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## (THE HINDU ORGAN)

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

Estd. Sept. 11, 1889

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X

JAFFNA, FRIDAY JANUARY 26, 1973

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### SOME RELEVANT THOUGHTS RE SPEAKERS' RULING

The ruling of the Speaker of the National State Assembly that the Press Council Bill should be referred to a properly constituted Constitutional Court is best understood when judicial review of the provisions of the Constitution of a country as provided or in Western Countries is examined.

Here we publish extracts from an article that appeared in the 'Horizon'—Vol. XXI. Number 10 dealing with the problem of judicial review of legislation.

"The vital need to interpret, and indeed, constantly re-interpret various provisions of the Constitution has fostered a system of judicial review, in which the courts, and especially the Supreme Court, have the power to determine whether legislative acts and administrative practices are in agreement with the fundamental provisions of the Constitution. Interestingly enough, this is a power that is not explicitly spelled out in the document itself: yet it is one of the major foundations of the constitutional system."

The question of judicial review was raised by Alexander Hamilton in The Federalist, a series of brilliant arguments in favour of the new Constitution prior to its adoption. In an often-quoted essay, Hamilton declares:

Some perplexity respecting the rights of the courts to pronounce legislative acts void, because contrary to the constitution, has arisen from an imagination that the doctrine would imply a superiority of the judiciary to the legislative power. It is urged that the authority which can declare the acts of another void, must necessarily be superior to the one whose acts may be declared void... No legislative act... contrary to the constitution can be valid. To deny this, would be to affirm that the deputy is greater than his principal; that the servant is above his master; that the representatives of the people are superior to the

people themselves; that men acting by virtue of powers may do, not only what their powers do not authorize, but what they forbid.

If it be said that the legislative body are themselves the constitutional judges of their own powers, and that the construction they put upon them is conclusive upon the other departments, it may be answered, that this cannot be the natural presumption, where it is not to be collected from any particular provisions in the constitution. It is not otherwise to be supposed that the constitution could intend to enable the representatives of the people to substitute their will to that of their constituents. It is far more rational to suppose that the courts were designed to be an intermediate body between the people and the legislature, in order, among other things, to keep the latter within the limits assigned to their authority. The interpretation of the laws is the proper and peculiar province of the courts....

Implicit though the principle was, it was not affirmed until the landmark case of Marbury vs Madison was decided by the Supreme Court in 1803. In his opinion in that case, Chief Justice John Marshall wrote "a legislative act contrary to the Constitution is not law... It is emphatically the province and duty of the judicial department to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule. If two laws conflict with each other, the courts must decide on the operation of each."

Marshall further de-

### Special Radio Programme on St Tayumanavar

The Tamil Service of the Ceylon Broadcasting Corporation will broadcast special musical features to commemorate the Guru Poojah of St. Tayumanavar tonight (26-1-73) from 7.30 p. m. to 8.00 p. m.

This is written and produced by Mr. Arul Thiagarajah, Programmes. The Gurupoojah of St. Tayumanavar occurs tomorrow (27-1-73).

clared that "The judicial power of the United States is extended to all cases arising under the Constitution... In some cases, the Constitution must be looked into by the judges. And if they can open it at all, what part of it are they forbidden to read or obey?"

Because of the need to reconcile the divergent interests of the states, the Constitution was constructed laboriously through the summer of 1787, with nearly all its major provisions representing compromise of one degree or another. For example, the states of Virginia and New Jersey submitted conflicting plans for the structure of the legislative branch. The Virginia plan, reflecting the wishes of the larger states, provided for a bicameral legislature, with a House of Representatives elected by popular vote, and a Senate elected by the House. The Virginia plan would have given the larger states clear control over the legislature. Consequently, the smaller states supported the New Jersey plan which provided for a unicameral legislature, with all states equally represented. The issue was resolved by the so-called 'Great Compromise,' introduced by Connecticut, under which all states are equally represented in the Senate and are represented in the House in proportion to their populations.

Despite the pervasiveness of compromise, the

(Over to page 6)

### Sivanadiyars' Thirukootam of Kumbakonam

#### Devotional Discipline in Spiritual Service

We reproduce from the Madras Hindu of January 10, 1973 a report on the Sivathondu of Sivanadiyar Thirukootam of Kumbakonam and bring to the notice of our readers that there is functioning the Elaththu Sivanadiyar Thirukootam at Thiruketheeswaram. About five years ago a Sivanadiyar Thirukootam under the guidance of Sri M. Gnanaprasadam B. A., B. Sc. retired Principal of Parameswara College, went on a pilgrimage to South India and performed a Paatha Yaththirai. The same Thirukootam undertakes annually a Paatha Yaththirai from Nallur Kandasamy Temple to Thiruketheeswaram via Keraitivu, Changupiddy, Poonakary, Pallavarajankaddu, Velankulam, Paappamottai and Mantai.

"Drought had made life miserable for people near Thirumandiur on the Anaithandavapuram Mayuram bus route. This was during the last decade. Fields had gaping cracks, crops had withered and the economy of the whole neighbourhood had almost collapsed.

A group of devotees of Siva, called 'Sivanadiyars' came for worship at the famous shrine there. They circumambulated the shrine singing Thevarams. Hearing of the plight of the people there, they sang Gnanasambandar's 'Megharaga Kurunji' and to the surprise of every one clouds gathered from nowhere and it rained heavily, to the bewilderment of the people of Anaithandavapuram and neighbouring villages.

This group which brought rains through prayer is the Sivanadiyar Thirukootam—an association of Siva bhaktas from Kumbakonam and its environs, who for the last 25 years, have been coming together every Sunday and visiting some Sacred Siva shrine or other in South India. They do Pradalsh namas with community singing of Thevarams.

The members of this Thirukootam are drawn from various professions like traders, merchants, lawyers, educationists and petty shop assistants.

Women and children also join. There is no hard and fast rule to bind them to any rigorous course of discipline. But all of them wear the sacred ash and the many who have been inducted to Siva pooja, the Rudraksham.

All these 25 years, fair wind or foul weather, the group has never once failed in their Sunday visits to a shrine. There is no caste or class consciousness among them. Rich and poor, they move as brethren. To say that they help popularise the Thevarams and Thirumalais would be an understatement.

#### Infectious Enthusiasm

But the more important aspect of their activity is the moral one of ennobling its votaries into a higher code of conduct and making everyone conscious of the Divinity that shapes our ends. Their enthusiasm and devotion are infectious and in this respect their service is invaluable. Mr. Justice Krishnaswami Reddiar who presided the other day over their Silver Jubilee Celebration here, emphasised this aspect of the organisation. The mere mixing in their company ennobles and elevates a man, he said.

The Sivanadiyars in Kumbakonam are captained by Mr. S. Sundaresan

Over to page 8



# THOUGHTS TO BE TREASURED

தீதியாய், நிலகுதி நெருப்பாய்  
நீராய்,  
நிலை காலாய், இவை யிற  
நின் நியமம் ஆகிப்,  
பாதியாய், ஒன்றுகி இரண்டாய்  
முன்றாய்  
பரம அணுவாய்ப் பழுத்த பண  
கள் ஆகிச்,  
சோதியாய், இருளாகிச், சுவை  
கள் ஆகிச்  
சுவை கலந்த அப்பாலாய்,  
வீடாய், வீட்டின்  
ஆதியாய், அந்தமாய் நின்றான்  
தன்னை  
ஆருநிற் கண்டு அடியென்  
அயர்த்தவாறே.  
(Devaram)

He is the Truth, the earth  
the fire, the water, the order-  
ed air and their location  
(Akas), the One (Sivan), the  
Two (Sivan and Sakti), the  
Three (Brahma, Vishnu and  
Rudran), the minutest atom  
and the perfect tunes (of  
music). He is the Light and  
the Darkness, everything  
that is sweet and the sweet  
beyond. He is Heaven, the  
Source thereof and the End, —  
Him who is all these I saw at  
Tiruvavur. Wonderful indeed  
it is that I His slave should  
forget Him!



செய்தித்தொகுப்பு  
தமிழ்நாட்டின் குறையாகக் கவிதையும்  
சமச்சுவையுடன் தாளி விசுவசையும்  
சமச்சுவையுடன் தாளின் மெத்தமே  
தமிழ்நாட்டின் நன்னைநினைவு எட்டமுன்  
முத்தித் தொகுப்பு

## Hindu Organ

FRIDAY, JANUARY 26, 1973.

### TWELVE YEAR TORMENT TO END

War-mongers have after  
all learnt to be wiser than  
they presumed to be. The  
interventions on behalf  
of the Communists and  
the Rest in the internal  
conflict in the Vietnam  
have now decided to with-  
draw their intrusion and  
leave the Indo-China area  
to seek its own peace.

President Nixon has  
proved to be a very prac-  
tical politician by his defi-  
nite decisions to keep  
away from Taiwan earlier  
and now from Vietnam.  
The Communists, on the  
other hand, however seem  
to have the better of the  
bargaining as they are on  
the spot or closer to it.  
In any event America's  
abhorrence of armed con-  
flicts in alien lands involv-  
ing in the loss of Ameri-  
can prestige, person and  
property has brought  
to bear on the Nixon  
Administration the im-  
pact of world opinion;  
outside interference has  
been ousted. Peace

has been made possible.  
Tomorrow the world will  
see the ushering in of a  
practical and prudent way  
of preserving peace. In  
that respect President  
Nixon must be congratu-  
lated on his thoughtful  
decision.

### DR. N. M. PERERA'S DICTUM

Because the Speaker of  
the National State Assem-  
bly has ruled against the  
Government he must be  
removed from the office  
to which he was elected  
by the Assembly. This is  
the point Dr. N. M. Perera  
has been making since  
the time the Speaker gave  
his ruling on January 19,  
on the point of order  
raised by the Opposition  
in the matter of the de-  
bate on the Second Read-  
ing of the Press Council  
Bill. This view of the  
Minister of Finance, when  
paraphrased reduces itself  
to the simple dictum that  
the Speaker cannot and  
shall not uphold any point  
of order raised by the  
Opposition on any matter.

Now this bold view of  
the Minister of Finance  
has come as a thunder-  
bolt on the very Govern-  
ment which he is profess-  
ing to safe-guard for this  
reason that the Premier  
had expressed the opinion  
of the Government as a  
whole when she in answer  
to a question on this  
subject by the Leader of  
the Opposition categori-  
cally denied any intention  
of a vote of no confidence  
on the Speaker being  
moved by the Govern-  
ment.

And the big question  
arises by itself, namely, the  
propriety of one member  
of the Cabinet making a  
public utterance without  
obtaining approval of the  
Cabinet. Is the Minister  
of Finance a law unto  
himself? Does he want  
the people to imagine that  
he is running the Govern-  
ment?

Apart from this aspect  
of Dr. Perera's reaction  
to the Speaker's ruling,  
what is most important is  
whether the Speaker's  
verdict can be chal-  
lenged by any Mem-  
ber in the Assembly  
itself. In other words  
the Speaker cannot take a  
position of independence  
as the office is intended to  
be and has been all along  
and all over the world  
conceded.

Political might based on  
numerical preponderance  
cannot destroy the basic  
principles of democratic  
discourse and constitution-  
al concepts.

### Letter to the Editor

## FREE PRESS AND

(From page B)

There was the case where  
the public utterance of a  
priest, that, if a certain  
section of the citizens were  
given their rights they  
will not hesitate to bring  
out their axes, was given  
publicity without com-  
ment; nor did any of the  
leaders or public men or  
religious leaders, have the  
moral courage to depre-  
cate publicly such utter-  
ances.

It will be seen from  
annexed article and from  
what I have stated above,  
that, in a country, where  
public opinion is inclined  
to be timid, and, public  
men equally so, a control-  
led press can obliterate  
what little freedom the  
citizens enjoy and snuff  
out any show of fight by  
our public men.

Yours sincerely,  
J. R. Sinnatambay

### The First Instru- ment of Repression

The point stressed by  
Government, that, it  
seeks to introduce a Press  
Bill only to protect its  
freedom is apparently  
based on the assumption  
that the people of Ceylon  
are so gullible. Can we  
blame them for taking  
this attitude,

Did not they, at the  
last election, storm the  
country from end to end,  
making palpably extra-  
vagant promises ranging  
from rice from the moon  
to solving unemployment  
in 24 hours, and then get  
away with it, with a land-  
slide victory, unparalleled  
in all recorded history.

So far so good, but they  
overlooked one fact that  
the day of reckoning must  
come and it did with a  
vengeance that has kept  
and is still keeping the  
Government on the run,  
so much so, Government  
is now tentative only by in-  
voking the aid of emer-  
gency regulations.

And one had to swallow  
the humiliation of having  
to accept a constitution  
under emergency regula-  
tions when public meet-  
ings were banned, and  
when public opinion  
could not express itself  
freely and the press  
warranted their views  
freely, which a Minister  
of the Government when  
queried had the effron-  
tery, to state on the floor  
of the House that they  
had to do so to protect

themselves! Where as if  
they felt that they could  
govern a democratic coun-  
try only with the aid of  
arms, and, draw up and  
promulgate a new consti-  
tution only under the  
protection of armoured  
cars, the only democra-  
tic step to have been tak-  
en was to resign or wait  
till normal conditions  
prevailed again.

And now it is clear  
that, as obviously they  
cannot honour the indis-  
creet promises and com-  
mitments made in their  
mad scramble for power,  
the only way they can  
continue is by repression  
and what better instru-  
ment for achieving this  
end than by ensuring a  
compliant press and a  
timid public opinion, with  
of course the noble inten-  
tion of protecting her  
freedom

A compliant press will  
of course prove no stum-  
bling block to the policy  
of repression, now being  
adopted in Tamil Nad,  
(District), where young  
men are languishing in  
jail only because they  
want to use their langu-  
age in the manner in  
which they have done for  
centuries, before they lost  
their independence, inde-  
pendently of the Sinhalese  
race, only to the European  
powers, and during fore-  
ign rule on par with the  
Sinhalese language; and a  
language which had al-  
ready been recognised as  
an all island official lan-  
guage, and, that too,  
by an overwhelming  
majority of Sinhala  
votes, and worship their  
Gods in their own sover-  
eign country and their  
religion, the oldest civil-  
ized religion of Ceylon  
and whose Gods are wor-  
shipped by Buddhists also,  
in the manner they have  
done for centuries and at  
the time of independence  
negotiations, as their fore-  
most religion. And it was  
only for this, namely,  
that they wanted to use  
their language in the  
manner they have done  
for centuries in their own  
sovereign country, Tamil  
Nad, that their isolated  
and defenceless brethren  
and sisters and priests  
were subjected to violence  
in the heart of Sinhala  
country in 1958. What  
else, are they to do if  
they cannot use their own  
language, as their general  
medium of intercourse  
and public business, in  
their own country. Are  
they to starve and die  
and be driven like dumb

cattle in their own coun-  
try?

This reminds me of  
what Voltaire has observ-  
ed of how millions of  
Christians were tortured  
by Christians in the name  
of the Christian religion  
and for love of God.

All this can be traced  
directly to the power of  
the majority race vote,  
possible only in an uni-  
tary form of Government  
a power acquired by dou-  
ble crossing the Tamil  
speaking people of Ceylon  
on the language, religious,  
and citizenship issues, as  
the Tamil language had  
already been recognised  
as an all island official  
language, and, that too  
by an overwhelming ma-  
jority of Sinhala votes,  
and the government secu-  
lar and no citizen vote-  
less, at time of independ-  
ence negotiations, a power  
more deadly than even  
nuclear fission, as all that  
it needs is sufficient  
energy and intelligence to  
raise one's hands and  
shoot a lusty eye.

One can therefore un-  
derstand the step taken,  
as announced by govern-  
ment on the floor of the  
house, to get support, in  
the shape of armaments  
from a government of 600  
million people to ensure  
continuance of this power  
and, that means of the  
repression that flows from  
it.

For how long are the  
Tamil speaking citizens of  
Ceylon to live under the  
shadow of the Sword of  
Damocles and what terri-  
ble alternatives they have  
and, that too in the 20th  
century, of languishing in  
jail, or foregoing the use  
of their own language, in  
their own country, and  
now under the new cons-  
titution, swallow the  
humiliation of seeing  
their own Hindu religion,  
degraded in their own  
Hindu country, and, if  
they press for the use of  
their own language in  
their own country and  
accord foremost place to  
their own religion in their  
own country, the horrible  
alternative of seeing their  
isolated and defenceless,  
brethren and sisters and  
priests, subjected to vio-  
lence in the heart of Sin-  
hala country. That they  
should use whatever meth-  
od or device, and, get  
whatever support they  
can from any source, they  
own, as to regain their  
language, religious and  
citizenship rights, they  
already enjoyed before the  
loss of independence and  
at time of independence  
negotiations, is now a  
matter of paramount im-  
portance. It is a sine  
qua non, and be driven like dumb



**Sabbai's Service**

(Further extracts from Annual Report)

**Navalar Ashrama Mandapam**

The Ashrama Mandapam was built twenty two years ago in the land purchased by the Sabbai in 1946. The Siva Pooja Mandapam (including rest rooms) was constructed by Mrs Visaladehy Sivagurunather in memory of Mr. R. Sivagurunather Proctor, S.C., who was President of the Sabbai for several years. The boundary wall on the North along the College Road was constructed by Mrs Manonmany Arunachalam in memory of her husband Mr. A. Arunachalam who was a member of the Committee of Management of the Sabbai.

The Ashramam is the venue for all activities of the Sabbai. The mandapam requires to be extended and renovated. The Sabbai is confident that large-hearted Saiva enthusiasts will before long help the Sabbai make the Ashramam still more useful.

**Naalvar Shrine**

Shri M. Somasundara Chettiar who presided over the All Ceylon Saiva Conference in 1969 laid the foundation for the Naalvar Shrine. At that time Mudir. C. Muttutamy Shri A. Thanabalasingam, Shri K. Kanagayah, Mrs. Valliammai Arulambalam and Mrs. Manonmany Arunachalam accepted the responsibility of installing the images of the Four Saints and also Chekkilar Swami at their expense. The estimated cost of the Shrine is Rs. 10000/- towards which a sum of Rs. 3860/- has already been contributed. This undertaking also awaits the munificence of Saiva Paripalana Sabbai members and Saiva enthusiasts.

**Chidambaram****Punnianachchi Trust**

For the last four decades the Trust is being administered by the Sabbai. February 19 is observed as Punnianachchi Day at the Ashram with Special Pooja at the Vannaiponnai Vaidheeswaran Temple (To be continued)

**Thirumurai Recital Training**

The Jaffna Saiva Paripalana Sabbai has organized a Thirumurai recital training course at the Vavuniya Maha Vidyalaya. The course begins on Wednesday January 31, 1973 at 3.20 p.m. Thirumathi Kamala Naderajah will conduct the classes on Saturdays commencing at 9.30 a.m.

**Nixon on Johnson**

President Nixon made the following observation in his statement on the death of former President Johnson.

To President Johnson the "American Dream" was not a catch phrase—it was reality of his own life. He believed in America in what America could mean to all of its citizens and what America could mean to the world. In the service of that faith, he gave himself completely.

In over 30 years of public life, he knew times of triumph and times of despair he knew controversy and adulation. Yet no matter what the mood of the moment, at the center of his public life and at the center of his spirit was an unshakable conviction in the essential rightness of the American experience.

As I said at the dedication of the Lyndon B. Johnson Library, he was a 'partisan of principles'. He was a dynamic leader, a unique personality and a man of great ability and unshakable courage.

Twenty-eight days ago America lost one of its greatest Presidents, Harry S. Truman, a man whose stature has grown enormously as we have gained more perspective on his achievements.

It is particularly heart-breaking that even as our flags fly at half-staff in President Truman's memory, another of our leaders has fallen. Yet just as their names are linked in death, I believe that America will come to understand that they are also joined in greatness.

At this sad hour, as we mourn the loss of two great leaders, all Americans will realize more than ever their debt to those who have gone before, and their obligation to carry on the work which they advanced with such devotion.

In my inaugural address just two days ago I spoke of how my thoughts went back to those who stood in that place before me and of the dreams they had for America. No man had greater dreams for America than Lyndon Johnson. Even as we mourn his death, we are grateful for his life, which did so much to make those dreams into realities. And we know that as long as this nation lives, so will his dreams and his accomplishments.

—USIS

**Nixon Statement on Vietnam Cease-Fire**

Text of the address delivered by President Nixon January 23 announcing the Vietnam cease-fire agreement:

"At twelve-thirty Paris time today, January 23, 1973 the agreement on ending the war and restoring peace in Vietnam was initialed by Doctor Henry Kissinger on behalf of the United States and special adviser Le Duc Tho on behalf of the Democratic Republic of Vietnam. The agreement will be formally signed by the parties participating in the Paris Conference on Vietnam on January 27, 1973, at the International Conference Center in Paris. The cease-fire will take effect at twenty four hundred Greenwich Mean Time January 27, 1973. The United States and the Democratic Republic of Vietnam express the hope that this agreement will ensure stable peace in Vietnam and contribute to the preservation of lasting peace in Indochina and Southeast Asia."

—USIS

**PARTITION NOTICE**

IN THE DISTRICT COURT

OF JAFFNA

No P/1476

Veeragathippillai Rajasekaram of Thondamarar

Vs. Plaintiff

- 1 Kulanthayar Appapillai and wife
- 2 Chellamma of Vasavilan
- 3 Kanthappillai Kathirithamby and wife
- 4 Ratnam of Vasavilan
- 5 Balasingham Navaratnam and wife
- 6 Parasakthy of Vasavilan and
- 7 Kulanthayar Vallipuram of Tinnevely

Defendants

It is hereby notified that Action No. P 1476 has been instituted in the District Court of Jaffna under the Partition Act No. 16 of 1951 for the Partition or Sale of the lands called (1) Inavellai and (2) Inavellai in extent 32 Lms. V.C. and 12 Lms. V.C. respectively and situated at Palaly in the Myliddy Parish in Division of Valigamam North Jaffna District Northern Province.

The defendants in the aforesaid action are summoned to appear in Court on the 15th day of February 1973 at 10 O'clock of the forenoon.

By order of Court  
P. Sathasivaratnam  
for Secretary

This 18th day of  
January 1973

146 26

**Order Absolute in the First Instance**

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 2901

In the matter of the Last Will and Testament of the late Nagamuttupillai widow of Kanthapillai of Tellipallai East.

Deceased

Thambypillai Jayaseelan of Pannalai, Tellipallai

Petitioner

This matter coming on for disposal before Collin E Mendis Esquire, District Judge, Jaffna on the 2nd day of November 1972 in the presence of Mr. A. Kumaraguru, Proctor on the part of the Petitioner and the affidavit and petition of the petitioner and the affidavit of the attesting Notary Public and the witnesses having been read:

It is ordered that the Last Will and Testament of the deceased dated 12th day of January 1972 attested by A. Kumaraguru Notary Public under No. 2496 the original of which has been produced and is now deposited in this court be and the same is hereby declared proved.

It is further declared that the said petitioner as the Executor named in the said Will is entitled to have probate of the same issued to him accordingly.

This 2nd day of November 1972.

Sgd. Collin E Mendis  
District Judge, Jaffna

Drawn by  
Sgd A. Kumaraguru  
Proctor for Petitioner

145 26 &amp; 2

**Some Relevant...**

(From page 5)

final product was not to the liking of many of the drafters. Benjamin Franklin, while disappointed in the results of the Constitutional Convention argued for acceptance of the document.

I agree to this Constitution with all its faults, if they are such: because I think a general government is necessary for us, and there is no form of government but what may be a blessing to the people, if well administered for a course of years, and can only end in despotism, as

**A Sitting Target**

The scenes witnessed in the National Assembly last Friday, when the Speaker gave his ruling on the most momentous point of order, raised in the history of Parliaments in Sri Lanka, had all the elements of high drama to be allowed to pass into oblivion, without comment.

One is surprised that an experienced politician should have made such an ill timed move as to spring an intended proposal, of a vote of no confidence on the Speaker which provided a sitting target for the slickest political brain in the world to miss. By this I refer to the superb timing of the question, "Is this the view of government", by J. R. Jayawardena, which could have drawn only one reply, at that particular moment of time, from the Prime Minister, and which the world now knows.

It would appear to me that the upholding of the point of order has injected some new life in the government, whose stocks were sinking, in that it could count in its ranks, one who had the calibre to rule against his own party, powerful though to command a two-third majority.

It is a pity that this should have been merred by much an ill-timed proposal, to move a vote of no-confidence on the Speaker, by one of its own members.

yours faithfully  
J. R. Sinnatambay

other forms have done before it, when the people shall have become so corrupted as to need despotic government being incapable of any other. I doubt, too, whether any other convention we can obtain, may be able to make a better Constitution: for, when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their passions, their errors of opinion, their local interests and their selfish views. From such an Assembly can a perfect production be expected? ... Thus I consent to this Constitution because I expect no better, and because I am not sure that it is not the best.

(To be continued)



## The Jaffna Co-operative Stores Ltd.

WHEREAS MRS. NAGARATNAMMAH SANGARAPILLAI of Vaddukoddai, has applied to the Directors of the above-named Company for the issue of a Duplicate Certificate in respect of 5 Ordinary Shares of Rs. 100/- each, numbered: 105 - 108 & 996, registered in the name of her late husband Mr. P. Muthiahpillai Sangarapillai, the originals of which are 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 originals of which will be deemed to have been cancelled.

**T. Somasundram,**  
Secretary,  
The Jaffna CO-OP;  
Stores Ltd.

420, Hospital Road,  
Jaffna.  
26th January, 1973.

143 19, 26, 1

## ORDER NISI

IN THE DISTRICT COURT  
OF JAFFNA

Testamentary Jurisdiction  
No. 2769

In the matter of the Intestate Estate of the late Amirthavally Ammal widow of Muttukumaru Wanniasakera Kalvalavoo. Kopy South. Kopy

Deceased  
Wanniasakera Muttukumaraswamy, of Kalvalavoo, Kopy South. Kopy  
Vs. Petitioner

Subramaniam Sivasubramaniam, Proctor, 103/2 Hultsdorf, Colombo 12.  
Respondent

This matter coming on for disposal before A. Vythialingam Esquire District Judge, Jaffna on the 16th day of September 1971 in the presence of the Petitioner above-named and the affidavit of the Petitioner having been read and filed of record:-

It is ordered that the Petitioner abovenamed as sole heir be appointed the Administrator of the estate of the deceased abovenamed and that Letters of Administration be issued to him accordingly, unless the Respondent abovenamed or any other person interested in the above estate shall show sufficient cause on or before the 30th day of March 1972 to the satisfaction of this Court to the contrary.

Jaffna, this 16th day of September 1971.

Sgd A Vythialingam  
District Judge  
30-3-72. Time to show cause extended to 19-7-72  
(Sgd.) A. Vythialingam  
District Judge  
19-7-72. Time to show cause

## ORDER NISI

IN THE DISTRICT COURT OF  
JAFFNA

No. 2437/Testy

In the matter of the Last Will testate of the late Sabapathipillai Candiah Cathiravelu of Kantharmadam Jaffna,  
Deceased,

Rasam widow of Sabapathipillai Cathiravelu of Kantharmadam Jaffna.  
Vs. Petitioner

1. Cathiravelu Rudran,  
2. Cathiravelu Indran and  
3. Cathiravelu Vasantha Devi  
all of Kantharmadam Jaffna.  
Respondents.

In the matter of an application under the provision of section 578 of the Civil Procedure Code.  
Cathiravelu Rudran of Kantharmadam, Jaffna.  
Vs. Petitioner

1. Cathiravelu Indran and  
2. Vasantha Devi daughter of Cathiravelu both of Kantharmadam, Jaffna.  
Respondents

This action coming on for disposal before K. E Kathirgamalingam Esquire, acting District Judge, Jaffna on the 23rd day of August 1972 in the presence of Mr. V. Nadarajah, Proctor on the part of the Petitioner Cathiravelu Rudran and the Petition and Affidavit of the Petitioner dated 7.8.1972 having been read.

It is ordered that the petitioner Cathiravelu Rudran is hereby declared entitled to have Letters of Administration with the Will annexed to the estate of the abovenamed deceased and the same be issued to the petitioner Cathiravelu Rudran accordingly unless the Respondents or any other person or persons interested shall appear before this Court on or before the 4th day of October 1972 and show sufficient cause to the satisfaction of this Court to the contrary.

Sgd. C. C. Collin Mendis  
District Judge

Drawn by:-  
Sgd. V. Nadarajah  
Proctor for Petitioner.

4-10-1972:- Time to show cause is extended to 10-11-1972

Intd. C. E. C. M.  
D. J

10-1-1972 Time to show cause is extended 24.11.1972

Intd C E C M  
D J

24-11-1972:- Time to show cause is extended to 15.2.1973

Intd C.E.C.M.  
D.J.

Sgd. Collin E. Mendis  
District Judge

143 19 & 26

extended to 19.10.72

Sgd. A. Vythialingam,  
District Judge  
19-10-72 Time to show cause extended to 31.1.73.

Sgd. Collin E. Mendis  
Acting District Judge  
144 19 & 26

## Sivanadiyars'

( From page 5 )

Chettiar, a retired headmaster of a High School who pioneered the idea of the Thirukkootam and in collaboration with the late T. S. Meenakshisundaram Pillai, the Thirukkootam has been visiting the sacred places all over Tamil Nadu. Many stories are related of the miraculous ways in which they have been saved in difficult situations.

The Sivanadiyars have written out one crore Panchakshara Namas in 100 notebooks which have been deposited in a sacred spot in the Sri Someswaraswami temple in Kumbakonam which they got renovated. The Adiyars lead simple lives and eat frugally—whatever is offered them.

Senapathi P. T. S. Kumaraswami Chettiar was the founder-President of the Kootam and the mantle has now fallen on his brother Mr. P. T. S. Singaram Chettiar. They begin their official year with a Sunday Vazhipadu at Thiruvallamjuzhi Vinayagar shrine. The Saivita-Matathipathis give them great encouragement—Madurai, Tiruvavaturai and Dharmaparam Adheenams. Mr. Singaram Chettiar said that the main aim of the Thirukkootam is propagation of Siva Bakthi cult.

The Sivanadiyar Thirukkootam idea has caught on and in some other districts similar groups have been formed. Apart from inducing its votaries to lead good and pious lives and dedicate part of their leisure to the deep study of the Thevarams and Thirumurais, the Thirukkootam centres its activity around temples and community worship in padalpetra shrines."

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LETTER TO THE EDITOR

## Free Press and Citizenship Rights

Dear Sir,

I shall be glad if you will be good enough to publish annexed letter to the Secretary General, Commonwealth Press Union, who was in Ceylon recently.

The article referred to "The First Instrument of Repression" received publicity some time back. I hope you will be good enough to give it publicity again along with the annexed letter and this letter.

It is a matter for regret that no effective opposition was offered to the government at the time of drafting the new constitution under emergency regulations. I wonder what other people in any other country would have accepted a new constitution under emergency regulations.

This has been particularly disastrous for the citizens of Tamil Nad for the reason as pointed out in my articles they have been deprived of their language and reduced to the position of dumb animals in their own country. A position they had to accept without even a whimper of protest as the government had taken the cowardly precaution to protect itself with emergency regulations, and, armoured cars, before em-

barking on these repressive measures in Tamil Nad of a defenceless and inarticulate people.

The irony of it all is that the Tamil language, as pointed out in my articles, was reorganised and protected by even the imperial powers that ruled here, and, actually taught by Buddhist priests, and, used and nurtured by the Kings of Ceylon.

Yours faithfully,  
J. R. Sinnatamby

Lt. Colonel T. Pierce-Coulding, Secretary-General, Commonwealth Press Union

Dear Sir,

I am annexing here, with a copy of an article "The First Instrument of Repression" which will give you an indication of the serious repercussions that will follow if and when the freedom of the press is muzzled, particularly, in a country, which is multi-caste, and, peopled by two distinct races, occupying two distinct areas, and where even religious leaders are not wary about their utterances.

The press, not all, in Ceylon cannot be absolved from all blame.

( Over to page 6 )

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Printed and published by Mr. M. Mylvaganam residing at No. 2, Second Lane Brown Road Jaffna, for and on behalf of the Proprietors, the Saiva Paripalana Sabha, Jaffna, at their Press, the Saiva Prakasa Press, 450 K. K. S Road Vannaripennal, Jaffna, on Friday January 26, 1973

Editor: R. N. SIVAPRAKASAM