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X

Why the Constitution is Unacceptable

A. Thiruneelakandam B. Sc. (Econ)

Sir Ivor Jennings, D. S. Senanayake, the Soulbury Commission and the British Government had each a hand in the framing of the 1947, Soulbury Constitution. Of these four parties Sir Ivor and Viscount Soulbury have confessed that they had bungled. The former has said "It (the constitution) has not been a complete success and if I knew then (1943-44) as much about the problems of Ceylon as I do now (1961) some of the provisions would have been different." Lord Soulbury has said (in his appreciative Foreword to B. H. Farmers' Ceylon, a Divided Nation) "The (Soulbury) Commission had of course a cursory knowledge of the age-long antagonism between these two (the Tamil minority and the Sinhalese majority) communities, but might have been less hopeful of a solution had Mr. Farmers' book been available to underline the deplorable effect of centuries of troubled history upon the Ceylonese today..... In the light of later happenings I now think it is a pity that the Commission did not also recommend the entrenchment in the Constitution of fundamental rights on the lines enacted in the Constitutions of India, Pakistan, Malaya, Nigeria and elsewhere."

D. S. Senanayake, on the other hand was wide awake. He knew what he wanted and managed to get it. As for the British Government, it had seen the writing on the wall. It realised that the time had come for the British to quit. Its only concern was to salvage as much of the wreckage of Imperial interests as was then possible. So it approached D. S. Senanayake, the only 'safe' man and arranged a personal deal with him. In the process the minorities were thrown to the wolves.

Nevertheless, for the sake of appearance the Soulbury Constitution of 1947, as approved by the British Government, contained a number of flimsy safeguards for the minorities. The electoral device by which the minorities were to have about forty three seats in a House consisting of one hundred representatives, ten appointed members in the House of Representatives, the Senate, Section 29 forbidding discriminatory legislation and requiring a two-thirds majority for amendments of the Constitution, an independent Public Service Commission, an independent Judiciary, and the Privy Council were some of these safeguards.

The most important of these safeguards were the electoral device and the requirement of a two-thirds majority. The effectiveness of the latter depended on the former. If the House of Representatives were to have forty-three minority representatives there would be only fifty-seven from the majority community. So the majority community by itself would not be in a position to amend the Constitution. To obtain the necessary two-thirds majority it had to secure the co-operation of at least some minority representatives. There lay the safeguard.

Mr. Senanayake must have laughed in his sleeves when the Commission set much store by these safeguards. For he had already provided himself with a means to do away with these safeguards the moment he was free. That weapon was his exclusion of franchise provisions from the constitution.

When Independence came in 1948 most of the safeguards provided in the earlier Soulbury Constitution, the Appointed Members in the House of

Representatives and in the Senate, the members of the Public Service Commission, Judges of the Supreme Court and the members of the Judicial Service Commission were all appointed by the Governor in his discretion. They were not nominees of the Prime Minister, a party man and could therefore have acted independently. But the 1948 Constitution made the Governor-General a constitutional head. From thence forward he had to act on the advice of the Prime Minister. Thus after Feb. 1948 the Appointed Members, the Senate, the Public Service Commission and the Judiciary ceased to be minority safeguards.

There remained only the electoral device, the requirement of two thirds majority for amendments of this Constitution and the forbidding of discriminatory legislation. Mr. Senanayake having already succeeded in persuading the Soulbury Commission to exclude franchise law from the Constitution, now proceeded by ordinary legislation which required a simple majority, to disfranchise the Indian settlers in the Island. This action had a two fold effect. First the reduction of the total representation of minority communities in the House of Representatives by about fourteen seats. Secondly the seats thus lost by the minorities went as free gift to the majority community. This second effect is due to a curious electoral law which lays down that the number of electorates should depend on the number of residents in that province and not on the number of voters. It must be remembered that the Indians continued to be residents though deprived of their votes.

Mr. Senanayake's action once for all upset

Sinhalese and Tamil

BY J. R. SINNATAMBY

The reference to the teaching of Sinhalese and Tamil in all the schools as one of the policies laid down by Mr. S. W. R. D. Bandaranaike in the Opinion Column of Mirror) 28/9/72 is of interest as such was the case in at least the Sinhalese areas in ancient times.

The relevant extracts from the works of various scholars are of much interest in this context.

De Queros, Conquest of Ceylon, (P B 1.4-115), "Changatares or Ganeyes are the religions of this Sect, for those of the Vedas gentle folk can be such nor is it enough to be so on the side of the father..... The Ganeyes go out of their convents on certain days of the week to big alms from door to door..... Among them are the teachers of reading and writing, and they teach the Malabar language, which they call Tamil, esteemed by the nations who sail to the Cape of Comoy, (Comari) and the coast of Chromandel....."

Geiger, (Culture of Ceylon in Mediaeval Times, P 69), "knowledge of the various languages and dialects spoken in Ceylon and South India was highly appreciated. The sons of distinguished families who were brought up by Parakramabahu in his own place were also instructed in various languages (nabhasa - visarada, 90.80) (The four languages to be studied in ancient Ceylon were Sanskrit, Pali, Sinhalese and Tamil; Sakumagadzeludemsla.....).

Godakumbure, ("Dravidian Element in Sinhalese", Bulletin of the School of Oriental and African Studies, Vol. II, "Tamil" influenced not only the structure of the Sinhalese language, but also its grammatical terminology. In the oldest existing Sinhalese grammar, the Sidat Sangara (13th century), which for the most part adapts the methods and phraseology

of the Sanskrit grammarian, there are certain passages which clearly display its indebtedness to Tamil.....

There is evidence in Sinhalese literary works to show that the Tamil language and its literature were studied in the colleges of mediaeval Ceylon.....

In this context it is of interest to note that even the imperialist powers who ruled Ceylon by right of conquest compelled their own officers to learn the native languages.

The following extracts are of much interest in this context.

The Dutch historian Valentyn, (History of Ceylon, Vo. 12, PP 236, 237, 238), "It has been resolved in Council of Ceylon that no clergyman although having served for ten or twelve years in the island shall receive any increment of pay or emolument unless they make themselves capable in the different native languages....."

The Law Majores must also pay attention at Home not to allow any increment of pay or allowances to the clergy in India before they could speak the Malabar and Malay languages etc, at least so far as to be able to address themselves in the same to the natives, whereas with these two languages one might go through the whole of India from Malacca to Cambodia and so on through the large and small islands fill the Moloccus....."

From a collection of advertisements, minutes, etc., by government.

An order dated 22-7-1813 in the time of Governor Brownrigg.

"..... I have further to intimate to you His Excellency's assurance (Over to page 8)

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THOUGHTS TO BE TREASURED

காட்ட அனல்போல் உடல்கலந்து உயிரை எல்லாம் ஆட்டும் ஒரு நடவென் எம் அண்ணால் என எண்ணாய். Know that our Lord is the incomparable Dancing Master Who pulls all beings (from within) mixing with their bodies like fire in fuel.



மகாசிவாயவே நமஸ்கரணம் கவிதையும் மகாசிவாயவே நமஸ்கரணம் விசேஷமும் மகாசிவாயவே நமஸ்கரணம் நேத்துமே மகாசிவாயவே நமஸ்கரணம் எட்டுமே திருவிழாக்கள்.

Vindu Organ

FRIDAY, OCTOBER 6, 1972

AUSTERITY ALL ROUND

Circumstances have become so compelling that the call for austere living from anywhere cannot but be responded to. Living has become positively precarious throwing the people to utter helplessness. Yet the people themselves lose sight of the glaring fact that extravagance has not yet been eliminated even in a small degree. Luxurious living still continues despite the fact that the people in general are being pressed down to the deepest rung of poverty. The indiscriminate and indiscreet use of alcoholic ales and the grip of the evil habit of smoking seem to indicate that the general trend of affairs is gloomy. In this context we may well refer to the campaigns in the past for temperance and non-smoking. With the spread of the fallacious opinion that anything that brings revenue to the country should be supported as necessities for the nation, the movements for prohibition and abstinence from smoking could not make any headway. The present situation is decidedly dangerous in this that if it is left unsolved poverty alone will remain. If the people have to live they must now fight the battle for survival on the economic front. In the first line of battle the opponents will be the traditional enemies—the habits of drinking and smoking. The common man knows it but does not pause to think seriously. Let him now decide the issue. To survive or not to survive; survival there can be only by the elimination of drink and smoking.

HARTAL REACHED HIGH LEVEL OF SUCCESS

Spontaneous Response Sincere Co-operation

The North and the East witnessed a 'Hartal' on October 2, 1972 that surpassed all expectations and registered a record in effectiveness in the history of hartals in this country.

The call for a Hartal was made by the Tamil United Front at the mammoth public meeting held on September 30, 1972 at the Jaffna Esplanade in the presence of more than thirty-thousand people.

The high light of the pre-hartal public meeting was the announcement in the midst of deafening applause of the resignation of his seat in the State Assembly by Mr. S. J. V. Chelvanayakam, President of the T. U. F.

Earlier the T. U. F. called upon the Tamil people to take seven pledges in furtherance of the struggle for their rights.

The seven pledges are:

1 Not to regard the Constitution of Sri Lanka

as binding until and unless it is revised in conformity with the six points taken at the Maha Valawu, Kopay on June 25, 1972.

2 Observe non-violence in thought, word and deed so as to generate "jans sakithi" as a moral force.

3 Strive to promote a social order based on justice, liberty, equality and human dignity and shun all divisive class, caste and race tendencies

4 Devote one day's sramadana every month for any worth while local project to mark solidarity with fellowmen.

5 Devote one day's income in the month or a handful of rice every day for any common fund so as to promote village

welfare as well as the present movement for Tamil emancipation.

6 Use local products to meet textile and other requirements so that it encourages producing locally what can be so produced affording gainful employment to those around.

7 Unceasingly use the Tamil Language in dealings with the State and other agencies in order to assess the freedom and dignity of those who speak Tamil.

Program Explained

Messrs. V. Dharmalingam, K. Thurairatnam, S. Tambydurai, K. Nesiiah, N. Sivanesan, T. Sangarapillai, S. Nadarajah, K. Ponniah and R. N. Siva pirakasam explained in detail the T.U.F. program of action at the public meeting.

Resignation

Mr. S. J. V. Chelvanayagam M. P. resigned his seat on October 3, 1972 in the National State Assembly and made a statement in the Assembly explaining his action.

A NAME TO BE REMEMBERED

In the history of our country, among the great men who have substantially contributed to the growth of the nation, Mr. K. Kanagaratnam, who was Auditor General before he entered Parliament in 1947 as Member for Vaddukoddai is one. He was useful to the country in various ways. As a big official in the administration, Mr Kanagaratnam evinced high degree of efficiency. As a religious and cultural worker he was always in the forefront. In Parliament he was a force to be reckoned with. Such a leader's name will always remain in the mind of the common man. Hence the greatness of Mr. Kanagaratnam

was the jurisdiction of the Privy Council.

The safeguard was finally done away with by the present Government just before the inauguration of the present Constitution.

Some contend that in the place of the old safeguards that have disappeared the present Constitution has provided a new effective safeguard in the shape of the fundamental rights. Our simple answer is that these rights have not been entrenched in the Constitution and that in the words of Ivor Jennings they "have a different purpose, to protect the individual rather than communities."

The authors of this present Constitution were not content with seeing that the minorities had no safeguards. They wanted further to tighten the strangle hold on them.

The Soulbury Constitution made no mention of language rights because the framers had taken it for granted that the question had already been settled and that both Tamil and Sinhala would continue to be the official languages of Ceylon. It was Mr. Bandaranaike of revered memory who unsettled this settled fact. But his Sinhala Only Act was just an ordinary law of the country. Similarly Mr. Senanayake's franchise legislation remained as ordinary law.

The authors of the present Constitution saw the danger in allowing these to remain as ordinary laws. So in the new Constitution they framed, franchise provisions and the Sinhala

Why the Constitution is unacceptable

(From page 5)

and destroyed the delicate balance which the Soulbury Commissioners had set up with much care. As a result, the majority community secured not only additional if not over-representation but also the required two-thirds majority to amend the Constitution.

A word about that part of Section 29 which forbids discriminatory legislation. We do not know who originally drafted this provision. Did Mr. Senanayake have a hand in this? The curious thing is that the wording is so woolly that when ten lakhs belonging to a particular community—almost the entire community—were disfranchised the courts held that there was no discrimination. So this section was no safeguard at all to the minority communities. But the Privy Council took it into its head to give an opinion that this section was entrenched in the Constitution and that it could not be amended even by a two-thirds

majority. This was one of the reasons given by the present Government for wanting to draw up an entirely new Constitution rather than amend the earlier Constitution—an attempt which might have been blocked by the Privy Council.

Thus it will be clear that most of the safeguards provided in the 1948 Constitution were ineffective. They remained a dead letter for all practical purposes.

The Present Position

Now let us proceed to examine the present Constitution.

The main concern of the Tamil speaking people is whether they are secure and whether they can live their lives freely under the Constitution which the ruling party has framed for the country

It has been claimed that the people's representatives have framed this Constitution and that it derives its authority from the people. The question is whether there is one people or more than one people in this

country. Outsiders like Mr. Farmer say that there are at least two distinct peoples or nationalities in this country. It is the representatives of the Sinhalese people who have framed this Constitution and it is from them that the Constitution derives its authority. The Tamils have had no part or say in the framing of this Constitution.

In all multi-national and multi-lingual countries with democratic constitutions numerous safeguards are provided for minorities. The present Ceylon Constitution is almost unique in ignoring the minorities.

We said that most of the safeguards provided in the 1947 Soulbury Constitution remained a dead letter in the 1948 Independence Constitution. What the authors of the present Constitution have done is to give a decent burial to the dead carcasses. The Tamils must be thankful to them for thus cleansing the atmosphere.

The only safeguard which managed to survive all through the period the old Constitution was in force

ORDER NISI

IN THE DISTRICT COURT
OF JAFFNA

Testamentary Jurisdiction
No. 2859/T

In the matter of the
intestate estate of the
late Thurasamy Maha-
sivam of Myliddy
Deceased

Thiramalar widow of
Mahasivam of 'Selva-
ham', Navalady Lene,
Myliddy.

Va. Petitioner

Minor:
1 Nirmalathevi daughter
of Mahasivam
G. A. L.

2 Thurasamy Kaduntha-
vam both of Myliddy
This matter coming on
for disposal before A
Vythilingam Esquire, Dist-
rict Judge, Jaffna on this
30th day of June, 1972 in
the presence of Mr. Aru-
mugam Kandiah Somas-
kandan, Proctor on the
part of the petitioner and
the affidavit of the
petitioner dated 26th day
of June 1972 having been
read:

It is ordered and
declared that the 2nd
respondent be and he is
hereby appointed guardi-
an - ad - litem over the
said 1st minor respondent
and that the petitioner
is hereby declared to
have Letters of Adminis-
tration to the estate of the
late Thurasamy Mahasi-
vam and that the letters
of Administration be and
the same is hereby grant-
ed to the petitioner accord-
ingly unless the respon-
dents abovenamed or oth-
ers whomsoever shall on
or before the 11th day of
October, 1972 show suffi-
cient cause to the satisfac-
tion of this court to the
contrary.

And it is also ordered
that the petitioner do pro-
duce the said minor be-
fore the court on the
aforesaid date.

This 30th day of June
1972

Sgd. A. Vythilingam
District Judge, Jaffna

Drawn by
Sgd. A. K. Somaskanthan
Proctor for Petitioner

Only Act were given cons-
titutional status

To complete the picture
they gave Buddhism a
very special place in the
Constitution

We have thus a new
Constitution not only free
from all taint of minority
safeguards but also pro-
vided with the added halo
of an official language and
a national Religion.

Self respecting mino-
rities have only one an-
swer to our rulers "Thank
you, But this is unaccept-
able to us."

ORDER NISI

Testamentary Jurisdiction
No. 2884

In the matter of the intes-
tate estate of the late
Elaiatamby Sangara-
pillai of Kollankaladdy,
Maviddapuram, Tellip-
palai Deceased

Sivapackiam widow of
Elaiathamby Sangara-
pillai of Kilnai, Kollan-
kaladdy, Tellippalai.

Vs. Petitioner

1 Sangarapillai Viveka-
nathan of Kankesan-
thurai

2 Sangarapillai Arulana-
nathan of P. O. Box No
2485, Oato, Norway.

3 Sangarapillai Sivana-
nathan, Kandy Road,
Vavuniya.

4 Sangarapillai Kasina-
than, Kilnai, Kollan-
kaladdy, Tellippalai.

(Minor)
5 Sangarapillai Sarvana-
nathan of do. Minor
appearing by his Guar-
dian-ad-litem

6 Sinnappah Subrama-
niam of Pannalai Tel-
lippalai

Respondents

This matter coming on for
disposal before Colin Mendis
Esquire Acting District Judge
Jaffna on the 4th day of
September 1972 in the pre-
sence of Mr. S. Thilliar
Proctor on the part of the
Petitioner and the Affidavit
and Petition of the Petitioner
having been read.

It is ordered that the
6th respondent be and
he is hereby appointed
Guardian-ad-litem over
the minor the 5th res-
pondent and the peti-
tioner be and she is
hereby declared entitled
to have Letters of Admi-
nistration to the estate of
the said deceased and
that Letters of Admini-
stration be issued to her
accordingly unless the
respondents or any other
person or persons shall
on or before the 14th
day of December 1972
appear before this Court
and show sufficient cause
to the satisfaction of this
Court to the contrary

It is further ordered
that the G. A. L. do pro-
duce the 5th respondent
minor in Court on the
14th day of December
1972 at 9 a. m.

This 4th day of Sep-
tember, 1972

Sgd. C Mendis
District Judge

Drawn by
Sgd. S. Thilliar,
Proctor for Petitioner

93 6 13

**Several Instructive Stories
from Mahabharata**

BY
V. SUBRAMANIAM
Saiva - Pulavar

**Every Act Conditioned
by God**

Nearness to God can-
not be claimed as an ex-
clusive privilege of a per-
son because of his birth
in a particular commu-
nity or his status or his
scholarship. It is a
general tendency for any
one to boast of his intel-
lect and well-thought out
perspective planning
when he meets with suc-
cess and is steeped in
happiness. On the other
hand the same person will
curse God if forced by
circumstances he is made
to suffer. Every indivi-
dual should always re-
member the unseen force
that guards him from be-
hind and bow to the Su-
preme Being's will by
dedicating every act to
Him reconciling himself
to the result as God
given.

At the conclusion of
Kurushetra battle when
Sri Krishna took leave of

his aunt Kunti, she re-
gretted that out of their
ignorance she and her
sons had been treating
him as a mere human be-
ing forgetting His real
identity. Kunti also
praised how He had pro-
tected the Pandavas from
grave dangers. She ex-
pressed a desire the Lord
should continue to keep
her immersed in misery
as that would compel
her to think of Him.
Otherwise, a person in
affluent position free
from anguish was apt to
forget God.

At the instance of Na-
rada, Vyasa gave the
Bhagavatam to humanity
laying special emphasis
on the life of Krishna.
Frequent listening to its
exposition would help a
devotee to condition his
mind even as gold be-
came more malleable by
constant heating and
beating. In the presence
of Sri Krishna Bhishma

explained the doctrine of
Dharmam of Yudhishthir.

**Anjaneya's Salutory
Advice to Bhima**

The consequences of
one's Karma, good or bad
will have to be experi-
enced by one self. The
spiritually enlightened
will not attempt to cir-
cumvent them by using
their supernatural powers
but merely submit to the
course of destiny. They
will treat pleasure and
pain with supreme resig-
nation, regarding both
as something inescapable.
The Yaksas misused
their mystic powers and
Kubera was therefore
glad when Bhima des-
troyed a number of them
when he came in search
of a rare flower desired
by Dropadai. Anjaneyar
advised Bhima that he
could not hope to achieve
his aims by merely de-
pending on his valour
and prowess. Only by
the qualities of patience
modesty, self-discipline
and compassion as preach-
ed by Udhisthir could
he succeed. How could
one who failed in con-
trolling himself even
dream of conquering the
world."

Bhima found how true
this statement was when
he was encircled by a
python, against which all
the strength he possessed
failed. It was at last
given to Udistrar to come
to his rescue.

**Udishthir's gratitude
to Sri Krishna**

When a man acquires
wealth, gains status or
rises to power, he is most
likely to gloat over his
success, congratulating
himself on his achieve-
ment. But the pious will
ascribe their fortune to
the Grace of God, and
conduct themselves as
trustees of the riches in
their possession.

To qualify himself for
the performance of the
Raja-suya yagam, Udisht-
thir sent his brothers in
different directions to
win over all the rulers of
the land who offered
valuable gifts as a token
of their accepting his
suzerainty. With pro-
found gratitude and in a
spirit of dedication, he
told Sri Krishna that all
the richness his brothers
had brought really be-
longed to Him but for
whose blessing he could
not have subjugated all
the kings. All the credit
should rightly belong to
Him Yudisthir said

**Saiva Paripalana Sabhai
Jaffna**

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(To be continued)

A Sovereign People

J R. Sinnatamby

A document of considerable interest and importance, to the citizens of Tamil Nad of Ceylon, who were a sovereign people, at the time the Portuguese arrived in Ceylon and who are a sovereign people again with the departure of the British, is a record pertaining to the language of the people of Tamil Nad

This record is a record of particular value as it is a contemporary record, by Roland, at the time the Dutch were ruling in Ceylon.

This record published by the Journal Royal Asiatic Society. (Vol 14. No. 47, 1896), is as follows.

"Before I leave this island I must say something of the Malabar language. For a great part of this island is inhabited by the Malabars, which part is commonly called after the name of the prince who rules over them (Coilat Wanea), and the extent of which can be seen in the annexed map. These are not subject to the Sinhalese king nor to us who possess nearly all the country along the sea board of this island but to their own prince. Besides the greater part of the inhabitants of the Maritime districts use the Malabar tongue; so that from the town of Negombo to near about Dondere the use of the Sinhalese language prevails, but in the district of Jaffnapattam and in the remaining districts situated along the shore which are nearer to the continent the Malabar tongue is spoken."

The reference to the fact that the greater part of the inhabitants of the maritime districts speak the Malabar language is of interest as it can be inferred from records left behind by other authorities, namely De Queros, the erudite Portuguese historian, Cleghor. Ceylon's first Colonial Secretary, Brownrigg Governor of Ceylon; Brohier who was Provincial Judge at Puttalam, Valentyn. Dutch Historian, Marsbal who accompanied the last king of Ceylon to India. Details regarding this, can be seen in my work "Tamil Nad of Ceylon", pages 2 to 3, typescript copy available at the National Archives,

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 2869

In the matter of the Intestate Estate of the late Ponnampalam Thiyagarajah of No. 13 Madangawatte Lane, Colombo 6 Deceased

Maheswary, widow of Ponnampalam Thiyagarajah of No. 18 Madangawatte Lane, Colombo 6. Vs. Petitioners

- 1. Veluppillai Mylvaganam and wife
- 2. Vasantha Minor
- 3 Thiyagarajah Sakthivel all of No 18 Madangawatte Lane. Colombo 6

- G. A L.
- 4. Ponnampalam Nadarajah of No. 20; Moore Road, Colombo 6. (the 3rd Minor Respondent appearing by his guardian - ad - litem the 4th Respondent) Respondents

This matter coming on for disposal before A. Vythilingam Esquire, District Judge, Jaffna on the 31st day of July, 1972 in the presence of Mr. P. Navaratnam, Proctor on the part of the petitioner abovenamed and the affidavit of the petitioner dated 31st July, 1972 having been read.

It is ordered that the Petitioner be and she is hereby declared entitled as the widow of the abovenamed deceased to have Letters of Administration to the above Estate issued to her unless the Respondents abovenamed or any other person or persons interested shall on or before the 16th day of November, 1972 show sufficient cause to the satisfaction of this Court to the contrary.

It is further ordered that the 4th Respondent be and he is hereby appointed Guardian - ad - litem over the 3rd Minor Respondent to represent him for all purposes of this action unless the Respondents abovenamed or any other person or persons interested shall on or before the 16th day of November, 1972 show sufficient cause to the satisfaction of this Court to the contrary.

It is further ordered that the 4th Respondent do produce the 3rd Minor Respondent before this

Sinhalese and.....

(From page 5)

that a competent knowledge of Tamil language proved by such testimonials as the Regulations require, will entitle any Civil Servant on this Establishment, to equal consideration, as a claim for employment in these Districts where that dialect prevails, as he would derive from a knowledge of Cingalese in that part of the Island where the last mentioned language is the general medium of intercourse and public business."

An order dated 23-9-1822. "His Excellency the Governor has received directions of the Rt. Honourable the Secretary of the State, to signify to the gentlemen of the Civil Service in the Island, the intention of His Majesty's Government, in future not to promote Civil Servants to situations..... until they have attained a tolerable proficiency in the native languages"

From what I have stated above, it will be conceded that there has been no discrimination whatsoever between the Sinhalese and Tamil languages, not only in ancient times but even during the rule of the imperialist powers who compelled even their own officers to learn Sinhalese and Tamil, so as to given to the Tamil language as it prevails even today in South East Asia, so much so, it has been recognised as an official language in Malaya and Singapore also.

This means there has been no discrimination against the Tamil language from ancient times until the year 1958, and in fact at the time of independence negotiations Tamil had already been recognised an official language of Ceylon by an overwhelming majority of Sinhalese votes

I would earnestly request you to give this letter as much prominence as you can.

Court on the 16th day of November, 1972

This 30th day of July 1972

Sgd. C. E. Mendis Acting District Judge,

Drawn by P. Navaratnam Proctor for Patitioner 90, 6 & 13-10

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

No 2877/T

In the matter of the intestate estate and effects Ramalingam Ramalingam of 69, Temple Road, Nallore, Jaffna. Deceased

Mangayathkarasy widow of Kamalinsam of 69, Temple Road, Nallor; Jaffna, Vs Petitioner

- 1. Umaiyal daughter of Ramalingam
- 2. Ratnasingam Sivaji both of 69 Temple Road Nallor, Jaffna
- 3. Ramalingam Thambirajah of 41st Lane, Wellawatte, G. A. L over 2nd respondent

Respondents

This matter coming on for disposal before A. Vythilingam Esquire District Judge, Jaffna on the 10th day of August 1972 in the presence of Mr. R. Sivasubramaniam, Proctor on the part of the petitioner and the affidavit of the abovenamed petitioner dated the 6th August 1972 having been read.

It is ordered that the abovenamed 3rd respondent be and he is hereby appointed guardian ad - litem over the 2nd respondent minor unless the respondents abovenamed show sufficient cause to the contrary, if any, on or before 16th day of November 1972.

It is further ordered that the petitioner abovenamed be and she is hereby declared as widow of the deceased to have Letters of Administration to the estate of the deceased issued to her accordingly unless the respondents or any others interested in the estate of this court on the 15th day of November 1972.

It is also ordered that the G. A. L. do produce the aforesaid minor in

මහලක්ෂ්මී මංගලාකරණී මහත්මියගේ මරණ පසුබිම පිළිබඳව මහලක්ෂ්මී මංගලාකරණී මහත්මියගේ මරණ පසුබිම පිළිබඳව මහලක්ෂ්මී මංගලාකරණී මහත්මියගේ මරණ පසුබිම පිළිබඳව මහලක්ෂ්මී මංගලාකරණී මහත්මියගේ මරණ පසුබිම පිළිබඳව

Printed and published by Mr. M. Mylvaganam residing at No. 2, Second Lane Brown Road Jaffna, for and on behalf of the Proprietors, the Selva Paripalana Sabhal, Jaffna, at their Press, the Selva Prakasa Press, 450 K. K. S Road Vennarappanai, Jaffna, on Friday October 6, 1972

Editor: B. N. SIVAPIRAKKAM

Order Nisi

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. T. 2846

In the matter of the intestate estate of the late Nannithamby Sinnadurai of Thirunelvely East, Jaffna. Deceased

- 1 Kandiah Kanagaratnam and wife
- 2 Ratneswary both of Thirunelvely East, Vs. Petitioner

Sinnaman widow of Nannithamby Sinnadurai of Thirunelvely East, Respondent.

This matter coming on for disposal before A. Vythilingam Esquire, District Judge Jaffna on this 1st day of June, 1972 in the presence of Mr. P. Kangayan, Proctor on the part of the Petitioner and the affidavit and petition of the petitioners having been read;

It is ordered that the 2nd named petitioner be and she is hereby granted Letters of Administration to the estate of the deceased Nannithamby Sinnadurai, unless the respondent abovenamed or any other person whomsoever shall show sufficient cause to the satisfaction of this court to the contrary on or before the 14th day of September, 1972

This 1st day of June 1972

Sgd. A. Vythilingam District Judge, Jaffna Drawn by (Sgd) P. Kangayan Proctor for Petitioners 14-9-72

Time to show cause is hereby extended up to 21-12-72

Sgd. Collin Mendis District Judge Jaffna. 92 6 & 13

court on the aforesaid date.

This 10th day of August 1972

Sgd. Collin Mendis Distr ot Judge, Jaffna.

Drawn by Sgd. R Sivasubramaniam Proctor for Petitioner 91, 6 & 13