1 - 7 respondents for the purpose of representing them in this proceedings unless the respondents or any person shall on or before the 4th day of August 1970 show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the petitioner as the widow of the deceased is entitled to the Letters of Administration unless the respondents or any person shall on or before the 4th day of August 1970 show sufficient cause to the satisfaction of this Court to the contrary.

This 27th day of June 1970.

Sgd. A. Vaithilingam District Judge

Drawn by Sgd. N. A. Rajaratnam Proctor for Petitioner

4-8-70 Extended & Reissued for 10-9-70.

Sgd. A. Vaithilingam D. J. 82 14 & 21.

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