

23

23, 1969

No. 8 OF 1968

Supreme Court of Ceylon,
No. 233 (Final) of 1968.

District Court of Point Pedro,
Case No. 6471.

IN HER MAJESTY'S PRIVY COUNCIL
ON AN APPEAL FROM
THE SUPREME COURT OF CEYLON

BETWEEN

(Dead) VISWANATHAR KANAGARATNAM of Puloly West.

(Original Defendant)

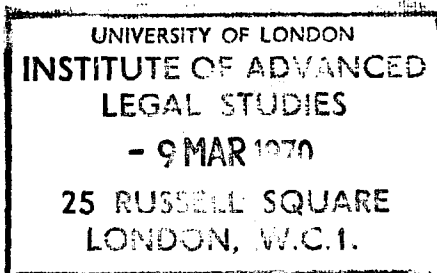
VISWANATHAR KANAGARATNAM SUBRAMANIAM of Puloly West
as Executor of the Last Will and Testament of the late VISWANATHAR
KANAGARATNAM of Puloly West.

(SUBSTITUTED DEFENDANT APPELLANT)
APPELLANT

AND

KANAGARATNAM KADIRGAMAN of Puloly West, Administrator of
the Estate of RASAMMAH in Testamentary Case No. 400 in the District
Court of Point Pedro.

(PLAINTIFF - RESPONDENT)
RESPONDENT



RECORD
OF PROCEEDINGS

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No.....8.....OF 1968

Supreme Court of Ceylon,
No. 283 (Final) of 1963.

District Court of Point Pedro,
Case No. 6471.

IN HER MAJESTY'S PRIVY COUNCIL
ON AN APPEAL FROM
THE SUPREME COURT OF CEYLON

BETWEEN

(Dead) VISWANATHAR KANAGARATNAM of Puloly West.

(Original Defendant)

VISWANATHAR KANAGARATNAM SUBRAMANIAM of Puloly West
as Executor of the Last Will and Testament of the late VISWANATHAR
KANAGARATNAM of Puloly West.

(SUBSTITUTED DEFENDANT APPELLANT)
APPELLANT

AND

KANAGARATNAM KADIRGAMAN of Puloly West, Administrator of
the Estate of RASAMMAH in Testamentary Case No. 400 in the District
Court of Point Pedro.

(PLAINTIFF RESPONDENT)
RESPONDENT

RECORD
OF PROCEEDINGS

JOURNAL ENTRIES

No. 1
Journal
Entries—
14-9-59
to 17-10-66

IN THE DISTRICT COURT OF POINT PEDRO

No. 6471	KANAGARATNAM KATHIRAGAMAN of Point Pedro
Class :	<i>Plaintiff.</i>
Amount : Rs. 60,000/-	Vs.
Nature : Land	
Procedure :	V KANAGARATNAM of Point Pedro
	<i>Defendant.</i>

10

JOURNAL

The 14th day of September, 1959.

Mr. S. Nagalingamudali, Proctor, files appointment and **Plaint and Pedigree** and abstract of title and moves that the **plaint** be accepted and summons be ordered to issue on the defendant.

Plaint accepted and Summons ordered for 4.11.59.

(Sgd.) **ILLEGIBLY**
Additional District Judge.

Summons issued on defendant with Precept returnable the 3rd day of November, 1959. through Fiscal Marshal, Point Pedro.

20

(Intld.)

(2) 23-10-59 Mr. S. Nagalingamudaly for Plaintiff.
Mr. N. A. Rajaratnam for Defendant.

Return to Summons from Fiscal Marshal, Point Pedro, filed.

Summons served on defendant.

(Intld.)

(3) 4-11-59 Summons served on defendant.

He is absent.

Proxy filed.

30

Answer 25-11-59.

(Intld.)

No. 1
Journal
Entries—
14-9-59
to
17-10-66
—Continued.

- Eo-die* Deficiency of Stamps Rs. 7/- due on defendant's proxy.
(Intld.)
- (4) 25-11-59 (1) Answer due — Same 16/12/57.
(2) Deficiency of Stamps Rs. 7/- due supplied.
(Intld.)
- (5) 16-12-59 Answer due — Same 27/1/60.
(Intld.)
- (6) 27-1-60 Answer due — 10-2-60.
(Intld.)
- (7) 10-2-60 Answer due — filed. 10
Trial on 24-3-60.
(Intld.)
Additional District Judge.
- (8) 17-3-60 Mr. N. A. Rajaratnam, Proctor for Defendant, files defendant's list of witnesses and moves with notice to proctor for plaintiff to cite the witnesses.
1. File.
2. Cite.
(Intld.)
District Judge. 20
- (9) *Eo-die* Mr. S. Nagalingamudaly, proctor for plaintiff, files plaintiff's list of witnesses and moves with notice to proctor for defendant to cite the witnesses. He also tenders summons to 4 witnesses duly stamped.
1. File.
2. Cite.
(Intld.)
District Judge.
- Eo-die* Summons issued on 4 witnesses of plaintiff through Fiscal Marshal, Point Pedro. 80
(Intld.)

(10) 24-3-60

Trial (1)

Mr. S. Nagalingamudaly for Plaintiff.

Mr. N. A. Rajaratnam for Defendant.

Mr. Advocate A. V Kulasingham for defendant moves for a date as he is not ready.

Mr. Advocate Soorasangaram for plaintiff consents.

Trial 27-5-60.

(Intld.)

(11) 22-3-60
31

Proctor for Plaintiff files Plaintiff's list of documents.

File.

(Intld.)

District Judge.

10

(12) 21-5-60

Summons issued on 1 witness of Plaintiff through Fiscal Marshal, Point Pedro.

(Intld.)

(13) 27-5-60

Trial (2)

Mr. S. Nagalingamudaly for Plaintiff.

Mr. N. A. Rajaratnam for Defendant.

I have appeared in some connected case.

Trial is refixed for 15-7-60.

(Intld.)

Additional District Judge.

20

(14) 23-5-60
31

Proctor for Plaintiff files Plaintiff's additional list of witnesses.

(Intld.)

(15) 6-7-60

Proctor for Plaintiff files Plaintiff's additional list of witnesses with notice to proctor for defendant and also tenders summonses to 3 witnesses duly stamped.

1. File.

2. Cite,

(Intld.)

District Judge.

30

No. 1
Journal
Entries—
14-9-59
to
17-10-66
—Continued.

(16) 7-7-60 Summons issued on 3 witnesses of plaintiff through Fiscal Marshal, Point Pedro.

(Intld.)

(17) 15-7-60

Trial (3)

Mr. S. Nagalingamudaly for Plaintiff.

Mr. N. A. Rajaratnam for Defendant.

Vide proceedings.

Further Trial — 22-9-60.

(Intld.)

(18) 22-9-60

Trial (4)

10

Mr. S. Nagalingamudaly for Plaintiff.

Mr. N. A. Rajaratnam for Defendant.

Defendant reported dead.

Steps on 28-10-60.

Take case off trial roll.

(Intld.)

(19) 28-10-60 Steps *re* defendant due — 9-12-60.

(Intld.)

(20) 9-12-60 Steps *re* defendant due — filed.

Substitution allowed.

20

Issue Summons for 3-2-61.

(Intld.)

(21) 25-1-61 Summons issued on respondent through Fiscal Marshal, Point Pedro.

(Intld.)

(22) 3-2-61 Summons served on Substituted Defendant
Visuvanathar Kanagaratnam Subramaniam.

Proxy filed.

Objections on 10-3-61.

(Intld.)

(23) 10-3-61 Mr. S. Nagalingamudaly, Proctor for Plaintiff.

Mr. M. Esurapadham, Proctor for Defendant.

Objections due — 29-3-61.

(Intld.)

10 (24) 15-3-61 Mr. Nagalingamudaly moves that as the substituted defendant is really Visuvanathar Kanagaratnam Subramaniam the Executor of the Last Will of the late Visuvanathar Kanagaratnam as pleaded in the petition and affidavit filed on 9-12-60 and as by an oversight the said Visuvanathar Kanagaratnam Subramaniam was personally substituted as defendant ; the said substituted defendant Visuvanathar Kanagaratnam Subramaniam be substituted as defendant in his capacity as such Executor. Proctor for Defendant has given his Consent.

Mention on 29-3-61.

(Intld.)

20 (25) 29-3-61 (a) Objections due :
(b) Journal Entry (24) to be mentioned.
Application allowed.
Answer on 19-5-61.

(Intld.)

(26) 19-5-61 Answer due — 14-6-61.

(Intld.)

(27) 14-6-61 Answer due — on 21-6-61.

(Intld.)

30 (28) 21-6-61 Mr. S. Nagalingamudaly, for Plaintiff.
Mr. M. Esurapadham, for Defendant.
Answer due — filed.

Trial 12-7-61.—Specially fixed.

(Intld.)

No. 1
Journal
Entries—
14-9-59
to
17-10-66
—Continued.

Deficiency of Stamps to the Value of Rs. 29/50 due on Answer. Supplied.

(Intld.)

(29) 4-7-61 Proctor for Plaintiff files Plaintiff's additional list of documents. Copy served on Proctor for Defendant.

File.

(Intld.)
District Judge.

(30) 6-7-61 Mr. M. Esurapadham, Proctor, files Proxy of the Substituted defendant, the executor of the Last Will and testament of the deceased defendant and moves that the same be accepted.

Notice served on Proctor for Plaintiff.

Accepted.

(Intld.)
District Judge.

(31) 6-7-61 Proctor for Defendant files defendant's additional list of witnesses and documents and moves to cite the witnesses referred to therein.

Notice served on Proctor for Plaintiff.

20

1. File.

2. Cite.

(Intld.)
District Judge.

(32) 7-7-61 Proctor for Substituted Defendant files defendant's additional list of documents. Copy sent by Registered Post to Proctor for Plaintiff.

File.

(Intld.)
District Judge. 30

(33) 12-7-61

Trial (1)

Mr. S. Nagalingamudaly for Plaintiff.

Mr. M. Esurapadham, Proctor for Defendant.

Vide Proceedings.

Further trial — 13-7-61.

(Intld.)

No. 1
Journal
Entries—
14-9-59
to
17-10-66
—Continued.

(34) 13-7-61

Trial (2)

Mr. S. Nagalingamudaly for Plaintiff.

Mr. M. Esurapadham, Proctor for Defendant.

10

Vide Proceedings.

Take case off Trial - roll.

Replication on 14-9-61.

(Intld.)

(35) 14-9-61

Replication due — on 12-10-61.

(Intld.)

(36) 12-10-61

Replication due — filed.

Trial — 15-12-61.

(Intld.)

20

(37) 6-12-61

Proctor for defendant files defendant's additional list of documents.

File.

(Intld.)
District Judge.

(38) 7-12-61

Proctor for Plaintiff files plaintiff's additional list of witnesses and documents.

File.

(Intld.)
District Judge.

No. 1
Journal
Entries—
14-9-59
to
17-10-66
—Continued.

(39) 15-12-61

Trial (3)

Mr. S. Nagalingamudaly for Plaintiff.

Mr. M. Esurapadham for Defendant.

Vide proceedings.

Trial for 9-3-62.

(Sgd.) Illegibly.
Additional District Judge.

(40) 2-3-62

Proctor for plaintiff files plaintiff's additional list of documents.

File.

(Intld.) 10
District Judge.

(41) 9-3-62

Trial (4)

Mr. S. Nagalingamudaly for Plaintiff.

Mr. M. Esurapadham for Defendant.

I am on transfer to D.C. Jaffna.

Trial on 25-5-62.

(Intld.)

(42) 16-5-62

Proctor for Plaintiff files Plaintiff's additional list of Documents.

File.

(Sgd.) Illegibly. 20
District Judge.

(43) 25-5 62

Trial (5)

Mr. S. Nagalingamudaly for Plaintiff.

Mr. M. Esurapadham for Defendant.

Vide Proceedings.

Of Consent Trial 2-8-62.

Costs fixed at Rs. 73/50 payable by defendant.

(Sgd.) Illegibly.
Additional District Judge. 30
25-5-62.

(44) 6-6-62 Proctor for Plaintiff files Plaintiff's additional list of No. 1
 documents. Journal
 Entries—
 14-9-59
 to
 17-10-66
 —Continued.

(Intld.)
District Judge.

(45) 20-7-62 Proctor for Defendant files Defendant's additional list of
 documents.
 File.

(Intld.)
District Judge.

10

(46) 20-7-62 Proctor for Plaintiff files Plaintiff's additional list of
 documents.
 File.

(Intld.)
District Judge.

(47) 2-8-62 **Trial (6)**

Mr. S. Nagalingamudaly for Plaintiff.

Mr. M. Esurapadham for Defendant.

Mr. Advocate Kulasingam for Defendant moves for a date
 as he is not ready for Trial.

Mr. Advocate Soorasangaram consents.

Trial 13-9-62. Specially fixed.

(Sgd.) Illegibly.
District Judge.
 2-8-62.

20

(48) 13-9-62 **Trial (7)**

Mr. S. Nagalingamudaly for Plaintiff.

Mr. M. Esurapadham for Defendant.

Vide Proceedings.

Further Trial for 11-10-62.

(Sgd.) Illegibly.
District Judge.
 13-9-62.

30

No. 1
Journal
Entries—
14-9-59
to
17-10-66
—Continued.

(49) 8-10-62 Summons to 1 witness of defendant issued through Fiscal Marshal. Point Pedro — returnable 10-10-62.
(Intld.)

(50) 11-10-62 Trial (8)

Mr. S. Nagalingamudaly for Plaintiff.

Mr. M. Esurapadham for Defendant.

Vide proceedings.

Addresses 8-11-62.

(Sgd.) Illegibly.
District Judge. 10
11-10-62.

(51) 8-11-62 Addresses for 23-11-62.

(Sgd.) Illegibly.
Additional District Judge.

(52) 23-11-62 Addresses —

Vide proceedings.

Further addresses 29-11-62.

(Sgd.) Illegibly.
District Judge.
23-11-62. 20

(53) 29-11-62 Further Addresses —

Vide Proceedings.

53 N.L.R. 63

60 N.L.R. 439

53 N.L.R. 385

46 C.L.W 104

55 N.L.R. 260

56 N.L.R. 44

Further addresses for 30-11-62.

(Sgd.) Illegibly. 30
District Judge.
29-11-62.

(54) 30-11-62 Further Addresses —

Vide Proceedings.

3 C.A.C. 30

54 N.L.R. 484

22 N.L.R. 107

137

63 N.L.R. 49

62 N.L.R. 224

53 N.L.R. 334 — Trust

10 42 N.L.R. 299 — Registration

Further addresses for 6-12-62.

(Sgd.) Illegibly.
District Judge.
23-11-62.

(55) 6-12-62 Further addresses —

Mr. Advocate Sivapathasundaram moves for a date.

Further addresses on 13-12-62.

(Sgd.) Illegibly.
District Judge.
6-12-62.

20

(56) 13-12-62 Further addresses —

Mr. S. Nagalingamudaly for Plaintiff.

Mr. M. Esurapadham for defendant.

Mr. Advocate Sivapathasundaram for defendant is ill.

Further addresses for 20-12-63.

(Sgd.) Illegibly.
District Judge.
13-12-62.

(57) 20-12-62 Further addresses —

30 Mr. Advocate Sivapathasundaram cites.

No. 1
Journal
Entries—
14-9-59
to
17-10-66
—Continued.

No. 1
Journal
Entries—
14-9-59
to 17-10-66
—Continued.

62 N.L.R. 511

63 N.L.R. 25

20 C.L.W 28

53 N.L.R. 63

23 N.L.R. 390

62 N.L.R. 224 — 9

Plaintiff's documents P1 — P44 filed.

Defendant's documents for 11-1-63.

Judgment C.A.V

(Sgd.) Illegibly. 10
District Judge.
20-12-62.

(58) 20-12-62 Stamps to the value of Rs. 70/20 is due from Proctor for plaintiff on registration of the documents marked P1, P5, P6, P7, P8, P12, P16 and P42.

(Intld.)

(59) 15-5-63 V. M. Cumaraswamy Esqr., Acting District Judge, Batticaloa returns record with the Judgment and requests that he be gazetted to deliver judgment.

1. Judgment will be delivered on 3-6-63. 20

2. Inform Proctors.

3. Write to Secretary, Judicial Service Commission to have Mr. Cumaraswamy gazetted for that date.

(Sgd.) Illegibly.
District Judge.
22-5-63.

(60) 28-5-63 (1) Proctors informed.

(2) Secretary, Judicial Service Commission informed.

(Intld.)
Secretary. 30

(61) 3-6-63

Judgment

Delivered in the presence of Proctors for plaintiff and defendant.

Vide typed proceedings.

(Sgd.) Illegibly
District Judge.
3-6-63.

No. 1
Journal
Entries—
14-9-59
to
17-10-66
—Continued.

(62) 8-6-63 Decree entered.

(Sgd.) Illegibly.
District Judge.
10-6-63.

10

(63) 8-6-63 Proctor for plaintiff files application for execution of decree and moves for issue of writ of possession and writ.

Issue Writ and Writ of possession.

(Sgd.) Illegibly.
District Judge.
11-6-63.

(64) 10-6-63 Proctor for defendant - appellant files petition of appeal of the defendant, application for type-written copy of the record with Treasury Receipt for Rs. 25/- and supply stamps to the value of Rs. 27/- for Secretary's certificate in appeal and Rs. 54/- for Supreme Court Decree and tender notices of tendering security and moves that :

20

(a) the same be accepted.

(b) notices of tendering security be ordered to issue on the plaintiff and on his Proctor Mr. S. Nagalingamudaly of Point Pedro — returnable the 17-6-63.

1. File.

2. Petition of appeal is accepted.

30

3. Issue notice of tendering security for 17-6-63.

(Sgd.) Illegibly.
District Judge.
11-6-63.

(65) 11-6-63 1. Notice of tendering security on Proctor Mr. S. Nagalingamudaly issued through Fiscal Marshal, Point Pedro.

No. 1
Journal
Entries
14-9-59
to
17-10-66
—Continued.

2. Notice of tendering security on plaintiff issued through Deputy Fiscal, Trincomalee.

- (Intld.)
- (66) 12-6-63 Writ of execution issued to Fiscal, Jaffna — Returnable on 8-6-64.
(Intld.)
Secretary.
- (67) 13-6-63 Writ of possession tendered for issue but not in order.
Issue on proper writ of possession being tendered.
(Sgd.) Illegibly. 10
District Judge.
- (68) 12-6-63 Proctor for defendant petitioner files petition and affidavit of the defendant petitioner and for reasons stated therein moves for a notice on the plaintiff to show cause if any, why the execution of decree should not be stayed and writ of execution and writ of delivery of possession should not be recalled pending the decision of the case by the Supreme Court in appeal.
Mention on 17-6-63.
(Sgd.) Illegibly. 20
District Judge.
- (69) 17-6-63 Mr. S. Nagalingamudaly for Plaintiff.
Mr. M. Esurapadham for Defendant.
- (1) Notice of tendering security served on plaintiff and his proctor.
Plaintiff — K. Kathiragaman — absent.
Proctor — Mr. S. Nagalingamudaly — present.
- (2) Case mentioned — *Vide* Journal Entry 68.
Security filed in cash Rs. 200/-
Journal Entry 68. Inquiry on 18-6-63 30
(Sgd.) Illegibly.
District Judge.
17-6-63.

(70) 18-6-63

Inquiry

No. 1
Journal
Entries—
14-9-59
to
17-10-66
—Continued.

Mr. S. Nagalingamudaly for Plaintiff.

Mr. M. Esurapadham for Defendant.

Of consent writ delivering of possession to be stayed, provided defendant gives security in 10,000/- cash or 15,000/- bond.

Security to be furnished on or before 2-7-63.

(Sgd.) Illegibly.
District Judge.
18-6-63.

10

(71) 17-6-63

Proctor for defendant files bond to prosecute appeal with Treasury Receipt and tender notices of appeal and moves that the same be accepted and notices of appeal be ordered to issue on the plaintiff and on his Proctor Mr. S. Nagalingamudaly of Point Pedro.

1. File.

2. Issue Notice of Appeal for 10-7-63.

(Sgd.) Illegibly.
District Judge.

20 (72) 19-6-63

Notice of Appeal on plaintiff and his Proctor issued through Deputy Fiscal, Trincomalee and Fiscal Marshal, Point Pedro.

(Intld.)

(73) 25-6-63

Proctor for plaintiff files application for typewritten copies of the record together, with receipt No. 151/C/16—417547 for Rs. 24/-.

File.

(Sgd.) Illegibly.
District Judge.
26-6-63.

30

(74) 8-6-63

Fiscal, Jaffna forwards, Notice under section 232 of Civil Procedure Code and requests to hold the money lying in deposit to the credit of the defendant in Case No. 733/T. of this Court.

Note and File,

(Sgd.) Illegibly.
District Judge.

No. 1
Journal
Entries—
14-9-59
to
17-10-66
—Continued.

(75) 2-7-63 Security (Rs. 10,000/- in cash or Rs. 15,000/- in land) due —
(Journal Entry 70 — 18-6-63).
No order.

(Sgd.) Illegibly.
District Judge.
2-7-63.

(76) 4-7-63 Return to notice of appeal on plaintiff filed — served.
(Intld.)

(77) 5-7-63 Return to notice on Proctor Nagalingamudaly filed —
served. 10
(Intld.)

(78) 10-7-63 Notice of appeal served on plaintiff and his Proctor.
Plaintiff — K. Kathiragaman — absent.
Proctor — S. Nagalingamudaly — present.
Forward Record.

(Sgd.) Illegibly.
District Judge.
10-7-63.

(79) 18-7-63 Proctor for plaintiff moves that as the substituted
defendant has failed to give security within the date 20
fixed by Court, Writs for delivery of possession be ordered
to issue.
Vide Journal Entry of 8-6-63. Prepare sub-file.
Issue Writ of possession.

(Sgd.) Illegibly.
District Judge.
20-7-63.

(80) 23-2-66 Record received from Supreme Court.
(1) Appeal dismissed with costs, subject to variation.
Proctors to note. 30

(2) Deficiency of stamps Rs. 24/- due from Proctors for
Appellant, call for same on 8-3-66.

(Sgd.)
District Judge.

(81) 8-3-66 Deficiency of Rs. 24/- stamps due from defendant-appellant in Supreme Court decree.

Supplied.

Amended Decree for 22-3-66.

(Sgd.)
District Judge.
8-3-66.

No. 1
Journal
Entries—
14-9-59
to
17-10-66
—Continued.

(82) 22-3-66 Amended decree due for 30-3-66.

10

(Sgd.)
District Judge.
22-3-66.

(83) 30-3-66 Amended decree due.

Filed.

(Sgd.)
District Judge.
30-3-66.

(84) 1-4-66 Decree not in order as schedule not given in the decree.

Call on 9-4-66.

20

(Sgd.)
District Judge.
5-4-66.

(85) 9-4-66 Case called. *Vide* Journal Entry (84) of 1-4-66.

Decree for 25-4-66.

(Sgd.)
District Judge.
9-4-66.

(86) 17-10-66 Case not called on 25-4-66.

Amended decree tendered today.

Amended decree entered.

30

Forward Record to Supreme Court.

(Sgd.)
District Judge.
17-10-66.

No. 2

PLAINT OF THE PLAINTIFF

(With Pedigree and Abstract of Title)

IN THE DISTRICT COURT OF POINT PEDRO

Nature of Action : Lands.
 Value : Rs. 60,000/-.

KANAGARATNAM KATHIRAGAMAN of Puloly
 West, Administrator of the Estate of Rasammah
 in Case No. 400/T. D.C. Point Pedro.

Plaintiff. 10

No. 6471

Vs.

(Dead) VISUVANATHAR KANAGARATNAM of
 Puloly West.

Defendant.

VISUVANATHAR KANAGARATNAM SUBRA-
 MANIAM of Puloly West as executor of the Last
 Will of the late Visuvanathar Kanagaratnam.
 (*Vide* Journal Entry of 29-3-1961).

Defendant.

This 14th day of September, 1959.

20

The plaintiff of the abovenamed plaintiff appearing by Mr. S. Nagalingamudaly, his proctor states as follows :—

1. The parties reside and the subject matter of this action are situated within the jurisdiction of this Court.

2. The plaintiff is the administrator of the estate of the late Rasammah wife of Visuvanathar Kanagaratnam in Case No. 400/T. of the District Court of Point Pedro.

3. The defendant abovenamed married the said Rasammah in or about 1916 and is governed by the law of Thesavalamai as amended by Chapter 48 of the Legislative Enactments of Ceylon.

30

4. During the subsistence of the said marriage the Defendant purchased for valuable consideration the lands described in the schedule hereto and the said lands constitute the Thediatheddam property of the defendant and the said Rasammah.

5. The said Rasammah was by operation of law vested with a title to a half share of the said lands and died in or about 1948 entitled to the said half share.

6. A half share of the said lands is vested in the plaintiff as administrator of the estate of the said Rasammah.

7. The plaintiff as such administrator has by his own undisturbed and uninterrupted possession and by the like possession of his predecessors in title for more than ten years next immediately preceding the date of this action by a title adverse to and independent of the defendant and all others whomsoever acquired a prescriptive right and title thereto in terms of Section 3 of Chapter 55 of the Legislative Enactments of Ceylon.

No. 2
Plaint of the
Plaintiff—
14-9-59
—Continued.

8. The defendant is since the death of the said Rasammah in possession of the said lands and is denying the right of the plaintiff as administrator to possess a half share on behalf of the said estate causing thereby damages of Rs. 3,000/- per annum from date hereof till the plaintiff as such administrator is placed in possession of the said half share.

9. A cause of action has therefore accrued to the plaintiff to sue the defendant to obtain a declaration that he as such administrator is entitled to a half share of the said lands and to recover possession thereof and damages as aforesaid.

10. The plaintiff further pleads that the proceedings, Judgment, decree and order in Case No. 4329 of the District Court of Point Pedro operates as *res-judicata*.

11. The subject matter of this action is reasonably worth Rs. 60,000/-.

20 WHEREFORE the Plaintiff prays :—

- (i) That he as such administrator be declared entitled to a half share of the said lands.
- (ii) That the plaintiff as such administrator be placed in peaceful possession thereof.
- (iii) That the defendant be ordered to pay the plaintiff as such administrator Rs. 3,000/- per annum as damages from date hereof till the plaintiff is placed in peaceful possession of the said lands.
- (iv) For costs, for such other and further relief as to this Court shall seem meet.

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(Sgd.) S. NAGALINGAMUDALY,
Proctor for Plaintiff.

Schedule

1. Land situated at Puloly West Malavarayakurichy called "VEERAPANDIANSEEMA" in extent 6 1/8 Lachchams V.C. and bounded on the East by Lane, North by the 2nd land, West by the property of Kathirathamby Subramaniam and others and South by the property of Ponnachy, widow of Kandiah and others. Of this an undivided 16/27 share.

40 2. Land situated at-do-called "ETHIROLLAI" in extent 2 3/4 Lachchams V.C. and bounded on the East and North by lane, West by the property of Ponnu, widow of Solian and others and on the South by the 1st land. Of this an undivided 61/144 share.

3. Land situated at-do-called "VILVALAI" in extent 8 Lachchams V.C. and 3, 29/32 kls. and bounded on the East by the Property of Visuvanathar Kanagaratnam and others, North by lane, West by the property of Kathiragamar Kanapathippillai and others and on the South by the property of Velapper Subramaniam and others. Of this an undivided 1/8 share.

4. Land situated at - do - called "VEERAPANDIANSEEMA" in extent 2 1/2 Lachchams V.C. and bounded on the East by lane, North by the property of Ponnu, wife of Alvan Velan, and West and South by the property of the heirs of Subramaniam Jekasothy and others. The whole of this.

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5. Land situated at Puloly West, Singhapahuthevankurichy called "VILVALAI" in extent 9 1/2 Lachchams V.C. and bounded on the East by lane, North by the property of Rasammah, wife of Kanagaratnam and others, West by the property of Paramu Subramaniam and others and South by the property of the heirs of Seethavan. Of this an undivided 1/6 share.

6. Land situated at-do-called "SEEMA" in extent 7 1/8 Lachchams V.C.-do-VEEDU. 1. Of these parcels on the South an extent of 8 Lachchams V.C. and 5/8 kls. and bounded on the East by the property of Visuvanathar Kanagaratnam, North by the property of Visuvanathar Kanagaratnam and on the West and South by lane. Of this an undivided 1/2 share.

7. Land situated at Puloly West Malavarayakurichy called "SEEMA" in extent 4 Lachchams V.C. and bounded on the East by the property of Visuvanathar Kanagaratnam, North by the property of Alvappillai Velautham, West by Street and on the South by the property of V Kanagaratnam and others. The whole of this.

8. Land situated at-do-called "SEEMA" in extent 5 Lachchams V.C. and 1/8 kly. and bounded on the East and South by the property of V. Kanagaratnam, North by the property of Kandar Sinnathamby and West by lane. The whole of this.

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9. Land situated at-do-called "SEEMA" in extent 4 Lachchams V.C. and 13 kls. and bounded on the East by the property of V. Kanagaratnam and others West by the following 10th land, and South by the property of V Kanagaratnam and others and by lane. The whole of this.

10. Land situated at-do-called "SEEMA" in extent 9 kls. bounded on the East by the aforesaid 9th land, North by the property of Theivani, widow of Murugappar. West by the property of Alvappillai Velautham and on the South by the property of V. Kanagaratnam. The whole of this.

11. Land situated at-do-called "SEEMA" in extent 1 Lachcham V.C. and bounded on the East by the property of V. Kanagaratnam and others, North by the property of Theivanaipillai, widow of Murugappar, West by aforesaid 10th land and on the South by the aforesaid 9th land. Of this an undivided 1/2 share.

40

12. Land situated at do. called "NITCHINGANOLLAI" in extent 2 Lachchams V.C. and 17, 5/8 kls. and bounded on the East and South by lane, North by the property of V. Kanagaratnam and others, West by the property of V. Kanagaratnam. The whole of this.

No. 2
Plaint of the
Plaintiff—
14-9-59
—Continued.

13. Land called "SEEMA" situated at Puloly West Singapahuthevan-
kurichy in extent 15 Lachchams V.C. and 1 kly. with stone built house
and bounded on the East and South by lane, North by the property of
Kandar Sinnathamby and others, West by the property of the heirs of
Velauthar Arunasalam and others. The whole of this.

10 14. Land situated at Puloly West Malavarayakurichy called
"NEDUNKULAVELITHENI-THENKILAKILMETKU" in extent 13
Lachchams V.C. is bounded on the East by Street, North by the property
of Sivakamippillai, widow of Murugappar and others, West by the property
of Sivakamippillai, wife of Sivapragasam and others and South by the
property of Kanagaratnam and others. Of this an undivided 1/3 share.

15. Land situated at-do-called "ARASADI" in extent 6 Lachchams
V.C. and bounded on the East by the property of Kathirithamby Subra-
maniam, North by the property of Sothilingam, wife of Cumarasamy
and others, and South by the property of Kathirithamby Subramaniam
20 and others. Of this an undivided 33/36 share of 1/3 share and share of well.

16. Land situated at Alvai Mapanakurichy called "PERIATHENY"
in extent 1 Lachcham V.C. and bounded on the East by the following 18th
land, North by the property belonging to Imperchiddy Pillaiyar Temple,
West by the property of Kanapathippillai Paramaguru and brothers and
South by the property of Sinnathangam, wife of Somasundaram. The
whole of this and share of well in the North.

17. Land situated at do-called "PERIATHENY" in extent 3, 3/5 kls.
and bounded on the East by the property of V. Kanagaratnam and others,
North by the property belonging to Impersitty Pillaiyar temple, West by
30 the aforesaid 16th land and on the South by the property of Sinnathangam,
wife of Somasundaram. Of this an undivided 1/4th share and share of well,
right of way and water course.

18. Land situated at - do called "PERIATHENY" in extent
14, 2/4 kls. with well and bounded on the East by the property of Wallip-
pillai, wife of Veluppillai, North by the property belonging to Imperchiddy
Pillaiyar Temple, West by lane and South by the property of Sinnathangam,
wife of Somasunderam. Of these contained within these boundaries in the
well and the share appertaining to this right of way and water course and
an undivided 1/4 share of the ground coconut trees and palmyrah trees.

40 19. Land situated at Alvai Malavarayakurichy called "VATHAYA-
VILANAI" in extent 92 Lachchams V.C. and 5 1/4 kls. and bounded on
the East by lane and graveyard, North by the property of Valliappar
Vethavanam and others. The whole of this.

No. 2
 Plaintiff—
 14-9-59
 —Continued.

20. Land situated at Alvai Maniveerapakuthevankurichy called “AYATKULAPAI VAYAL” in extent 22 Lachchams V.C.-do-Thoddam 6-do-12 Lachchams V.C. and bounded on the East by the property of Kathirithamby Subramaniam and others. North by the property of Klandiyait Pillaiyar Koil. West by the property of the heirs of Kumarasamy Velayuthar and South by the property of the heirs of Kathiresar Subramaniam and others. Of this an undivided 23/96 share.

21. Land situated at Puloly West Singapahuthevankurichy called “MANTHIODAI” in extent 4 Lachchams V.C. and 2, 20/32 kls. and bounded on the East by the property of Theivanaippillai, wife of Muttu- 10 cumarasamy and others. West by the property of Kanapathippillai Kumarappar and others and South by Road. The whole of this.

22. Land situated at Puloly West Singapahuthevankurichy called “MANTHIODAI” in extent 4 Lachchams V.C. and 10/32 kls. and bounded on the East by the property of Sittampalam Sinnan and others, North by channel, West by the property of Ponnaamah, wife of Rasiah, South by the following 24th land. The whole of this and share of well and right of way and water course.

23. Land situated at-do-called “MANTHIODAI” in extent 16, 20/32 kls. and bounded on the East by the property of Sithamparan Sinnan 20 and others, North by the aforesaid 22nd land. West by the property of Theivanai, widow of Manickam. The whole of this and share of well and right of way and water course.

24. Land situated at Alvai Veerakodiakurichy called “PADAVADA-PULATHUVAYAL” in extent 17, 3/8 Lachchams V.C. and bounded on the East and South by the property of Kathirithamby Subramaniam and others. North by the property of Vellappar Subramaniam and others, West by the property of Kandappar Kanagasabai and others. Of this an undivided 1/4 share.

25. Land situated at Puloly West Singapahuthevankurichy called 30 “NEDUNKULAVELITHENY” in extent 4 Lachchams V.C. and 8, 8/16 kls. with stone-built house and bounded on the East by water channel, North by road, West by the property of Kathirithamby Sabapathy and others, South by the property of Kathirithamby Sabapathy and others and by the property of Kamachchy, wife of Kathirkamu and others. The whole of this.

26. Land situated at do-called “NEDUNKULAVELITHENI” in extent 15, 9/16 kls. is bounded on the East by the property of Britto Muthunayagam, North by the property of Krishnapillai Mailvaganam, West by water channel and South by the property belonging to Alady 40 Pillaiyar Temple. The whole of this.

27. Land situated at Puloly West Singapahuthevankurichy called “THEVE KALADDY” in extent 7 Lachchams V.C. and bounded on the East by the following land. North by the property of Kathirithamby Subramaniam and others. West by the property of Sethupillai, wife of Sinnathambiar and others and South by the property of Supper Murugesu and others. Of this an undivided 1/2 share.

28. Land situated at -do- called "THEVA KALADDY" in extent 15 1/4 Lachchams V.C. and bounded on the East by the property of Thamu Alvar and others, North by the property of Thangammah, wife of Subramaniam and others, West by the aforesaid land and South by the property of Vallathai, wife of Kathirippillai and others. Of this an undivided 1/3 share.

No. 2
Plaint of the
Plaintiff—
14-9-59
—Continued.

29. Land situated at Puloly West Malavarayakurichy called "NEDUNKULAVELITHENY THENKILAKILMETKU" in extent 7 Lachchams V.C. and 6 1/2 kls. with well is bounded on the East by lot No. 2 in plan No. 1450 dated 6th June, 1937 and prepared by Mr. G. C. Ganapathipillai, Surveyor, belonging to Parupathippillai, widow of Kathirithamby, North by the property belonging to Alady Pillaiyar Temple, West by lot No. 15 in the said plan and on the South by lane. The whole of this and share in well in lots Nos. 16, 17, 18 and 20 and share in lots Nos. 19 and 21.

30. Land situated at Alvai Veerakodikurichy and Maniveeravaguthavankurichy called "SEEMANSEEMA" and "SATHANAVATTE" in extent 6 kls. and bounded on the East by the property of Kandiah Rasaratnam, North by lane, West by the property of Arumugam Veluppillai, South by the land called Seenanseema. The whole of this.

31. Land situated at Alvai Veerakodikurichy and Maniveeravaguthavankurichy called "SEEMANSEEMA" in extent 5, 3/8 Lachchams V.C. and bounded on the East by the property of Pillaiyar Koil situated at Vyrappukaladdy North by the property of Ponnampalam Muruguppillai and others and South by the property of Sethupathiammah, wife of Rasaratnam and others. Of this an undivided 1/4 share of the ground and 1/4 share of plantation of the palmyrahs and 1/4 share of the remaining palmyrahs.

32. Land situated at Alvai Veerakodikurichy and Maniveeravaguthavankurichy called "SEEMANSEEMA" and "SATHANAIVATTAI" in extent 5 Lachchams V.C. and 14 1/2 kls. and bounded on the East by the property of Kandiah Rasaratnam and others, on the North by the property of Ponnampalam Muruguppillai and others, on the West by the property of Ramu Kathirippillai and others and on the South by the property of Kandiah Rasaratnam and another. Of this 1/4 plantation share.

33. Land situated in the District of Anuradhapura in the village of Puliyankulam called "SIVANBALAWELA" in extent 39 Acres, 3 roods and 20.9 perches. Of this extent for lot No. 8 is 3 Acres 1 rood and .87 perches and bounded on the East by Railway reservation, North by lot No. 2 in the said plan, West and South by lot 1 D. The whole of this.

34. Land situated at Thunnalai Veerasunderamudalykurichy called "NUNKAIYAPULAM" in extent 38 Lachchams V.C. and 6, 27/32 kls. Of this the extent for lot No. 2 in plan 663 is 5 Lachchams V.C. and 10, 17/32 kls. and bounded on the East by lot No. 9, North by lot No. 1 and West by the property of the late Sinnathamby Subramaniam and on the South by lot No. 3. The whole of this.

No. 2
Plaint of the
Plaintiff—
14-9-59
—Continued.

35. Land situated at Puloly West Malavarayakurichy called "THINAI-KALADDY" in extent 4 Lachchams V.C. and 1, 5/32 kls. Of this an extent for lot No. 1 in plan No. 6505 is 3 Lachchams V.C. and 28/32 kls. and bounded on the East by the property of Kandar Kovinthy, North by street, West by lot No. 2 in the said plan and on the South by the property of Kaliappar Kandiah. The whole of this.

36. Land situated at - do called "VARANTHANAI" in extent 2 3/4 Lachchams V.C. and bounded on the East by the property of Ponnammah, widow of Kandiah and others, North by water channel, West by the village limit of Alvai and South by the property of Ponnachy, widow of 10 Kandiah and others. Of this an undivided 1/18 share.

37. The land situated at Puloly West Singapahuthevankurichy called "VAIRANKALADDY" in extent 12 1/8 Lachchams V.C. do Veedu 1/4 forming a total extent of 12 Lachchams V.C. and 8 1/4 kls. and bounded on the East, West and South by lane, North by the property of Annapooranam, wife of Arumugam and others. Of this an undivided 7/432 share and 1/18 share out of the palmyrahs and tamarind trees standing on the West of the land.

38. Land situated at Alvai Veerakodiakurichy called "AMBALANTHENY" in extent 26 Lachchams V.C. and depicted in plan No. 1720 20 dated 9th October, 1940 and prepared by K. Velmuruku, Licensed Surveyor. Of this an extent for lot No. 2 in the said plan is 3 Lachchams V.C. and 4 1/2 kls. is bounded on the East by lane, North by lot No. 1. West by the property of Kanapathippillai Kumarasamy and wife Muthupillai and others and on the South by lot No. 3. The whole of this.

39. Land situated at Alvai Mapanakurichy called "PERIYATHENY" in extent 7 Lachchams V.C. and 12 3/4 kls. as depicted in plan No. 2495 dated 19th June, 1947 and prepared by K. Velmuruku, Licensed Surveyor. Of this extent for lot No. 1 is 3 Lachchams V.C. and 12 1/2 kls. and bounded on the East by lot No. 2, North by the property of Theivanai, wife of 30 Namasivayam and others, West by the property of Rasammah, wife of Kandiah and others and on the South by lot No. 4. The whole of this and right of way and water course A, B, C and well lying in the Eastern land.

40. Land situated at Basuwakulam in the District of Anuradhapura called "BASUVAKULAMKELE" in extent 5 Acres 0 rood and 33 perches. The extent for lot No. 1 is 2 Acres 2 roods and 7 perches and bounded on the East by reservation along the road, North by the property belonging to pansala, West by Ela and South by lot No. 2. The whole of this.

41. Land situated at Puloly Malavarayakurichy called "NEDUNKULAVELITHENY THENKILAKILMETKU." Of this 1 Lachcham 40 V.C. and 11 1/2 kls. being lot No. 3 marked in plan filed of record in partition Case No. 17655 of the District Court of Jaffna and bounded on the East by the property of Sothilingam, wife of Kumarasamy, North by the property belonging to Aladi Pillaiyar Temple, West by the property of Ponnammah, widow of Singaravelu South by lane. Of this an undivided 1/6 share.

42. Land situated at Puloly West Singabahuthevankurichy called "SATHOLLAI" in extent $10 \frac{1}{8}$ Lachchams V.C. Of this $5 \frac{1}{8}$ Lachchams V.C. being eastern half share and bounded on the East by the property of Ledchumy, widow of Ramu and others, North by the property of Kandiah Vairamuttu and others, West by the property of Amuthammah, wife of Subramaniam and South by water Channel. Of this an undivided $\frac{1}{18}$ share.

No. 2
Plaint of the
Plaintiff—
14-9-59
—Continued.

43. Land situated at Puloly West Malavarayakurichy called "VILVALAI" in extent $14 \frac{1}{2}$ Lachchams V.C. and bounded on the East and North by the property of Kathirithamby Subramaniam and others, West and South by the property of Sinnathamby Somasunderam and others. Of this an undivided $\frac{1}{72}$ share.

44. Land situated at do called "NEDUNKULAVELITHENY-KILAKILMETKU" in extent 72 Lachchams V.C. and bounded on the East by the property of Visuvanathar Kanagaratnam and others, North by the property of Sivakamippillai, widow of Murugappar and others, West by the property of Veeragathiar Konamalai and others, South by the property of Rasammah, widow of Sethuramalingam Kurukkal and others. Of the ground and well contained within these boundaries an undivided $\frac{1}{3}$ share.

45. Land situated at Alvai Neelakuddiarkurichy called "URULAI" in extent 31, $\frac{5}{8}$ Lachchams V.C. do - Thoddam 1. Of these parcels an extent of $10 \frac{1}{2}$ Lachchams V.C. in the middle. Of this on the North an extent of 5 Lachchams V.C. and $2 \frac{3}{4}$ Kls. and bounded on the East and West by the property of Theivanai, daughter of Ambalam and others, North by the property of Kadiragamar Ramalingam and South by the property of Parupathippillai, wife of Alvappillai. The whole of this.

46. Land situated in the District of Anuradhapura in the village of Bandar Bulankulama called "IBALWELA," "PAHALAWELA," "KOKHAMATTAWELA" in extent 33 Acres 4 roods and 24 perches. Of this extent for lot No. 4 is 2 roods 16 perches, lot No. 5 is 3 Acres 8 perches, lot No. 9 is 1 Acre 1 rood and 16 perches. Total 5 Acres.

47. Land situated at the District of Anuradhapura lot No. 6 marked in plan No. 670 dated 5-10-42 made by C. J. Sabapathy, Licensed Surveyor, situated at Bandara Puliyankulama in Ebalawewatulana of Kendekorale of Nuwaragampalate in the District of Anuradhapura bounded on the North by lot No. 12 in the said plan No. 670, East by Road reservation, South by lot 5 property belonging to P. B. Bulankulame and Railway reservation and West by Railway reservation containing in extent 4 Acres 2 roods $\frac{27}{500}$ perches. The whole of this.

48. Land situated at Puloly West Singabahuthevankurichy called "KOMMIKALADDY" in extent 32 Lachchams V.C. and 3 kls. and bounded on the East by the property of Sithamparanathar Kanapathippillai and others, North by the property of Kanapathiar Vairavippillai and others and by the property of Vallithai, wife of Vairamuthu and others, West by Lane and South by the property of Sithamparanathar Kanapathippillai. Of this an undivided $\frac{54}{384}$ share.

(Sgd.) S. NAGALINGAMUDALY,
Proctor for Plaintiff.

PLAINTIFF'S PEDIGREE

No. 2
Plaint of the
Plaintiff—
14-9-59
—
Pedigree

Rasammah



Administrator of the estate in 400/T,
D. C. Point Pedro.

Kathiragaman

This 14th day of September, 1959.

(Sgd.) S. NAGALINGAMUDALY,
Proctor for Plaintiff.

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 197 of 12/4/1941 Transfer	V. Candappa to V. Kanagaratnam	1/6th of 2.3 share of 6 1/8 Lachechams V.C.	E--Lane N--The second land. W--Property of K. Subramaniam and others. S--Property of Ponachchy w/o Kandiah and others		Rs. 70 for this and another	Copy	
Deed No. 1864 of 19/6/1941 Transfer	Fiscal, N.P. to V. Kanagaratnam	1/6th of 6 1/8th Lachechams V.C.	--Do--		Rs. 200 for this and another	Copy	

No. 2
Plaintiff of the
14-9-59
Abstract of Title

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 4160 of 12/5/1941 Transfer	Kathir-gamar Velupillai to V. Kanagaratnam	1/6th of 6 1/8 Lachechams V.C.	—Do—		Rs. 50	Copy	
Deed No. 3845 of 1/1/1941 Transfer	Paramu Chuppira-maniam to V. Kanagaratnam	4/27th share of 6 1/8 Lachechams V.C.	—Do—	14/2/1941	Rs. 50 for this and another	Copy	
Deed No. 197 of 12/4/1941 Transfer	V. Candappa to V. Kanagaratnam	1/6th of 1 8th share of 2 3/4 Lachechams V.C.	E—Lane N—Lane W—Property of Ponny w/o Solian and others. S—First Land		Rs. 70 for this and another	Copy	

ABSTRACT OF TITLE

Number. Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 1864 of 19/6/1941 Transfer	Fiscal N.P. to V. Kanagaratnam	3/8th share of 2 3/4 Lachehams V.C.	—Do—		Rs. 200 for this and another	Copy	
Deed No. 8845 of 1/1/1941 Transfer	Paramu Chuppiraniamaniam to V. Kanagaratnam	2/9th of undivided 1/8th share of 2 3/4 Lachehams V.C.	—Do—	14/2/1941	Rs. 50 for this and another	Copy	
Deed No. 741 of 3/5/1942 Transfer	Punniyar Virakathiyar and wife Mayilattai and Virakattiyar Periyathampito V. Kanagaratnam	1/8th share of 8 Lachehams 3/29/32 kulies-V.C.	E—Property of V. Kanagaratnam and others N—Lane W—Property of K. Kanapathipillai and others S—Property of Velappan Subramaniam and others	15/6/1942	Rs. 100	Copy	

No. 2
Plaint of the
Plaintiff—
14-9-59
Abstract of Title
—Continued.

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 741 of 3/5/1942 Transfer	Punniyar Virakathiyar and wife Mayilattai and Virakathiyar Periyathampi to V. Kanagaratham.	2 1/2 Lachchams. V.C.	E—Lane N—Property of Pommy, wife of Alvan Velan W & S. Property of heirs of S. Jekasothy and others.	15/6/1942	Rs. 100	Copy	
Deed No. 1573 of 1/4/1943 Transfer	V. Arumugam and V. Nagalingam to V. Kanagaratham	1/18th share of 9 1/2 Lachchams V.C.	E—Lane N—Property of Rasamma wife of Kanagaratham and others. W—Property of Paramu Subramaniam and others. S—Property of heirs of Seetheran		Rs. 300 for this and another	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No 1173 of 5/10/1942 Transfer	Paramu Chuppira-maniam to V. Kanagaratnam	1/9th share of 9 1/2 Lachchams V.C.	—Do—		Rs. 50	Copy	
Deed No. 20711 of 21/3/1927 Transfer	Teivanai-pillai w/o M. Subramaniam and K. Somar Sabapathipillai to V. Kanagaratnam, Chinna-tampi Vinasi-thampi to V. Kanagaratnam	1/2 share of 8 Lachchams 5/8 kulies V.C.	E & N. Property of V. Kanagaratnam W & S. Lane	22/4/1927	Rs. 600	Copy	
Deed No. 4365 of 1/12/1937 Transfer		4 Lachchams V.C.	E—Property of V. Kanagaratnam N—Property of A. Velautham W—Street S—Property of V. Kanagaratnam and others.	20/12/1937	Rs. 300	Copy	

No. 2
Plaint of the
Plaintiff—
14-9-59
Abstract of Title
—Continued.

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 18491 of 25/4/1938 Transfer	Ayapillai Velautham to V. Kanagaratnam	5 Lachchams 18 kulics V.C.	E & S. Property of V. Kanagaratnam N—Property of K. Sinna-thamby W—Lane	16/5/1938	Rs. 500	Copy	
Deed No. 1747 of 9/2/1938 Transfer.	V. Kantar (Chinna-thampi and Tamar Ponnaiya to V. Kanagaratnam	4 Lachchams 13 kulics	E—Property of V. Kanagaratnam and others. W—By the following 10th land S—Property of V. Kanagaratnam and others and by lane N—Property of K. Sinna-thamby	15/3/1938	Rs. 680 for this and two others	Copy	

ABSTRACT OF TITLE

Number Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 1747 of 9/2/1938 Transfer	V. Kanthar Sinnathampiar and Tannar Ponnaiya to V. Kanagaratnam	9 Kules V.C	E--By the 9th land N--Property of Theivanai w/o Murugappan W--Property of A. Velautham S--Property of V. Kanagaratnam	15/3/1938	Rs. 630 for this and 2 others	Copy	
Deed No. 1747 of 9/2/1938 Transfer	V. Kanthar Sinnathampiar and Tannar Ponnaiya to V. Kanagaratnam	1/2 share of 1 Lacheham V.C	E--Property of V. Kanagaratnam and others N--Property of Theivanai- pillai w/o Murugappan W-- Above mentioned land S--Ninth land.	15/3/1938	Rs. 630 for this and 2 others	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 4113 of 7/2/1934 Transfer	Ponachchippilai w/o Kandiah to V. Kanagaratnam	17 7/8 kulies	E & S—Lane N—Property of V. Kanagaratnam and others W—Property of V. Kanagaratnam	15/3/1934	Rs. 230	Copy	
Deed No. 1503 of 22/2/1943 Transfer	Velappan Kanthaiya to V. Kanagaratnam	7/12th share of 2 Lachchams V.C.	—Do—	15/3/1943	Rs. 200	Copy	
Deed No. 6313 of 12/7/1943 Transfer	K. Chuppiramanian Kattikesu, Chuppiramanian Ponnuthurai and Parupathipillai w/o Arumukam to V. Kanagaratnam	1/2 share of 2 Lachchams V.C.	—Do—	16/8/1943	Rs. 200	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 16363 of 5/6/1921 Transfer	Katir-kamar Kanaka-sabai alias Chinmaiya to V. Kanagaratnam	15 Lachchams 1 Kuly V.C.	E & S -Lane N -Property of K. Simathamby and others W -Property of heirs of V. Arunasalam and others.	6/1/1939	Rs. 2,670 for this and another	Copy	
Deed No. 16363 of 5/6/1921 Transfer	Katir-kamar Kanaka-sabai alias Chinmaiya to V. Kanagaratnam	1/3 share of 13 Lachchams V.C.	S - Property of Kanagaratnam and others N -Property of Sivakami-pillai w/o Murgappar and others E. -Street W -Property of Sivakami-pillai, wife of Sivapirakasam and others	6/1/1939	Rs. 2,670 for this and another	Copy	

No. 2
Plaint of the
Plaintiff—
14-9-59
Abstract of Title
— Continued.

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 2630 of 1/8/1944 Transfer	Chuppirmaniam Vetkandar and wife Chivakami-pillai to V. Kanagaratham	33/36th undivided 1/3 share of 6 Lachchams V.C. and share of well	E—Property of K. Subramaniam N—Property of Sothiligan wife of Kumaraswamy and others W—Lane S—Property of K. Subramaniam and others	15/9/1944	Rs. 100	Copy	
Deed No. 4887 of 16/11/1938 Transfer	A. Nakan Ponnann to V Kanagaratham	1 Lachcham V.C.	E—By the following land N—Property belonging to Imparsitty Pillaiyar Temple W—Property of K. Paramaguru and others S—Property of Sinnathangam, wife of Somasundaram	22/11/1938	Rs. 250 for this and 2 others	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 4887 of 16/11/1938 Transfer	A. Nakan Ponnann to V. Kanagaratnam	1/4th of 3 3/5 kulies and share of well	E--Property of V. Kanagaratnam and others N--Property belonging to Imparsitty Pillaiyar temple W--By above land S--Property of Sinna-thangam, wife of Somasundaram	22/11/1938	Rs. 250 for this and two others	Copy	
Deed No. 4887 of 16/11/1938 Transfer	A. Nakan Ponnann to V. Kanagaratnam	1/4 of 14 2/4 kulies	E--Property of Wallipillai, wife of Vellupillai N--Property belonging to Imparsitty Pillaiyar temple W--Lane S--Property of Sinna-thangam, wife of Somasundaram	22/11/1938	Rs. 250 for this and two others	Copy	

No. 2
Plaint of the
Plaintiff—
14-9-59
Abstract of Title
—Continued.

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 2792 of 18/2/1935 Transfer	K. S. K. Chinna-thamby Visvalingam to V. Kanagaratnam	92 Lachchams 5 1/4 kulies V.C.	E—Lane and graveyard W.N.S.—Property of Valiappar Vethavanam and others	5/3/1935	Rs. 25,000	Copy	
Deed No. 232 of 28/5/1941 Transfer	Subramaniam Thirunavukarasu to V. Kanagaratnam	23/96th share of 12 Lachchams	E—Property of K. Subramaniam and others N—Property of Klandiyait Pillaiyar Temple W—Property of heirs of Kumaraswamy Velauthar S—Property of heirs of Kattaresar Subramaniam and others		Rs. 50	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When Registered	Consideration	Original or Copy	Remarks
Deed No. 186 of 24/3/1941 Transfer	Kanthaiya Muttukumaraswami to V. Kanagaratnam	4 Lms. 2, 20/32 kls. v.c.	E -- Property of Theivanaipillai wife of Muthukumaraswami and others. W -- Property of K. Kumarrappan and others. S -- Road	2/4/1941	Rs. 800	Copy	
Deed No. 4915 of 9/3/1942 Transfer	Parupathipillai w/o Chuppirmanian to V. Kanagaratnam	4 Lms. 10/32 kls v.c.	E -- Property of Simman and others. N -- Channel W -- Property of Ponnammah wife of Rasiah S -- By the following land	15/4/1942	Rs. 1,500 for this and another	Copy	

No. 2
Plaint of the
Plaintiff—
14-9-59
Abstract of Title
—Continued.

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When Registered	Consideration	Original or Copy	Remarks
Deed No. 4915 of 9/3/1942 Transfer.	Parupathipillai w/o Chuppira-maniam to V. Kanagaratnam	16, 20/32 Kulics V.C.	E—Property of S. Simman and others. N By the above land. W— Property of Theivanai w/o Manickam	15/4/1942	Rs. 1,500 for this and another	Copy	
Deed No. 21741 of 11/2/1931 Transfer	Velappan Chanthirasekaram to V. Kanagaratnam	1/4th share of 17, 3, 8th hms. V.C.	E & S— Property of K. Subramaniam and others. N — Property of Velappan Subramaniam and others. W— Property of Kandappan Kanagasabai and others.	16/3/1931	Rs. 200	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or Copy	Remarks
Deed No. 6579 of 4/10/1943 Transfer	Sinnathamby Saravananamuttu and wife Parupathipillai to V. Kanagaratnam.	1/2 of 5/28th share of 4 Lms. 8, 8/16 kulies	E— Water Channel N—Road W—Property of Kathirithamby Sabapathy and others. S —Property of Kamadehy wife of Kathirgamar	15/11/1943	Rs. 900 for this and 3 others	Copy	
Deed No. 6646 of 4/11/1943 Transfer	C. Naganthar and wife Thammah to V. Kanagaratnam.	2 7th share of 4 Lms. 8, 8/16 kulies	do do do		Rs. 1,400 for this and another	Copy	

No. 2
Plaint of the
Plaintiff—
14-9-59
Abstract of Title
—Continued.

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or Copy	Remarks
Deed No. 2842 of 4/10/1939	Mayilattai-pillai w/o K. Murugappar to V. Kanagaratnam.	2/7th share of 4 Lms. 8 8/16 Kulies	—do—	15/11/1939	Rs. 2,500 for this and 3 others	Copy	
140/2080P of 15/2/1945 Certificate of Sale in terms of Section 8 of Chapter 56 Ceylon Legislative Enactments	A. D. J. Jaffna to V. Kanagaratnam	4 Lachchams 8 8/16 Kls.	—do—	15/3/1945	Rs. 11,000 for this and another		
Deed No. 6593 of 7/10/1943 Transfer	Parupathi-pillai w/o Arunasalam to V. Kanagaratnam	5/28th share of 4 Lms. 8 8/16 Kulies.	—do—	5/11/1943	Rs. 1,800 for this and others	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or Copy	Remarks
Deed No. 2842 of 4/10 1939	Mayilattai-pillai w/o Murugappan to V. Kanagaratnam	2/7th share of 15 9/16 Kls.	<p>E.—Property of Britto Muttunayagam</p> <p>N —Property of K. Mylvaganam</p> <p>W Water Channel</p> <p>S —Property belonging to Alady Pillaiyar Temple</p> <p align="center">—do—</p>	15/11/1939	Rs. 2,500 for this and 3 others	Copy	
Deed No. 6646 of 4/11/1943 Transfer	C. Naganthar and wife Thammah to V. Kanagaratnam	5/28th share of 15 9/16 kls.	<p align="center">—do—</p>		Rs. 1,400 for this and others	Copy	
Deed No. 6579 of 4/10/1943 Transfer	S. Saravanamuttu and wife Parupathipillai to V. Kanagaratnam.	1/2 of 5/28th share of 15 9/16 Kules	<p align="center">—do—</p>		Rs. 900 for this and others.	Copy	

No. 2
 Plaintiff—
 14-9-59
 Abstract of Title
 —Continued.

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or Copy	Remarks
Certificate of Sale 140/2080P of 15/2/1945	A. D. J. Jaffna to V. Kanagaratnam		--do--	15/3/1945	Rs. 11,000 for this and another		
Deed No. 3518 of 28/6/1936 Transfer	Velar Kanthar Sinnathamby to V. Kanagaratnam	1/2 share of 7 Lms.	N—Property of K. Subramaniam and others E—By the following land W—Property of Sethupillai wife of Sinnathamby and others. S—Property of S. Murgan and others.		Rs. 350 for this and another	Copy	44

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 3518 of 28/6/1936 Transfer	Velar Kandar Simmathamby to V. Kanagaratnam	1/3 of 15 1/4 Lachchams	E—Property of T. Alvar and others N—Property of Thangam-mah, wife of Subramaniam and others W—By above land S—Property of Vallathai, wife of Kathiripillai and others		Rs. 350 for this and another	Copy	
Deed No. 13378 of 15/1/1938 Transfer	Kathir-gamar Arulampalam to V. Kanagaratnam	7 Lachchams 6 1/2 kulies	E—Lot 2 in Plan No. 1450 N—Property belonging to Alady Pillaiyar temple W—Lot 15 in Plan No. 1450 S—Lane	14/2/1938	Rs. 2,250	Copy	

No. 2
 Plaintiff—
 14-9-59
 Abstract of Title
 - Continued.

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 898 of 30/6/1937 Transfer	The Fiscal N.P. to V. Kanagarathnam	The right of way leading to land registered in A 276/110	E—Property of K. Rasaratnam N—Lane W—Property of A. Velupillai S—Land called Cheeman Seena and Sathana-vattai	2/8/1937	Rs. 11	Copy	
Deed No. 898 of 30/6/1937 Transfer	The Fiscal N.P. to V. Kanagarathnam	1/4th planter's share of the Palmyrals old and young together with undivided 1/4th share of 5 3/8 Lachams of the ground and the remaining shares of palmyrals old and young standing on above.	E—Property of Pillaiyar Kovil situated at Vyrappuka laddy W—Property of P. Murgupillai and others S—Property of Sethupathi Anmal, wife of Rasaratnam and others	2/8/1937	Rs. 31	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 898 of 30/6/1937 Transfer	The Fiscal N.P. to V. Kanaga-ratnam	Transfer of 1/4 planter's share of Palmyrahs old and young standing on 5 Lachehams 14 1/4 kulies	E—Property of K. Rasaratnam and others N—Property of P. Murugupillai and others W—Property of Kathiripillai and others S—Property of K. Rasaratnam and others E—Railway reservation N—Lot No. 2 W & S—Lot No. 8	2/8/1937	Rs. 31	Copy	
Deed No. 2190 of 16/10/1933 Transfer	Bulan-kulame Walauwe Loku Kumari-hamy to V. Kanaga-ratnam	1/5th share of 41 acres 3 roods .08 perches Being lot 1 in D. C. 2309 P Anuradhapura 3 acres 1 rood .87 perches.			Rs. 1,500 for this and another	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 94 of 1/12/1940 Transfer	Murugappar Chuppar Velupillai and wife Chinnapillai to V. Kanagaratnam	2/3 of undivided 1/6th of 38 Lachchams 6 27/32 kulies. Being lot 2 in D.C. 1415 (Point Pedro) Partition.	E—Lot No. 9 N—Lot No. 1 S—Lot No. 3 W—Property of the late S. Subramaniam	10/12/1940	Rs. 650	Copy	
Deed No. 3243 of 29/11/1919 Transfer	Chivakamipillai w/o Nanamurti to V. Kanagaratnam	3/4 of 3 Lachchams 28/32 kulies	E—Land of Iadchumi, wife of Kovinti and others. N—Lane W—Land of Iadchumipillai, wife of Tanmar and others. S—Land of Ponamma, wife of Arunasalam and others.	11/12/1919	Rs. 900	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or copy	Remarks
Deed No. 1573 of 1/4/1943 Transfer	V. Arumugam and V. Nagalingam to V. Kanagaratnam	1/18th share of 2 3/4 Lachchamis V.C.	E.—Property of Ponnamah w/o Kandiah and others. N.—Water channel W.—Village limit of Alvai S.—Property of Ponnachchy w/o Kandiah and others.		Rs. 300 for this and others	Copy	
Deed No. 1573 of 1/4/1943 Transfer	V. Arumugam and V. Nagalingam to V. Kanagaratnam	7/432 share of 12 Lachchamis 8 1/4 kulics and 1/18 share of palmyrabs and tamarind trees standing on the West of the land.	E.—W. & S. Lane N.—Property of Annapooranam, wife of Arumugam and others.		Rs. 300 for this and others.	Copy	

No. 2
Plaint of the
Plaintiff—
14-9-59
Abstract of Title
— Continued.

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or Copy	Remarks
Deed No. 3325 of 4/2/1936	C. V. Naga- lingam to V. Kanaga- ratnam	1/8th share of 24 Lms. 10 Kulics.	E -- Lane N -- Property of K. Kuma- raswamy and others. W -- Property of K. Kuma- raswamy and wife Muttu- pillai and others. S -- Property of K. Sup- par and others.		Rs. 1,500 for this and others.	Copy	
Deed No. 3325 of 4/2/1936	C. V. Naga- lingam to V. Kanagarat- nam	1/2 share of - 8 Lms. v.c.	E -- Property of M. Thina- karapillai and others N -- Property of K. Subra- maniam and others. W -- Property of Rasamma wife of Kandiah and others. S -- Property of A. Vaithi- lingam and others.		Rs. 1,500 for this and others.	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or Copy	Remarks
Deed No. 898 of 30/6/1937	Fiscal, N.P. to V. Kanagaratham	18/10th share of well lying in the above land together with right of way and water course. 2 Acres 2 roods 7 perches	E --- Reservation N --- Property belonging to Pansala W --- Ela S --- Lot No. 2	2/8/1937	Rs. 36	Copy	
Deed No. 1573 of 1/4/1948 Transfer	V. Arumugam and V. Nagalingam to V. Kanagaratham	1/6th share of 1 Lm. 11, 1/2 Kulis	E --- Property of Sothilingam wife of Kumaraswamy N --- Property belonging to Alady Pillayar temple W --- Property of Ponnambah w/o Singarayachu S --- Lauc		Rs. 300 for this and others	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or Copy	Remarks
Deed No. 1573 of 1/4/1943	V. Arumugam and V. Nagalingam to V. Kanagaratham	1/18th share of 5. 1/8 Lms. v.c.	E—Property of Lechumy w/o Ramu and others. N—Property of K. Vairamuthu and others E—Property of Amirthammah wife of T. Subramaniam S—Water Channel		Rs. 300 for this and others	Copy	
Deed No. 1573 of 1/4/1943 Transfer	V. Arumugam and V. Nagalingam to V. Kanagaratham	1/72 share of 14. 1/2 Lms.	E & N.—Property of K. Subramaniam and others W & S—Property of S. Somasundaram and others.		Rs. 300 for this and others.	Copy	

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or Copy	Remarks
Deed No. 1810 of 1/8/1933 Transfer	Murugap-par Arunnam to V. Kanagaratnam.	1/3 share of 13 Lms. v.c.	<p>E—Property of V. Kanagaratnam and others</p> <p>N—Property of Sivakamipillai w/o Murugap-par and others.</p> <p>W—Property of V. Kandiah and others</p> <p>S—Property of Rasamah w/o Sethuramalingam Kurukkal and others.</p>	14/8/1933	Rs 1,500	Copy	
Deed No. 3325 of 4/2/1936 Transfer	C. V. Naganalingam to V. Kanagaratnam	5 Lms. 2. 3/4 Kulics	<p>E & W—Property of P. Murugupillai and others</p> <p>N—Property of R. Saravanamuttu and others</p> <p>S—Property of Ponnai wife of Kanapathipillai and others.</p>		Rs 1,500 for this and others	Copy	

No. 2
Plaintiff of the
14-9-59
Abstract of Title
- Continued.

ABSTRACT OF TITLE

Number. Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or Copy	Remarks
	Being lots allotted to V. Kanaga- ratnam in D.C. 2263 Partition (Anuradha- pura)	Lot No. 4 —2 Roods —16 Perches Lot No. 5 —3 Acres 0 R —8 Perches Lot 9 —1 Acre—1 rood—16 per- ches					
	Being lot allotted to V. Kanaga- ratnam in D.C. 2309P (Anuradha- pura)	4 Acres — 2 roods— 27/500 perches.					

ABSTRACT OF TITLE

Number, Nature & date of Document	From whom to whom	Area or fraction of land dealt with	Boundaries	When registered	Consideration	Original or Copy	Remarks
Deed No. 1236 of 28/10/1942 Transfer	V. Kathirgamar to V. Kanagaratnam	54/884 share of 32 Lms. 3 Kulies v.c.	E—Property of S. Kana-pathipillai and others N—Property of K. Vairavipillai and others. W—Lane E—Property of S. Kana-pathipillai		Rs. 500	Copy	

The 14th day of September, 1959.

(Sgd.) S. NAGALINGAMUDALY,
Proctor for Plaintiff.No. 2
Plaintiff of the
Plaintiff—
14-9-59
Abstract of Title
—Continued.

Answer of the Defendant

IN THE DISTRICT COURT OF POINT PEDRO

KANAGARATNAM KADIRGAMA of Puloly West, Adminis-
 trator of the estate of Rasammah in Case No. 400 Testy
 D.C. Point Pedro.

Plaintiff

No. 6471

Vs.

VISVANATHAR KANAGARATNAM of Puloly West.

Defendant. 10

The 10th day of February, 1960.

The answer of the abovenamed Defendant appearing by Mr. Nagappiar Alvarpillai Rajaratnam states as follows :—

1. Answering to paragraphs 1 and 2 of the plaint this defendant while denying that lands Nos. 33, 40, 46 and 47 described in the schedule to the plaint are situated within the Jurisdiction of this Court admits the rest of the averments.

2. Answering to paragraph 3 of the plaint this defendant while admitting that he married Rasammah in or about 1916 states that the estate of Rasammah is governed by Chapter 48 as amended by Ordinance 58 of 1947. 20

3. Answering to paragraph 4 of the plaint this defendant denies the correctness of the averments contained therein and states that Lands Nos. 6, 13, 14, 16, 17, 18, 21, 22, 23, 24, 25, 26, 29 — 34, 38, 39, 40, 44 — 48 described in the Schedule to the plaint were purchased out of his mudusom and separate money of his first bred children and belong exclusively to this defendant.

4. Answering to paragraph 5, 6, and 7 of the plaint this defendant while admitting that Rasammah died in or about 1948 denies the correctness of the rest of the averments contained therein and states that theddam share lands Nos. 1 — 5, 7 — 12, 15, 19, 20, 27. 28, 35 — 37, 41, 42 and 43 30 vested in the plaintiff.

5. Answering to paragraph 8 of the plaint this defendant denies all and singular the correctness of the averments contained therein and states that the plaintiff and his brothers are in possession of the lands Nos. 1, 2, 4 to 13, 15, 20, 24, 36, 37, 41 and 42 described in the Schedule to the plaint inclusive of this defendant's separate property and thediathettam share.

No. 8
Answer of the
Defendant —
10-2-60.
—Continued.

6. Answering to paragraph 9 of the plaint this defendant denies all and singular the correctness of the averments contained therein and states that the plaintiff and his brothers are liable to pay this defendant the income of the lands described under items 6 and 13 and thediathettam share of items 1, 2, 4, 5 — 7 to 12, 15, 20, 36, 37, 41 and 42 described in the Schedule to the plaint.

7. Answering to paragraph 10 of the plaint this defendant denies the correctness of the averments contained therein and states that the said case only applies to land called Nitsinganollai partitioned in the said case.

8. Further answering this defendant states that he is the absolute owner of items 6, 13, 14, 16 — 18, 21 — 26, 29 — 34, 38, 39, 40, 44 — 48 and to half share of items 1 — 5, 7 — 12, 15, 19, 20, 27, 28, 35 — 37, 41, 42, and 43 of the schedule to the plaint.

9. The defendant has by his own undisturbed and uninterrupted possession and by the like possession of his predecessors in title for more than ten years next immediately preceding the date of this action by a title adverse to and independent of all others whomsoever acquired a prescriptive right and title to the lands referred to in paragraph 8 above in terms of Section 3 of Chapter 55 of the Legislative Enactments of Ceylon.

10. For matters of Law this defendant states that the plaintiff cannot have and maintain this action in as much as : — Items 33, 40, 46 and 47 of the Schedule to the plaint is situated at Anuradhapura which is outside the Jurisdiction of this Court.

WHEREFORE this defendant prays :—

- 30 (i) That the plaintiff's action be dismissed.
- (ii) For costs, and for such other and further relief as to this Court shall seem meet.

(Sgd.) N. A. RAJARATNAM,
Proctor for Defendant.

Issues Framed

15th July, 1960.

MR. ADVOCATE SOORASANGARAM instructed for plaintiff.

MR. ADVOCATE KULASINGAM with MR. ADVOCATE SHIVA-PATHASUNDARAM instructed for defendant.

It is agreed at this stage that :—

- (1) The income from the one half share of the lands described in the schedule to the plaint is Rs. 2,500/- per annum.
- (2) The defendant married the deceased Rasammah in 1916. 10
- (3) The defendant and Rasammah were governed by the Law of Thesawalamai.
- (4) Rasammah died on 20th August, 1948.
- (5) All the lands in the Schedule to the plaint were purchased during the subsistence of the said marriage between the years 1916 and 1946.
- (6) The plaintiff in this case is the administrator of the estate of the said Rasammah.

Mr. Advocate Soorasangaram suggests the following issues :—

- (1) Did the deceased Rasammah become vested with the title to a half 20 share of the lands described in the schedule to the plaint by operation of law ?
- (2) Is the defendant in wrongful possession of the said half share of the lands ?
- (3) What damages is the plaintiff as administrator entitled to recover from the defendant ?

Mr. Advocate Kulasingam raises the following further issues :—

- (4) Were the rights of Rasammah referred to in the plaint governed by Chapter 48 as amended by Ordinance 58 of 1947 ?
- (5) Were the lands referred to in the plaint purchased by the defendant 30 during the subsistence of his marriage with Rasammah ?

- (6) If the above two issues are answered in the affirmative is the plaintiff entitled to any share of the lands referred to in the plaint? No. 4
Issues Framed —
15-7-60
—Continued.
- (7) Were lands referred to in paragraph 3 of the answer purchased by the defendant out of his mudusom and separate money?
- (8) If the above issue is answered in the affirmative in any event is the plaintiff entitled to any half share of the said lands?
- (9) Are the plaintiffs and his brothers in possession of the lands referred to in paragraph 5 of the answer?
- 10 (10) If so, what is the income received and appropriated by them in respect of the lands?
- (11) Is the defendant entitled to credit any amount found to be received by the plaintiff and his brothers in respect of the said lands in the event of the Court holding that the plaintiff is entitled to a half share as administrator?

I accept all the issues.

Further trial on 22-9-60.

(Sgd.)
District Judge,
15-7-60.

10

No. 5

No. 5
Answer of the
Substituted
Defendant —
21-6-61

Answer of the Substituted Defendant

IN THE DISTRICT COURT OF POINT PEDRO

KANAKARATNAM KATHIRGAMAN of Puloly West Administrator of the estate of the late Rasamma in Case No. 400 Testy D. C. Point Pedro.

Plaintiff.

No. 6471

Vs.

(Dead) VISWANATHAR KANAKARATNAM of Puloly West.

Defendant.

30

VISWANATHAR KANAKARATNAM SUBRAMANIAM of Puloly West, Executor of the Last Will and Testament of the late Viswanathar Kanakaratham of Puloly West.

Substituted Defendant.

No. 5
 Answer of the
 Substituted
 Defendant ---
 21-6-61
 —Continued.

The 21st day of June, 1961.

The answer of the Substituted Defendant abovenamed appearing by Mr. M. Esurapatham his Proctor states as follows :—

1. Answering to paragraph 1 and 2 of the plaint, this Substituted Defendant while denying that lands Nos. 33, 40, 46 and 47 described in the schedule to the plaint are situated within the jurisdiction of this Court admits the rest of the averments.

2. Answering to paragraph 3 of he plaint, this Substituted Defendant while admitting that the deceased defendant married Rasammah in or about 1916 states that the estate of Rasamma is governed by Chapter 10 48 as amended by Ordinance No. 58 of 1947.

3. Answering to paragraph 4 of the plaint this Substituted Defendant denies the correctness of the averments contained therein and states that lands Nos. 6, 13, 14, 16, 17, 18, 21, 22, 23, 24, 25, 26, 29 — 34, 38, 39, 40, 44— 48 described in the Schedule to the plaint, were purchased by the deceased defendant out of his mudusom and separate money of his first bed children and belonged exclusively to him.

4. Answering to paragraph 5 and 6 of the plaint this Substituted Defendant while admitting that Rasamma died in or about 1948 deny that lands Nos. 6, 13, 14, 16, 17, 18, 21, 22, 23, 24, 25, 26, 29 — 34, 38, 39, 20 40, 41, 44— 48 were thediathettam properties or that half share of the said lands vested in the Plaintiff.

5. Answering to paragraph 7 of the plaint this Substituted Defendant denies the correctness of the averments contained therein.

6. Answering to paragraph 8 of the plaint, this Substituted Defendant denies all and singular the averments contained therein and states that the plaintiff and his brothers are in possession of lands Nos. 1, 2, 4 — 13, 15, 20, 24, 36, 37, 41 and 42 described in the Schedule to the plaint inclusive of the deceased defendant's separate property and thediathettam share.

7. Answering to paragraph 9 of the plaint this Substituted Defendant 30 denies all and singular the correctness of the averments contained therein and states that the plaintiff and his brothers are liable to pay the income of the lands described under items 6 and 13 and thediathettam share of items 1, 2, 4, 5, 7 — 12, 15, 20, 36, 37, 41 and 42 described in the schedule to the plaint.

8. Answering to paragraph 10 of the plaint, the Substituted Defendant denies the correctness of the averments contained therein and states that Case No. 4329 referred to therein only applies to the land called Nitchinganolai partitioned in the said case.

9. Further answering this Substituted Defendant states that lands Nos. 25, 26, 33, 34, 38, 39, 40, 41, 46, 47 and 48 were the separate properties of the deceased Defendant also by virtue of Final Partition Decree entered in Cases No. 2080 D.C. Point Pedro, 2309 D.C. Anuradhapura, 1415/P. D.C. Point Pedro, 124/P.D.C. Point Pedro, 2515 D. C. Anuradhapura, 17655 D.C. Jaffna, 2263 D.C. Anuradhapura and 2988 D.C. Point Pedro.

No. 5
Answer of the
Substituted
Defendant —
21-6-61
—Continued.

10. Further answering this Substituted Defendant states that lands described under items 38 and 47 had been sold by the deceased Defendant during his lifetime and that the deceased Defendant had donated lands described under items, 14, 19, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 40 and 46 to his first bed children namely Subramaniam, this Substituted Defendant, Meenamma, Viswanathan and Sankarappillai by Deeds Nos. 2797, 2798, 2799, 2800 and 2801 dated 2nd November, 1952 and attested by P. Kana-pathipillai, Notary Public.

11. This Substituted Defendant as such Executor by his own undisturbed and uninterrupted possession and by the like possession of his predecessors in title for more than ten years preceding the date of this action by a title adverse to and independent of the Plaintiff and all others whomsoever acquired a prescriptive right and title thereto in terms of Section 3 of Chapter 55 of the Legislative Enactments of Ceylon.

12. Further answering this Substituted Defendant states that the deceased Defendant had built shop houses and sunk well in the land described under Item 21 of the Schedule to the plaint after the death of Rasamma and had made improvements to the value of Rs. 15,000/-.

13. This Substituted Defendant states that the Plaintiff is liable to account for the income of the lands Nos. 1, 2, 4 — 13, 15, 20, 24, 36, 37, 41 and 42 which are in his possession.

14. For matters of Law this Substituted Defendant pleads that the Plaintiff cannot have and maintain this action in respect of lands Nos. 25, 26, 33, 34, 38, 39, 40, 41, 46, 47 and 48 described in the Schedule to the plaint as they were the separate properties of the deceased Defendant by virtue of Final Partition Decree entered in favour of the deceased Defendant as pleaded in paragraph 8 above and further states that the Plaintiff cannot have and maintain this action in-as-much as Items 33, 40, 46 and 47 of the Schedule to the plaint are situated in the District of Anuradhapura outside the jurisdiction of this Court.

WHEREFORE this Substituted Defendant prays :—

1. That the Plaintiff's action be dismissed.
2. For costs, and for such other and further relief as to this court shall seem meet.

(Sgd.) M. ESURAPATHAM,
Proctor for Substituted Defendant.

Proceedings before the District Court

12th July, 1961.

MR. ADVOCATE SOORASANGARAM with MR. ADVOCATE CHELLAPPAH instructed for plaintiff.

MR. ADVOCATE KULASINGAM with MR. ADVOCATE SHIVAPATHASUNDARAM instructed for defendant.

Mr. Advocate Chellappah raises the following preliminary issue :—

1. Should the amended answer filed by the substituted defendant be rejected in as much as—

10

- (a) the amendment is not in compliance with Sections 404 and 77 of the Civil Procedure Code ?
- (b) there is no compliance with Section 93 of the Civil Procedure Code.

Mr. Advocate Chellappah states that the answer filed by the substituted defendant in this case is really an amended answer, that the amended answer has not been filed in conformity with Sections 91 and 93 of the Code. He cites the Case reported in 61 N.L.R. 217 at page 218. There should have been a motion to file an amended answer in this case so that Court would bring its mind to bear on the alterations from the original answer filed. Such a motion is necessary under Section 91 of the Code. Therefore the amended answer filed in this Case should be rejected. The Journal entry No. 28 reading “ Answer filed. Trial on 12-7-61 ” would amount to an order made *per incuriam* inasmuch as there is no consideration of Section 91 and 93 as the Court has not brought its mind to bear on the amendment. He cites the Case reported in 39 Ceylon Law Weekly, 107, what is an order made *per incuriam*. It is when an order is made by Court without its attention having been drawn to procedural matters.

20

The substituted defendant stands in the place of the deceased defendant in terms of Section 404 and the interest that he is called upon to defend would be the identical interest which the deceased defendant had put forward before court in his answer. The amended answer of 21-6-61 contains in paragraph 9 and 10 positions which are inconsistent with the position taken up in the original answer filed by the deceased defendant. Therefore the legal positions set out in paragraphs 9 and 10 of the new answer are irrelevant under Section 77 of the Code.

30

Counsel for defendant states this preliminary issue of law has taken him by surprise and that he wants time to consider it. I allow his application, and fix further hearing for 13-7-61.

(Intld.).....
District Judge. 40

Appearances as before

Mr. Advocate Kulasingam addresses Court. Section 404 provides for Cases other than those provided by Section 398 of the Code. Section 404 does not apply. He cites Vol. II of Sakar's Indian C.P.C. page 1861 Order 22 Rule 4, second paragraph, the words in the proviso "May make any defence appropriate to this character."

He cites 46 N.L.R. page 318 at 320.

Sakar page 1877 Order 22 Rule 10.

10 The application made by the defendant for substitution under date 9-12-60 specifically states that it is an application under Section 398 for substitution.

Mr. Advocate Soorasangaram in reply. The substituted defendant should have made an application after he was substituted to amend the answer already filed by the original defendant and not to file another answer. When the order was made to file answer on 29-3-61 in the presence of proctor for plaintiff the latter did not object. It may well be that the plaintiff's proctor may have not realised that was not the step. Section 93.

2 N.L.R. page 40 Fernando Vs. Soysa at page 43.

20 60 N.L.R. page 346 and page 349 para, 5.

61 N.L.R. page 217 at page 218.

59 C.L.W. at page 13 Ekanayake Vs. Ekanayake.

At this stage Counsel for plaintiff moves to withdraw the preliminary issue of law raised on 12-7-61 and on which the argument was addressed by both sides.

The position is accepted by the parties that there is an answer filed by the substituted defendant in the case but the plaintiff seeks to have an opportunity of filing a replication to meet the legal defences set up in that answer. In addition to the filing of a replication as the plaintiff seeks to do
30 it will also be open to him to raise any issues of law on the question of the tenability or validity of the defences set up in the answer of the substituted defendant.

Take case off Trial Roll.

Replication on 14-9-61.

The question of today's costs will be considered by me when I conclude the trial of this case.

(Intld.)
District Judge.

Replication of the Plaintiff

IN THE DISTRICT COURT OF POINT PEDRO

KANAGARATNAM KATHIRGAMAN of Puloly West, Administrator of the Estate of Rasammah in Case No. 400T. D.C. Point Pedro.

Plaintiff.

No. 671.

Vs.

(Dead) **VISVANATHAR KANAGARATNAM** of Puloly West.

Defendant. 10

VISVANATHAR KANAGARATNAM SUBRAMANIAM of Puloly West, Executor of the Last Will and Testament of the late Visvanathar Kanagaratnam of Puloly West.

Substituted - Defendant.

This 12th day of October, 1961.

The Replication of the Plaintiff abovenamed appearing by Mr. S. Nagalingamudaly, his Proctor states as follows:—

1. The plaintiff joins issue with the substituted defendant on the denials contained in the amended answer and reiterates the several averments contained in the plaint. 20

2. Replying to paragraphs 2, 3, 4, 5 and 7 of the amended answer the plaintiff while stating that the original defendant married Rasammah in or about the year 1916 and was governed by Chapter 48 of the Legislative Enactments and that on the acquisition of the lands referred to in the Schedule to the plaint by the original defendant during the subsistence of his marriage with Rasammah, the said Rasammah became vested immediately on acquisition with a half share of the said lands, denies all and singular the other averments contained therein.

3. Replying to paragraph 6 of the amended answer the plaintiff while stating that the plaintiff and his brothers are in possession of lands Nos. 1, 2, 4, 6, 7, 8, 9, 10, 11, 12, 13 and 41 in the Schedule to the plaint, that the income from these lands is not sufficient even to have the fences maintained, denies the other averments contained therein. 30

4. Replying to paragraph 9 of the amended answer the plaintiff states that he was not aware of the decrees referred to therein, that the original defendant himself at no time disclosed any of the said decrees, that the original defendant held Rasammah's half share in trust for her and was allot-

ted the entire thediathettam shares as the deeds were in his favour and that in any event the said decrees are not binding on the plaintiff and or cannot deprive the plaintiff and his brothers of their beneficial interest in the thediathettam half share of the lands referred to therein and that the Lispendens in the said cases have not been duly registered, denies the other averments contained therein.

No. 7
Replication of the
Plaintiff —
12-10-61
—Continued.

5. Replying to paragraph 10 of the amended answer the plaintiff while stating that the original defendant had no right whatsoever to dispose of the half share which belonged to the deceased Rasammah, that the alienations referred to therein have been effected by the original defendant without any right whatsoever and with a view to defraud the estate of the said Rasammah denies the other averments contained therein.

6. Replying to paragraphs 11, 12, 13, and 14 of the amended answer the plaintiff denies all and singular the averments contained therein and states that the defendant is estopped from denying that the estate of Rasammah is entitled to the lands described in the Schedule to the plaint by reason of his conduct in Case No. 400 T of this Court and or by reason of his representation in petition dated 31st January 1949 and affidavit dated 30th January, 1949 filed by him in the said Case No. 400 T.

20 WHEREFORE the plaintiff prays :—

- (i) That the judgment be entered for the plaintiff as prayed for in the plaint.
- (ii) For costs, and for such other and further relief as to this Court shall seem meet.

(Sgd.) S. NAGALINGAMUDALY,
Proctor for Plaintiff.

No. 8

Proceedings before the District Court

15th December, 1961.

No. 8
Proceedings
before the
District Court
15-12-61

30 MR. ADVOCATE SOORASANGARAM instructed by MR. S. NAGALINGAMUDALY for plaintiff.

MR. ADVOCATE SHIVAPATHASUNDARAM instructed by MR. M. ESURAPATHAM for defendant.

Of consent trial re-fixed for 9-3-62.

(Intld.).....
Additional District Judge.

25th May, 1962.

MR. ADVOCATE SOORASANGARAM instructed for plaintiff.

MR. ADVOCATE SHIVAPATHASUNDARAM instructed for defendant.

Mr. Advocate Shivapathasundaram states that the plaintiff's Proctor has given a list of documents on 16-5-62 relating to 16 lands. Some of the lands are in Anuradhapura and some at Jaffna. He has no opportunity and sufficient time to go to the Land Registries at Anuradhapura and Jaffna and check them. He mentions that 18th and 19th May, 1962 are Public Holidays and 20th May, 1962 is a Sunday. As such he moves for a date.

Mr. Advocate Soorasangaram states that if that is the position he will go on with the case without those documents. Mr. Advocate Shivapathasundaram states that because the list of documents was handed to them they thought the plaintiff was relying on those documents and he has no opportunity of going to the Land Registries and examine them. As such he did not get ready for trial.

Of consent, trial on 2-8-62. Costs fixed at Rs. 73/50 payable by the defendant.

(Sgd. Illegibly,
Acting District Judge.

No. 9

20

Issues Framed

13 September, 1962.

MR. ADVOCATE SOORASANGARAM instructed for plaintiff.

MR. ADVOCATE KULASINGAM with MR. ADVOCATE SHIVAPATHASUNDARAM instructed for substituted-defendant.

At this stage it is agreed that :—

1. The income from the one half share of the lands described in the Schedule to the plaint is Rs. 2,500/- per annum.
2. The defendant married the deceased Rasammah in 1916.
3. The defendant and Rasammah were governed by the Law of ⁸⁰ Thesawalamai.

4. Rasammah died on 20-8-1948.
5. All the lands described in the Schedule to the plaint were purchased during the subsistence of the said marriage, between the years 1916 and 1946.
6. The plaintiff in this case is the administrator of the estate of the said Rasammah.

No. 9
Issues Framed ---
13-9-62
---Continued.

Mr. Advocate Soorasangaram raises the following issues :—

1. Did the deceased Rasammah become vested with the title to a half share of the lands described in the Schedule to the plaint by operation of law ?
2. Is the defendant in wrongful possession of the half share of the said lands ?
3. What damages is the plaintiff as the administrator of the estate of Rasammah entitled to recover from the defendant ?
4. Do the proceedings, decree and order in Case No. 4329 of this court operates as resjudicata ?

Mr. Advocate Kulasingam raises the following further issues :—

5. Were the rights of Rasanmah referred to in the plaint governed by Chapter 48 as amended by Ordinance 58 of 1947 ?
6. Were the lands referred to in the plaint purchased by the defendant during the subsistence of his marriage with the said Rasammah ?
7. If issue No. 5 is answered in the affirmative or issue No. 6 in the negative, is the plaintiff entitled to any share of the lands referred to in the plaint ?
8. Were the lands referred to in paragraph 3 of the answer of the substituted defendant purchased by the deceased defendant out of his mudusom and separate money ?
9. If the above issue is answered in the affirmative, is the plaintiff entitled to a half share out of the said lands ?
10. Are the plaintiff and his brothers in possession of the lands referred to in para 5 of original answer and paragraph 6 of the amended answer of the substituted defendant ?
11. If the above issue is answered in the affirmative ;
 - (a) What is the income received and appropriated by the plaintiff and his brothers in respect of the said lands ?

No. 9
Issues Framed
13-9-62
—Continued.

- (b) Is the defendant entitled to credit in respect of any amount found to have been received by the plaintiff and his brothers in respect of the said lands, in the event of the court holding that the plaintiff is entitled to a half share as administrator?
12. (a) Does the decree in Case No. 4329 apply to the land called “Nitchinganollai” partitioned in the said case?
- (b) If so, does the decree operates as resjudicata in this case?
13. Were the lands Nos. 25, 26, 33, 34, 38, 39, 40, 41, 46, 47, and 48 in the Schedule annexed to the plaint, separate properties of the deceased defendant by virtue of final partition decree entered in Cases Nos. 2080 D.C. Point Pedro, 2309 D.C. Anuradhapura, 1415P. D.C. Point Pedro, 124P D.C. Point Pedro, 2515 D.C. Anuradhapura, 17655 D.C. Jaffna, 2263 D.C. Anuradhapura and 2988 D.C. Point Pedro?
14. (a) Were the lands under items Nos. 38 and 47 sold by the deceased defendant during his life time?
- (b) If so, has the plaintiff a cause of action against the substituted defendant in respect of the said lands?
15. Has the deceased defendant donated the lands described under items 14, 19, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 40 and 46 to the substituted defendant, Meenamamah, Visvanathar and Sankarappillai by deeds Nos. 2797, 2798, 2799, 2800 and 2801 dated 2-11-1952 and attested by P. Kanapathipillai, Notary Public?
16. If the above issue is answered in the affirmative, has the plaintiff a cause of action against the substituted defendant in respect of all the lands sold and donated except items Nos. 25, 26, 34, 46 and 47?
17. Did the deceased defendant build shop houses and sink a well in the land described under item 21 of the Schedule to the plaint, after the death of the said Rasammah?
18. If the above issue is answered in the affirmative, is the substituted defendant as executor of the Last Will of the deceased defendant, entitled to compensation for the same?
19. What amount, if any, is the substituted defendant entitled to as such compensation?
20. Is the plaintiff liable to account for the income of the lands Nos. 1, 2, 4 — 13, 15, 20, 24, 36, 37, 41 and 42 described in the Schedule annexed to the plaint?

21. Are the lands under the items 33, 40, 46, and 47 described in the Schedule annexed to the plaint, situated in the District of Anuradhapura ?
22. If the above issue is answered in the affirmative, can the plaintiff maintain this action ?

No. 9
Issues Framed
13-9-62
—Continued.

Mr. Advocate Soorasangaram objects to issues Nos. 6, 16, 18, 19 and 20. Mr. Advocate Soorasangaram states that he objects to issue No. 6 because of the fact, that the lands were purchased during the subsistence of the marriage is admitted.

10 Mr. Advocate Kulasingam states that he does not dispute it, but states that the deeds are not before him and he will stand by the admission. In view of this statement by Mr. Advocate Kulasingam, Mr. Advocate Soorasangaram withdraws his objection to issue No. 6.

Mr. Advocate Soorasangaram also withdraws his objection to issue No. 16.

Mr. Advocate Soorasangaram objects to issue No. 18 as there is no claim for compensation in the answer. Mr. Advocate Kulasingam refers to paragraph 12 of the answer of the substituted defendant, where he only states that the amount is Rs. 15,000/- and leaves it at it. Mr. Advocate Soorasangaram states that he has not claimed any compensation. He states that issue No. 19 flows from issue No. 18. Mr. Advocate Soorasangaram objects to issue No. 20 as in paragraph 6 of the substituted defendant's answer he states that plaintiff and his brothers are in possession. Therefore he cannot claim compensation only from the plaintiff.

Regarding the objection to issue No. 18 Mr. Advocate Kulasingam refers court to paragraph 12 of the answer of the substituted defendant and admits that no claim is made in the prayer. Regarding issue No. 20 Mr. Advocate Kulasingam states that the plaintiff had filed this action in his capacity as administrator. Therefore he is liable to account even though the possession is not only by the plaintiff, but also by his brothers.

Mr. Advocate Soorasangaram withdraws his objections to issues Nos. 18, 19, and 20.

Mr. Advocate Soorasangaram raises the following further issues :—

23. Are the claims of the substituted defendant based on his averments contained in paragraphs 6 and 14 of his answer, maintainable in these proceedings ?
24. Was the deceased defendant allotted the entirety of the Thedia-theddam share in partition cases referred to in paragraph 9 of the answer in trust for Rasammah and or as the title deeds were in favour of the deceased defendant ?

No. 9
Issues Framed
13-9-62
—Continued.

25. Was Rasammah and or her estate divested of the beneficial interest in respect of a half share of the thediatheddham of the lands referred to in paragraph 9 of the answer by reason of the decrees referred to in the said paragraph ?
26. Was lispensens in cases referred to in paragraph 9 of the answer duly registered ?
27. If issue No. 24 is answered in the affirmative and or if either of the issues 25 or 26 is answered in the negative, is the plaintiff still entitled to claim a half share of the thediatheddham share of the lands referred to in paragraph 9 of the answer ? 10
28. Has the deceased defendant any right to dispose of a half share of the lands referred to in paragraph 10 of the answer, in the manner alleged in the answer ?
29. If not, is the plaintiff still entitled to claim the said half share from the substituted defendant ?
30. Were the improvements alleged in paragraph 12 of the answer effected by the deceased defendant during the lifetime of Rasammah and or with his thediatheddham monies ?
31. Is the substituted defendant estopped from denying that the estate of Rasammah is entitled to 1/2 share of the lands described 20 in the Schedule to the plaint by reason of his conduct in Case No. 400 Testamentary of this court and or by reason of his representation in petition dated 31st January, 1949 and affidavit dated 31st January, 1949 filed by him in the said Case No. 400T.

Mr. Advocate Kulasingam objects to issue No. 23 as it is not specifically pleaded. Mr. Advocate Soorasangaram states that it arises from paragraph 6 of the answer. Mr. Advocate Kulasingam objects to issue No. 30 as it is not pleaded. He also objects to issue No. 31 as it is not specifically pleaded as to what conduct estopped the defendant from denying. It is for the plaintiff to state what are the specific facts to meet him. Mr. Advocate 30 Soorasangaram refers Court to paragraph 6 of the replication. To clarify issue No. 31 he suggests the following issues :—

- 31 (a) Did the substituted defendant by his petition dated 31-1-1949 and affidavit annexed thereto, claim from it in respect of an alleged Last Will devising 1/2 share of the lands described in the Schedule to the plaint in this case to his father Kanagaratnam the original defendant in this case ?
- (b) Did the substituted defendant represent in the said petition and affidavit that Rasammah left behind on her death, the half share of the lands claimed by the plaintiff in this case ? 40

- (c) If either of the issues 31a or 31b is answered in the affirmative, is the substituted defendant estopped from denying that the estate of Rasammah is entitled to half share of the lands described in the Schedule to the plaint ?

No. 9
Issues Framed —
13-9-62
—Continued.

Mr. Advocate Kulasingam now withdraws his objections to issues Nos. 23, 30 and 31.

He raises the following further issues —

32. In the event of the Court holding that the substituted defendant conducted himself or made representation as stated in the issues 31, 31a and 31b, did the plaintiff and the other heirs of the said Rasammah act on the said representation or conduct ?
33. If issue No. 32 is answered in the negative, is the plaintiff entitled to plead estoppel ?

Mr. Advocate Soorasangaram has no objection to the last two issues.

I accept issues 1 — 33.

N. 10

Plaintiff's Evidence

N. 10
Plaintiff's
Evidence

—
Evidence of
K. Kathirgaman —
Examination.

Plaintiff's Case.

Mr. Advocate Soorasangaram calls the Plaintiff :

20 **Kanagaratnam Kathirgaman**, Affirmed, 39 years, Irrigation Engineer, Kanthalai.

I am the plaintiff in this case. I am the administrator of the estate of my mother Rasammah in Case No. 400 Testamentary of this Court. My mother died on 20-8-1948. She died leaving behind four children and I am one of them. My father Visuvanathar Kanagaratnam the original defendant in this case married earlier and had four children. After the death of his first wife he married my mother.

30 I produce a certified copy of the mortgage bond No. 9973 of 20-1-1910 marked (P1) by which my father and his first wife Meenadchipillai mortgaged a land of theirs and raised a sum of Rs. 750/-. The original defendant married my mother in 1916. After 1916 my father was prosperous. My father had purchased lands. My father had also invested monies on mortgage bonds. My father was a P.W.D. Engineer in India. My father resided with my mother at his residence in Puloly West till her death. That

No. 10
Plaintiff's
Evidence

Evidence of
K. Kathirgaman --
Examination
- Continued.

residential land is constituted of items 1, 2 and 4 — 13 described in the Schedule to the plaint. After my mother died we went to live with the substituted defendant Subramaniam. My father got the substituted defendant to make an application for probate in Case No. 400 Testamentary of this Court. I produce a certified copy of the petition dated 31-1-1949 filed by the substituted defendant marked (P2). I also produce a certified copy of the affidavit annexed thereto marked (P3). In the petition and affidavit the substituted defendant alleged that my mother Rasammah and her husband executed a joint Last Will by which Rasammah bequeathed and devised all her properties to her husband and in paragraph 4 of P2 he further stated 10 that full particulars of the lands left behind by Rasammah are given in the Schedule to the petition. I and my brothers filed objections to the Last Will and the Court finally held, after contest that the Last Will was not admitted to probate. Thereafter I filed petition for Letters of Administration. I filed a petition for Letters of Administration, to my mother's estate. At that time as all the deeds were with my father I was only guided by the Schedule filed in P2 by the substituted defendant. I only copied the Schedule to P2. I produce a certified copy of the petition and affidavit filed by me for Letters of Administration marked (P4) and (P4A). We are living in the house owned by our parents. This constitute lands 1, 2, 4, 6, 8, 9, 10, 11, 12 and 13. 20 These are all fragments of lands acquired by my father during the subsistence of his marriage. There are only few vadalics and palmyrahs. The income is very negligible. It costs more to fence and maintain the compound. The other land which I and my brothers are in possession is 1/6 share of item 41 described in the Schedule to the plaint, in extent 1 Lachcham V.C. and 11, 1/2 kls. My mother would be entitled to only half of this 1/6 share. The income would be Rs. 15/- for the entire land. My share would be 1/12 which is Rs. 1.25. Neither I nor any of my full brothers are in possession of any other lands. During the 30 life time of my mother my father was looking after these lands. The lands consisted of paddy fields, garden lands and houses. Some of these garden lands are at Manthikai. The Manthikai land is about 6 Acres in extent. It is the land under item No. 19 described in the Schedule to the plaint. It is a garden land leased out to various cultivators for tobacco cultivation. It is a very fertile land which fetches about Rs. 6/- a patty. One patty is 1/10 of a Lachcham. The income from this land alone would be Rs. 4,500/- per year. There are four lots of paddy fields in Anuradhapura, aggregating to about 15 Acres. Excepting the compound where we live and item 41 all the other lands referred to in the Schedule to the plaint should 40 easily bring a minimum income of Rs. 8,000/- per year. There is a house on the Point Pedro—Kankesanthurai road, next to Methodist Girls' College. It is item 25. This house fetches Rs. 50/- per month as rent, but for the purpose of this case I had agreed to restrict the damages to Rs. 2,500/- per annum for the one half share of the lands which I claim. Since the time of my mother's death my father was in possession of the entirety of the lands, except our residential house and item 41. He appropriated the income. My father died in 1960. An application for probate of his Last Will has been made by the substituted defendant. I now know that the original defendant my father had conveyed lands to the substituted defendant and his sisters. I produce a certified copy of deed No. 1573 of 1-4-1943 marked 50 (P5) by which item 41 was purchased by my father. It is item 4 in deed P5. The title pleaded for that land is decreed in partition Case No. 18665 D.C.

Jaffna. P5 shows that my father purchased item 41 after the partition decree. In item No. 21 described in the Schedule to the plaint there are some shop buildings and a well. My father made these improvements. It was done in 1946, before the death of my mother. There is a shop near Manthikai Hospital and it brings a large income. My father collected all these incomes, kept them with him and invested on mortgage bonds. The substituted defendant, in P2 disclosed 54 mortgage bonds which were not discharged till the time of my mother's death. I do not know what had happened to the monies due on them. In paragraph 9 of the answer, certain
 10 partition decrees have been pleaded by the substituted defendant. I was not aware of these partition decrees till the answer was filed. These lands were acquired during the subsistence of the marriage, in the name of my father.

No. 10
 Plaintiff's
 Evidence

—
 K. Kathirgaman —
 Examination
 —Continued.

(Mr. Advocate Kulasingam objects to any oral evidence being led on this matter, except by production of the deeds, under Section 91 of the Evidence Ordinance. Mr. Advocate Soorasangaram states that he is producing the deeds.)

I produce deed No. 6579 of 4-10-43 marked (P6) by which my father purchased a share of land which got sub-divided into items 25 and 26. I
 20 also produce deed No. 6593 of 7-10-1943 marked P7 by which my father had another share of the same land. I also produce deed No. 2842 of 4-10-1939 marked (P8) by which my father purchased another share of the same land. After the partition decree entered in Case No. 2080P of this court, item No. 25 was sold under a decree of sale in that case and my father purchased items 25 and 26. I also produce a certificate of sale dated 15-2-1945 marked (P9). I produce deed No. 2190 of 16-10-1933 marked (P10) by which my father purchased item No. 33 described in the Schedule to the plaint. I produce deed No. 94 of 1-12-1940 marked (P11) by which my father purchased item
 30 34. I produce deed No. 3325 of 4-2-1936 marked (P12) by which my father purchased item No. 38. One of the lands which was purchased by my father is Nitchinganollai vadakku. My father denied my title to this land. That land was sought to be partitioned in Case No. 4329 of this Court. My father was the 1st defendant in that case. I and my three brothers intervened in that case and we claimed that, by reason that my father purchased that land during the subsistence of his marriage with my mother. My mother was entitled to 1/2 share purchased by my father. I produce a certified copy of the plaint, in Case No. 4329 marked (P13). The statement of claim filed by my father marked (P13a), the statement of claim filed by me and by my brothers marked (P13b) and the final partition decree marked (P13c). I
 40 also produce a certified copy of the issues, order of the issues and the judgment of the Supreme Court marked (P14a), (P14b) and (P14c) respectively.

(Court adjourned for lunch.)

(Sgd.) Illegibly
 Acting District Judge.
 13-9-62.

No. 10
Plaintiff's
Evidence

(Court resumes after lunch.)

Evidence of
K. Kathirgaman—
Examination.
—Continued.

Plaintiff's case.—Contd.

Kanagaratnam Kathirgaman, recalled and affirmed :

I produce deed No. 2415 of 10-1-1935 marked (P15) by which my father purchased item No. 46. I also produce deed No. 1236 of 28-10-42 marked (P16) by which my father purchased item No. 48. I also produce the application for registration of lispens in Case No. 2515 Anuradhapura marked (P17). In that case the larger land of which item 40 was a portion, was partitioned. I also produce a certified copy of the plaint in that case marked (P18). My father was the 5th defendant in that case. I produce 10 encumbrance sheet in relation to entry in folio A 3/287, 8/3, 8/49, 16/331 and 22/312 marked (P19).

(Mr. Advocate Kulasingam objects to P19 as it is irrelevant and in any event the Registrar of Lands should be called. Mr. Advocate Soorasangaram states that it is a public document. He also states that these documents are kept as required by the Registration of Documents Ordinance, Chapter 117 and he refers Court to Sections 12, 13, 27 and 28. He also refers to Section 74 (a) Sub-section 3 of the Evidence Ordinance and also Section 77. He also refers to Chapter 15, Section 2. Mr. Advocate Soorasangaram also refers court to Section 43 (1) Chapter 117. In view of this Mr. Advocate Kulasingam, withdraws his objection.) 20

In P19 deed relating to a larger land called "Basuwakkulamkele" in extent 6 Acres, 3 roods and 32 perches has been registered. I also produce the encumbrance sheet in respect of folio A, 35/47 and A, 134/207 in extent 1 Acre, 3 roods and 20 perches marked (P20). I also produce a certified copy of folio A, 4/226 for the land called "Bulankulame" in extent 24 Acres and 11 perches marked (P21). I also produce a certified copy of folio A, 3/86, A, 7/69, A, 91/68 and A, 104/10 marked (P22) in extent 15 Acres, 25 perches for the land called "Bulankulame". I also produce a certified copy of folio A, 51/12 marked (P23) for the portion of the land called "Bulankulame." I also produce a certified copy of lispens in Case No. 2263 D.C. Anuradha- 30 pura marked (P24). I also produce a certified copy of the plaint in that case marked (P25). The defendant in this Case was the 1st defendant in that Case. I also produce a certified copy of registration entries in folio A, 56/205, 91/67 and 122/134 marked (P26). In 122/134 the lispens in Case No. 2309 D.C. Anuradhapura has been registered. I also produce a certified copy of registration entries in A 93/202, 96/156 and 119/18 marked (P27). In P27 the lispens in respect of Case No. 2263 has been registered. I also produce registration entry in A, 76/100 in respect of the same land marked (P28). P28 also contains A, 90/107. I also produce the registra- 40 tion entry in A, 7/69 for the land called "Periyatheny" in extent 85, 3/8 Lachchams V.C. and Thoddan 1 marked (P29). I also produce a certified copy of the registration entry in folio A, 39/234 for the same land marked (P30).

I also produce registration entry in A, 154/285 for an extent of 8 Lachchams out of the land, maked (P31). I also produce a certified copy of registration entry in A, 185/11 for the said extent of 8 Lachchams marked (P32). The lispens in Case No. 2333-P of this Court was registered in P32. I also produce a certified copy of the registration entry in A, 3/367 marked (P33) for the land called "Nedunkulavelitheny Kaadu Kadalpaya" in extent 27 Lachchams V.C. and other parcels. I also produce the registration entry in A, 331/118 for a portion of that land marked (P34). In P34 the lispens in Case No. 2080-P of this Court was registered. I also produce a certified copy of the registration entry in folio, A, 331/117 in which another portion of the same land was registered marked (P35). In P35 the lispens in Case No. 2080 was registered. I also produce a certified copy of the registration entry in A, 208/89 and A, 11/81 marked (P36) in which the land called "Nunkaipulam" in extent 49, 1/4 Lachchams V.C. dealt with in P11 was registered. I also produce a certified copy of the registration entry in A, 307/225 marked (P37) in which the lispens in Case No. 1415-P of this Court was registered. This folio bears no connection whatsoever to folio P36. I also produce registration entry in A, 6/155 marked (P 38) for the land called "Ambalantheny" in extent 31 Lachchams V.C. I also produce registration entry in A, 41/28 for the same land marked (P39). I also produce the registration entry in A, 88/250 for a portion of the said land marked (P 40). I also produce the registration entries in A, 123/225 ; 193/41 and 273/251 marked (P41) for the same divided portion.

No. 10
Plaintiff's
Evidence
—
Evidence of
K. Kathirgaman —
Examination.
—Continued.

(Mr. Advocate Kulasingam objects to P41 as it is not listed. As it is listed Mr. Advocate Kulasingam withdraws his objection.)

In P41 the lispens in Case No. 124 P. D.C. Jaffna was registered and the share the 1st defendant was allotted in that partition case is described as item No. 38 in the Schedule to the plaint. I produce a certified copy of the dowry deed in favour of the original defendant's first wife Meenachchippillai, No. 6838 of 10-1-1906 marked (P42). I also produce lease bond No. 2511 of 24-7-1959 marked (P43) by which the original defendant leased lands 33 and 47 for the yala season in 1959. The lessee was to pay a sum of Rs. 576/- as rent. After my father's death the substituted defendant is possessing all the lands excepting our residential land and item 41.

(Sgd.) Illegibly
Acting District Judge
13-9-62.

At this stage Mr. Advocate Kulasingam states that he would like to have a copy of the proceedings before he cross-examines the witness. Further trial for 11-10-62.

(Sgd.) Illegibly
Acting District Judge
13-9-62.

11th October, 1962

Evidence of
K. Kathirgaman — — — — —
Examination.
—Continued.

Appearances as before.

Kanagaratnam Kathirgaman, — recalled and affirmed.

Further Examined.

During the lifetime of my mother my father looked after my mother's lands and the Thediyatheddam property. My father kept an account of the income and expenditure. After the death of my mother my father lived with his eldest son the substituted defendant. I presume that the account book must be with the substituted defendant.

Evidence of
K. Kathirgaman — — — — —
Cross-examination.

Cross-examined.

10

Though in the answer of the substituted defendant in paragraph 3 he stated that the lands mentioned there were bought out of the separate money of my father I deny that.

Shown deed No. 16363 dated 5-6-1921 marked (D1) I admit that the two lands referred to in D1 viz., items 13 and 14 in the Schedule to the plaint were purchased by my father from Kadirgamar Sinnathamby. This transaction took place before I was born. I cannot vouch for what Velauthar Kumarasamy has stated in D1. I do not know whether the vendor is K. Kanagasabai, the late Crown Proctor.

Shown deed No. 20711 dated 21-3-1927 marked (D2), this refers to item 6 in the Schedule to the plaint. At the time D2 was executed my father was in India.

According to me my father had no separate mudusom money at that time. All monies were acquired by my father during the subsistence of his marriage with my mother.

Shown deed No. 10834 dated 25-12-1909 marked (D3) my grandmother Walliammai donated certain lands to my father by D3. In all 10 lands were donated. These lands are the separate property of my father.

Shown deed No. 7684 dated 30-6-1906 marked (D4), this is a testamentary conveyance executed by V Sangarapillai in favour of my father. About 9 lands were conveyed to my father. They would be his separate property. My father retired in 1935 and lived in Point Pedro.

I produced P1 to indicate the type of transactions my father had. By deed No. 9975 of 21-1-1910 marked (D5) my father and his first wife Meenadchippillai purchased a piece of land called Mavil Vayal for Rs. 500/-. P1 may have been effected to find money for the purchase of land on D5. Personally I am not prepared to accept it as so. It does not necessarily follow.

Shown deed No. 10293 and endorsement dated 9-7-1910 marked (D6), mortgage P1 was redeemed by D6 on 9-7-1910.

The income from the lands dowried and the lands donated to my mother and father were taken and invested by my father.

No. 10
Plaintiff's
Evidence.

My father's eldest daughter was married earlier and she was given a number of lands as dowry. So my father would not have derived much income from these lands. The income from these lands was very little.

Evidence of
K. Kathirgaman —
Cross-examination.
---Continued.

I have instituted Case No. 7225 D.C. Point Pedro in respect of the land called Ambalantheny, item 38 in the Schedule to the plaint against the purchaser. The defendant in that case wrongly claimed the land on an alleged transfer from my father. I disputed that transfer.

10 Q. If the defendant in that case is in possession of item 38 why did you include it in the inventory?

A. I filed the inventory on the list filed by my father.

I have filed Case No. 7185 in respect of item 45 which land is called Uralai against Velupillai Murugupillai on a deed of transfer executed by my father. I included item 45 also in the inventory because it was included in the original list.

Shown deed No. 5619 dated 29-7-43 marked (D7) which refers to item 47 in the Schedule to the plaint. It is a paddy field at Anuradhapura. I do not know whether it is in possession of the substituted defendant.

20 My mother died in 1948. My father may have by D7 sold this land to the substituted defendant in 1943.

When I filed this Case none of the deeds were with me. They were in possession of the substituted defendant. I was only guided by the list of lands left behind by my father.

P2 is the petition filed by the substituted defendant in the Testamentary case. My Proctor Mr. Nagalingamudaly may have filed a list of documents on 4-7-61 in which D7 may have been included. I was aware of D7 only recently. On 4-7-61 I knew the existence of D7. I believe that D7 is not a fair transaction. I cannot understand why one son should be given a piece
30 of land when the others are excluded. I find that my father had leased the same land to another person in 1952.

I have read paragraph 10 of the answer of the substituted defendant. I propose to institute action in due course regarding the donation mentioned in paragraph 10 of the answer.

Shown deed No. 2797 of 2-11-52 marked (D8), this is a deed of donation in favour of the substituted defendant in respect of 13 lands included in the Schedule to the plaint. The present case is instituted against the substituted defendant as executor.

40 Shown deed No. 2798 marked (D9), this is also in favour of the substituted defendant.

No. 10
Plaintiff's
Evidence.
Evidence of
K. Kathirgaman —
Cross-examination.
—Continued.

Shown deed No. 2799 of 2-11-1952 marked (D10), in favour of Meenam-mah wife of Mr. N. A. Rajaratnam, D10 also conveys the lands some of which are included in the Schedule to the plaint.

Shown deed No. 2801 dated 2-11-52 marked (D11) this is a deed of donation in favour of my brother Sangarapillai which also deals with some lands which are included in the Schedule to the plaint.

I have not personally seen these deeds. If it is stated so I agree. I came to know the existence of the deeds only when the answer was filed.

I know the lands in respect of which extracts from the register of encumbrances were produced. P20 is in respect of the land in extent 1A, 3R, 10 20P. This is part of a larger land registered in P19. The larger land is 6A, 3R, 32P. I say there is nothing to connect P19 to P20. The interest I claim is in respect of the lot allotted to my father in the partition Case No. 2515 D.C. Anuradhapura. Shown a certified copy of final decree in partition Case No. 2515 D.C. Anuradhapura marked (D12) the defendant my father was allotted lot 1.

What is registered in P20 is in respect of the land in extent 1A, 3R, 20P. I have been to this land personally. I am unable to say whether the land described in P20 is the same as in D12. I believe that the land described in P20 is part of the larger land described in P19. 20

(Boundaries of the land in P19 read out.)

I generally know the lands but I do not know the boundaries. These lands have no fences. They are an open tract.

Q. Do you know that the land described in P20 is part of the land described in P19?

A. P6 and P7 speak of this.

(P6 and P7 are handed to the witness.)

Shown also P21, P21 gives the registration for an extent of 24A, 0R, 11P called Bulankulame. P22 contains the registration in respect of the land called Bulankulame in extent 15A, 0R, 25P. 30

Q. What is the connection between P21 and P22?

A. (No answer)

P23 also contains the registration in respect of another land called Bulankulame.

Shown also P24, it is a certified copy of lispendens in Case No. 2263 D.C. Anuradhapura. My father was the first defendant in that case. Item 46 in the Schedule to the plaint refers to this.

Shown P24, P24 refers to the lispens in Case No. 2263. P26 refers to the land called Siyambalakalwela in extent 41 Acres.

No. 10
Plaintiff's
Evidence

Shown decree for sale in partition Case No. 2080 D.C. Point Pedro marked (D13) in respect of the land called Nedunkulavelitheni, item 25 in the Schedule to the plaint, under the decree for sale my father became the purchaser.

Evidence of
K. Kathirgaman —
Cross-Examination
—Continued.

The certificate of Sale is marked D14/P9.

I admit that I am in possession of the land referred to in paragraph 3 of the replication. I stated that the income from those lands are not sufficient even to have the fences maintained. There is nothing except some palmyrah trees and a few vadalies. They vary from $\frac{1}{2}$ lms. to lms., 2 lms. 3 lms. and so on.

A certified copy of the encumbrance sheet in respect of the land called Ambalantheny in extent 24 Lachchams V.C. which is item 38 in the Schedule to the plaint marked (D15).

Re-examined

Shown D4, this is a conveyance by Administrator Sangarapillai to himself and to my father.

Evidence of
K. Kathirgaman —
Re-examination.

I produce a certified copy of the inventory filed by Sangarapillai in Case No. 1420 Testamentary, D.C. Jaffna marked (P44). Sangarapillai, the administrator has valued all the lands at Rs. 1,250/-. All the lands received by my father by way of donation or mudusom have been given to his children by the first bed.

Shown P42, my father has leased item 47 in the Schedule to the plaint to certain Seeniar Murugesu of Kopay North in July, 1959. I know that my father was in possession of the land leased by P42. By P43 my father also leased item 33 in the Schedule to the plaint.

I am administering my mother's estate in Case No. 400 Testamentary. I produce the inventory which I filed in that Case, marked (P4b). I followed the list filed by the substituted defendant himself when he filed application for probate in Case No. 400 Testamentary marked P2.

Later on I filed an account. As there was dispute regarding title I issued a citation on my father to disclose the income from the lands. I was asked to file a separate action. That is why I filed this action to obtain a declaration that I as administrator of my mother's estate was entitled to a half share and for the recovery of damages sustained by me from the time my mother died. I am entitled to damages from the substituted defendant in his capacity as executor of the deceased defendant.

I draw the attention of Court to paragraph 8 of the plaint, wherein I stated that since the death of my mother Rasammah the deceased defendant was in possession of the entirety of the lands and was denying my rights as administrator.

No. 10
Plaintiff's
Evidence.

Cross-examined — By Mr. Advocate Kulasingam through Court.

Evidence of
K. Kathirgaman —
Cross-examination

A certified copy of journal entry dated 24-7-49 in Testamentary case P2 is produced marked (D16).

(Sgd). Illegibly
Acting District Judge,
11-10-62.

Plaintiff's case closed reading in evidence P1 — P44.

No. 11
Defendant's
Evidence

No. 11

Evidence of
S. Kandavanam —
Examination

Defendant's Evidence

Mr. Advocate Kulasingam calls :—

10

Sinnathamby Kandavanam, — affirmed, 56 years, cultivator,
Puloly South.

I am occupying the shop building in the land called Manthyrodai facing Manthikai Hospital. That land belonged to Visvanathar Kanagaratnam. I am occupying the land from 1940. When I went into occupation of the land it was a palmyrah land. There was no building at that time. I put up a temporary shed with his permission. When I went into occupation of the land the land was under otty mortgage to one S. Sivakolunthu. Kanagaratnam bought the land and put up the buildings in 1951. He put up 3 shops. I occupy one of the shops. The well was also sunk by Kanagaratnam in 1951. In all it would have cost him Rs. 15,000/- including the cost of sinking the well. It took one year to construct them. I pay Rs. 53/- per month for the 3 shops.

Evidence of
S. Kandavanam —
Cross-examination

Cross-examined.

2 shops form one building and the other one is a separate building. I cannot say whether Kanagaratnam put up the buildings 3 years after he bought the land. My estimate is that it would have cost Rs. 15,000/-.

I am not aware that the substituted defendant has claimed Rs. 15,000/- for improvement in his answer.

Kanagaratnam had some lands in that area. The garden lands are towards the cemetery. They are good lands but I do not know what rents they fetch. During his lifetime Kanagaratnam used to collect the rents. After the death of Kanagaratnam I am paying rents to Sangarapillai. Once or twice I paid to the substituted defendant. I do not know whether

Sangarapillai is in the Angoda Hospital. Earlier he used to write from Valai-chchenai and I sent the money. Now I am paying rents to Mr. N. A. Rajaratnam on behalf of Sangarapillai. I did not pay direct into the hands of Sangarapillai. The substituted defendant did not ask me to say that I paid rents to Sangarapillai. I did not pay Sangarapillai personally at any time. Whenever I pay I receive receipts. Even Kanagaratnam used to issue receipts. I do not know whether he kept account books.

No. 11
Defendant's
Evidence —
—
Evidence of
S. Kandavanam —
Cross-examination
—Continued.

Re-examined — Nil.

10

(Sgd). Illegibly,
Acting District Judge.
11-10-62.

Substituted defendant's case closed reading in evidence D1 — D16.

Addresses 8-11-62.

(Sgd). Illegibly,
Acting District Judge,
11-10-62.

23rd November, 1962.

No. 11
Defendant's
Evidence —
—Continued.

MR. ADVOCATE SOORASANGARAM instructed for Plaintiff.

20

MR. ADVOCATE KULASINGAM with MR. ADVOCATE SHIVAPATHA-SUNDERAM instructed for Defendant.

Mr. Advocate Kulasingam states that by an oversight he has failed to produce the certified copies of partition decrees in certain cases which he now moves to mark. No. 2309 D.C. Anuradhapura (D17). No. 1415 Point Pedro (D18), No. 124 Point Pedro (D19), No. 2263 D.C. Anuradhapura (D20) and No. 2988 D.C. Point Pedro (D21).

Mr. Advocate Soorasangaram has no objection.

I accept the above documents.

30

(Sgd). Illegibly,
Acting District Judge,
23-11-62.

Defendant's case closed reading in evidence — D1 — D21.

No. 12

Addresses to Court

No. 12
Addresses to
Court.

Mr. Advocate Kulasingam addresses Court.

He moves for a further date as he is not feeling quite fit to proceed with it. Of consent, further addresses for 29-11-62.

(Sgd). Illegibly,
Acting District Judge,
23-11-62.

29th November, 1962.

No. 12
Addresses to
Court.
—Continued.

MR. ADVOCATE SOORASANGARAM for Plaintiff.

MR. ADVOCATE KULASINGAM with MR. ADVOCATE SHIVAPATHASUNDARAM for Defendant.

Mr. Advocate Kulasingam addresses Court :—

He cites 53 N.L.R. 63 and 60 N.L.R. 439.

Mr. Advocate Soorasangaram addresses Court and cites :—

53 N.L.R. 385, 46 C.L.W 104, 55 N.L.R. 260, 56 N.L.R. 44.

Further addresses on 30-11-62.

(Sgd). Illegibly, ¹⁰
Acting District Judge,
29-11-62.

30th November, 1962.

MR. ADVOCATE SOORASANGARAM instructed for Plaintiff.

MR. ADVOCATE SHIVAPATHASUNDERAM instructed for Defendant.

Mr. Advocate Soorasangaram Addresses Court.

He cites 3 C.A.C. 30, 54 N.L.R. 484, 22 N.L.R. 107, 137, 63 N.L.R. 49, 62 N.L.R. 224, 53 N.L.R. 334, and 42 N.L.R. 299.

Further addresses for 6-12-62.

(Sgd). Illegibly, ²⁰
Acting District Judge,
30-11-62.

No. 13
Judgment of
the District
Court —
18-5-63.
3. 6. 63

No. 13

Judgment of the District Court

13th May, 1963.

J U D G M E N T

This is an action for a declaration that plaintiff as administrator of the estate of his deceased mother Rasammah is entitled to a half share of the ⁸⁰ lands described in the Schedule to the plaint and for damages.

The original defendant Visuwanathar Kanagaratnam first married Meenachchipillai and he had four children. After the death of Meenachchipillai he married his second wife Rasammah in 1916. He had also four children by his second marriage. They are plaintiff and three others. Rasammah died on 20-8-48. During their married life Kanagaratnam and Rasammah lived in Puloly West in the lands referred to in items 1, 2 and 4 - 13 described in the Schedule to the plaint.

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Judgment of the
District Court —
~~18-5-60~~ 3.6.63
—Continued.

After the death of Rasammah, Kanagaratnam and his second bed child-
ren lived, with the substituted defendant Subramaniam, who is a son by his
10 first bed.

Subramaniam made an application for Probate in 400 Testamentary of
this court. In the petition P2 and affidavit P3 filed by Subramaniam in that
case, Subramaniam alleged that his step-mother Rasammah and his father
Kanagaratnam executed a joint Last Will, by which Rasammah bequeathed
and devised all her properties to her husband Kanagaratnam. The full
particulars of all these lands were given in the Schedule of Petition P2.

Plaintiff and his brothers the children of Rasammah, filed objections to
the Last Will and finally it was held by Court that the Last Will was not
admitted to probate. Thereafter plaintiff filed papers for letters of admi-
20 nistration to his mother Rasammah's estate — *Vide* P4 and P4A.

Plaintiff stated that in P4, he was only guided by the Schedule
in P2. It was his father who knew all the properties. His father
looked after the properties and collected all rents. His father
maintained an account book. Plaintiff made his father Kanagaratnam
the defendant in this case. On 22-9-60 it was brought to the notice
of Court, that defendant Kanagaratnam was dead. After that V K. Subra-
maniam a son of the defendant by the first bed was made substituted defen-
dant. Plaintiff stated that as his father Kanagaratnam died in the house
of substituted defendant, Subramaniam, his eldest son, the account books
30 of his father would be in that house and were available to Subramaniam.
After their father's death Subramaniam is collecting the rents, lease money and
other income from the lands, except a few lands possessed by plaintiff
and his brothers. Subramaniam is the executor of Kanagaratnam's Last
Will.

It is common ground :—

- (a) that Rasammah married Kanagaratnam the original defendant
in 1916 and that she died on 20-8-48.
- (b) all the lands described in the Schedule to the plaint were purchased
40 during the subsistence of the said marriage between the years 1916
and 1946.
- (c) the plaintiff in this case is the administrator of the estate of the
said Rasammah.
- (d) the defendant and Rasammah were governed by the law of Thesa-
walamai.

No. 13
 Judgment of the
 District Court —
 18-5-66. 3.6.63
 - Continued.

(e) the income from the one half share of the lands described in the Schedule to the plaint is Rupees 2,500 per annum.

The main issue in this case is whether deceased Rasammah became vested with the title to a half share of the lands described in the Schedule to the plaint, by operation of law. It is admitted that they were governed by the Laws of Thesawalamai.

Learned Counsel for defendant submitted that Section 39 of Ordinance 1 of 1911 defines who is an "unmarried" person — namely as a person not having a husband or wife living. When Kanagaratnam died he had no wife living though he was married twice — namely to Meenachchipillai¹⁰ and Rasammah. But yet he urged strongly that according to the definition of "unmarried", Kanagaratnam died unmarried in 1961. Hence the amendment would not apply to him.

Before Ordinance 1 of 1911 came into operation the property took the character of the money utilised. After Ordinance 1 of 1911 came into operation, property acquired for valuable consideration must be regarded as Thediatheddham. One half will remain the property of the survivor. In 35 N.L.R. 313 Justice Garvin held, that the only consideration is the property must be acquired. It does not matter what nature the money is. This altered the earlier view held before 1911. To remedy this state of affairs²⁰ and to follow the spirit of what was intended as Thediatheddham, the Law of Thesawalamai was amended by Ordinance No. 58 of 1947 which came into operation on 4-7-1947.

The old Sections 19 and 20 were repealed and amendment made by substituting the new Section 19 and 20.

Learned Counsel for defendant strongly urged that the only laws applicable in this case are the new Sections 19 and 20 and the old Sections 19 and 20. The only exception being 35 N.L.R. 313 and any other decisions of the Supreme Court acting on this case. If construed according to Section 7 of the Amending Ordinance plaintiff's mother Rasammah would not be vested with³⁰ any rights.

But one has to take into consideration the fact that Ordinance 1 of 1911 was in operation till July, 1947. Rasammah was already vested with a half share of her husband Kanagaratnam's acquired property.

The Supreme Court has definitely held that Ordinance No. 58 of 1947 has no retrospective effect. In 55 N.L.R. 260 it was held that half the Thediatheddham property acquired by a husband vested in the wife immediately under Section 20 of 1 of 1911. It was also held that the amending ordinance No. 58 of 1947 does not operate as to affect title to property which had already vested in a spouse prior to the date of amendment.⁴⁰

Case No. 4329 P of this court went up in appeal and is reported in 56 N.L.R. 44. The plaintiff and the substituted defendant in this case were also the plaintiff and defendant in case No. 4329. It was in respect of a land bought by Kanagaratnam during the subsistence of marriage with

Rasammah. In this case His Lordship Justice Fernando observed—"in my opinion the problem under consideration admits of no doubt. Rasammah's rights in respect of Thediatheddham property acquired by her husband before 4-7-1947 were governed by Section 20 of the principal Ordinance and the provisions of Sections 5 and 6 of the amending Ordinance did not operate to divest Rasammah of rights already vested in her under the earlier law.

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~~19-5-68~~ 3.6.63
--Continued.

It thus becomes clear that new Sections 19 and 20 have no bearing on the present problem. A half share of the Thediatheddham property acquired by Kanagaratnam in 1933 and 1943 had automatically vested in Rasammah (as the non-acquiring spouse). Under the old Section 20 and the subsequent repeal of the old Section 20 did not operate to divest her of that share. The devolution of Rasammah's share upon her death in 1948 was regulated solely by Section 21 of the principal Ordinance because the new Section 20 has no application in this case. Accordingly the entirety of Rasammah's vested interests passed to her heirs.

Though the Supreme Court had already made a definite finding on this point, and what is more between the same parties in this case, yet learned counsel for defendant perhaps not satisfied with the decision reagitated the same issue over again and at length. Perhaps he strongly feels that there is another view to take in this question and another way of looking at the problem as enunciated by him, but this Court is bound by the decisions of the Supreme Court. Thus I hold that Rasammah became vested with title to a half-share of the lands described in the Schedule to the plaint by operation of law. Hence the defendant has been in wrongful possession of the said half-share, except the few lands possessed by plaintiff.

It is not disputed and perhaps common ground that the defendant was in possession of the lands and collecting all incomes. Plaintiff and his brothers were only in possession of their dwelling land referred to as items, 1, 2, 4, 6, 8, 9, 10, 11, 12 and 13 and 1/6th share of item 41. Plaintiff stated that he did not possess any of the other lands referred to in the Schedule besides these. In the dwelling land there were only vadalies and palmyrahs. The income from them was only a fraction of what it costed him to fence that compound. The total income from item 41 was Rupees 15.00 and 1/6th share would be Rupees 2.50. Of this his mother's share will be Rupees 1.25. The substituted defendant led no evidence to disprove this. I accept the evidence of the plaintiff on this point.

The chief income-giving lands are the Manthantnai tobacco gardens, the boutiques there, and the houses next to Methodist College and the fields at Anuradhapura. Plaintiff estimated the income from all these sources at Rupees 8,000.00. But he restricted his claim to his mother's half share at Rupees 2,500.00 per annum, which was also agreed upon by the substituted defendant. I, therefore, fix the income for Rasammah's half share at Rs. 2,500.00 per annum.

Case No. 4329 D.C./P. was between the same parties. At present the substituted defendant stands in the shoes of the defendant only in his capacity as executor of the Will. Otherwise the parties are the same, the inheritance is the same and the points of dispute are the same. Parties appealed

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 District Court —
 12-5-68 3.6.63
 --Continued.

and the Supreme Court gave its decision which has not been appealed against. Though in the strict legal sense it may not operate as *Res Judicata* but the law decided is the same and applicable to the parties though the lands involved have different names.

The substituted defendant in paragraph 10 of his answer disclosed that the original defendant had sold some of the land *viz.*, items 38 and 47 and had donated items 14, 19, 21—28, 33, 34, 40 and 46 to his first bed children.

In paragraph 9 of his answer he refers to the partition decrees regarding items, 25, 26, 33, 34, 38, 39, 40, 41, 46, 47, 48 and states they became the separate properties of the original defendant. But the original defendant did not disclose these facts in his answer. It only lends colour to the suggestion that after Rasammah's death, the defendant was more affectionate to his first bed children. When the Last Will alleged to have been made by Rasammah and defendant was challenged by the plaintiff and his brothers, feelings had perhaps become bitter between defendant and his first bed children on one side and the plaintiff and his brothers on the other side.

The defendant was employed as a P.W.D. Engineer in South India. Most of his purchases of land were between the period 1916 — 1948 as was admitted. When he first married Meenachchipillai he must have been in the lower rungs of the ladder, and was just starting life. P1 lends support to this. By P1 defendant and his wife Meenachchipillai had raised a mortgage for Rupees 750.00. But by D5 defendant and Meenachchipillai purchased Mani Vayal in 1910 for Rupees 500.00. It may be they raised money on mortgage to purchase this land. Later by D6 they redeemed the mortgage the same year.

By D3 and D4 defendant came by some lands donated by his grandmother and by a testamentary conveyance.

But his real prosperity appears to have started only after he married Rasammah. By deed D1 in 1921 and D2 in 1927 he had purchased lands items, 13, 14 and 6 stating that they were his mudusom money. But plaintiff disputed this stating that there was no proof that his father had any separate mudusom money. All monies were acquired by his employment in India. In 1921 and 1927 his mother was living. Further defendant had dowried his daughters by the first marriage and there would not have been much left in his hands.

Cases have now been filed in respect of the lands donated by defendant to his first bed children after plaintiff became aware from the answer of the substituted defendant. The defendant had no right to sell or donate his wife's half shares.

The substituted defendant in paragraph 12 of his answer made claim for Rupees 15,000.00 for building shop, houses at Manthihai after the death of Rasammah. The original defendant made no such claim in his answer. Plaintiff stated that they were built in 1946 when his mother was alive. The only witness called for the defendant was Kadiraman who is a tenant in one of the shops at Manthihai. He stated he was there from 1940 having put up a temporary shed. According to him Kanagaratnam bought

the land in 1951 and put up 3 shops and sunk a well costing in all Rupees 15,000.00. He could not however state the exact year when Kanagaratnam bought the land. After Kanagaratnam's death he paid the rents to one Sangarapillai and once or twice he paid to substituted defendant. When questioned that Sangarapillai was an inmate at Angoda Hospital, he went back and said that he did not pay direct to Sangarapillai but to Mr. N. A. Rajaratnam on behalf of Sangarapillai. This witness did not impress me as a truthful person. I attach no weight to his evidence. Even the defendant did not claim in his answer that he spent Rupees 15,000 in putting up these shops after Rasammah's death. It was only the substituted defendant who in his answer claimed the amount. The best evidence on this would have been the account books of defendant Kanagaratnam. It was not disputed that Kanagaratnam lived with his eldest son the substituted defendant during his last years and died there. If he did leave any account book it would have been available to substituted defendant. This should have helped him to prove his claim. Neither were any such accounts produced, nor did substituted defendant give evidence in support of his claim. I accept plaintiff's evidence on this point and hold that those buildings were built and the well sunk when Rasammah was alive.

No. 13
Judgment of the
District Court —
~~10-5-63~~ 3-6-63
—Continued.

Substituted defendant in his answer claimed that the partition decrees in favour of defendant gave him a new title. But the fact remains that the title to a half-share had already vested in Rasammah though the purchases were in the name of defendant. The husband had only acted as the agent of the wife. They were co-owners. The pecuniary advantage obtained should be for the benefit of both persons. Where the husband was allotted a share it ensures to the benefit of the wife. He holds it in trust for the wife. A Partition decree does not wipe away the character of the property between husband and wife. Section 92 of the Trust Ordinance would come into operation in a situation like this — *vide* 54 N. L. R. 484. It was ^{held} in 22 N. L. R. 137 that Trust express or constructive is not extinguished by a decree for partition but attaches to the divided portion.

In 63 N.L.R. 49, it was held that a partition decree does not wipe out trust or fideicommissum. I hold that the defendant held his wife Rasammah's share in trust. It is surprising why defendant in his answer did not disclose these facts. He certainly should have done so, if he took up the view that substituted defendant takes.

Though substituted defendant disclosed all these facts in his answer, he did not give evidence in support. The plaintiff alleged that in P2 substituted defendant disclosed 54 mortgage bonds which were not discharged till the time of his mother Rasammah's death. He was not aware what has happened to all that money.

It was submitted that as items 33, 40, 46 and 47 are lands situated in Anuradhapura hence the plaintiff could not maintain this action in this Court as the lands were outside its jurisdiction. But Section 9 of the Civil Procedure Code gives jurisdiction if the lands are within the jurisdiction of the Court or the defendant resides within the jurisdiction of the Court. In this case the original defendant resided within the jurisdiction of this Court and now the substituted defendant too resides within the jurisdiction of this Court and the court has therefore jurisdiction to hear this case.

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 Judgment of the
 District Court—
~~1956~~ 3.6.63
 —Continued.

On the question of Estoppel as stated by me earlier as the lands bear different names and the capacity of the substituted defendant is that of executor of the Last Will of the deceased defendant, the decree in Case No. 4329 for land called Nitchinganollai does not operate as Res Judicata in this case. But nevertheless the principle decide applies in toto.

The evidence also reveals that some of the lispensens in the partition cases referred to have not been correctly registered. It is not necessary to go into these in detail, as I have already held that half shares of these lands which had vested on Rasammah by operation of law and that in the Partition cases where shares were allotted to Kanagaratnam the defendant, he held¹⁰ Rasammah's shares in them in trust for her.

I answer the issues as follows :-

1. Did the deceased Rasammah become vested with the title to a half share of the lands described in the Schedule to the plaint by operation of law ?
 - A. Yes.
2. Is the defendant in wrongful possession of the half share of the said lands ?
 - A. Yes.
3. What damages is the plaintiff as the administrator of the estate²⁰ of Rasammah entitled to recover from the defendant ?
 - A. Rupces 2,500.00 per annum from date of plaint as agreed.
4. Do the proceedings, decree and order in Case No. 4329 of this court operate as res judicata ?
 - A. Legally No. But the principles decided apply.
5. Were the rights of Rasammah referred to in the plaint governed by Chapter 48 as amended by Ordinance 58 of 1947 ?
 - A. No.
6. Were the lands referred to in the plaint purchased by the defendant during the subsistence of his marriage with the said Rasam-³⁰ mah ?
 - A. Yes as admitted.
7. If issue No. 5 is answered in the affirmative, or issue No. 6 in the negative, is the plaintiff entitled to any share of the lands referred to in the plaint ?
 - A. Does not arise.

8. Were the lands referred to in paragraph 3 of the answer of the substituted defendant purchased by the deceased defendant out of his mudusom and separate money?

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Judgment of the
District Court ---
~~18-5-63~~ 3-6-63
---Continued.

A. No.

9. If the above issue is answered in the affirmative, is the plaintiff entitled to a half share out of the said lands?

A. Does not arise.

10. Are the plaintiff and his brothers in possession of the lands referred to in paragraph 5 of the original answer and paragraph 6 of the amended answer of the substituted defendant?

10

A. Yes only of items 1, 2, 4, 6, 8, 9, 10, 11, 12, 13 and 1/6 of 41 in plaintiff's Schedule.

11. If the above issue is answered in the affirmative :-

(a) What is the income received and appropriated by the plaintiff and his brothers in respect of the said lands?

(b) Is the defendant entitled to credit in respect of any amount found to have been received by the plaintiff and his brothers in respect of the said lands, in the event of the court holding that the plaintiff is entitled to a half share as administrator?

20

A. (a) Nil.

(b) No.

12. (a) Does the decree in Case No. 4329 apply to the land called Nit-chinganollai partitioned in the said case?

(b) If so, does the decree operate as res judicata in this case?

A. (a) Yes.

(b) No.

13. Were the lands Nos. 25, 26, 33, 34, 38, 39, 40, 41, 46, 47 and 48 in the Schedule annexed to the plaint, separate properties of the deceased defendant by virtue of final partition decree entered in Cases Nos. 2080 D.C. Point Pedro, 2309 D.C. Anuradhapura, 1415P D.C. Point Pedro, 124P. D.C. Point Pedro, 2515 D.C. Anuradhapura, 17655 D.C. Jaffna, 2263 D.C. Anuradhapura, and 2988 D.C. Point Pedro?

20

A. No.

14. (a) Were the lands under items Nos. 38 and 47 sold by the deceased defendant during his lifetime?

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 Judgment of the
 District Court
~~10-5-00~~ 3.6.63
 - Continued.

- (b) If so, has the plaintiff a cause of action against the substituted defendant in respect of the said lands ?
- A. (a) Yes.
- (b) No.
15. Has the deceased defendant donated the lands described under items 14, 19, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 40 and 46 to the substituted defendant Meenamamah, Visuwanathan and Sangarappillai, by deeds Nos. 2797, 2798, 2799, 2800 and 2801 dated 2-11-1952 and attested by P Kanapathypillai, Notary Public ?
- A. Yes. 10
16. If the above issue is answered in the affirmative, has the plaintiff a cause of action against the substituted defendant in respect of all the lands sold and donated except items Nos. 25, 26, 34, 46 and 47 ?
- A. No.
17. Did the deceased defendant build shop houses, and sink a well in the land described under item 21 of the Schedule to the plaint, after the death of the said Rasammah ?
- A. No.
18. If the above issue is answered in the affirmative, is the substituted ²⁰ defendant as executor of the Last Will of the deceased defendant, entitled to compensation for the same ?
- A. Does not arise.
19. What amount, if any is the substituted defendant entitled to as such compensation ?
- A. Nil.
20. Is the plaintiff liable to account for the income of the lands Nos. 1, 2, 4 — 13, 15, 20, 24, 36, 37, 41 and 42 described in the Schedule annexed to the plaint ?
- A. No. 30
21. Are the lands under the items 33, 40, 46 and 47 described in the Schedule annexed to the plaint, situated in the district of Anuradhapura ?
- A. Yes.
22. If the above issue is answered in the affirmative, can the plaintiff maintain this action ?

A. Yes.

No. 13
Judgment of the
District Court
~~12-5-62~~ 3.6.63
---Continued.

23. Are the claims of the substituted defendant based on his averments contained in paragraphs 6 and 14 of his answer, maintainable in these proceedings?

A. No.

24. Was the deceased defendant allotted the entirety of the thediatheddam share in partition cases referred to in paragraph 9 of the answer in trust for Rasammah and or as the title deeds were in favour of the deceased defendant?

10 A. Yes.

25. Was Rasammah and or her estate divested of the beneficial interest in respect of a half share of the thediatheddam of the lands referred to in paragraph 9 of the answer by reason of the decrees referred to in the said paragraph?

A. No.

26. Was lispensens in cases referred to in paragraph 9 of the answer duly registered?

A. No.

20 27. If issue No. 24 is answered in the affirmative and or if either of the issues 25 or 26 is answered in the negative, is the plaintiff still entitled to claim a half share of the thediatheddam share of the lands referred to in paragraph 9 of the answer?

A. Yes.

28. Has the deceased defendant any right to dispose of a half share of the lands referred to in paragraph 10 of the answer, in the manner alleged in the answer?

A. No.

29. If not, is the plaintiff still entitled to claim the said half share from the substituted defendant?

30 A. No.

30. Were the improvements alleged in paragraph 12 of the answer effected by the deceased defendant during the lifetime of Rasammah and or with his thediatheddam monies?

A. Yes.

No. 13
 Judgment of the
 District Court—
~~19-5-63~~ 3.6.63
 —Continued.

31. (a) Did the substituted defendant by his petition dated 31-1-1949 and affidavit annexed thereto, claim from it in respect of an alleged Last Will devising half share of the lands described in the Schedule to the plaint in this case to his father Kanagaratnam the original defendant in this case?
- (b) Did the substituted defendant represent in the said petition and affidavit that Rasammah left behind on her death, the half share of the lands claimed by the plaintiff in this case?
- (c) If either of the issues 31a or 31b is answered in the affirmative, is the substituted defendant estopped from denying that the estate of Rasammah is entitled to half share of the lands described in the Schedule to the plaint?
- A. (a) Yes.
- (b) Yes.
- (c) Yes.
32. In the event of the Court holding that the substituted defendant conducted himself or made representation as stated in the issues, 31a and 31b, did the plaintiff and the other heirs of the said Rasammah act on the said representation or conduct?
- A. Yes.
33. If, issue No. 32 is answered in the negative, is the plaintiff entitled to plead estoppel?
- A. Does not arise.

In the result I enter judgment for plaintiff as prayed for, damages fixed at Rs. 2,500.00 per annum and costs.

(Sgd). V. M. CUMARASWAMY,
Additional District Judge,
Point Pedro.

Delivered in the presence of Proctors for plaintiff and defendant.

(Sgd). Illegibly, ³⁰
District Judge.
 3-6-69.

Decree of the District Court

DECREE

IN THE DISTRICT COURT OF POINT PEDRO

KANAGARATNAM KATHIRGAMAN of Puloly West.

Administrator of the Estate of Rasamma in case
No. 400/T. D.C. Point Pedro.*Plaintiff.*

No. 6471.

Vs.

10 (Dead) VISUVANATHAR KANAGARATNAM of Puloly West.

*Defendant.*VISUVANATHAR KANAGARATNAM SUBRAMANIAM of Puloly
West, as Executor of the Last Will of the late Defendant
Visuvanathar Kanagaratnam.*Substituted Defendant.*

This action coming on for final disposal before V. M. Cumaraswamy Esquire, Acting District Judge of Point Pedro, on the 3rd day of June, 1963 in the presence of Mr. Advocate S. Soorasangaram instructed by Mr. S. Nagalingamudaly, Proctor on the part of the plaintiff and of Mr. Advocate
20 R. Sivapathasunderam instructed by Mr. M. Esurapadham, Proctor on the part of the substituted Defendant and the matter having been heard :

It is ordered and decreed that the plaintiff be and he as Administrator of the Estate of the late Rasamma is hereby declared entitled to a half share of the lands more fully described in the Schedule hereto.

It is further ordered and decreed that the Plaintiff as such Administrator be placed in peaceful possession thereof.

It is further ordered and decreed that the substituted defendant do pay to the plaintiff as such Administrator Rs. 2,500/- per annum as damages
30 from the 14th day of September, 1959 till the plaintiff is placed in peaceful possession of the said lands.

And it is further ordered and decreed that the substituted defendant do pay to the Plaintiff as such Administrator his costs of this action.

(Sgd). Illegibly,
District Judge.
8-6-63.

The 3rd day of June, 1963.

SCHEDULE

No. 14
Decree of the
District Court —
3-6-83
—Continued.

1. Land situated at Puloly West, Malavarayakurichchy called "VEERAPANDIANSEEMA" in extent 6, $\frac{1}{8}$ Lachchams V.C. and bounded in the East by lane, North by the 2nd land, West by the property of Kathirithamby Subramaniam and others and South by the property of Ponnachchy widow of Kandiah and others. Of this an undivided $\frac{16}{27}$ share.

2. Land situated at — Do — called "ETHIROLLAI" in extent 2, $\frac{3}{4}$ Lachchams V.C. and bounded on the East and North by lane, West by the property of Ponnu widow of Solian and others and on the South by the 10 1st land of this an undivided $\frac{61}{144}$ share.

3. Land situated at— Do — called "VILVALAI" in extent 8 Lachchams V.C. and $\frac{3,29}{32}$ kulies and bounded on the East by the property of Visuvanathar Kanagaratnam and others, North by lane, West by the property of Kathirgamar Kanapathipillai and others and on the south by the property of Velapper Subramaniam and others. Of this an undivided $\frac{1}{8}$ share.

4. Land situated — Do — called "VEERAPANDIANSEEMA" in extent 2, $\frac{1}{2}$ Lachchams V.C. and bounded on the East by lane, North by the property of Ponnu wife of Alvan Velan and West and South by the 20 property of the heirs of Subramaniam Jekasothy and others. The whole of this.

5. Land situated at Puloly West Singhapahuthevankurichchy called "VILVALAI" in extent 9, $\frac{1}{2}$ Lachchams V.C., and bounded on the East by lane, North by the property of Rasamma wife of Kanagaratnam and others, West by the property of Paramu Subramaniam and others and South by the property of the heirs of Seethevan. Of this an undivided $\frac{1}{6}$ share.

6. Land situated at — Do — Called "SEEMA" in extent 7, $\frac{1}{8}$ Lachchams V.C. — Do — Veedu 1. Of these parcels on the South an extent of 8 Lachchams V.C. and $\frac{5}{8}$ kulies and bounded on the East by the property 80 of Visuvanathar Kanagaratnam, North by the property of Visuvanathar Kanagaratnam and on the West and South by lane. Of this an undivided $\frac{1}{2}$ share.

7. Land situated at Puloly West, Malavarayakurichchy called "SEEMA" in extent 4 Lachchams V.C. and bounded on the East by the property of Visuvanathar Kanagaratnam, North by the property of Alvapillai Velautham, West by Street and on the South by the property of V. Kanagaratnam and others. The whole of this.

8. Land situated at— Do — called "SEEMA" in extent 5 Lachchams V.C. and $\frac{1}{8}$ Kuly and bounded on the East and South by the property of 40 V. Kanagaratnam, North by the property of Kandar Sinnathamby and West by lane. The whole of this.

9. Land situated at — Do—called “SEEMA” in extent 4 Lachchams V.C. and 13 Kulies and bounded on the East by the property of V. Kanagaratnam and others, West by the following 10th land and South by the property of V. Kanagaratnam and others and by lane. The whole of this.
10. Land situated at — Do — called “SEEMA” in extent 9 kulies bounded on the East by the aforesaid 9th land, North by the property of Theivanai widow of Murugappan, West by the property of Alvappillai Velauthan and on the South by the property of V. Kanagaratnam. The whole of this.
- 10 11. Land situated at — Do— called “SEEMA” in extent 1 Lachcham V.C. and bounded on the East by the property of V. Kanagaratnam and others, North by the property of Theivanaippillai widow of Murugappan, West by the aforesaid 10th land and on the South by the aforesaid 9th land. Of this an undivided 1/2 share.
12. Land situated at — Do - called “NITCHINGANOLLAI” in extent 2 Lachchams V.C. and 17, 5/8 Kulies and bounded on the East and South by lane, North by the property of V. Kanagaratnam and others, West by the property of V. Kanagaratnam. The whole of this.
- 20 13. Land called “SEEMA” situated at Puloly West, Singapahuthe-vankurichchy in extent 15 Lachchams V.C. and 1 Kuly with stone-built house and bounded on the East and South by lane, North by the property of Kandar Sinnathamby and others, West by the property of the heirs of Velauthar Arunasalam and others. The whole of this.
14. Land situated at Puloly West, Malavarayakurichchy called “NEDUNKULAVELITHENI THENKILAKILMETKU” in extent 13 Lachchams V.C. is bounded on the East by street, North by the property of Sivakamipillai widow of Murugappan and others, West by the property of Sivagamipillai wife of Sivapragasam and others and South by the property of Kanagaratnam and others. Of this an undivided 1/3 share.
- 30 15. Land situated at — Do — called “ARASADI” in extent 6 Lachchams V.C. and bounded on the East by the property of Kathirithamby Subramaniam, North by the property of Sothilingam wife of Cumaraswamy and others and South by the property of Kathirithamby Subramaniam and others. Of this an undivided 33/36 share of 1/3 share and share of well.
- 40 16. Land situated at Alvai, Mapankurichy called “PERIATHENY” in extent 1 Lachcham V.C. and bounded on the East by the following 18th. Land, North by the property belonging to Imparsitty Pillaiyar Temple, West by the property of Kanapathippillai Paramaguru and brothers and South by the property of Sinnathamangam wife of Somasundaram. The whole of this and share of well in the North.
17. Land situated at — Do — called “PERIATHENY” in extent 3, 3/5 Kulies and bounded on the East by the property of V. Kanagaratnam and others, North by the property belonging to Imparciddy Pillaiyar Temple,

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West by the aforesaid 16th land and on the South by the property of Sinnathangam wife of Somasundaram. Of this an undivided 1/4 share and share of well, right of way and water course.

18. Land situated at — Do — called “ PERIATHENY ” in extent 14, 2/4 Kulies with well and bounded on the East by the property of Wallipillai wife of Veluppillai, North by the property belonging to Imperchiddy Pillaiyar Temple, West by lane and South by the property of Sinnathangam wife of Somasundaram. Of these contained within these boundaries in the well and the share appertaining to this the right of way and water course and undivided 1/4 share of the ground coconut trees and palmyrah ¹⁰ trees.

19. Land situated at Alvai, Malvarayakurichchy called “ VATHAYAVILANAI ” in extent 92 Lachchams V.C. and 5, 1/4 Kulies and bounded on the East by lane and graveyard, North and South by the property of Valliappar Vethavanam and others. The whole of this.

20. Land situated at Alvai, Maniveeravakuthevankurichchy called “ AYATKULAPAI VAYAL ” in extent 22 Lachchams, V.C.Do. Thoddam 6. — Do — 12 Lachchams V.C. and bounded on the East by the property of Kathirithamby Subramaniam and others, North by the property of Kandiyait Pillaiyar Koil, West by the property of the heirs of Kumaraswamy ²⁰ Velayuthar and South by the property of the heirs of Kathiresar Subramaniam and others. Of this an undivided 23/96 share.

21. Land situated at Puloly West, Singapahuthevankurichchy called “ MANTHIODAI ” in extent 4 Lachchams V.C.-and 2, 20/32 Kulies and bounded on the East by the property of Theivanaippillai wife of Muttucumaraswamy and others, West by the property of Kanapathipillai Kunnappan and others and South by Road. The whole of this.

2. Land situated at Puloly West, Singapahuthevankurichchy called “ MANTHIODAI ” in extent 4 Lachchams V.C. and 10/32 Kulies and bounded on the East by the property of Sittampalam Sinnan and others, North ³⁰ by channel, West by the property of Ponnamma wife of Rasiah, South by the following 24th land. The whole of this and share of well and right of way and water course.

23. Land situated at — Do — called “ MANTHIODAI ” in extent 16, 20/32 Kulies and bounded on the East by the property of Sithamparam Sinnan and others, North by the aforesaid 22nd land. West by the property of Theivanai widow of Maniccam. The whole of this and share of well and right of way and water course.

24. Land situated at Alvai Veerakodiakurichchy called “ PADA-VADAPULATHUVAYAL ” in extent 17, 3/8 Lachchams V.C. and bounded ⁴⁰ on the East and South by the property of Kathirithamby Subramaniam and others, North by the property of Velappan Subramaniam and others. West by the property of Kandappan Kanagasabai and others. Of this an undivided 1/4 share.

25. Land situated at Puloly West, Singapahuthevankurichchy called **"NEDUNKULAVELITHENY"** in extent 4 Lachchams V.C. and 8, 8/16 Kulies with stone built house and bounded on the East by water channel, North by Road, West by the property of Kathirithamby Sabapathy and others, South by the property of Kathirithamby Sabapathy and others and by the property of Kamachchy wife of Kathirkamu and others. The whole of this.

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26. Land situated at Do --- called **"NEDUNKULAVELITHENY"** in extent 15, 9/16 Kulies is bounded on the East by the property of Britto Muttunayagam, North by the property of Krishnapillai Mailva-¹⁰ ganam, West by water channel and South by the property belonging to Aladipillaiyar Temple. The whole of this.

27. Land situated at Puloly West, Singapahuthevankurichchy called **"THEVAKALADDY"** in extent 7 Lachchams V.C. and bounded on the East by the following land. North by the property of Kathirithamby Subramaniam and others, West by the property of Sethupillai wife of Sinnathambiar and others and South by the property of Supper Murugesu and others. Of this an undivided 1/2 share.

28. Land situated at — Do --- called **"THEVAKALADDY"** in extent 15, 1/4 Lachchams V.C. and bounded on the East by the property of²⁰ Thamu Alvar and others, North by the property of Thangammah wife of Subramaniam and others, West by the aforesaid land and South by the property of Vallathai wife of Kathirippillai and others. Of this an undivided 1/3 share.

29. Land situated at Puloly West, Malayarayakurichchy called **"NEDUNKULAVELITHENI THENKILAKILMETKU"** in extent 7 Lachchams V.C. and 6, 1/2 Kulies with well is bounded on the East by lot No. 2 in plan No. 1450 dated 6th June 1937 and prepared by Mr. G. C. Ganapathipillai, Surveyor belonging to Parupathippillai widow of Kathirithamby, North by the property belonging to Alady Pillaiyar Temple. West by lot³⁰ No. 15 in the said Plan and on the South by lane. The whole of this and share in well in lots Nos. 16, 17, 18 and 20 and share in lots Nos. 19 and 21.

30. Land situated at Alvai, Veerakodiakurichchy and Maniveeravaguthevankurichchy called **"SEEMANSEEMA"** and **"SATHANAVATTAI"** in extent 6 Kulies and bounded on the East by the property of Kandiah Rasaratnam, North by lane, West by the property of Arumugam Velupillai, South by the land called Seemanseema. The whole of this.

31. Land situated at Alvai Veerakodiakurichchy and Maniveeravaguthevankurichchy called **"SEEMANSEEMA"** in extent 5, 3/8 Lachchams V.C. and bounded on the East by the property of Pillaiyar Koil situated at⁴⁰ Vyrappukaladdy, North by the property of Ponnampalam Muruguppillai and others and South by the property of Sethupathiammah wife of Rasaratnam and others. Of this an undivided 1/4 share of the ground and 1/4 share of plantation of the palmyrahs and 1/4 share of the remaining palmyrahs.

32. Land situated at Alvai Veerakodiakurichchy and Maniveeravaguthevankurichchy called **"SEEMANSEEMA"** and **"SATHANAVATTAI"** in extent 5 Lachchams V.C. and 14, 1/4 Kulies and bounded on the

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East by the property of Kandiah Rasaratnam and others, on the North by the property of Ponnampalam Muruguppillai and others, on the West by the property of Ramu Kathirippillai and others and on the South by the property of Kandiah Rasaratnam and another. Of this $1/4$ plantation share.

33. Land situated in the District of Anuradhapura in the village of Puliyankulam called "SIVANBALAWELA" in extent 39 Acres 3 roods and 20.9 perches. Of this extent for lot No. 8 is 3 Acres 1 Rood and 87 perches and bounded on the East by Railway reservation, North by lot No. 2 in the said plan, West and South by lot No. 1D. The whole of this.

34. Land situated at Thunnalai Veerasundaramudalikulichy called "NUNKAIYAPULAM" in extent 38 Lachchams V.C. and 6, $27/32$ Kulies.¹⁰ Of this the extent for lot No. 2 in plan 663 is 5 Lachchams V.C. and 10, $17/32$ Kulies and bounded on the East by lot No. 9, North by lot No. 1 and West by the property of the late Sinnathamby Subramaniam and on the South by lot No. 3. The whole of this.

35. Land situated at Puloly West Malavarayakurichy called "THINAIKALADDY" in extent 4 Lachchams V.C. and 1, $5/32$ Kulies. Of this an extent for lot No. 1 in plan No. 6505 is 3 Lachchams V.C. and $28/32$ Kulies and bounded on the East by the property of Kandar Kovinthy, North by Street, West by lot No. 2 in the said plan and on the South by the property²⁰ of Kaliappar Kandiah. The whole of this.

36. Land situated at — Do — called "VARANTHANAI" in extent 2, $3/4$ Lachchams V.C. and bounded on the East by the property of Ponnammah widow of Kandiah and others, North by the water channel, West by the village limit of Alvai and South by the property of Ponnachchy widow of Kandiah and others. Of this an undivided $1/18$ share.

37. The land situated at Puloly West, Singapahuthevankurichy called "VAIRANKALADDY" in extent 12, $1/8$ Lachchams V.C. — Do — Veedu $1/4$ forming a total extent of 12 Lachchams V.C. and 8, $1/4$ Kulies and bounded on the East, West and South by lane, North by the property of³⁰ Annapooranam wife of Arumugam and others. Of this an undivided $7/432$ share and $1/18$ share out of the palmyrahs and tamarind trees standing on the West of the land.

38. Land situated at Alvai Vecrakodiakurichy called "AMBALANTHENY" in extent 26 Lachchams V.C. and depicted in plan No. 1720 dated 9th October, 1940 and prepared by K. Valemuruku, Licensed Surveyor. Of this an extent for lot No. 2 in the said plan is 3 Lachchams V.C. and 4, $1/2$ Kulies is bounded on the East by the lane, North by lot No. 1, West by the property of Kanapathippillai Kumarasamy and wife Muthuppillai and others and on the South by lot No. 3. The whole of this.⁴⁰

39. Land situated at Alvai, Mapanakurichy called "PERIYATHENY" in extent 7 Lachchams V.C. and 12, $3/4$ Kulies as depicted in plan No. 2495 dated 19th June 1947 and prepared by K. Valemuruku, Licensed Surveyor. Of this extent for lot No. 1 is 3 Lachchams V.C. and 12, $1/2$ Kulies and

bounded on the East by lot No. 2, North by the property of Theivanai wife of Namasivayam and others, West by the property of Rasammah wife of Kandiah and others and on the South by lot No. 4. The whole of this and right of way and water course A.B.C. and well lying in the Eastern land.

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40. Land situated at Basuwakulam in the District of Anuradhapura called "BASUVAKULAMKELE" in extent 5 Acres 0 roods and 33 perches. The extent for lot No. 1 is 2 Acres 2 roods and 7 perches and bounded on the East by reservation along the road, North by the property belonging to Pansala, West by Ela and South by lot No. 2. The whole of
10 this.

41. Land situated at Puloly, Malavarayakurichchy called "NEDUNKULAVELITHENY THENKILAKILMETKU". Of this 1 Lachcham V.C. and 11, 1/2 Kulies being lot No. 3 marked in plan filed of record in Partition Case No. 17655 of the District Court of Jaffna and bounded on the East by the property of Sothilingam wife of Kumarasamy, North by the property belonging to Aladi Pillaiyar Temple, West by the property of Ponnamma widow of Singaravelu, South by lane. Of this an undivided 1/6 share.

42. Land situated at Puloly West, Singapahuthevankurichchy called
20 "SATHOLLAI" in extent 10, 1/8 Lachchams V.C. Of this 5, 1/8 Lachchams V.C. being Eastern half share and bounded on the East by the property of Lechchumy widow of Ramu and others, North by the property of Kandiah Vairamuttu and others, West by the property of Amuthammah wife of Subramaniam and South by water channel. Of this an undivided 1/18 share.

43. Land situated at Puloly West, Malavarayakurichchy called
"VILVALAI" in extent 14, 1/2 Lachchams V.C. and bounded on the East and North by the property of Kathirithamby Subramaniam and others, West and South by the property of Sinnathamby Somasundaram and others.
30 Of this an undivided 1/72 share.

44. Land situated at - Do - called "NEDUNKULAVELITHENY-KILAKILMETKU" in extent 72 Lachchams V.C. and bounded on the East by the property of Visuvanathar Kanagaratnam and others, North by the property of Sivakamippillai widow of Murugapper and others. West by the property of Veeragathiar Konamalai and others, South by the property of Rasammah widow of Sethuramalingam Kurukkal and others. Of the ground and well contained within these boundaries an undivided 1/3 share.

45. Land situated at Alvai Neelakuddiakurichchy called "URULAI" in extent 31, 5/8 Lachchams V.C.-Do-Thoddam 1. Of these parcels an
40 extent of 10, 1/2 Lachchams V.C. in the middle. Of this on the North an extent of 5 Lachcham V.C. and 2, 3/4 Kulies and bounded on the East and West by the property of Theivanai daughter of Ambalam and others, North by the property of Kadirgamar Ramalingam and South by the property of Parupathippillai wife of Alvappillai. The whole of this.

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46. Land situated in the District of Anuradhapura in the village of Bandara Bulankulame called "IBLWELA," "PAHALAWELA" KOKHAMATTAWELA" in extent 33 Acres 4 roods and 24 perches. Of this extent for lot No. 4 is 2 roods 16 perches, lot No. 5 is 3 Acres 8 perches, lot No. 9 is 1 Acre 1 rood and 16 perches. Total 5 Acres.

47. Land situated at the District of Anuradhapura lot No. 6 marked in plan No. 670 dated 5-10-42 made by C. J. Sabapathy, Licensed Surveyor, situated at Bandara Puliyankulama in Ebalawewatulana of Kendekorale of Nuwaragampalate in the District of Anuradhapura bounded on the North by lot No. 12 in the said plan No. 670, East by road reservation, South by lot 5 property belonging to P. B. Bulankulame and Railway reservation and West by Railway reservation containing in extent 4 Acres 2 roods 27/500 perches. The whole of this.

48. Land situated at Puloly West, Singabahuthevankurichchy called "KOMMIKALADDY" in extent 32 Lachchams V.C. and 3 Kulies and bounded on the East by the property of Sithamparanathar Kanapathippillai and others. North by the property of Kanapathiar Vairavippillai and others and by the property of Vallathai wife of Vairamuttu and others, West by lane and South by the property of Sithambaranathar Kanapathipillai. Of this an undivided 54/384 share.

(Sgd). Illegibly,
District Judge.
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Drawn by

(Sgd.)
Proctor for Plaintiff.

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No. 15

Petition of Appeal to the Supreme Court

IN THE DISTRICT COURT OF POINT PEDRO

KANAGARATNAM KATHIRGAMAN of Puloly West, Administrator of the estate of Rasanma in Case No. 400T D.C. Point Pedro.

Plaintiff

No. 6471

Vs

(Dead) VISUVANATHAR KANAGARATNAM of Puloly West

VISUVANATHAR KANAGARATNAM SUBRAMANIAM of Puloly West as Executor of the Last Will and Testament of the late VISUVANATHAR KANAGARATNAM

Substituted Defendant.

IN THE SUPREME COURT OF CEYLON

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VISUWANATHAR KANAGARATNAM SUBRAMANIAM of Puloly West as Executor of the Last Will and Testament of the late VISUWANATHAR KANAGARATNAM of Puloly West

Substituted Defendant - Appellant.

S.C. 280 (F) 1963

Vs.

KANAGARATNAM KADIRGAMAN of Puloly West, Administrator of the estate of Rasamma in Case No. 400 Testamentary D.C. Point Pedro.

10

Plaintiff Respondent.

To.

THE HONOURABLE THE CHIEF JUSTICE AND THE OTHER JUDGES
OF THE SUPREME COURT

The 10th day of June, 1963.

The petition of appeal of the abovenamed Substituted Defendant-Appellant appearing by M. Esurapadham his Proctor states as follows :—

1. The Plaintiff-Respondent brought this action for a declaration of title to a half share of the lands described in the Schedule to the plaint, to recover damages and possession and costs and also pleaded that the judgment, decree and order in Case No. 4329 of the District Court of Point Pedro operated as res judicata.
2. The Defendant and subsequently the substituted defendant filed answer denying the Plaintiff's claim and stated that the estate of Rasamma was governed by Ordinance No. 58 of 1947, that all the acquisitions were in the name of the deceased Defendant, that no share of the lands devolved on his late wife's heirs, that items 6, 13, 14, 16 to 18, 21 to 26, 29 to 34, 38, 39, 40, 44 to 48 in the Schedule to the plaint were the separate property of the deceased Defendant as the said lands were purchased out of his mudusom money and the separate money of his first bed children, that items, 25, 26, 33, 34, 38, 39, 40, 41, 46 and 47 were the separate property of the deceased Defendant by virtue of Final Partition decrees in Cases Nos. 2080 D.C. Point Pedro, 2309 D.C. Anuradhapura, 1415/P D.C. Point Pedro, 124/P D.C. Point Pedro, 2515 D.C. Anuradhapura, 17655 D.C. Jaffna, 2263 D.C. Anuradhapura and 2988 D.C. Point Pedro, that the plaintiff and his brothers were in possession of items, 1, 2, 4 to 13, 15, 20, 24, 36, 37, 41 and 42 of lands described in the Schedule and should account for the income, that the deceased Defendant had during his lifetime sold items 38 and 47 and had conveyed items, 14, 19, 21 to 28, 33, 34, 40 and 46 to his first bed children and also claimed Rs. 15,000/- as compensation for improvements made in respect of item 21 of the Schedule to the plaint and also moved for a dismissal of the action.

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3. The case came up for trial on the following issues and the learned Additional District Judge by his judgment dated 3-6-1963 entered decree in favour of the Plaintiff Respondent as prayed for but damages fixed as agreed at Rs. 2,500/- per annum.

1. Did the deceased Rasamma become vested with the title to a half share of the lands described in the Schedule to the plaint by operation of law?
2. Is the Defendant in wrongful possession of the half share of the said lands?
3. What damages is the plaintiff as administrator of the estate of ¹⁰ Rasamma entitled to recover from the Defendant?
4. Do the proceedings decree and order in Case No. 4329 of this Court operate as res judicata?
5. Were the rights of Rasamma referred to in the plaint govern by Chapter 48 as amended by Ordinance No. 58 of 1947?
6. Were the lands referred to in the plaint purchased by the Defendant during the subsistence of his marriage with the said Rasammah?
7. If issue No. 5 is answered in the affirmative or issue No. 6 in the negative is the Plaintiff entitled to any share of the land referred ²⁰ to in the plaint?
8. Were the lands referred to in paragraph 3 of the answer of the substituted Defendant purchased by the deceased Defendant out of his mudusom and separate money?
9. If the above issue is answered in the affirmative is the Plaintiff entitled to a half share out of the said lands?
10. Are the Plaintiff and his brothers in possession of the lands referred to in paragraph 5 of the original answer and paragraph 6 of the amended answer of the substituted Defendant?
11. If the above issue is answered in the affirmative :— 80
 - (a) What is the income received and appropriated by the Plaintiff and his brothers in respect of the said lands?
 - (b) Is the Defendant entitled to credit in respect of any amounts found to have been received by the Plaintiff and his brothers in respect of the said lands in the event of the Court holding that the Plaintiff is entitled to a half share as administrator?
12. (a) Does the decree in Case No. 4329 apply to the land called Nitchinganollai partitioned in the said case?
(b) If so, does the decree operate as res judicata in this case?

13. Were the lands Nos. 25, 26, 33, 34, 38, 39, 40, 41, 46, 47, and 48 in the Schedule annexed to the plaint separate properties of the deceased Defendant by virtue of Final Partition Decree entered in Cases Nos. 2080 D.C. Point Pedro, 2309 D.C. Anuradhapura, 1415/P D.C. Point Pedro, 124/P D.C. Point Pedro, 2515 D.C. Anuradhapura, 17655 D.C. Jaffna, 2263 D.C. Anuradhapura and 2988 D.C. Point Pedro?

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14. (a) Were the lands under items 38 and 47 sold by the deceased Defendant during his lifetime?

10 (b) If so, has the Plaintiff a cause of action against the substituted Defendant in respect of the said lands?

15. Has the deceased Defendant donated the lands described under items 14, 19, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 40, and 46 to the substituted Defendant, Meenammah, Viswanathan and Sangarapillai by deeds Nos. 2797, 2798, 2799, 2800 and 2801 dated 2-11-1952 and attested by P. Kanapathipillai Notary Public?

20 16. If the above issue is answered in the affirmative has the Plaintiff a cause of action against the substituted Defendant in respect of all the lands sold and donated except items Nos. 25, 26, 34, 36 and 47?

17. Did the deceased Defendant build shop houses and sink a well in the land described under item 21 of the Schedule to the plaint after the death of the said Rasamma?

18. If the above issue is answered in the affirmative is the substituted Defendant as executor of the Last Will of the deceased Defendant entitled to compensation for the same?

19. What amount if any is the substituted Defendant entitled to as such compensation?

30 20. Is the Plaintiff liable to account for the income of the land Nos. 1, 2, 4 — 13, 15, 20, 24, 36, 37, 41 and 42 described in the Schedule annexed to the plaint?

21. Are the lands under items 33, 40, 46 and 47 described in the Schedule annexed to the plaint situated in the District of Anuradhapura?

22. If the above issue is answered in the affirmative can the Plaintiff maintain this action?

40 23. Are the claims of the substituted Defendant based on his averments contained in paragraph 6 and 14 of his answer maintainable in these proceedings?

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24. Was the deceased Defendant allotted the entirety of Thediatheddham share in partition cases referred to in paragraph 9 of the answer in trust for Rasamma and/or as the title deeds were in favour of the deceased defendant?
25. Was Rasamma and/or her estate divested of the beneficial interest of a half share of the thediatheddham of the lands referred to in paragraph 9 of the answer by reason of the decrees referred to in the said paragraphs?
26. Was lispensens in cases referred to in paragraph 9 of the answer duly registered? 10
27. If issue No. 24 is answered in the affirmative and/or if either of the issues 25 and 26 is answered in the negative is the Plaintiff still entitled to claim a half share of the thediatheddham share of the lands referred to in paragraph 9 of the answer?
28. Has the deceased Defendant any right to dispose a half share of the land referred to in paragraph 10 of the answer in the manner alleged in the answer?
29. If not, is the Plaintiff still entitled to claim the said half share from the substituted Defendant?
30. Were the improvements alleged in paragraph 12 of the answer effected by the deceased Defendant during the lifetime of Rasamma and/or with his Thediatheddham money? 20
31. (a) Did the substituted Defendant by his petition 31-1-1949 an affidavit annexed thereto claim from it in respect of an alleged Last Will devising a half share of the lands described in the schedule to the plaint in this case by his father Kanagaratnam the original Defendant in this case?
- (b) Did the substituted Defendant represent in the said petition and affidavit that Rasamma left behind on her death a half share of the lands claimed by the Plaintiff in this case? 30
- (c) If either of the issues 31(a) or 31(b) is answered in the affirmative, is the substituted Defendant estopped from denying that the estate of Rasammah is entitled to a half share of the lands described in the Schedule to the plaint?
32. In the event of the Court holding that the substituted Defendant conducted himself or made representations as stated in the issue 31 (a) and 31 (b) did the Plaintiff and the other heirs of the said Rasamma act on the said representations or conduct?
33. If issue No. 32 is answered in the negative is the Plaintiff entitled to plead estoppel? 40

4. Feeling dissatisfied with the said Judgment and decree the Appellant begs to appeal to Your Lordships Court on the following among other grounds that may be urged by counsel at the hearing of this appeal.

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—Continued.

- (a) The said Judgment is contrary to law and the weight of evidence adduced in this case.
- (b) The Appellant respectfully submits that on the evidence and documents produced in this case the learned Additional District Judge should have dismissed Plaintiff's action with costs.
- 10 (c) The Appellant humbly submits that the learned Additional District Judge could not have held that a half share of the said lands vested in Rasammah in as much as the estate of Rasammah was governed by Ordinance No. 58 of 1947, as Rasammah died on 20th August, 1948.
- (d) The Appellant humbly submits that items 25, 26, 33, 34, 38, 39, 40, 41, 46, 47 and 48 in the Schedule to the plaint cannot in any event be thediatheddam property in as much as partition decrees created a new title in favour of the deceased Defendant.
- 20 (e) In view of the fact that the learned Additional District Judge had held that the Plaintiff and his brothers were in possession of some lands he should have set off the income as against the damages and not awarded any damages.
- (f) The Appellant humbly submits that the learned Additional District Judge could not have held that items 6, 13, and 14 of the Schedule to the plaint were thediatheddam property in as much as the consideration was mudusom money as stated in D1 and D2.
- 30 (g) The Appellant submits that the learned Additional District Judge could not have held that the Defendant's daughter was dowried in view of the fact that no document was produced to support it.
- (h) The Appellant submits that in any event the learned Additional District Judge could not have held that there was any trust in favour of the late Rasammah in respect of items 25, 26, 33, 34, 38, 39, 40, 41, 46, 47 and 48 on the Schedule to the plaint in as much as the Final Partition Decrees wiped away the rights of all persons whomsoever and that in law no valid trust either constructive or otherwise existed.

40 WHEREFORE the Defendant-Appellant prays :—

- (i) That the said Judgment and decree dated 3-6-63 be set aside.
- (ii) For costs of this appeal and of the Court below and for such other and further relief as to Your Lordships ' Court shall seem meet.

(Sgd.) M. ESURAPADHAM,
Proctor for Defendant Appellant.

No. 15
 Petition of Appeal
 to the Supreme
 Court —
 10-6-68
 —Continued.

MEMORANDUM OF DOCUMENTS ANNEXED

- (i) List of documents filed by Plaintiff Respondent.
- (ii) List of documents filed by Defendant Appellant.

(Sgd.) M. ESURAPADHAM,
Proctor for Defendant Appellant.

1. List of documents filed by Plaintiff-Respondent

- P1. Mortgage bond No. 9973 of 20-1-1910.
- P2. Certified copy of petition dated 30-1-1949 filed by the substituted Defendant in Case No. 400/T. D.C. Point Pedro.
- P3. Certified copy of affidavit filed by substituted Defendant in ¹⁰ Case No. 400/T. D. C. Point Pedro.
- P4. Certified copy of the petition filed by the Plaintiff in Case No. 400/T. D.C. Point Pedro.
- P4a. Certified copy of affidavit filed by Plaintiff in Case No. 400/T. D. C. Point Pedro.
- P5. Certified copy of deed No. 1573 of 1-4-1943.
- P6. Certified copy of deed No. 6579 dated 4-10-1943.
- P7. Certified copy of deed No. 6593 of 7-10-1943.
- P8. Certified copy of deed No. 2842 of 4-10-1939.
- P9. Certified copy of certificate of sale in Case No. 2080 D.C. Point ²⁰ Pedro.
- P10. Certified copy of deed No. 2190 of 16-10-1933.
- P11. Certified copy of deed No. 94 of 1-12-1940.
- P12. Deed No. 3325 of 4-2-1936.
- P13. Certified copy of plaint in Case No. 4329 D. C. Point Pedro.
- P13a. Certified copy of the statement of claim filed by the Defendant in Case No. 4329.
- P13b. Certified copy of the statement of claim filed by the Plaintiff and his brothers in Case No. 4329.
- P13c. Certified copy of Final Partition Decree in Case No. 4329 D.C. Point Pedro.

- P14a & b.** Certified copy of the issues and the order on the issues in Case No. 4329 D.C. Point Pedro. No. 15
Petition of Appeal
to the Supreme
Court —
10-6-63
—Continued.
- P14c.** Judgment of the Supreme Court in Case No. 4329 D.C. Point Pedro.
- P15.** Certified copy of deed No. 2415 of 10-1-1935.
- P16.** Certified copy of deed No. 1232 of 28-10-1932.
- P17** Certified copy of application for registration of lispensens in Case No. 2515 D.C. Anuradhapura.
- 10 **P18.** Certified copy of the plaint in Case No. 2515 D.C. Anuradhapura.
- P19.** Certified copy of registration entries in folios A 3/287, A 8/3, A 8/49, A 16/331, A 22/312.
- P20.** Certified copy of registration entries in folios A 35/47, A 134/207.
- P21.** Certified copy of registration entries in folio A4/226.
- P22.** Certified copy of registration entries in folios A 3/86, A 74/61, A 91/68, A 104/10.
- P23.** Certified copy of registration entry in folio A 61/23.
- 20 **P24.** Certified copy of application for registration of lispensens in Case No. 2263 D.C. Anuradhapura.
- P 25.** Certified copy of the plaint in Case No. 2263 D.C. Anuradhapura.
- P26.** Certified copy of registration entries in folios A 56/205, A 91/67, A 122/134.
- P27.** Certified copy of registration entries in folios A 93/202, A 96/156, A 119/18.
- P28.** Certified copy of registration entry in folio A 77/100.
- P29.** Certified copy of registration entry in folio A 7/69.
- P30.** Certified copy of registration entry in folio A 39/234.
- 30 **P31.** Certified copy of registration entries in folio A 154/285.
- P32.** Certified copy of registration entry in folio A 185/11.
- P33.** Certified copy of registration entry in folio A 3/367.

No. 15
Petition of Appeal
to the Supreme
Court —
10-6-63
—Continued.

- P34.** Certified copy of registration entry in folio A 331/118.
- P35.** Certified copy of registration entry in folio A 331/117.
- P36.** Certified copy of registration entry in folios A 208/89 and A 11/81.
- P37.** Certified copy of registration entry in folio A 307/275.
- P38.** Certified copy of registration entry in folio A 6/155.
- P39.** Certified copy of registration entry in folio A41/28.
- P40.** Certified copy of registration entry in folio A 88/250.
- P41.** Certified copy of registration entry in folios A 123/225, A 193/41, A 27/25. ¹⁰
- P42.** Certified copy of deed No. 6838 of 10-1-1906.
- P43.** Certified copy of deed No. 2511 of 24-7-1959.
- P44.** Certified copy of Inventory in case No. 1420/T. D. C. Jaffna.

2. List of documents filed by Defendant Appellant

- D1.** Deed No. 16363 dated 5th June, 1921.
- D2.** Deed No. 20711 dated 21-2-1927.
- D3.** Deed No. 10834 dated 25-12-1909.
- D4.** Deed No. 7684 dated 30th June, 1906.
- D5.** Deed No. 9935 dated 21-1-1910.
- D6.** Deed No. 10293 dated 9-7-1910. ²⁰
- D7.** Deed No. 5619 dated 29-7-1943.
- D8.** Deed No. 2797 dated 2-11-1952.
- D9.** Deed No. 2798 dated 2-11-1952.
- D10.** Deed No. 2799 dated 2-11-1952.
- D11.** Deed No. 2801 dated 2-11-1952.
- D12.** Final Partition Decree in Case No. 2515 D.C. Anuradhapura.
- D13.** Decree for sale in Case No. 2080P. D.C. Point Pedro.

- D14. Certificate of sale and Final Partition Decree in D.C. Jaffna Case No. 8841 filed in Case No. 2080 P. D.C. Point Pedro. No. 15
Petition of Appeal
to the Supreme
Court—
10-6-63
—Continued.
- D15. Certified copy of registration entry in folio A 88/254.
- D16. Certified copy of Journal Entry of 24-9-1949 in Case No. 400/T D.C. Point Pedro.
- D17. Final Partition Decree in Case No. 2309 D.C. Anuradhapura.
- D18. Final Partition Decree in Case No. 1415/P. D.C. Point Pedro.
- D19. Final Partition Decree in Case No. 124/P. D.C. Point Pedro.
- D20. Final Partition decree in Case No. 2263 D. C. Anuradhapura.
- ¹⁰ D21. Final Partition Decree in Case No. 2988 D. C. Point Pedro.

(Sgd.) M. ESURAPADHAM,
Proctor for Defendant Appellant

No. 16

No. 16
Judgment of the
Supreme Court —
5-2-66

Judgment of the Supreme Court

S.C. 280(F)/1963

D.C. Point Pedro — 6471

Present : TAMBIAH, J. & SRI SKANDA RAJAH, J.

Counsel : H. W. JAYAWARDENE, Q.C., with V ARULAMBALAM and B. ELIYATHAMBY for the Substituted-Defendant-Appellant.

²⁰ C. RANGANATHAN, Q.C., with S. SHARVANANDA for the Plaintiff-Respondent.

Argued and Decided on : February 5th, 1966.

TAMBIAH, J.

Plaintiff brought this action for declaration of title to a half share of the lands described in the Schedule to the plaint, to recover damages and possession, on the footing that these properties were acquired by his father Viswanathar Kanagaratnam, the defendant, during the subsistence of the marriage between his father and his mother Rasammah. Rasammah, married in 1916 and died on the 20th of August, 1948.

No. 16
Judgment of the
Supreme Court—
5-2-66
--Continued.

It is the case of the Plaintiff, who is the administrator of the estate of Rasammah, that a half share of these properties has been vested in the heirs of Rasammah. The defendant in this case Viswanathar Kanagaratnam is the father of the plaintiff. Viswanathar Kanagaratnam died during the course of these proceedings in the lower court. The Substituted-Defendant who is the administrator of this estate was substituted.

The defendant took up the position that although the parties were governed by the law of Thesawalamai as amended by Ordinance No. 58 of 1947, it had a retrospective effect.

The learned District Judge has held against the defendant on this point ¹⁰ since this matter is covered by the decision of a Court of Five judges. As the same point was decided between the same parties in an earlier case, it was not possible for Mr. Jayawardene to press this point in appeal. Mr. Jayawardene however contended that out of these 48 lands plaintiff was in possession of some of the lands and therefore he could not claim mesne profits or damages. The evidence led in the case showed that the mesne profits from the lands possessed by the plaintiff are negligible.

He also contended that some of the lands have been sold and gifted by the defendant during his lifetime, and therefore an action for declaration and title or damages cannot be brought against him. The uncontradicted ²⁰ evidence in the case is that the defendant is in possession of all these lands and denied the title of the plaintiff. Therefore the plaintiff is entitled to bring this action for declaration of title and damages. Mr. Jayawardene also contended that as the defendant and the children are the heirs of Rasammah they are co-owners and therefore an order of ejection cannot be granted in this case. The proper action should be a partition action. This contention is sound. We delete that part of the decree in paragraph 3, which is as follows :—

“ It is further ordered and decreed that the plaintiff as such administrator be placed in peaceful possession thereof.” ³⁰

Subject to this alteration, the decree will stand. The appeal is dismissed with costs.

(Sgd.) H. W. TAMBLIAH,

Puisne Justice.

SRI SKANDA RAJAH, J.

I agree.

(Sgd.) SRI SKANDA RAJAH,

Puisne Justice.

Decree of the Supreme Court

S.C. 280/63 (F)

ELIZABETH THE SECOND, QUEEN OF CEYLON AND OF HER OTHER
REALMS AND TERRITORIES HEAD OF THE COMMONWEALTH

IN THE SUPREME COURT OF THE ISLAND OF CEYLON

KANAGARATNAM KATHIRGAMAN of Puloly West, Adminis-
trator of the Estate of Rasammah in Case No. 400 Testa-
mentary D.C. Point Pedro.

10

*Plaintiff.**Vs.*

(Dead) VISWANATHAR KANAGARATNAM of Puloly West.

*Defendant.*VISWANATHAR KANAGARATNAM SUBRAMANIAM of Puloly
West as Executor of the Last Will and Testament
of the late Viswanathar Kanagaratnam of Puloly West.*Substituted-Defendant.*

20

VISWANATHAR KANAGARATNAM SUBRAMANIAM of Puloly
West as Executor of the Last Will and Testament of the
late Viswanathar Kanagaratnam of Puloly West.*Substituted Defendant - Appellant.**Against*

KANAGARATNAM KATHIRGAMAN of Puloly West.

Plaintiff Respondent.

Action No. 6471.

District Court of Point Pedro.

This cause coming on for hearing and determination on the 5th day of February, 1966 and on this day, upon an appeal preferred by the Substituted-Defendant-Appellant before the Hon. Henry Wijayakone Tambiah, Q.C.,
 30 Puisne Justice and the Hon. Ponnuduraisamy Sri Skanda Rajah, Puisne Justice of this Court, in the presence of Counsel for the Substituted-Defendant-Appellant and the Plaintiff-Respondent.

No. 17
Decree of the
Supreme Court—
5-2-66
—Continued.

It is considered and adjudged that the part of the decree in paragraph 3 entered in the lower Court which reads, "It is further ordered and decreed that the plaintiff as such administrator be placed in peaceful possession thereof," be and the same is hereby deleted. Subject to this alteration, the decree will stand.

It is ordered and decreed that this appeal is dismissed.

It is further ordered and decreed that the Substituted-Defendant-Appellant do pay to the Plaintiff-Respondent the taxed costs of this appeal.

(Vide Copy of Judgment attached.)

Witness the Honourable Miliani Claude Sansoni, Chief Justice at ¹⁰ Colombo, the 17th day of February in the year One Thousand Nine Hundred and Sixty-Six and of Our Reign the Fifteenth.

(Sgd.) B. F. PERERA,
Deputy Registrar, Supreme Court.

No. 18
Application for
Conditional
Leave to Appeal
to the Privy
Council—
3-3-66

No. 18

Application for Conditional Leave for Appeal to the Privy Council

IN THE SUPREME COURT OF THE ISLAND OF CEYLON

**IN THE MATTER OF AN APPLICATION UNDER RULE 2 OF THE SCHEDULE TO
THE APPEALS (PRIVY COUNCIL) ORDINANCE CHAPTER 100 FOR CONDITIONAL
LEAVE TO APPEAL TO HER MAJESTY IN COUNCIL** 20

VISWANATHAR KANAGARATNAM SUBRAMANIAM of Puloly
West as Executor of the Last Will and Testament of the
late Viswanathar Kanagaratnam of Puloly West

Substituted - Defendant - Appellant.

No. 6471 D.C. Point Pedro Vs.
S.C. 280/1963(F)
77/66

KANAGARATNAM KADIRGAMAN of Puloly West Adminis-
trator of the estate of Rasammah in Case No. 400 Testa-
mentary D.C Point Pedro. 30

Plaintiff-Respondent.

To :

**THE HONOURABLE THE CHIEF JUSTICE AND THE OTHER JUDGES OF
THE HONOURABLE THE SUPREME COURT OF THE ISLAND OF CEYLON**

On this 3rd day of March, 1966.

The petition of the Substituted-Defendant-Appellant appearing by
S. Velauthapillai his Proctor states as follows :—

1. The Appellant is the Substituted-Defendant-Appellant and the Respondent is the Plaintiff-Respondent in S.C. Appeal No. 280/1963(F) in the District Court of Point Pedro Case No. 6471.

No. 18
Application for
Conditional Leave
to Appeal to the
Privy Council.
3-3-66

--Continued.

2. Being aggrieved by the Judgment of this Court pronounced on the 5th February, 1966 the Petitioner is desirous of appealing therefrom to Her Majesty the Queen in Council.

3. The said Judgment of the Supreme Court is a final Judgment and the matter in dispute on the Appeal amounts to over Rs. 5,000/- and/or the appeal involved directly or indirectly a sum claimed or questioned to or
10 respecting property over the value of Rs. 5,000/-

4. The Petitioner has within 14 days from the date of the said Judgment given the Plaintiff-Respondent abovenamed the following Notice of his intended application for Leave to Appeal to Her Majesty the Queen in Council (Case No. S.C. 280/(F)/63 — 6471 D.C. Point Pedro.

Take Notice that I intend applying to the Hon'ble The Supreme Court Under Rule 2 of the Schedule to the Privy Council Appeals Ordinance Chapter 100 of the Legislative Enactments for Leave to Appeal to Her Majesty the Queen in Council against the Judgment of the Supreme Court delivered on 5th February, 1966 in the above case.

20 This 13th day of February, 1966.

(Sgd.) V. K. SUBRAMANIAM,
Substituted - Defendant.

5. The aforesaid Notice of the Petitioner's intended application for Leave to Appeal to Her Majesty the Queen in Council was sent by the Petitioner to the Plaintiff-Respondent under Registered cover addressed to 67, Davidson Road, Bambalapitiya on 13th day of February, 1966 and also under Certificate of Posting on 13th day of February, 1966 and also a Telegram dated 13th day of February, 1966. The said Registered letter, the letter sent under certificate of posting and the Telegram have not been returned
30 to the Petitioner by the Post office for non-delivery.

WHEREFORE the Petitioner prays that Your Lordships' Court be pleased :---

- (a) to make Order granting the Petitioner conditional leave to Appeal to Her Majesty the Queen in Council from the said Judgment of the Supreme Court dated the 5th day of February, 1966.
- (b) For costs, and,
- (c) For such other and further relief in the premises as to Your Lordships' Court shall seem meet.

(Sgd.) S. VELAUTHAPILLAI,
Proctor for Substituted-Defendant-Appellant.

**Minute of Order granting Conditional Leave to Appeal to the
Privy Council**

IN THE SUPREME COURT OF THE ISLAND OF CEYLON

In the matter of an application for Conditional Leave to Appeal to the Privy Council under the Rules set out in the Schedule to the Appeals (Privy Council) Ordinance.

VISWANATHAR KANAGARATNAM SUBRAMANIAM of Puloly West as Executor of the Last Will and Testament of the late VISWANATHAR KANAGARATNAM of Puloly West.

10

S.C. 280 (F) /1963
D.C. Point Pedro
Case No. 6471.
S. C. Application
No. 77 of 1966.

Substituted-Defendant-Appellant.

vs.

KANAGARATNAM KADIRGAMAN of Puloly West Administrator of the estate of Rasammah in Case No. 400 Testamentary D.C. Point Pedro.

Plaintiff Respondent.

The application of Viswanathar Kanagaratnam Subramaniam of Puloly West as Executor of the Last will and Testament of the late Viswanathar Kanagaratnam of Puloly West, for Conditional Leave to Appeal to Her Majesty the Queen in Council from the judgment and decree of the Supreme Court of the Island of Ceylon pronounced on the 5th day of February, 1966, in S.C. 280 (Final) of 1963 D.C. Point Pedro Case No. 6471, having been listed for hearing and determination before the Honourable Hugh Norman Gregory Fernando, Puisne Justice and the Honourable Asoka Windra Hemantha Abeyesundere, Q. C., Puisne Justice, in the presence of V. Arulambalam Esquire, Advocate for the Substituted-Defendant Appellant and S. Sharvananda Esquire, with K. Sivananthan Esquire, Advocates for the Plaintiff-Respondent, order has been made by Their Lordships on the Eighth day of May, 1966 allowing the aforementioned application for Conditional Leave to Appeal to Her Majesty the Queen in Council.

(Sgd.) N. NAVARATNAM,
Registrar of the Supreme Court.

No. 20

No. 20
Application for
Final Leave to
Appeal to the
Privy Council—
4-6-66

Application for Final Leave to Appeal to the Privy Council

IN THE SUPREME COURT OF THE ISLAND OF CEYLON

IN THE MATTER OF AN APPEAL TO HER MAJESTY THE QUEEN IN COUNCIL.

VISWANATHAR KANAGARATNAM SUBRAMANIAM of Puloly West as Executor of the Last Will and Testament of the late Viswanathar Kanagaratnam of Puloly West

Substituted Defendant Appellant.

¹⁰ S.C. No. 280/1963 (Final)
D.C. No. 6471 Point Pedro Vs.
Application for Conditional leave to
Appeal No. 77/66
229/66

KANAGARATNAM KADIRGAMAR of Puloly West Administrator of the Estate of Rasammah in Case No. 400 Testamentary D.C. Point Pedro.

Plaintiff Respondent.

On the 4th day of June, 1966.

²⁰ **TO HIS LORDSHIP THE HONOURABLE THE CHIEF JUSTICE AND OTHER JUDGES OF THE SUPREME COURT OF THE ISLAND OF CEYLON.**

The Petition of the substituted Defendant-Appellant Petitioner above-named appearing by Mr. S. Velauthapillai, his Proctor, states as follows:—

1. The Substituted-Defendant-Appellant Petitioner on the 8th day of May, 1966 obtained Conditional Leave from this Honourable Court to appeal to Her Majesty the Queen in Council against the judgment of this Court pronounced on the 5th day of February, 1966.

³⁰ 2. That the Substituted-Defendant-Appellant has in compliance with the conditions on which such leave is granted given security by deposit of a sum of Rupees Three Thousand (Rs. 3,000/-) with the Registrar of the Supreme Court and by hypothecation thereof by Bond and also deposited with the Registrar a sum of Rupees three hundred (Rs. 300/-) in respect of the amount and fees mentioned in Section 4 (2) (b) (c) of the Appeals (Privy Council) Ordinance.

WHEREFORE the Substituted-Defendant-Appellant Petitioner prays :

(a) that he be granted Final Leave to Appeal against the said Judgment of this Court dated 5th day of February, 1966 to Her Majesty the Queen in Council

(b) for costs and,

⁴⁰ (c) for such other and further relief as to Your Lordships' Court shall seem meet.

(Sgd.) S. VELAUTHAPILLAI,
Proctor for Substituted-Defendant-Appellant.

**Minute of Order granting Final Leave to Appeal to the
Privy Council**

IN THE SUPREME COURT OF THE ISLAND OF CEYLON

**IN THE MATTER OF AN APPLICATION FOR FINAL LEAVE TO APPEAL
TO THE PRIVY COUNCIL UNDER THE RULES SET OUT IN THE SCHEDULE
TO THE APPEALS (PRIVY COUNCIL) ORDINANCE.**

**VISWANATHAR KANAGARATNAM SUBRAMANIAM of Puloly
West as Executor of the Last Will and Testament of the
Late Viswanathar Kanagaratnam of Puloly West.**

10

S.C. Application
No. 77/66
(Conditional Leave)

Substituted - Defendant - Appellant.

S.C. Application
No. 229/66
(Final Leave)

Vs.

S.C. 280(F)/1963
D.C. Point Pedro
Case No. 6471

**KANAGARATNAM KADIRGAMAN OF Puloly West - Adminis-
trator of the Estate of Rasammah in Case No. 400 Testa-
mentary D.C. Point Pedro.**

20

Plaintiff - Respondent.

The application of Viswanathar Kanagaratnam Subramaniam of Puloly West as Executor of the Last Will and Testament of the late Viswanathar Kanagaratnam of Puloly West, for Final Leave to Appeal to Her Majesty the Queen in Council from the Judgment and decree of the Supreme Court of the Island of Ceylon pronounced on the 5th day of February, 1966 in S.C. 280 (Final) of 1963 D.C. Point Pedro Case No. 6471, having been listed for hearing and determination before the Honourable Ponnudurai-samy Sri Skanda Rajah, Puisne Justice, and the Honourable Anthony Christopher Augustus Alles, Puisne Justice, in the presence of V. Arulambalam Esquire, Advocate for the substituted Defendant-Appellant; and S. Sharvananda Esquire, Advocate, for the Plaintiff-Respondent order has been made by Their Lordships on the 20th day of July, 1966 allowing the aforementioned application for Final Leave to Appeal to Her Majesty the Queen in Council.

(Sgd.) N. NAVARATNAM,
Registrar of the Supreme Court.

Amended Decree of the District Court

AMENDED DECREE

IN THE DISTRICT COURT OF POINT PEDRO

KANAGARATNAM KATHIRGAMAN of Puloly West
Administrator of the estate of Rasammah in
Case No. 400T. D.C. Point Pedro.

Plaintiff.

No. 6471

Vs.

¹⁰ (Dead) VISWANATHAR KANAGARATNAM of Puloly West

Defendant.

VISWANATHAR KANAGARATNAM SUBRAMANIAM of
Puloly West as Executor of the Last Will of the late
defendant Viswanathar Kanagaratnam.

Substituted Defendant.

This action coming on for final disposal before V. M. Cumaraswamy Esquire, Acting District Judge of Point Pedro on the 3rd day of June, 1965 in the presence of Mr. Advocate Soorasangaram instructed by Mr. S. Nagalingamudaly Proctor on the part of the plaintiff and of Mr. Advocate R.
²⁰ Sivapathasundaram instructed by Mr. M. Esurapadham Proctor on the part of the substituted-Defendant and the matter having been heard.

It is ordered and decreed that the plaintiff be and he as administrator of the estate of the late Rasammah is hereby declared entitled to a half share of the lands morefully described in the Schedule hereto.

It is further ordered and decreed that the substituted defendant do pay to the plaintiff as such administrator Rs. 2,500/- per annum as damages from the 14th day of September, 1959 till the plaintiff is placed in peaceful possession of the said lands.

³⁰ And it is further ordered and decreed that the substituted defendant do pay to the plaintiff as such administrator his costs of this action.

This 8th day of March, 1966.

(Sgd.) V SIVA SUPRAMANIAM,
District Judge.

17-10-66.

Drawn by

(Sgd.) S. NAGALINGAMUDALY
Proctor for Plaintiff.

SCHEDULE

No. 22
Amended Decree
of the District
Court—
17-10-66
—Continued.

1. Land situated at Puloly West Malavarayakurichchy called "Veera-pandianseema" in extent $6 \frac{1}{8}$ Lachchams V.C. and bounded on the East by lane, North by the 2nd land, West by the property of Kathirithamby Subramaniam and others and South by the property of Ponnachchy widow of Kandiah and others. Of this an undivided $\frac{16}{27}$.

2. Land situated at-do-called Ethirollai" in extent $2 \frac{3}{4}$ Lachchams V.C. bounded on the East and North by lane, West by the property of Ponnu widow of Solian and others and on the South by the 1st Land. Of this an undivided $\frac{61}{144}$. 10

3. Land situated at-do-called "Vilvalai" in extent 8 Lachchams V.C. and $3 \frac{29}{32}$ Kulies and bounded on the East by the property of Viswanathar Kanagaratnam and others, North by lane, West by the property of Kathirkamar Kanapathipillai and others, and on the South by the property of Velappar Subramaniam and others. Of this an undivided $\frac{1}{8}$ share.

4. Land situated at-do-called "Veerapandianseema" in extent $2 \frac{1}{2}$ Lachchams V.C. bounded on the East by lane, North by the property of Ponnu wife of Alvan Velan, and West and South by the property of the heirs of Subramaniam Jekasothy and others. The whole of this.

5. Land situated at Puloly West Sinhapahuthevankurichchy called "Vilvalai" in extent $9 \frac{1}{2}$ Lachchams V.C. and bounded on the East by lane, North by the property of Rasammah wife of Kanagaratnam and others, West by the property of Paramu Subramaniam and others and South by the property of the heirs of Seethevan. Of this an undivided $\frac{1}{6}$. 20

6. Land situated at-do-called "Seema" in extent $7 \frac{1}{8}$ Lachchams V.C. -do-Veedu 1. Of these parcels on the South an extent of 8 Lachchams V.C. and $\frac{5}{6}$ Kulies and bounded on the East by the property of Viswanathar Kanagaratnam, North by the property of Viswanathar Kanagaratnam and on the West and South by lane. Of this an undivided $\frac{1}{2}$ share.

7. Land situated at Puloly West Malavarayakurichchy called "Seema" 80 in extent 4 Lachchams V.C. and bounded on the East by the property of Viswanathar Kanagaratnam, North by the property of Alvappillai Velautham, West by street and on the South by the property of V. Kanagaratnam and others. The whole of this.

8. Land situated at-do-called "Seema" in extent 5 Lachchams V.C. and $\frac{1}{8}$ Kulies and bounded on the East and South by the property of V. Kanagaratnam, North by the property of Kandar Sinnathamby and West by lane. The whole of this.

9. Land situated at-do-called "Seema" in extent 4 Lachchams V.C. and 13 Kulies and bounded on the East by the property of V. Kanagaratnam 40 and others. West by the following 10th land and South by the property of V. Kanagaratnam and others and by lane. The whole of this.

10. Land situated at-do-called "Seema" in extent 9 Kulies bounded on the East by the aforesaid 9th land, North by the property of Theivanai widow of Murugappar, West by the property of Alvappillai Velautham and on the South by the property of V. Kanagaratnam. The whole of this.

No. 22
Amended Decree
of the District
Court -
17-10-66
--Continued.

11. Land situated at-do-called "Seema" in extent 1 Lachcham V.C. and bounded on the East by the property of V. Kanagaratnam and others, North by the property of Theivanaippillai widow of Murugappar, West by the aforesaid 10th land and on the South by the aforesaid 9th land. Of this an undivided 1/2 share.

¹⁰ 12. Land situated at-do-called "Nitchinganollai" in extent 2 Lachchams V.C. and 17 5/8 Kulies and bounded on the East and South by lane, North by the property of V. Kanagaratnam and others, West by the property of V. Kanagaratnam. The whole of this.

13. Land called "Seema" situated at Puloly West, Singapahuthavankurichchy in extent 15 Lachchams V.C. and 1 Kuly with stone built house and bounded on the East and South by lane, North by the property of Kandar Sinnathamby and others, West by the property of the heirs of Velauthar Arunasalam and others. The whole of this.

²⁰ 14. Land situated at Puloly West Malavarayakurichchy called "Nedunkulavelitheny-Thenkilakilmetku" in extent 13 Lachchams V.C. is bounded on the East by street, North by the property of Sivakampillai widow of Murugappar and others, West by the property of Sivakampillai wife of Sivapragasam and others and South by the property of Kanagaratnam and others. Of this an undivided 1/3rd share.

⁸⁰ 15. Land situated at-do-called "Arasadi" in extent 6 Lachchams V.C. and bounded on the East by the property of Kathirithamby Subramaniam, North by the property of Sothilingam wife of Cumarasamy and others, West by lane and South by the property of Kathirithamby Subramaniam and others. Of this an undivided 33/36 share or 1/3rd share and share of well.

16. Land situated at Alvai Mappanakurichy called "Periatheny" in extent 1 Lachcham V.C. and bounded on the East by the following 18th land, North by the property belonging to Imperchiddy Pillaiyar Temple, West by the property of Kanapathippillai Paramaguru and brothers and South by the property of Sinnathangam wife of Somasundaram. The whole of this and share of well in the North.

⁴⁰ 17. Land situated at-do-called "Periatheny" in extent 3 3/5 Kulies and bounded on the East by the property of V. Kanagaratnam and others, North by the property belonging to Imperchiddy Pillaiyar temple, West by the aforesaid 16th land and on the South by the property of Sinnathangam wife of Somasundaram. Of this an undivided 1/4th share and share of well right of way and water course.

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18. Land situated at-do-called "Periyatheny" in extent $14 \frac{2}{4}$ Kulies with well and bounded on the East by the property of Wallipillai wife of Velupillai, North by the property belonging to Imperchiddy Pillaiyar temple, West by lane and South by the property of Sinnathangam wife of Somasundaram. Of those contained within these boundaries is the well and the share apertaining to this the right of way and water course and an undivided $\frac{1}{4}$ th share of the ground, coconut trees and palmyrah trees.

19. Land situated at Alvai Malavarayakurichchy called "Vathaya-vilanai" in extent 92 Lachchams V.C. and $5 \frac{1}{4}$ Kulies and bounded on the East by lane and graveyard, North and South by the property of ¹⁰ Valliappar Vethavanam and others. The whole of this.

20. Land situated at Alvai Maniveerapakuthevankurichchy called "Ayatkulapai Vayal" in extent 22 Lachchams V.C.-do-Thoddam 6-Do-12 Lachchams V.C. and bounded on the East by the property of Kathirithamby Subramaniam and others, North by the property of Kalandiyait Pillaiyar Koil, West by the property of the heirs of Kumarasamy Velauthar and South by the property of the heirs of Kathiresar Subramaniam and others. Of this an undivided $\frac{23}{96}$ share.

21. Land situated at Puloly West Singhapahuthevankurichchy called "Manthiodai" in extent 4 Lachchams V.C. and $2, \frac{20}{32}$ Kulies and bounded ²⁰ on the East by the property of Theivanaipillai wife of Muthucumarasamy and others, West by the property of Kanapathipillai Kumarappar and others and South by road. The whole of this.

22. Land situated at Puloly West Singhapahuthevankurichchy called "Manthiodai" in extent 4 Lachchams V.C. and $\frac{10}{32}$ Kulies and bounded on the East by the property of Sithamparam Sinnan and others, North by channel, West by the property of Ponnammah wife of Rasiah, South by the following 24th land. The whole of this and share of well and right of way and water course.

23. Land situated at-do-called "Manthiodai" in extent 16, $\frac{20}{32}$ kulies ³⁰ and bounded on the East by the property of Sithamparam Sinnan and others, North by the aforesaid 23rd land, West by the property of Theivanai widow of Maniccam. The whole of this and share of well and right of way and water course.

24. Land situated at Alvai Veerakodiakurichchy called "Padavada-pulathuvayal" in extent 17, $\frac{3}{8}$ Lachchams V.C. and bounded on the East and South by the property of Kathirithamby Subramaniam and others, North by the property of Velappar Subramaniam and others, West by the property of Kandappar Kanagasabai and others. Of this an undivided $\frac{1}{4}$ ⁴⁰ share.

25. Land situated at Puloly West Singhapahuthevankurichchy called "Nedunkulavelitheny" in extent 4 Lachchams V.C. and 8, $\frac{8}{16}$ Kulies, with stone built house and bounded on the East by water channel, North by road, West by the property of Kathirithamby Sabapathy and others, South by the property of Kathirithamby Sabapathy and others and by the property of Kamadchy wife of Kathirkamoe and others. The whole of this.

26. Land situated at do called "Nedunkulavelitheny" in extent 15, 9/16 Kulies is bounded on the East by the property of Britto Muthunayagam, North by the property of Krishnapillai Mailvaganam, West by the water channel and South by the property belonging to Aladipillaiyar Temple. The whole of this.
27. Land situated at Puloly West Singhapahuthevankurichy called "Thevakaladdy" in extent 7 Lachchams V.C. and bounded on the East by the following land, North by the property of Kathirithamby Subramaniam and others, West by the property of Sethupillai wife of Sinnathambiar and others and South by the property of Supper Murugesu and others. Of this an undivided 1/2 share.
28. Land situated at -do- called "Thevakaladdy" in extent 15, 1/4 Lachchams V.C. and bounded on the East by the property of Thamoo Alvar and others, North by the property of Thangammah wife of Subramaniam and others, West by the aforesaid land and South by the property of Vallathai wife of Kathiripillai and others. Of this an undivided 1/3 share.
29. Land situated at Puloly West Malavarayakurichy called "Nedunkulavelitheni Thenkilakilmetku" in extent 7 Lachchams V.C. and 6 1/2 Kulies with well is bounded on the East by lot 2 in plan No. 1450 dated 6th June, 1937 and prepared by Mr. G. C. Ganapathipillai Surveyor, belonging to Parupathipillai widow of Kathirithamby, North by the property belonging to Alady Pillaiyar Temple, West by lot No. 15 in the said plan and the South by lane. The whole of this and shares in well in lots Nos. 16, 17, 18 and 20 and share in lots Nos. 19 and 21.
30. Land situated at Alvai Veerakodiakurichy and Maniveeravakuthevankurichy called "Seemanseema" and "Sathanavattai" in extent 6 Kulies and bounded on the East by the property of Kandiah Rasaratnam, North by lane, West by the property of Arumugam Velupillai, South by the land called Seemanseema. The whole of this.
31. Land situated at Alvai Veerakodiakurichy and Maniveeravakuthevankurichy called "Seemanseema" in extent 5 3/8 Lachchams V.C. and bounded on the East by the property of Pillaiyar Koil situated at Vyrappukaladdy, North by the property of Ponnambalam Murugupillai and others and South by the property of Sethupathi Ammah wife of Rasaratnam and others. Of this an undivided 1/4 share of the ground and 1/4 share of plantation of the palmyrahs and 1/4 share of the remaining palmyrahs.
32. Land situated at Alvai Veerakodiakurichy and Maniveeravakuthevankurichy called "Seemanseema" and "Sathanavattai" in extent 5 Lachchams V.C. and 14 1/4 Kulies and bounded on the East by the property of Kandiah Rasaratnam and others, on the North by the property of Ponnambalam Murugupillai and others, on the West by the property of Ramu Kathiripillai and others, and on the South by the property of Kandiah Rasaratnam and another. Of this 1/4 plantation share.

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33. Land situated in the District of Anuradhapura in the village of Puliyankulam called "Sivanbalawela" in extent 39 Acres 3 roods and 20.9 perches. Of this extent for lot No. 8 is 3 Acres, 1 rood and .87 perches and bounded on the East by Railway reservation, North by Lot No. 2 in the said plan, West and South by Lot No. 1 D. The whole of this.

34. Land situated at Thunnalai Veerasundaramudalikurichchy called "NUNKAIYAPULAM" in extent 38 Lachchams v.c. and 6 $\frac{27}{32}$ Kulies. Of this the extent for lot No. 2 in plan No. 663 is 5 Lachchams V.C. and 10 $\frac{17}{32}$ Kulies and bounded on the East by lot No. 9, North by Lot No. 1 and West by the property of the late Sinnathamby Subramaniam and on the South ¹⁰ by lot No. 3. The whole of this.

35. Land situated at Puloly West Malavarayakurichchy called "Thinaikaladdy" in extent 4 Lachchams V.C. and 1 $\frac{5}{32}$ Kulies. Of this an extent for lot No. 1 in plan No. 6505 is 3 Lachchams V.C. and $\frac{28}{32}$ Kulies and bounded on the East by the property of Kandar Kovinthy, North by street, West by lot No. 2 in the said plan and on the South by the property of Kaliappar Kandiah. The whole of this.

36. Land situated at-do-called "Varanthanai" in extent 2 $\frac{3}{4}$ Lachchams V.C. and bounded on the East by the property of Ponnammah widow of Kandiah and others, North by water channel, West by the village limit of ²⁰ Alvai and South by the property of Ponnachchy widow of Kandiah and others. Of this an undivided $\frac{1}{18}$ share.

37. Land situated at Puloly West Singapahuthevankurichchy called "Vairankaladdy" in extent 12 $\frac{1}{8}$ Lachchams V.C.-do-Veedu $\frac{1}{4}$ forming a total extent of 12 Lachchams V.C. and 8, $\frac{1}{4}$ Kulies and bounded on the East, West and South by lane, North by the property of Annapooranam wife of Arumugam and others. Of this an undivided $\frac{7}{432}$ share and $\frac{1}{18}$ share out of the palmyrahs and tamarind trees standing on the West of the land.

38. Land situated at Alvai Veerakodiakurichchy called "Ambalanthy" ³⁰ in extent 26 Lachchams V.C. and depicted in Plan No. 1720 dated 9th October 1940 and prepared by K. Velmuruku, Licensed Surveyor. Of this an extent for lot No. 2 in the said plan is 3 Lachchams V.C. and 4 $\frac{1}{2}$ Kulies is bounded on the East by lane, North by lot No. 1, West by the property of Kanapathipillai Kumarasamy and wife Muthupillai and others and on the South by lot No. 3. The whole of this.

39. Land situated at Alvai Mapanakurichy called "Periyatheny" in extent 7 Lachchams V.C. and 12 $\frac{3}{4}$ Kulies as depicted in plan No. 2495 dated 19th June, 1947 and prepared by K. Velmuruku, Licensed Surveyor. Of this an extent for lot No. 1 is 3 Lachchams V.C. and 12, $\frac{1}{2}$ Kulies ⁴⁰ and bounded on the East by Lot No. 2, North by the property of Theivanai wife of Namasivayam and others, West by the property of Rasammah wife of Kandiah and others and on the South by lot No. 4. The whole of this and right of way and water course A.B.C. and well lying on the Eastern land,

40. Land situated at Basawakkulama in the District of Anuradhapura called "Basuwakkulamkele" in extent 5 Acres 0 rood and 33 perches. The extent for lot No. 1 is 2 Acres 2 roods and 7 perches, and bounded on the East by reservation along the road, North by the property belonging to Pansala, West by Ela and South by Lot No. 2. The whole of this.
41. Land situated at Puloly Malavarayakurichchy called "Nedunkulavelitheni Thenkilakilmetku". Of this 1 Lachcham V.C. and 11 1/2 Kulies being lot No. 3 marked in plan filed of record in partition Case No. 17655 of the District Court of Jaffna and bounded on the West by the property of Sothilingam wife of Kumaraswamy, North by the property belonging to Aladipillaiyar Temple, West by the property of Ponnammah widow of Singaravelu, South by lane. Of this an undivided 1/6 share.
42. Land situated at Puloly West Singhapahuthevankurichchy called "Sathollai" in extent 10 1/8 Lachchams V.C. Of this 5 1/8 Lachchams V.C. being Eastern half share and bounded on the East by the property of Lechchumy widow of Ramu and others, North by the property of Kandiah Vairamuttu and others, West by the property of Amuthammah wife of Subramaniam and South by water channel. Of this an undivided 1/18 share.
43. Land situated at Puloly West Malavarayakurichchy called "Vilvalai" in extent 14 1/2 Lachchams V.C. and bounded on the East and North by the property of Kathirithamby Subramaniam and others. West and South by the properties of Sinnathamby Somasundaram and others. Of this an undivided 1/72 share.
44. Land situated at do called "Nedunkulavelitheny Thenkilakilmetku" in extent 72 Lachchams V.C. and bounded on the East by the property of Viswanathar Kanagaratnam and others, North by the property of Sivakamipillai widow of Murugappar and others, West by the property of Veeragathiar Konamalai and others, South by the property of Rasammah widow of Sethuramalingam Kurukkal and others. Of the ground and well contained within these boundaries an undivided 1/3 share.
45. Land situated at Alvai Neelakudiarkurichchy called "Urulai" in extent 31 5/8 Lachchams V.C.-do-Thoddam 1. Of these parcels an extent of 10 1/2 Lachchams V.C. in the middle. Of this on the North an extent of 5 Lachchams V.C. and 2 3/4 Kulies and bounded and West by the property of Theivanai daughter of Ambalam and others, North by the property of Kadirgamar Ramalingam and South by the property of Parupathipillai wife of Alvapillai. The whole of this.
46. Land situated in the District of Anuradhapura in the village of Bandara Bulankulama called "Ibawela," Pahalawela "Kokhamattawela" in extent 33 Acres 4 roods and 24 perches. Of this extent for Lot No. 4 is 2 Roods 16 perches, Lot No. 5 is 3 Acres 8 perches, Lot No. 9 is 1 acre 1 rood and 16 perches. Total 5 acres.
47. Land situated at the District of Anuradhapura Lot No. 6 marked in plan No. 670 dated 5-10-42 made by C. J. Sabapathy, Licensed Surveyor, situated at Bandara Bulankulama in Ebaalawewatulana of Kendekorale of Nuwaragamalate in the District of Anuradhapura bounded on the North

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by Lot No. 12 in the said plan No. 670 East by the road reservation, South by lot No. 5 property belonging to P. B. Bulankulama and Railway Reservation and West by Railway Reservation containing in extent 4 Acres 2 roods 27/500 perches. The whole of this.

48. Land situated at Puloly West Singapahuthevankurichehy called "Kommikaladdy" in extent 32 Lachchams V.C. and 3 Kulies and bounded on the East by the property of Sithamparanathar Kanapathipillai and others, North by the property of Kanthappar Vairavipillai and others and by the property of Vallathai wife of Vairamuttu and others, West by lane and South by the property of Sithamparanathar Kanapathipillai. Of this ¹⁰ an undivided 54/384 share.

Drawn by :

(Sgd.) S. NAGALINGAMUDALY
Proctor for Plaintiff.

(Sgd.) V. M. CUMARASWAMY,
District Judge.
17-10-66.

PART II — EXHIBITS

**Inventory Filed in District Court Jaffna
Testamentary Case No. 1420**

IN THE DISTRICT COURT OF JAFFNA

In the matter of the Estate of the late CHANKARAPPILLAI
VISUVANATHAR of Puloly West.

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Inventory filed
in District Court
Jaffna Testamen-
tary Case
No. 1420—
2-2-1905

Deceased.

Testamentary
Jurisdiction
10 No. 1420.

VISUVANATHAR CHANKARAPPILLAI of Puloly West.

Administrator.

A true full and perfect Inventory of the rights and credits of the above-named deceased by the Administrator.

Description of Property	Rs. Cts.
1. Land situated at Puloly West Malavarayakurichy called Nedunkulaveliththenikkadukudalpay 8 Lachchams V. C. Do-12 Lachchams V.C. of this excluding the land taken for graveyard the remainder is bounded on the East by the property of Katpakam, widow of Muruthappar and others. North by graveyard West by the property of Venayagar Velappar and others and on the South by the property of Theivar Nagalingamudaliar and others of this 1/8 share of the ground and palmyrahs with share of well and whole of coconut trees	50·00
2. Land situated at-do-called Nedunkulaveliththenithenikilak-kilmetku. 72 Lachchams V.C.-do.-16. 5/8 Lachchams V.C. Vayal 23, 1/4 Lachchams V.C. Thoddam 3 Do - 5, 3/8 Lachchams V.C. of this out of the 1st parcel the ground lying to the East of the lane passing through and the 2nd and 4th parcels from one block bounded on the East by the property of Parupathippillai, wife of Chitamparappillai and others, North by Inn, West and South by lane of this 3/16 share	300·00
3. Of the aforesaid 2nd land out of the ground lying to the West of the lane 5, 3/8 Lachchams being the 5th parcel situated to the South of 26 Lachchams in the middle is bounded on the East by lane, North by the property of Kadirgamar Kanasabai and others, West by the property of Parupathy, wife of Arumugam and others and South by street of this 3/16 share	50·00

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- | | | |
|-----------|---|------------------------|
| 4. | Of the aforesaid 2nd land out of the ground lying to the West of the lane 13 Lachchams on the East out of 26 Lachchams in the middle is bounded on the East by lane North by the property of Sivakamippillai, widow of Murugappan and others West by the property of Kanattai, wife of Sitamparappillai and others and South by the property of Parupathippillai, wife of Sitamparappillai and others of this 2/3 share ... | 500·00 |
| 5. | Of the aforesaid 2nd land the 3rd parcel in extent 23 1/4 Lachchams P.C. is bounded on the East by the property of Kadirgamar Veluppillai and others North by the property of Aladiyit Pillaiar Temple West by the property of Sivakamippillai, widow of Murugappan and others and South by street of this 1/2 of 14. 1/2 Lachchams with share of well ... | 150·00 ¹⁰ |
| 6. | Land situated at Puloly West Malavarayakurichy called Naththavattai 18 Lachchams V.C. Thoddam 2. House 1 and bounded on the East by watercourse North by the property of Vathaththaippillai, wife of Veluppillai and others West by Road and by the property of Vathaththaippillai, wife of Veluppillai and South by the property of Umaiththaippillai, wife of Vettivelpillai and others. Of this 1/20 share ... | 50·00 ²⁰ |
| 7. | Land situated at-do-called Nathasattai 14 1/4 Lachchams V.C. of this 5/8 share on the West is bounded on the East by the property of Kanapathiar Ambalavanar and others, North by the property of Kanapathippillai Sanmugam and others West by the property of Kathirattai, wife of Nagappan and others and South by the property of Kathirattai, wife of Nagappan and others. Of this 1/8 share ... | 25·00 |
| 8. | Land situated at-do-called Thenninkawattai 5 1/4 Lachchams V.C. bounded on the East by the property of Valliammai, widow of Murugar and others North by the property of Paramakumarappan and others West by the property of Valliar Nagappan and others and South by lane of this 1/3 share ... | 50·00 ⁸⁰ |
| 9. | Land situated at Puloly West Singapahuthevankurichy called Kalappiravattai 86, 5/8 Lachchams V.C. and bounded on the East by the property of Kumaraswamy Velauthar, North by the property of Suppar Kanapathippillai and others West by lane and South by the property of Moottanachy widow of Veerakathiar and others of this 1/96 share ... | 75·00 |
| Total ... | | 1,250·00 ⁴⁰ |

I, Visuvanathar Changarappillai of Puloly West, administrator of the estate of my late father Changarappillai Visuvanathar of Puloly West, deceased, do solemnly, sincerely and truly, affirm and declare as follows :—

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in District Court,
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1. To the best of my knowledge, information and belief the above written Inventory contains a full and true and correct account of all the property movable and immovable and rights and credits of the said Changarappillai Visuvanathar, deceased, so far as I have been able with due diligence to ascertain the same.
- 10 2. I have made a careful estimate and valuation of all the property the particulars of which are set forth and contained in the said Inventory and to the best of my judgment and belief the several sums respectively set opposite to the several items in the said Inventory fully and fairly represent the values of items to which they are respectively set opposite.

(Sgd.) V. CHANGARAPPILLAI.

Affirmed to at Point Pedro on the 2nd Day of February, 1905.

Before me.

(Sgd.) Illegible,
Commissioner.

20 True copy of the Inventory filed of record in D.C. Jaffna Case No. Testamentary 1420.

(Sgd.)
Secretary,
District Court, Jaffna.

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Dowry Deed No. 6838 attested by S. Subramaniam,
Notary Public

P 42
Dowry Deed
No. 6838
attested by
S. Subramaniam,
Notary Public—
10-1-1906

Translation

The duplicate bears one stamp
80 of the value of Rs. 5/-

Application No. 190

4-3-60.

Prior Registration Jaffna
+ Land A 8/172
5 Land A 47/36 & 39.

No. 6838

Know all men by these Presents that I, Theivanaippillai, widow of Nagappiar Sidamparappillai of Puloly West, do hereby give and convey by way of dowry unto my daughter Meenachchippillai daughter of Sitamparappillai of the same place the undermentioned properties.

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Dowry Deed
No. 6888
attested by
S. Subramaniam,
Notary Public—
10-1-1906
—Continued

Properties

In the Parish of Point Pedro in Vadamarachy West division in the District of Jaffna in Northern Province.

1. Land situated at Puloly East Malavarayakurichy called "Mavilvayal" in extent 40 Lachchams P.C.-do-in extent $10\frac{1}{4}$ Lachchams P.C. of this out of the Northern half share, an extent of 10 Lachchams according to possession is bounded on the East by the property of Kanapathipillai Thambiah, North by water channel. West by lane and South by a portion of this land belonging to Periar Veeragathi of this $\frac{1}{2}$ share valued at Rs. 100/-.

2. Of the above said land an extent of $7\frac{1}{2}$ Lachchams according to possession out of the said Northern half share is bounded on the East by the property of Kanapathipillai Thambiah and others, North by the property of Periar Veeragathi and by the undermentioned 3rd property, West by the undermentioned 3rd property and by lane, and South by the property of Kanapathi Kadirgaman of this $\frac{1}{2}$ share valued at Rs. 75/-.

3. Of the above said 1st land an extent of $2\frac{1}{2}$ Lachchams according to possession out of the said Northern half share is bounded on the East and South by the abovesaid 2nd property, North by the property of Periar Veeragathi, West by lane of this an undivided $\frac{4}{9}$ shar evaluated at Rs. 25/-.

4. Land situated at Puloly East Veerapahuthevankurichy called Mudavanthoddam in extent $19\frac{1}{2}$ Lachchams V.C. with palmyrah trees and vadalties bounded on the East by the property called "Arasandiollai" belonging to Parupathy, wife of Sithamparappillai and others, North by the undermentioned 6 property, West by the property called "Nallanthoddam" belonging to Velar Thamer and others and South by lane of this an undivided $\frac{1}{2}$ of $\frac{1}{8}$ share valued at Rs. 100/-.

5. Land situated at do-called Pannangawattai in extent $12\frac{3}{8}$ Lachchams V.C.-Do-veedu 1 (=1 Lachcham and 6 kulies) with palmyrah trees, vadalties margosa trees and four solid houses and bounded on the East by the property of Kaththirunal, wife of Solomon and others, North by lane and by the property of Kaththirunal, wife of Solomon and others, West by property called Kelavianthoddam belonging to Packiam, daughter of Ehamparam and South by the property of Moothuthamby Alvar and others. Of this an undivided $\frac{1}{2}$ of $\frac{1}{3}$ share valued at Rs. 100/-.

6. Land situated at Puloly East Singapahuthevankurichy called "Thevathoddam" in extent $36\frac{5}{8}$ Lachchams V.C. of this $\frac{11}{16}$ share of ground on the West with palmyrah trees, vadalties and ilanthal trees is bounded on the East by a portion of this land belonging to Kandappar Thamootheram and others, North by the property called Savanai belonging to Velar Thamer and others, West by the property of Subramaniam Sivapatham and others and South by the abovesaid 4 land of this, out of the ground, an undivided $1\frac{1}{4}$ of $\frac{10}{11}$ share and of the palmyrah trees, vadalties and ilanthal trees, $\frac{1}{4}$ share valued at Rs. 350/-.

The total value is Rs. 750/- Seven hundred and fifty.

I do, hereby, declare that of the said properties, the 1 and 2 properties belong by right of mudusom of my husband the late Nagappiar Sithamparappillai and by right of urumai devolved from his brother the late Nagappiar Arumugam who died issueless and by virtue of transfer deed in his favour bearing No. 5710 dated the 3rd April, 1894 and attested by Murugappiar Subramaniam, Notary, the 3rd property by right of mudusom of the said Sithamparappillai and by virtue of this abovesaid urumai and by virtue of transfer deed in his favour bearing No. 1718 dated the 10th June, 1900 and attested by this Notary, the 4th property by virtue of transfer deed in favour of the said Sithamparappillai bearing No. 1149 dated the 18th December, 1882 and attested by Murugappiar Subramaniam Notary, the 5th property belongs to the said Sithamparappillai by right of mudusom under and by virtue of dowry deed in favour of his mother the late Valliammai bearing No. 141 of volume 7 dated the 20th May, 1842 and attested by Velauthar Kandiah, Notary and by right of urumai, as per above said urumai and the 6th property belongs to the said Sithamparappillai by right of mudusom and by right of urumai, as per his aforesaid urumai and at present belongs to me by possession.

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Dowry Deed
No. 6838
attested by
S. Subramaniam,
Notary Public
10-1-1906
—Continued.

I the said Meenadchippillai, daughter of Sithamparappillai the dowry receiver have accepted this dowry.

In witness hereof we set our signatures to this and to two others of the same tenor in the presence of Sinnathamby Subramaniam, Notary and in the presence of Velauthar Kandiah of Puloly West, Vairaviar Kanapathipillai of Puloly East and Kadirgamar Vinasithamby of the same place the subscribing witnesses hereto in the dwelling house of the dowry grantor and receiver at Puloly West on the tenth day of January One thousand nine hundred and six.

X This is the hand mark of
Theivanaipillai.

30 *Witnesses :*

(Sgd.) V. KANDIAH

(Sgd.) VAIRAVIAR KANAPATHIPILLAI

(Sgd.) K. VINASITHAMBY

(Sgd.) S. SUBRAMANIAM,
Notary.

P 42
Dowry Deed
No. 6898
attested by
S. Subramaniam,
Notary Public—
10-1-1906
— *Continued.*

I, Sinnathamby Subramaniam, Notary Public of Vadamarachy West division of Jaffna, do hereby certify and attest that I have read over and explained the foregoing instrument to the said Theivanaippillai, widow of Nagappiar Sithamparappillai and Sithamparappillai Meenadchippillai in the presence of Velauthar Kandiah of Puloly West, Vairaviar Kanapathipillai of Puloly East, and Kadirgamar Vinasithamby of the same place the subscribing witnesses and the said three witnesses who are known to me declared to have known the dowry grantor and receiver that the said Theivanaippillai, Meenadchippillai and witnesses set their mark and Signatures in my presence and in the presence of one another all being present at the same time in the dwelling house of the dowry grantor and receiver at Puloly West on this 10th day of January, 1906 that the duplicate bearing one stamp to the value of Rs. 5/- and to the original one of Re. 1/- and which stamps were supplied by me the Notary.

(Sgd.) S. SUBRAMANIAM,
Notary Public.

(SEAL)

10th January, 1906.

I, N. Gnanasambanthan, Registrar of Lands of Point Pedro, do hereby, certify that the foregoing is a true copy of a deed of dowry made of the duplicate filed of record in this office and the same is granted on the application of Mr. S. Nagalingamudaly, Proctor of the Supreme Court, Point Pedro.

(Sgd.) N. GNANASAMBANTHAN,
Registrar of Lands.

Land Registry,
Point Pedro, 22nd March, 1960.

Translated by :

(Sgd.).....
Sworn Translator.

**Deed of Transfer No. 7684 attested by P. Sithamparapillai,
Notary Public**

D 4
Deed of Transfer
No. 7684 attested
by P.
Sithamparapillai,
Notary Public—
30-6-1906

Prior Registration Jaffna

1st land A 45/17

2nd — A 45/18

3rd — A 45/19

4th — A 45/20

5th — A 45/21

10 6th — A 29/281

9th — A 12/156

No. 7684

To all to whom these presents shall come **I, Visuvanathar Sangarappillay** of Puloly West, Point Pedro, Advocate send greeting.

Whereas my father Sangarappillay Visuvanather of Puloly West, aforesaid died intestate leaving the immovable property hereinafter described subject to the life interest of his mother Maruthaththai, widow of Sangarappillay and leaving his two sons viz. myself and Visuvanathar Kanakarathnam now of India as his sole heirs and whereas I obtained
20 Letters of Administration to the estate of the said Sangarappillay Visuvanathar in Testamentary Case No. 1420 of the District Court of Jaffna and whereas it is now necessary to convey the property left by the said Sangarappillay Visuvanathar to his heirs to wit myself and the said Visuvanathar Kanakarathnam subject to the life interest of the said Maruthaththai, widow of Sangarappillay and after her death subject to the life interest of Vallippillay, widow of the intestate and mother of mine and of the said Visuvanathar Kanakarathnam.

Now know all men by these presents that **I Visuvanathar Sangarappillay**, Administrator of the estate of the said Sangarappillay Visuvanathar,
30 do hereby, convey, transfer, set over, assure and assign unto myself and to the said Visuvanathar Kanakarathnam in equal shares the following immovable property to wit:

1. Land situated at Puloly West Malavarayakurichy in Point Pedro Parish of the Vadamaradchy West division in Jaffna District of the Northern Province called Nedunkulavelitheny Kadu Kadalpaya in extent $8 \frac{3}{8}$ Lachchams V.C. and Do-in-extent 12 Lachchams V.C. of these excluding however the land taken for the use of Graveyard and Road the remainder in extent more or less 18 Lachchams V.C. is bounded on the East by the property of Katpagam, widow of Murugappar and others on the North

D 4
Deed of Transfer
No. 7684 attested
by P.
Sithamparapillai,
Notary Public—
30-6-1906
—Continued.

by Graveyard on the West by the property of Vinayagar Velappar and others and on the South by the property of Theivar Nagalingamudaliar and others of this an undivided one-eighth share of the ground and palmyrah with share of well and whole of coconut trees worth Rs. 50/-.

2. Land situated at Puloly West Malavarayakurichy aforesaid called Nedunkulavelitheny Thenkilakilmetku in extent 72 Lachchams Varaku Culture-Do. in extent 16 $\frac{5}{8}$ Lachchams. Varaku Culture-Do-Vayal in extent 23 $\frac{1}{4}$ Lachchams Paddy Culture gardens 3-Do- in extent 5 $\frac{3}{8}$ Lachchams Varaku Culture of this out of the first parcel land lying to the East of the lane passing through and the land of the second and fourth ¹⁰ parcels form one tract of land and which tract of land is bounded on the East by the property of Parupathypillay, wife of Paramoe Chidamparapillay and others on the North by Madam on the West and South by lanes. Of this an undivided $\frac{3}{16}$ three sixteenths shares worth Rs. 300/-

3. Land situated at Puloly West Malavarayakurichy called Nedunkulavelitheny in five parcels abovementioned of this out of the land lying to the West of the lane passing through an extent of 10 $\frac{1}{2}$ Lachchams. V.C. to the South of 26 Lachchams Varaku Culture in the middle is bounded on the East by lane on the North by the property of Kadir Kamar Kanaga- ²⁰ sabai and others on the West by the property of Parupathypillay, wife of Arumugam and others and on the South by lane of this an undivided $\frac{3}{16}$, three sixteenths shares worth Rs. 50/-

4. Land situated at Puloly West Malavarayakurichy called Nedunkulavelitheny in five parcels aforesaid of this out of the land lying to the West of the lane passing through an extent of 13 Lachchams V.C. on the East out of 26 Lachchams V.C. in the middle is bounded on the East by lane on the North by the property of Sivakamypillay, widow of Murukappar and others on the West by the property of Chinnappillay, wife of Kathirithamby and others on the South by the property of Parupathypillay, wife of Paramoe Sidamparappillay and others of this an undivided $\frac{2}{3}$, two ³⁰ thirds shares worth Rs. 500/-.

5. Land situated at Puloly West Malavarayakurichy called Nedunkulavelitheny in five parcels aforesaid of this the third parcel in extent 23 $\frac{1}{4}$ Lachchams P.C. is bounded on the East by the property of Kadir Kamar Veluppillay and others on the North by Aladiyit Pillaiar Temple on the West by the property of Sivakamypillay, widow of Murukappar and others and on the South by lane of this one-half of fourteen and a half Lachchams P.C. with share of well worth Rs. 150/-.

6. Land situated at Puloly West Malavarayakurichy called Naththavetty in extent 18 Lachchams V.C. garden 2 House 1 and bounded on the ⁴⁰ East by water course on the North by the property of Vethaththai, widow of Veluppillay and others on the West by road and on the South by the

property of Oomaiyatippillay wife of Vettivelpillay and others of this an undivided 1/20 one twentieth share worth Rs. 80/-.

(Sgd.) V. SANGARAPPILLAI

(Sgd.) Illegibly,

(Land called Naththavattai sold in Case No. 3190 D.C., Point Pedro.

(Sgd.) Illegibly,

*Secretary, District Court,
Point Pedro.*

21-9-50)

D 4
Deed of Transfer
No. 7684 attested
by P.
Sithamparapillai,
Notary Public---
30-6-1906
—Continued.

10 7 Land situated at Puloly West Malavarayakurichy called Nathavetty in extent 14 1/2 Lachchams V.C. of this five eighth shares on the west is bounded on the East by the property of Kanapatipillai Ampalavanar and others on the North by the property of Kanapatipillai Sanmugam and others on the West by Road and on the South by the property of Kadirattai, wife of Nagappiar and others of this an undivided 1/8 one-eighth share worth Rs. 25/-.

8. Land situated at Puloly West Malavarayakurichy called Thenningawathai in extent 5 1/4 Lachchams V.C. bounded on the East by the property of Walliammai, wife of Murugar and others on the North by the property of Paramar Kumarappiar and others on the West by the property of Valliar Nagappiar and others and on the South by lane of this an undivided 1/3 one-third share worth Rs. 50/-

(S. Kanagaratnam's share in 8th Land was transferred 15394/23-12-18 (Intld)

9. Land situated at Puloly West Singapakuthevankurichy called Kalappilawattai in extent 86 5/8 Lachchams V.C. and bounded on the East by the property of Kumarasamy Velauthar on the North by the property of Suppar Kanapathipillai and others on the West by lane and on the South by the property of Muthalianachchy, widow of Veeragathiar and others of this an undivided 1/96 one ninety-sixth share worth Rs. 75/-.

30 To have and to hold the said premises which are of the total worth one thousand two hundred and fifty rupees unto myself the said Visuvanather Sangarappillay and the said Visuvanathar Kanagaratnam their heirs, executors, administrators and assigns for ever subject however to my right to recover the costs of administration from the said estate.

40 And I the said Visuvanathar Sangarappillay, do hereby, for myself, my heirs, executors and administrators covenant and declare with and to the said Visuvanathar Sangarappillay and Visuvanathar Kanagaratnam that I have not as administrator as aforesaid executed or been party or privy to any act, deed, matter or thing whereby the said premises hereby conveyed or any of them may be impeached or encumbered in title charge or estate howsoever and shall and will as administrator as aforesaid at all times hereafter at the request and cost of the said Visuvanathar Sangarappillay and Visuvanathar Kanagaratnam and their aforewritten do and execute or cause to be done or executed all such further acts, deeds, matters

D 4
Deed of Transfer
No. 7684 attested
by P.
Sithamparapillai,
Notary Public—
30-6-1906
—Continued.

and things as shall or may be necessary for the better or more perfectly assuring the said premises or any of them unto the said Visuvanathar Sangarappillay and Visuvanathar Kanakaratham and their aforewritten as shall or may be reasonably required.

In witness whereof I the said Visuvanathar Sangarappillay have hereunto and to two others of the same tenor as these presents set my hand at the residence of the Notary Public hereinafter named at Puloly West this thirtieth day of June One thousand nine hundred and six in the presence of Messrs. Paramoe Subramaniam of Puloly West and Murugar Alvappillay Vetpillay of Puloly East the subscribing witnesses hereto. ¹⁰

(Sgd.) V SANGARAPPILLAY.

Witnesses :

P. SUBRAMANIAM }
M. A. VETPILLAY } (Signed)

(Sgd.) P. SITHAMPARAPILLAY,
Notary Public.

I, Paramoe Sithamparapillai, Notary Public of Vadamaradchy West and Thenmaradchy in the District of Jaffna, do hereby certify and attest that the foregoing deed was read over by Mr. Visuvanathar Sangarappillai to grantor thereof in the presence of Paramoe Sburamaniam of Puloly West and Murugar Alvappillai Oste Pillai of Puloly East, the subscribing witnesses thereto all of whom are known to me, the same was signed by the said grantor, by the said witnesses and by me the said Notary in my presence and in the presence of one another all being present together at the same time at my house at Puloly West this 30th day of June, 1906. ²⁰

And I further certify and attest that the duplicate of this deed bears stamps of the value of Rupees Ten and the Original a stamp of one Rupee and that the said Stamps were supplied by me and that the said deed was read over and explained by me to the said witnesses and that the first witness signed as P. Subramaniam. ³⁰

Date of attestation :
30th June, 1906.

(Sgd.) P SITHAMPARAPILLAI,
Notary Public.

(SEAL)

I, Paramoe Sithamparapillai, Notary Public of Karavedy East, do hereby certify that the foregoing is a true copy of a conveyance made from the protocol filed of record in my office and that the certified copy bears two stamps of the value of One Rupee and the said stamps were supplied by me. ⁴⁰

15th January, 1910.

(Sgd.) P. SITHAMPARAPILLAI,
Notary Public.

D 3

Deed of Donation No. 10834 attested by
P. Sithamparapillai, Notary Public

No. 10834

D 3
Deed of Donation
No. 10834 attested
by P.
Sithamparapillai,
Notary Public—
25-12-1909

Translation

Know all men by these presents that I, Walliammai, widow of Sangarapillai Visuvanathar of Puloly West in Vadamaradchy West Jaffna for and on account of the love I have towards my son Visuvanathar Kanagaratnam who was employed as Engineer at Calcutta in India and who is¹⁰ at present at Puloly East in Vadamaradchy West in -Do- and for other diverse which would urge me to this act do hereby set over and convey by way of donation unto him the following properties worth Rs. 1,500/-.

Those properties are as follows :—

In Point Pedro Parish Vadamaradchy West Division Jaffna District, Northern Province.

1. Land situated at Puloly West Malavarayakurichy called Konna-kaladdy in extent 15 7/8 Lachchams V.C. Of these the extent in possession for the Western half share *i.e.* 7 15/16 Lachchams V.C. with palmyrahs, vadalies, margosa trees and ilanthal trees and bounded on the East by²⁰ the property of Visuvanathar Sangarapillai and others North by the property belonging to me and others. West by the property of Kumarasamy Velauthar and others and South by lane. Of these contained within these boundaries an undivided 1/4 share.

2. Land situated at-Do-called Keniawattai in extent 35 1/2 Lachchams V.C. Do Thoddam 4 these parcels of ground with well and bounded on the East by the property of Nagaththai, wife of Kathirithamby and others North by the property of Valliappar Poothathamby and others West by the property Visuvanathar Sangarapillai and others and South by road. Of the ground contained within these boundaries an undivided 1/6 share³⁰ and the share appertaining to this of the well.

3. Land situated at-Do-called Alakiawattai in extent 9 1/8 Lachchams V.C. and land situated at Singapahuthevanakurichy called Alakiawattai 10 Lachchams V.C. these parcels of ground with palmyrahs, vadalies, margosa trees, house and huts and bounded on the East by the property of Nagaththai, wife of Kathirithamby and others, North by the property of Visuvanathar Paramu and others, West by the property of Kathirithamby Ponniah and others and South by Village limit lane of Alvai. Of these contained within these boundaries an undivided 1/32 share.

4. Land situated at Puloly West Malavarayakurichy called Ivathai⁴⁰ in extent 26 1/4 Lachchams V.C. with palmyrah and vadalies and bounded on the East by lane, North by the property of Sivakamipillai, wife of Sivapragasam and others, West by the property of Paramu Sithamparapillai and South by the property of Parupathipillai, wife of Alvapillai and others. Of these contained within these boundaries an undivided 1/4 share.

D 3
Deed of Donation
No. 10834 attested
by P.
Sithamparapillai,
Notary Public—
25-12-1909
—Continued.

5. Land situated at - Do - called Ivathai Vaiyal in extent 13 3/4 Lachchams P.C. with palmyrahs, vadalties and margosa trees and bounded on the East and North by property belonging to me and my sister, West by the property of Paramu Sithamparapillai and South by the property of Parupathipillai, wife of Alvapillai and others. Of those contained within these boundaries an undivided 1/4 share.

6. Land situated at-Do-called Tholiodai in extent 30 1/4 Lachchams V.C. with palmyrahs and vadalties and bounded on the East by lane, North by lane and by the property of Aiyamuttu Karthigesar and others, West by the property of Nagaththai, wife of Kovinthan and others and South by 10 lanes and by the property of Arantar Sellappah and others. Within these boundaries an undivided 1/16 share excluding old palmyrahs.

7. Lands situated at Puloly West Singapahuthevankurichy called Eluveddy in extent 4 Lachchams V.C. -Do-Veedu 1 and land situated at Puloly West Veeraipahuthevankurichy called Mudaneelakaladdy in extent 7 Lachchams V.C. Of these parcels an extent of 7 Lachchams V.C. and 14 Kls. on the West according to partition possession with houses and other appurtenances contained therein and bounded on the East by the property of Sinnapillai, wife of Kandiah North by road and by property belonging to me and others, West by the property of Kathirgamar Kanagasabai 20 and others and South by property belonging to me and others. Of these contained within these boundaries an undivided 1/4 share.

8. Out of the parcels of land called Eluveddy and Mudaneelakaladdy situated at-Do-an extent 8 3/4 Kls. of ground according to partition possession with well and coconut trees contained therein and bounded on the East and West and South by property belonging to me and others and North by road within these boundaries excluding a coconut tree which bears green coconut and which is on the East of the Northern extreme and remaining coconut trees belonging exclusively and of the ground, well and arecanut trees an undivided 1/4 of share of 2/3 share. 30

9. Further out of Eluveddy Mudaneelakaladdy an extent of 2 kls. of ground according to partition possession and bounded on the East by the property of Sinnapillai, wife of Kandiah North by road, West and South by property belonging to me and others. Of the ground contained within these boundaries an undivided 1/4 share of 2/3 share.

10. Land situated at Alvai Veerakodiakurichy called Pullavadiyaiyal in extent 11 1/2 Lachchams V.C. Of this the extent in possession for 1/4 on the North-east is 2 7/8 Lachchams P.C. and bounded on the East by the property of Aiyamuttu Karthigesar and others. North by the property of Sivakampillai, widow of Periathamby and others, West by the property 40 of Wallipillai, wife of Kulandavelu and others and South by the property of Valliar Murugappan and others. Of those contained within these boundaries an undivided 1/4 share.

I, do hereby, declare that out of those properties, the first nine properties belong as per donation deed No. 5139 dated the 20th day of December, 1903 and attested by this Notary Paramu Sithamparapillai in my favour and

D 8
Deed of Donation
No. 10834 attested
by P.
Sithamparapillai,
Notary Public---
25-12-1909
—Continued.

the 10th property as per deed of gift No. 404 dated 21st August, 1871 and attested by Murugappan Subramaniam, Notary in my favour and by possession and the said Visuvanathar Kanagaratnam and his heirs, executors, administrators and assigns shall have the lawful right to possess these for ever and these are not in any way alienated or encumbered but free from encumbrances and the produce of these properties belong to me during my lifetime and after that only to the donee.

I, Visuvanathar Kanagaratnam the said donee have accepted this donation with gratitude.

10 In witness whereof we the said parties set our signatures in the presence of the subscribing witnesses herein below Visuvanathar Arunasalam of Puloly West and Karthigesar Ratnasingam of Thunnalai North and in the presence of the Notary whose name is herein below mentioned on the 25th day of December, 1909 in the house of the Notary at Puloly West.

This is the hand mark of Walliammai.

(Sgd.) V KANAGARATNAM.

Witnesses :

(Sgd.) V ARUNASALAM

(Sgd.) K. RATNASINGAM

20

(Sgd.) Illegibly.

I, Paramu Sithamparapillai, Notary Public, do hereby, certify and attest that I have read over and explained the foregoing instrument to the said parties in the presence of the witnesses hereto Visuvanathar Arunasalam of Puloly West and Karthigesar Ratnasingam of Thunnalai North and I know them and the said deed was signed by its parties, witnesses and by me the Notary all being present at the same time and place on the 25th day of December, 1909 in my house at Puloly West and the duplicate bears 5 stamps of Rs. 7/50 and the original one stamp of Re. 1/- and that these stamps were supplied by me X X X X

80 Date of attestation :

25th day of December, 1909.

(Sgd.) PARAMU SITHAMPARAPILLAI

(Sgd.) Illegibly

(Sgd.) P. SITHAMPARAPILLAI,
Notary Public.

(SEAL)

Translated by me :

(Sgd.)

Sworn Translator,
District Court,
Point Pedro,

40

P 1
Mortgage Bond
No. 9973 attested
by S.
Subramaniam,
Notary Public—
20-1-1910

P 1

**Mortgage Bond No. 9973 attested by S. Subramaniam,
Notary Public**

Translation

Application No. 119/13-2-60.

The duplicate of the deed bears 3 stamps of the value of Rs. 2/50.

Prior registration Jaffna.

Registration in prior deed A 20/201.

No. 9973

We, Visuvanathar Kanagaratnam and wife Meenadchippillai of Puloly¹⁰ West do execute and grant mortgage debt bond to Kanapathipillai Kandiah of Puloly West presently of Kalutara to wit :

The amount paid as his money by his uncle Vairavanathar Sethunathar for and on his behalf and borrowed and received by us is Rs. 750/-. This sum of Rupees seven hundred and fifty with interest thereon at the rate of 10 percent per annum from the date hereof we do hereby promise to pay jointly and severally unto the said Kanapathipillai Kandiah on demand ensuring *beneficium non numeratae pecuniae* And for better securing the payment of the same we do hereby hypothecate as special mortgage with the said Kanapathipillai Kandiah the undermentioned property.²⁰

PROPERTY

Land in possession under and by virtue of donation and in favour of the 2nd named person of us bearing No. 8062 and 4948 respectively dated the 29th March, 1897 and 27th September, 1892 and attested by Murugappar Subramaniam, Notary.

Land situated at Puloly West Veerapahuthevankurichy in the parish of Point Pedro in Vadamradchy West division in the District of Jaffna in Northern Province called Kottavattai in extent 8 3/8 Lachchams V.C. which and an extent of 1 1/2 Lachchams being one-half share on the East of the land called Kottawattai in extent 3 Lachchams V.C. form a total³⁰ extent of 9 7/8 Lachchams V.C. with palmyrah trees, vadalies, coconut trees, margosa trees with stone built houses and mud house and hut and bounded on the East by Road, North by the property of Ledchumippillai, wife of Alvappillai and others, West by the property of Thanganmah, wife of Rasaratnam and others and South by the property of Ponnamah widow of Kandiah of those within these boundaries an undivided half-share.

We deliver herewith the said deeds.

In witness whereof we set our signatures to this and to two others of the same tenor in the presence of Sinnathamby Subramaniam, Notary

and in the presence of Thenny Alvapillai of Puloly East and Kadirgamar Alvapillai of the same place the subscribing witnesses thereto in the office of the said Notary at Puloly East on the Twentieth day of January One thousand nine hundred and ten.

P 1
Mortgage Bond
No. 9973 attested
by S.
Subramaniam,
Notary Public—
20-1-1910
—Continued.

(Sgd.) V KANAGARATNAM

(Sgd.) K. MEENADCHY

Witnesses :

(Sgd.) Illegibly

10 (Sgd.) K. ALVAPILLAI.

(Sgd.) S. SUBRAMANIAM

(Sgd.) S. SUBRAMANIAM,
Notary.

I, Sinnathamby Subramaniam, Notary Public of Jaffna, do hereby certify and attest that I have read over and explained the foregoing instrument to the said Visuvanathar Kanagaratnam who has signed as V Kanagaratnam and Meenadchippillai, wife of Kanagaratnam who has signed as K. Meenadchy in the presence of Theny Alvapillai of Puloly East who has signed illegibly and Kandasamy Alvappillai of the same place who has signed as K. Alvappillai the subscribing witnesses hereto that I know the grantor and witnesses that the said Visuvanathar Kanagaratnam and wife Meenadchypillai and witnesses set their signatures in my presence and in the presence of one another all being present at the same time in my office at Puloly East on the 20th January, 1910 that the amount of Rs. 750/- mentioned herein was paid in my presence that the duplicate hereof bears 3 stamps of the value of Rs. 2/50 cents and which stamps were supplied by me X X X

(Sgd.) S. SUBRAMANIAM

(Sgd.) S. SUBRAMANIAM,
Notary Public.

(SEAL)

30 20th January, 1910.

I, T. Selvarajah, Registrar of Lands of Point Pedro, do hereby, certify that the foregoing is a true copy of the deed of Mortgage made from the duplicate filed of record in this office and the same is granted on the application of Mr. S. Nagalingamudaly, Proctor, S.C., Point Pedro.

(Sgd.) Illegibly
Registrar of Lands.

Land Registry,
Point Pedro,
20-2-1960.

40 *Translated by :*

(Sgd.) Illegibly
Sworn Translator.

D 5
Deed of Transfer
No. 9975 attested
by S. Subramaniam,
Notary Public—
21-1-1910.

D 5

**Deed of Transfer No. 9975 attested by S. Subramaniam,
Notary Public**

Translation

No. 9975

Know all men by these presents that I, Kanapathiar Kathirgamar of Puloly East for and in consideration of the sum of Rs. 500/- paid by Meenadchipillai, wife of Visuvanathar Kanagaratnam of Puloly West and received do hereby, transfer and set over unto the said Meenadchipillai the following property :—

10

Property

Land belonging to me by possession as per transfer deed No. 234 dated 13th March, 1872 and attested by Alvymar Velauthar, Notary in my favour.

Land situated at Puloly East Malavarayakurichy in Point Pedro Parish Vadamaradchy Division, Jaffna District, Northern Province, called Mavilvayal in extent 40 Lachchams P.C.—Do.—10 Lachchams P.C. Of these the extent for the Southern half share is 25 Lachchams P.C. and bounded on the East by the property of Santhiapillai Swampillai, North by property of the purchaser and others West and South by lane. The whole ²⁰ of those contained within these boundaries.

I do hereby declare that I am responsible to warrant and defend the claim and disputes of the aforesaid properties and this is not in any way alienated or encumbered and endorsement is made on the said deed.

In witness whereof I set my signature to this and to two others of the same tenor in the presence of Sinnathamby Subramaniam, Notary and in the presence of the subscribing witnesses herein below Kathirgamar Velupillai of Puloly West and Kathirgamar Alvapillai of Puloly East on the 21st day of January, 1910 in the office of the said Notary at Puloly East.

(Sgd.) K. KATHIRGAMAR 80

Witnesses :

(Sgd.) KATHIRGAMAR VELUPILLAI

(Sgd.) K. ALVAPILLAI

(Sgd.) S. SUBRAMANIAM,
Notary.

I, Sinnathamby Subramaniam, Notary Public, do hereby, certify and attest that I have read over and explained the foregoing instrument to the said grantor in the presence of the witnesses hereto and I know them and the said grantor and witnesses have in my presence and they in the presence of one another signed at the same time on the 21st day of January, ⁴⁰

1910 in my office at Puloly East and the sum of money mentioned in the deed was paid in my presence and the duplicate bears 3 stamps of Rs. 2/50 and that these stamps were supplied by me.

D 5
Deed of Transfer
No. 9975 attested
by S.
Subramaniam,
Notary Public—
21-1-1910
—Continued.

The 21st day of January, 1910.

(Sgd.) S. SUBRAMANIAM.

(Sgd.) S. SUBRAMANIAM,
Notary Public.

(SEAL)

Translated by me :

10 (Sgd.)
Sworn Translator,
District Court,
Point Pedro.

D 6

Endorsement No. 10293 in Deed No. 8062

D 6
Endorsement
No. 10293 in
Deed No. 8062
9-7-1910

Translation

No. 8062

20 No. 9973
This share of land with another
share has been mortgaged.
20-1-1910.
(Sgd.) S. SUBRAMANIAM,
Notary Public.

Know all men by these presents that we, Velappar Kandiah and wife, Wallipillai of Puloly West for and on account of the natural love we have towards Meenadchipillai, daughter of Sithamparapillai of the same place the sister of the 2nd named of us and for other good causes which would urge to this act do hereby set over and convey by way of donation unto the said Meenadchipillai, daughter of Sithamparapillai and her heirs, executors, administrators and assign the following property worth Rs. 250/-.

Property

30 D 6
No. 10293
9-7-1910
Redeemcd.
(Intld.) S. S.
Notary Public.

Land belonging to us by possession as per donation deed No. 6971 dated 23rd November, 1895 and attested by Murugappar Subramaniam, Notary, in favour of the 2nd named of us.

D 6
Endorsement
No. 10293 in
Deed No. 8062
9-7-1910
—Continued.

Land situated at Puloly West Veerapahuthevankurichy in Point Pedro Parish Vadamarachy division, Jaffna District, Northern Province, called Kottawattai in extent 8 3/8 Lachchams V.C. this land and Kottawattai in extent 3 Lachchams V.C. of this half share on the East total in extent 7/8 Lachchams V.C. with palmyrahs, vadalies, mango trees, margosa trees, well, houses and huts and bounded on the East by road, North by the property of Ledchumipillai, wife of Alvapillai, Sinnacuddy, wife of Kandappiar and others, West by the property of Seethevippillai, wife of Subramaniam, Ponnamma, wife of Kandiahpillai and others and South by the property of Ponnammah, wife of Kandiahpillai. Of this an undivided half share of 1/4 share. X X X X X

As the said Meenadchipillai, daughter of Sithamparapillai being a minor, I, Naggappiar Sithamparapillai her father have accepted the aforesaid property as donation on behalf of her.

In witness whereof we set our signatures for this and to two others of the same tenor in the presence of Murugappiar Subramaniam, Notary Public and in the presence of the subscribing witnesses herein below Puniyar Kandappiar of Puloly West and Vyramuttu Kandiah of Puloly East on the 29th day of March, 1897 in the office of the said Notary at Puloly West.

(Sgd.) V. KANDIAH. 20
O Hand mark of WALLIPILLAI.
(Sgd.) M. SITHAMPARAPILLAI.

Witnesses :

(Sgd.) P. KANDAPPAR.

(Sgd.) V. KANDIAH.

(Sgd.) M. SUBRAMANIAM.

I, Murugappiar Subramaniam, Notary Public do hereby, certify and attest that I have read over and explained the foregoing instrument to the said parties in the presence of the witnesses hereto and I know them and the said executants and witnesses have in my presence and they in the presence of one another signed at the same time on the 29th March, 1897 in my office at Puloly West and the duplicate bears stamps of Rs. 1/50 and that these stamps were supplied by me.

The 29th day of March, 1897.

(Sgd.) M. SUBRAMANIAM,
Notary Public.

(SEAL)

Translated by me :

(Sgd.)
Sworn Translator
District Court,
Point Pedro.

D 1

**Deed of Transfer No. 16363 attested by P. Sithamparapillai,
Notary Public**

D 1
Deed of Transfer
No. 16363 attested
by P. Sithampara-
pillai, Notary
Public—
5-6-1921

Translation

Prior Registration
1st Land A 65/371.

Instrument Transfer.
Consideration Rs. 2,670/-.
Properties — 2.

No. 16363

10

Know all men by these presents that I, **Kathirgamar Kanagasabai** alias **Sinniah** of **Vannarponnai East** in **Jaffna** division in **Jaffna**, do hereby, sell, transfer and set over unto **Visuvanathar Kanagaratnam** who is employed as **Engineer** at **Yakalaingpoor** in **Orisa** Division in **India** for **Rs. 2,670/-** the following properties with the whole right, title, and interest therein.

Those properties are as follows :—

In **Point Pedro** Parish **Vadamaradchy** Division, **Jaffna** District Northern Province.

1. Land situated at **Puloly West** **Singapahuthevankurichy** called **Scema** in extent **15 Lachchams V.C.** and **1 kly.** with house, well, palmyrahs, cultivated plantations and spontaneous plantations contained therein and bounded on the **East** and **South** by lane, **North** by the property of **Kandar Sinnatamby** and others and **West** by the property of the heirs of the late **Velauthar Arunasalam** and others. The whole of those contained within these boundaries.

2. Land situated at **Puloly West** **Malavarayakurichy** called **Nedunkulavelitheny Thenkilakkilmetku** in extent **72 Lachchams V.C.—Do.—16 5/8 Lachchams V.C.—Do.—Vayal 23 1/4 Lachchams P.C.—Do.—Thoddam 3.** Of these parcels an extent of **13 Lachchams V.C.** on the **East** out of **26 Lachchams V.C.** in the middle out of the ground on the **West** of the street passing through the 1st parcel in extent **72 Lachchams V.C.** with well and coconut trees contained therein and bounded on the **East** by the said street passing through; **North** by the property of **Sivakamipillai**, widow of **Murugappar** and others, **West** by the property of **Sivakamipillai**, wife of **Sivapragasam** and others and **South** by property belonging to this grantee, and me and others. Of the ground, well and coconut trees contained within these boundaries an undivided **1/3** share.

I, do hereby, declare that out of these properties, the 1st property belongs as per transfer deed No. 2947 dated the 12th day of February, 1913 and attested by **Vaithilingam Kumaraswamy**, Notary, in my favour and my name was mentioned as "**Kathirgamar Kanagasabai**" and the 2nd property as per deed of Gift No. 6270 dated the 29th day of December, 1886 and attested by **Murugar Kaudappar**, Notary in my favour in which my name was mentioned as "**Kathirgamar Sinniah**" and by possession and the said **Visuvanathar Kanagaratnam** and his heirs, executors, administrators, and assigns shall have the lawful right to possess these for ever and in case if any claim or dispute happen to arise respecting these, I shall

D 1
Deed of Transfer
No. 16363 attested
by P. Sithampara-
pillai, Notary
Public---
5-6-1921
---Continued.

warrant and defend the same and as the 2nd property was ottied by me in favour of Paramanthar Arumugam of Puloly West for Rs. 300/- and as Kathirgamar Kanapathipillai of Puloly West got assignment, and which sum of Rs. 300/- I have set off out of the consideration to be redeemed by him and I have received the balance sum from Velauthar Kumarsamy of Puloly West the Attorney which he stated to be the Mudusom money of this grantee and the said properties are not subjected to any other encumbrances except the said otty and the deed of the 1st property—do.—delivered with the original of this instrument and endorsement is made on the deed of gift on the 2nd property.

10

In witness whereof I set my signature in the presence of the subscribing witnesses herein below Kandar Murugar of Karaveddy West and Kathirgesar Subramaniam of Alvai South and in the presence of the Notary whose name is herein below mentioned on the 5th day of June, 1921 in the house of the Notary at Puloly West

(Sgd.) K. KANAGASABAI.

Witnesses :

(Sgd.) KANDAR MURUGAR.

(Sgd.) K. SUBRAMANIAM.

(Sgd.) Illegibly.

20

I, Paramu Sithamparapillai, Notary Public, do hereby, certify and attest that I have read over and explained the foregoing instrument to the said grantor in the presence of the witnesses hereto and I know them and the said instrument was signed by its grantor witnesses and by me the Notary all being present at the same time and place on the 5th day of June, 1921 in my house at Puloly West and the duplicate of this instrument bears seven stamps of Rs. 48/- and the original one stamp of Re. 1/- and that these stamps were supplied by me and the sum of Rs. 2,370/- mentioned to have been paid now, was paid in my presence. X X X X X

(Sgd.) PARAMU SITHAMPARAPILLAI.

30

(Sgd.) Illegibly

Date of attestation
5th June, 1921.

(Sgd.) P. SITHAMPARAPILLAI,
Notary Public.

(SEAL)

Endorsement
2nd land was donated

No. 2800

2-11-52

40

(Intld.) P K.

.....
Notary Public.

(Intld.)

Translated by me :

(Sgd.)

Sworn Translator,
District Court,
Point Pedro.

**Deed of Transfer No. 20711 attested by S. Subramaniam,
Notary Public**

D 2
Deed of Transfer
No. 20711 attested
by S. Subramaniam
Notary Public —
21-3-1927

Translation

Transfer
Rs. 600/-
Land 1.

Prior Registration Jaffna.
A 171/130.

No. 20711

Know all Men by These Presents that we Theivanaipillai, widow of
10 Murugappan Subramaniam of Puloly West and Kathirgamar Somer Saba-
pathipillai of Alvai West for and in consideration of the sum of Rs. 600/-
paid by Velauthar Kumarasamy of Puloly West the attorney which sum
he stated to be the mudusom money of Visuvanathar Kanagaratnam of
Puloly West presently of North India and received do hereby, transfer
and set over unto the said Visuvanathar Kanagaratnam the following
property.

Property

Land situated at Puloly West Singapahuthevanakurichy in Point Pedro
Parish Vadamaradchy Division, Jaffna District, Northern Province called
20 Seema in extent 7 1/8 Lachchams V.C.—Do.—Veedu 1 of these parcels
an extent of 8 Lachchams V.C. and 5/8 kuly on the South with palmyrahs,
vadalies, ilanthai trees and Margosa trees and bounded on the East by
the property of the grantee, North by property belonging to Puvaneswary
Amman Temple, West and South by lane. Of those contained within these
boundaries an undivided half share.

We, do hereby, declare that this property belongs as per conveyance
No. 18071 dated 11th April, 1926 and attested by P. Sithamparapillai,
Notary and by possession and endorsement is made on the said deed respect-
ing this transfer and as the 2nd named of us have paid the amount on behalf
30 of the 1st named due to Appacuddy Selliah on a mortgage bond and got
receipt this consideration was taken in order to pay a part of the money due
to the 2nd named.

In witness whereof we set our signatures to this and to two others of
the same tenor in the presence of the Notary Sinnathamby Subramaniam
and in the presence of the subscribing witnesses herein below on the 21st
day of March, 1927 in the office of the said Notary at Puloly East.

This is the hand mark of Theivanaipillai.

(Sgd.) SOMAR SABAPATHIPILLAI.

Witnesses :

40 (Sgd.) V THAMBOO.
(Sgd.) K. SUBRAMANIAM.

(Sgd.) S. SUBRAMANIAM,
Notary.

D 2
Deed of Transfer
No. 20711 attested
by S. Subramaniam
Notary Public—
21-3-1927
---Continued.

I, Sinnathamby Subramaniam, Notary Public, do hereby, certify and attest that I have read over and explained the foregoing instrument to the said grantors in the presence of the witnesses hereto and the grantors are not known to me and the said witnesses whom I know stated that they know them and the grantors and witnesses have in my presence and they in the presence of one another signed at the same time on the 21st March, 1927 in my office at Puloly East and the sum of money Rs. 600/- mentioned in the deed was paid in my presence and the duplicate bears two stamps of Rs. 15/- and the original one stamp of Re. 1/-

X X X X X X X X

(Sgd.) S. SUBRAMANIAM. 10

(Sgd.) S. SUBRAMANIAM,
Notary Public.

Date of attestation :

21st March, 1927.

(SEAL)

Translated by me :

(Sgd.)
Sworn Translator,
District Court,
Point Pedro.

20

P 10
Deed of Transfer
No. 2190 attested
by A. Sivacolundu,
Notary Public—
16-10-33

P 10

Deed of Transfer No. 2190 attested by A. Sivacolundu,

Notary Public

Application No. 15/17-2-60.

Transfer.
Lands. 2.
Consideration Rs. 1,500/-.
Prior Registration : A 86/205 and A 74/61.
Stamp duty : Rs. 24/-.

No. 2190

30

Know all men by these presents that I, Bulankulame Walauwe Loku Kumarihamy of Bulankulama in Anuradhapura (hereinafter sometimes called the Vendor) for and in consideration of the sum of Rupees One Thousand and Five hundred (Rs. 1,500/-) of lawful money of Ceylon well and truly paid to me by Visuvanathar Kanagaratnam of Puloly West in Point Pedro (hereinafter sometimes called the Vendee) (the receipt whereof I do, hereby, admit and acknowledge) do hereby,

grant, convey, assign, sell, transfer and set over, unto the said Vendee, his heirs, executors, administrators and assigns the land described in the schedule hereto together with all and singular the rights, ways, easements, advantages, servitudes and appurtenances whatsoever thereto belonging or in any wise appertaining or usually held occupied, used or enjoyed therewith or reputed or known as part or parcel thereof and together with all the estate, right, title, interest, claim and demands, whatsoever of me the said Vendor, of into upon or out of the said premises and every part thereof of which said premises the first land is being held and possessed by me by
 10 right of Maternal inheritance and the second land by right of Paternal inheritance.

P 10
 Deed of Transfer
 No. 2190 attested
 by A. Sivacolundu,
 Notary Public—
 16-10-38.
 —Continued.

To have and to hold the said premises hereby sold and conveyed with the rights, easements and appurtenances unto him the said Vendee, his heirs, executors, administrators and assigns absolutely forever.

And I, the said Vendor for myself my heirs, executors and administrators, do hereby, covenant, promise, and declare, with and to the said Vendee, his heirs executors, administrators and assigns, that the said premises hereby sold and conveyed are free from any encumbrance whatsoever and that I and my aforewritten shall and will at all times hereafter
 20 warrant and defend the same and every part thereof unto him and his aforewritten against any person or persons whomsoever and also shall and will at all times hereafter at the request and cost of the said Vendee or his aforewritten do and execute or cause to be done and executed all such further and other acts, deeds, assurances, matters and things whatsoever for the further and more perfectly assuring the said premises, hereby sold and conveyed or any part thereof unto him or his aforewritten as by him or them may be reasonably required.

In witness whereof I, the said Vendor, do hereunto and to two others of the same tenor and date as these presents set my hand at Bulankulame
 30 on this Sixteenth day of October One Thousand Nine Hundred and Thirty Three.

The Schedule Above Referred To

1. An undivided one-fifth share of and in all that allotment of land called Siyambalawawela bearing lot No. 6 situated at Bandara Puliyan- kulama in Ihalawewa, Tulana in Kande Korale, in Nuwaragam palata in the District of Anuradhapura of the North Central Province containing in extent Forty-one acres three roods and eight perches (41 A. 3R. 8P) and bounded on the North by Mullagalakele bearing lot No. 1 D and Puliyan- kulama Mukalana bearing lot No. 1 F. South-East by Puliyan- kulama mukalana bearing lot No. 1 South by Road leading to Rambewa and Mullaga-
 40 lakele bearing lot No. 1 D, exclusive of the Rail Road passing through it and the land reserved for the Road.

2. An undivided one-third part or portion of the land called Bulankulame situated in the Town and District of Anuradhapura of the North Central Province and bounded on the North by the land claimed by natives, North-East by land claimed by Crown and the land claimed by Natives, East by land claimed by natives presently belonging to

P 10
Deed of Transfer
No. 2190 attested
by A. Sivacolundu,
Notary Public--
16-10-33
--Continued.

S. Subramaniam and others South-East by land purchased by Babappu and land said to belong to the Crown presently belonging to P S. T. Sithamparampillai, South-West and West by land said to belong to the Crown and by land belonging to the Natives containing in extent exclusive of the Road and Water course, passing through the land fifteen Acres and twenty-five perches (15A. 0R. 25P.).

Witnesses :

Signed and delivered in the presence of us, and we declare that we are well acquainted with the executant and know her proper name, occupation and residence. } Mark of Loku Kumarihamy 10
O

1. (Sgd.) L. B. WERAGAMA.

2. (Sgd.) Illegibly.

(Sgd.) A. SIVACOLUNDU,
Notary Public.

I, Alvappillai Sivacolundu, of Anuradhapura in the Island of Ceylon, Notary Public, do hereby, certify and attest that the foregoing Instrument having been duly read and explained by me the said Notary to the said Bulankulame Walauwe Loku Kumarihamy who is known to me in the presence of Loku Banda Weragama who signed the same as " L. B. Weragama " of Welimada and Tikiri Banda Weragama who signed the same as T. B. Weragama of Anuradhapura the subscribing witnesses thereto both of whom are known to me the same was signed by the said Bulankulame Walauwe Loku Kumarihamy with a Mark and also by the said witnesses in my presence and in the presence of one another all being present at the same time at Bulankulame aforesaid on this Sixteenth day of October One Thousand Nine Hundred and Thirty Three. 20

And I further certify and attest that the consideration mentioned herein was set off against a part of the amount due in case No. 1765 of the District Court of Anuradhapura and that the duplicate of this instrument bears three stamps of the value of Rupees Twenty Four and the original bears one stamp of the value of Rupee one and that the said stamps were supplied by me. 30

Date of attestation :
16th October. 1933.

(Sgd.) A. SIVACOLUNDU,
Notary Public.

(SEAL)

I, W. M. T. Weerasingha, Additional Registrar of Lands, Anuradhapura, do hereby certify that the foregoing is a true copy of a deed of transfer made from the duplicate filed of record in this office, and the same is granted on the application of T. Mylvaganam Esqr., Proctor. Anuradhapura. 40

(Sgd.) Illegibly,
Registrar of Lands.

Land Registry,
Anuradhapura.
17th February, 1960.

**Deed of Transfer No. 2415 attested by A. Sivacolundu,
Notary Public**

P 15
Deed of Transfer
No. 2415 attested
by A. Sivacolundu,
Notary Public—
10-1-35.

The Duplicate bears two stamps of Rs. 15/-

Application No. 26/15-2-62.

Prior Registration A 96/156.

No. 2415

To all to whom these presents shall come I, Bulankulame Walauwe Weragama Loku Kumarihamy of Bulankulame send greeting :—

10 Whereas by deed of transfer No. 2190 dated 16th October, 1933 and attested by the same Notary who is attesting these presents I, the said Loku Kumarihamy, transferred and sold two lands to Visuvanathar Kanagaratnam of Puloly West in Point Pedro, which said lands are fully described in the Schedule to the said Deed No. 2190 and whereas the second land described in the said schedule to the said Deed No. 2190 does not exactly tally with the land I intended to sell him in respect of the extent boundaries and the right by which I inherited the land I intended to sell him and whereas the said Visuvanathar Kanagaratnam the vendee in the said Deed No. 2190 has called upon me to execute a fresh Deed of Transfer in respect of the
20 said second land in the said Deed No. 2091 conveying to him proper title to the land I intended to sell him.

Now know all men by these presents that I, the said Bulankulame Waluwe Loku Kumarihamy (hereinafter sometimes called the vendor) for and in consideration of the sum of Rupees One Thousand (Rs. 1,000/-) which is the consideration I received for the second land I conveyed by the said Deed No. 2091 well and truly paid to me by the said Visuvanathar Kanagaratnam of Puloly West in Point Pedro (hereinafter sometimes-called the Vendee) (the receipt whereof I do hereby admit and acknowledge) do hereby, grant, convey, assign, sell, transfer and set over
30 unto the said vendee, his heirs, executors, administrators and assigns the land described in the schedule hereto together with all and singular the rights, ways, easements, advantages, servitudes and appurtenances whatsoever thereto belonging or in any wise appertaining or usually held or occupied, used or enjoyed therewith or reputed or known as part or parcel thereof and together with all the estate right, title, claim, interest and demand whatsoever of me the said vendor of in to upon or out of the said premises and every part thereof which said premises were being held and possessed by me by right of inheritance from my deceased mother.

To have and to hold the said premises hereby sold and conveyed with
40 the rights, easements and appurtenances unto him the said vendee, his heirs, executors, administrators and assigns absolutely forever.

P 15
Deed of Transfer
No. 2415 attested,
by A. Sivacolundu
Notary Public—
10-1-35
—Continued.

And I, the said vendor for myself, my heirs, executors and administrators, do hereby, covenant, promise and declare with and to the said vendee and his aforewritten that the said premises hereby sold and conveyed are free from any encumbrance whatsoever and that I and my aforewritten shall and will at all times hereafter warrant and defend the same and every part thereof unto him and his aforewritten against any person or persons whomsoever and also shall and will at all times hereafter at the request and costs of the said vendee or his aforewritten do and execute or cause to be done and executed all such further and other acts, deeds, assurances, matters and things whatsoever for the further and more perfectly assuring 10 the said premises hereby sold and conveyed or any part thereof unto him or his aforewritten as by him or them may be reasonably required.

In witness whereof I, the said Vendor do hereunto and to two others of the same tenor and date as these presents set my hand at Bulankulame on this tenth day of January, One Thousand Nine Hundred and Thirty Five.

Schedule Referred To

An undivided extent of five Acres (5A. OR. OP.) out of an undivided one-fifth share or portion belonging to me out of all those three lands called Ihalawela, Pahalawela and Kakkamottawela lying in contiguity and forming one property situated at Bandara Bulankulame in the Town and 20 District of Anuradhapura in the North Central Province containing in extent thirty-five acres (35A. OR. OP.) more or less and bounded on the North by Crown land Pankuliya Tank and land belonging to Bulankulame family, East by the Acre lands belonging to Bulankulame family South by land belonging to Bulankulame family and Crown land West by lands belonging to Bulankulame family.

Witnesses :

1. (Sgd.) Illegibly.
2. (Sgd.) A. B. SUBASINGHE.

This is the left thumb impression of Bulankulame 30
Walauwe Weragama Loku Kumarihamy.

(Sgd.) A. SIVACOLUNDU,
Notary Public.

I, Alvappillai Sivacolundu of Anuradhapura, Notary Public, do hereby, certify and attest that the foregoing instrument having been duly read over and explained by me the said Notary to the said Bulankulame Walauwe Weragama Loku Kumarihamy who is known to me in the presence of Henry William Dangamuwa of Welimada who signed the same illegibly and Appuralage Bandara Subasinghe of Anuradhapura who signed the same as "A. B. Subasinghe" both of whom are known to me the same was signed 40 by the said Bulankulame Walauwe Weragama Loku Kumarihamy with a mark and also by the said witnesses and by me the said Notary in my presence and in the presence of one another all being present at the same time at Bulankulame on this tenth day of January, One Thousand Nine Hundred and Thirty Five.

And I further certify and attest that the duplicate of this instrument bears two stamps of the value of Rupees fifteen and the original bears one stamp of the value of rupee one and that the said stamps were supplied by me and that the consideration mentioned therein was set off against part of the consideration of Deed No. 2190 dated 16th October, 1933 and attested by me.

P. 15
Deed of Transfer
No. 2415 attested
by A. Sivacolundu,
Notary Public—
10-1-35
—Continued.

Date of attestation :
10th January, 1935.

(Sgd.) A. SIVACOLUNDU,
Notary Public.

10

(SEAL)

I, W. M. J. Weerasuriya, Registrar of Lands, Anuradhapura, do hereby certify that the foregoing is a true copy of a deed of transfer made from the duplicate filed of record in this office and the same is granted on the application of Mr. K. Chandrasekaram.

Land Registry,
Anuradhapura,
2-3-62.

(Sgd.) Illegibly,
Registrar of Lands.

20

P 12

Deed of Transfer No. 3325 attested by
V. Senathirajasegaram, Notary Public

Translation

P 12
Deed of Transfer
No. 3325 attested
by V. Senathiraja-
segaram,
Notary Public—
4-2-36.

Duplicate bears stamps of the value of Rs. 25/-.

Application No. 136/17-2-60.

Lands 3.

Rs. 1,500/-.

No. 3325

4th February, 1936.

³⁰ Know all men by these presents that I Velauthar Nagalingam of Puloly West, do hereby declare —

P 12
Deed of Transfer
No. 3325 attested
by V. Senathiraja-
segaram,
Notary Public—
4-2-36.
—Continued.

The 1st land that is mentioned in the following schedule belongs to Kanapathippillai Kumarasamy of Alvai North according to transfer deed No. 169 dated the 26th October, 1919 and attested by K. Kanapathippillai, Notary and transfer deed No. 4855 dated 18th February, 1920 and attested by K. S. Sivaguru, Notary. The 2nd land belongs to Muthuppillai, wife of Kumarasamy according to dowry deed No. 3028 dated the 9th May, 1910 and attested by D. M. Vallipuram, Notary. The 3rd land belongs according to the above said dowry deed the said Muthuppillai and others have executed partition deed No. 11891 dated 1st February, 1915 and attested by K. Arumugam, Notary and was possessing same, and of the said lands the said Kanapathippillai Kumarasamy, and wife Muthuppillai to this grantee Visuvanathar Kanagaratnam living at Puloly West have executed mortgage deed dated 11th December, 1924 and attested by Paramu Sithamparapillai, Notary under No. 17602 for Rupees One Thousand and Five Hundred and interest and the said Visuvanathar Kanagaratnam filed the said debt bond in case No. 7212 of the Jaffna District Court and he is Plaintiff and the said Kanapathippillai Kumarasamy and wife Muthuppillai as defendants and so sued and had obtained decree, and on the decree an order to recover the dues paying and as the Court had requested me and appointed me a Commissioner to sell the said lands, and with the order of the said Court and after having made the usual and when I sold the land on the Public Auction on the 23rd May, 1935 the Plaintiff Visuvanathar Kanagaratnam became the highest bidder and bought the land for Rs. 1,500/- and that amount was agreed and, set apart of the money to be paid on the decree, the said Court had confirmed the sale; and the said Visuvanathar Kanagaratnam according to his purchase and he requested me to execute and grant in his favour a real transfer deed, and I had to execute a deed so.

Know all men by these presents. I the said K. Velauthar Nagalingam, on account of the above reasons the said Visuvanathar Kanagaratnam for a part of money which he to pay on the decree, and for the agreement of Rs. 500/- on the decree, do hereby, sell, transfer and convey to the said Visuvanathar Kanagaratnam the land mentioned in the following schedule.

The above said Schedule

In Kaddaiveli Parish, Vadamardchy Division, Jaffna District, Northern Province.

1. Land situated at Alvai Veerakodia Kurichchy called Ampalantheny in extent 32 1/4 Lachchams V.C. of this on the South of 4/5 share, on the North East excluding 1 1/4 Lachchams V.C. the remaining in extent 24 Lachchams V.C. 10 kulies. with palmyrah, vadalies, coconut trees, houses, and spontaneous plantation, and the cultivations and well bounded on the East by street, North by the property of Kanapathippillai Kumaraswamy and others, West by the property of Kanapathippillai Kumaraswamy and wife, Muthuppillai and others and South by the property of Kayilayar Suppar and others of the whole of this within the boundaries an undivided 1/8 share and the whole of the house built by the said Kumaraswamy and wife Muthuppillai.

2. Land situated at Alvai, Mappanakurichchy called Periatheny in extent 85 $\frac{3}{8}$ Lachchams V.C.-do-Thodam I. of these parcels according to possession in extent 8 Lachchams V.C. with palmyrahs and vadalies bounded on the East by the property of Murugan Thilakarippillai and others North by the property of Kanthappar Subramaniam and others, West by the property of Rasammah, wife of Kandiah and South by Arumugam Vythalingam and others of this an undivided $\frac{1}{2}$ share; and its share of well by way to the West :- and the right of way and water course.

P 12
Deed of Transfer
No. 3325 attested
by V. Senathiraja-
segaram,
Notary Public—
4-2-36.
—Continued.

10 3. Land situated at Neelakuddiyar Kurichchy called Urulai in extent 31 $\frac{5}{8}$ Lachchams V.C.-do-Thoddam I. of these parcels in the middle of 10 $\frac{1}{2}$ Lachchams V.C. on the North 5 Lachchams V C. $2\frac{3}{4}$ kulies with palmyrahs and vadalies, bounded on the East by the property of Ponnampalam Muruguppillai and others, North by the property of Ramalingam Saravanamuthu, West by the property of Ponnampalam Muruguppillai and others and South by the property of Ponnu, wife of Kanapathippillai and others. The whole of this within the boundaries. In witness whereof, I set my signature to this and to two other copies of the same tenor, at Puloly East on the 4th day of February, 1936.

20 This is the Signature of V Nagalingam.

We, the said witnesses do declare we know well the real name, residence and occupation of the grantors.

(Sgd.) V KANDIAH.

(Sgd.) V SENATHIRAJASEGARAM,
Notary Public.

(Sgd.) V. ARUMUGAM.

I, Vinasithamby Senathirajasegaram, Notary Public of Vadamarachy Division of Jaffna, do hereby, certify and attest that I read and explained the foregoing instrument to K. Velauthar Nagalingam who signed in English to herein signed witnesses Velauthar Kandiah of Puloly East, Veluppillai Arumugam of the same place in their presence I know the grantor and witnesses, the grantors and witnesses mentioned in the deed, in my presence and they in the presence of one another signed at the same time at Puloly East on the 4th February, 1936. The duplicate bears 2 stamps of the value of Rs. 25/- and the original bears one stamp of Re. 1/- and before this deed was read and explained, in the duplicate ("in Tamil") ("in Tamil") in the 2nd line ("in Tamil") ("in Tamil") ("in Tamil") was cut in the latter line ("in Tamil") was written above in the original page 2 4th line ("in Tamil") was corrected in the duplicate and original of 3rd
40 land, 3rd line ("in Tamil") was corrected.

(Sgd.) V SENATHIRAJASEGARAM,
Notary Public.

Date of attestation :

4th February, 1936.

(SEAL)

P 12
Deed of Transfer
No. 3325 attested
by V. Senathiraja-
segaram,
Notary Public—
4-2-86.
—Continued.

I, T. Selvarajah, Registrar of lands of Point Pedro, do hereby, certify that the foregoing is a true copy of a deed of Transfer made from the duplicate filed of record, in this office and the same is granted on the application of Mr. S. Nagalingamudaly, Proctor of the Supreme Court, Point Pedro.

(Sgd.)

Registrar of Lands.

Land Registry,
Point Pedro,
2nd March, 1960.

Translated by :

10

(Sgd.) Illegibly,
Sworn Translator,
District Court,
Jaffna.

P 8

P 8
Deed of Transfer
No. 2842 attested
by K. Krishna-
pillai,
Notary Public—
4-10 89

**Deed of Transfer No. 2842 attested by K. Krishnapillai,
Notary Public**

Translation

The Duplicate bears Three stamps of the value of Rs. 42/-.

Application No. 109/11-2-60. ²⁰

Prior Registration A/289.

236—237

Anuradhapura—A 55/47 & 49.

Transfer
Rupees : 2,500/-.
Lands : 4.
Duplicate Stamps 42 Rupees .

No. 2842/4-10-39

To all to whom these presents shall come, I, Mylattai, widow of Kathirgamar Murugappar of Puloly West, Vadamaradchy, Jaffna, do hereby ⁸⁰ send Greetings.

Whereas Vinasithamby Subramaniam who died issueless in Colombo left behind properties worth over Rupees Two Thousand Five Hundred without leaving behind a Last Will or Testament and left behind as heirs, my sister Kathirasippillai, widow of Veeragathiar Annamalai issueless, my brothers, children of my brothers who died and me and died on the 7th of March, 1935.

And whereas Nagammah, widow of the said Subramaniam for his movable and immovable properties in Testamentary Case No. 179 D.C. Jaffna obtained probate and was on the occasion of the final account, gave possession of the lands described in the schedule to me and to all the heirs and all the heirs and I possess the same with my heirs and I from the month of August, 1938 and one of the heirs of the said late Subramaniam Kathirasippillai, widow of Veeragathiar Annamalai when the Testamentary Case was in action died after a Last Will in favour of the children Somasundaram, Kanaganathan of Seethevippillai, wife of Periathamby Vinasithamby my only daughter on about 28th February, 1938, and appointed me as executrix and whereas I have obtained Probate in 47/P.T. District Court, Jaffna and my said sister Kathirasippillai and I received a sum of Rs. 530/- from Karthigesu Muruguppillai on the 25th November, 1936 on a Promissory note with interest therein at 12 per cent and the said Muruguppillai has obtained decree in Case No. 892/P. District Court, Jaffna and whereas this amount is shown in Testamentary Case No. 47/P.T. and whereas for the welfare the sons Somasundaram, Kanaganathan on or about 10 years ago my sister the said Kathirasippillai and I have donated to them our properties by Dowry and purchase and yet for their betterment a house is to be constructed and as the money in our hand was not enough and for the said debt and the father of the said children the late Periathamby Vinasithamby borrowed money by his property and as it was not settled and as per decree No. 27066 a portion was settled and the balance was not given being it amounted Rs. 650/- and interest thereon and debt by the assignment of the deed No. 5763 attested by Notary K. Muttucomaru on the 26th May, 1937 in favour of the said Karthigesu Muruguppillai and the debt for the purchase of tiles for the said building and for the debt for completing the said house by deed No. 8904 attested by Notary M. S. Kandiah on the 18th February, 1933 in favour of Murugappan Ponnusamy of Puloly West for the sum of Rs. 500/- with interest thereon and whereas I am sick and bedstricken and as the grantors have noticed me to settle the debts and if not they are to take necessary actions to redeem the debts and whereas the price of the land has gone down and if they are allowed to be sold it seemed to me that the children Somasundaram, Kanaganathan will undergo severe difficulties and as the properties below belong to several heirs it is wise to exclude the lands under mortgage bond and as Visuvanathar Kanagaratnam of Puloly West has agreed to purchase my 1/7 share and the 1/7th share of my said sister Kathirasippillai belonged to her by the said Testamentary Case 47/P.T. total amounting to 2/7 share for Rupees 2,500/- and I have agreed to transfer and set over the same and know all men by these presents that I for reasons above shown for and in consideration of the sum of Rs. 2,500/- do hereby transfer same with all right, title and interest thereon to the said Visuvanathar Kanagaratnam and whereas the said Visuvanathar Kanagaratnam, his heirs, administrators, executors shall ever possess and enjoy.

The properties below are not in any way alienated or encumbered but free from encumbrances, and I and my heirs shall warrant and defend if any dispute or claim arise.

In witness whereof I set my signature to this and to two others of the same tenor in my house at Puloly West.

This fourth day of October, 1939.

P 8
Deed of Transfer
No. 2842 attested
by K. Krishna-
pillai,
Notary Public—
4-10-39
—Continued.

Schedule

P 8
Deed of Transfer
No. 2842 attested
by K. Krishna-
pillai,
Notary Public—
4-10-39
—Continued.

1. Land called Nedunkulavelitheni Kadu Kadal Paya situated at Puloly West, Singapahuthevankurichey, Point Pedro Parish, Vadamarachy Division, Jaffna District, Northern Province in extent 47 Lachchams V.C. of this 7 1/2 Lachchams V.C. on the Western side Pallan Kadu Kadal Paya in extent 18 3/4 of this an extent of 3 1/2 Lachchams V.C. total extent is 11 Lachchams V.C. for this according to survey Plan annexed in Partition Case No. 8814 District Court, Jaffna for lot No. 1 the extent is 4 Lachchams 8 8/16 kulies with bungalow, kitchen, coconut trees, palmyrah trees and well is bounded on the East by water channel North by Road, West by the property of trust called Nedunkulavelitheni belonging to Aladypillaiyar Temple and South by the property of the temple and to me and to others of this an undivided 2/7 share and the whole of those belonging to this.¹⁰

2 Land situated at—do.—Irai in—do.—land plan in extent for lot No. 2 is 15 9/16 kulies with coconut trees is bounded on the East by the property of Brito Muthunayagam, North by the property of Krishnapillai Mylvaganam, West by water channel and on the South by the property of the aforesaid Aladypillaiyar temple of this an undivided 2/7th share.

3. Land called Basuvakkulam in Anuradhapura town, Nuwaragama Parish, Nuwaragama Korale, Anuradhapura District, North Central Province in extent according to Plan No. 80 surveyed by Licensed Surveyor K. Velmurugu on the 7th of June, 1915 to the North of the earth plan No. T. P. 134597, the lot A in extent 1 acre, 3 roods, 20 perches, with coconut trees, arecanut trees, mango trees, jak trees, orange trees and lime trees is bounded by the lease property belonging to me and to my brothers and sister and North by the property of the Buddhist temple as described in plan No. 13807, West by the property of Vinasithamby Somasundaram and shareholders South by the property of Vinasithamby Somasundaram and shareholders of this an undivided 2/7 share.²⁰

4. In—do.—Irai to the Northern 1/2 share described in Plan No. T.P. 131745, the extent for Lot C in the said plan is Acres 3, Roods 3, Perches 36 with coconut trees, house, huts and arecanut trees is bounded on the North by path and water course and the land purchased by Narangavita Sumana-sarananansi East by the above said property and West by water course of the whole of this an undivided 2/7 share with appurtenance thereof.³⁰

Witnesses.

(Sgd.) S. SARAVANAMETTU.

(Sgd.) S. VINASITHAMBY.

This is the hand mark and left thumb impression of Mylattipillai.⁴⁰

(Sgd.) K. KRISHNAPILLAI,
Notary Public.

I, Kathirithamby Krishnapillai, Notary Public for the judicial Division of Point Pedro, Jaffna District, do hereby certify and attest that I read over and explained the foregoing instrument to Mylattipillai, widow of Kathirgamar Murugar who set her hand mark and left thumb impression and to the witnesses Sinnathambyar Saravanamuttu of Puloly West and to Sinnathamby Vinasithamby and I know them and the said grantor and witnesses they in my presence and in the presence of each other in the house of the grantor at Puloly West set their signatures at one and the same time on the 4th day of October, 1939 and the duplicate bears stamps of the value of Rs. 42/- and the original stamp of 1 Re. and before the instrument was read over explained in page 3 lines 14, 15, in duplicate and original were closely written in original 4th page in line 40 ("in Tamil") is corrected in Duplicate in 2nd page in line 20 ("in Tamil") is struck off and the sum mentioned in the instrument was paid in my presence.

P 8
Deed of Transfer
No. 2842 attested
by K. Krishna-
pillai,
Notary Public—
4-10-39
--Continued.

(Sgd.) K. KRISHNAPILLAI,
Notary Public.

Date of attestation :

5th October, 1939.

I, T. Selvarajah, Registrar of Lands, Point Pedro, do hereby certify that the foregoing is a true copy of a deed of transfer made from the duplicate filed of record in this office and the same is granted on the application of Mr. S. Nagalingamudaly, Proctor, Supreme Court, Point Pedro.

Land Registry,
Point Pedro.
29th February, 1960.

(Sgd.) Illegibly,
Registrar of Lands

Translated by :

(Sgd.) T. K. SUBRAMANIAM,
Sworn Translator,
District Court,
Jaffna.

P 25

Plaint in District Court, Anuradhapura, Case No. 2263

IN THE DISTRICT COURT OF ANURADHAPURA

**PALEKAGAMA DHAMMAPALA THERUNNANSE of Lankarama
in Anuradhapura**

Plaintiff.

P 25
Plaint in District
Court,
Anuradhapura,
Case No. 2263—
15-8-40

P 25
Plaint in District
Court,
Anuradhapura,
Case No. 2263—
15-3-40
—Continued.

No. 2263

Vs.

Lunatic.

(dead)

1. VISUVANATHAR KANAGARATNAM of Point Pedro.
2. SOORIYA KUMARA WANNISINGHE ALFRED MADDUMA BANDA BULANKULAMA by his *guardian ad-litem* S. W. MADDUMA BANDA BULANKULAMA of Anuradhapura.
3. SOORIYA KUMARA WANNISINGHE RICHARD PUNCHI BANDA BULANKULAMA.
4. SOORIYA KUMARA WANNISINGHE HENRY BULANKULAMA.
5. WERAGAMA KAHANDE WALAUWE PUNCHI KUMARIHAMY.
6. BULANKULAMA WALAUWE WERAGAMA LOKU KUMARIHAMY. ¹⁰
7. PUNCHI BANDA BULANKULAMA all of Bulankulama Walauwe in Anuradhapura Town.
8. SOORIYA KUMARA WANNISINGHE BULANKULAMA SOMAWATHIE KUMARIHAMY of Kapuwatte Walauwe in the District of Matale.

Defendants.

1. DANGAMUWE WERAGAMA MADDUMA KUMARIHAMY of Dangamuwe Walauwe in Welimada.

1st set of added Defendant.

1. HOWAGE KIRIMENIKA (dead) ²⁰
2. MANELLGE SIMON
3. MANELLGE HENDRICK
4. MANELLGE SOLOMON
5. MANELLGE JUSSEY minor by his *guardian ad-litem*.

MANELLGE SIMON all of Bandara Bulankulama in Nuwara-gam Korale.

2nd set of added Defendants.

On this the 15th day of March, 1940.

The plaintiff of the plaintiff abovenamed appearing by V Ramaswamy his Proctor states as follows :— ³⁰

1. Certain Owita Kumarihamy was the original owner of the land described in the schedule hereto.

2. The said Owita Kumarihamy died several years ago and her right and title to the said land devolved on (1) L. B. Bulankulama Disawe, (2) M. B. Bulankulama, (3) P. B. Bulankulama, (4) T. B. Bulankulama and (5) Bulankulama Walauwe Weragama Loku Kumarihamy—her children who succeeded to the property left behind by her and were each entitled to an undivided one-fifth share of the said land.
3. By Deed No. 474 dated the 27th day of November, 1922 and attested by P. B. Bulankulama, Notary Public, the said T. B. Bulankulama sold and transferred his undivided one-fifth share of the said land to Weragama
¹⁰ Kahande Walauwe Bulankulama Kumarihamy.
4. By Deed No. 1246 dated the 28th day of July, 1932 and attested by S. Nadaraja, Notary Public, the said L. B. Bulankulama Dissawe who was entitled to an undivided one-fifth share of the said land and the said Weragama Kahande Walauwe Bulankulama Kumarihamy granted and transferred by way of exchange their undivided two-fifth shares of the said land to M. B. Bulankulama, who with his own one-fifth share of the same became entitled to an undivided three-fifth shares of the said land.
5. By Deed No. 1332 dated the 15th day of June, 1922 and attested
²⁰ by S. Nadaraja, Notary Public, the said M. B. Bulankulama sold and transferred his undivided three-fifth share of the said land to the 2nd, 3rd, 4th, 5th and 8th defendants abovenamed who thus became each entitled to an undivided three-twenty-fifth shares of the same.
6. By Deed No. 2415 dated the 10th day of January, 1935 and attested by A. Sivacolundu, Notary Public, the said Bulankulama Walauwe Loku Kumarihamy the 6th defendant sold and transferred an undivided extent of five acres out of an undivided one-fifth share of the said land to the 1st defendant retaining for herself an undivided extent of two acres.
7. The said P. B. Bulankulama by Bond No. 2776 dated the 3rd day of December, 1929 and attested by S. D. Krishnaratne, Notary Public,
³⁰ mortgaged to Punchi Hewage Nonis Appu of Anuradhapura an undivided one-fifth share of a specified portion of 17A. 1R. 16P. out of the said land and the said Bond was sued in Case No. 1587 of this Court and judgment was obtained against him therein. At the sale under a Commission issued in the said case for the sale of the said one-fifth share, the said Punchi Hewage Nonis Appu became the Purchaser thereof under and by virtue of Deed of Transfer No. 1772 dated the 30th day of June, 1931 and attested by A. Sivacolundu, Notary Public.
8. By Deed No. 400 dated the 9th day of September, 1933 and attested
⁴⁰ by S. Velmurugu, Notary Public, the said Punchi Hewage Nonis Appu sold and transferred the said one-fifth share of the said extent of 17A. 1R. 16P. to the plaintiff, who thus became entitled to an undivided extent of 3 acres, 1 rood and 35 perches out of the land described in the schedule and the said P. B. Bulankulama the 7th defendant is entitled to the remaining extent of 3 acres 2 roods and 5 perches.
9. The plaintiff and the defendants are entitled to the said land in the following shares, to wit :—

P 25
 Plaint in District
 Court,
 Anuradhapura
 Case No. 2263—
 15-3-40
 —Continued.

- (1) The plaintiff is entitled to an undivided extent of Three Acres One Rood and Thirty Five Perches.
- (2) The 7th defendant is entitled to the balance extent of Three Acres Two Roods and Five Perches.
- (3) The 1st defendant is entitled to an undivided extent of Five Acres.
- (4) The 6th defendant is entitled to the balance extent of Two Acres.
- (5) The 2nd, 3rd, 4th, 5th and 8th defendants are entitled to an undivided $\frac{3}{25}$ th shares of the said land which is equal to 4A. 0R. 32P. per each.

10. The plaintiff and his predecessors in title have held and possessed¹⁰ the said land undisturbed and uninterrupted by a title adverse to and independent of all others for more than ten years previous to the bringing of the action and have thereby acquired a prescriptive right and title to the same in terms of Section 3 of Ordinance No. 22 of 1871.

11. The plaintiff finds it difficult and inconvenient to possess the said land in common with the defendants and desires to have a partition of the said land.

12. The said land is reasonably worth Rs. 3,333/33.

WHEREFORE the plaintiff prays :-

- (1) that he and the defendants may be declared entitled to the said²⁰ land according to the shares specified above ;
- (2) that the said land be partitioned and divided shares be allotted to the plaintiff and the defendants according to the said shares .
- (3) that the defendants be ordered to pay costs of suit and of partition according to their respective shares.
- (4) for such other and further relief as to this Court shall seem meet.

(Sgd.) V. RAMASWAMY,
Proctor for Plaintiff.

Schedule Referred To

All that land called Ihalawela, Pahalawela and Kakkamotewela together³⁰ forming one property bearing Lot No. 8B in B.S.P.P. 525 situated at Bandara Bulankulama in the Town and District of Anuradhapura of the North Central Province and bounded on the North by Crown land Pankuliya Tank and land belonging to Bulankulama Family, on the East by the Acreland belonging to Bulankulama Family, on the South by the land belonging to Bulankulama Family and on the West by the lands belonging to Bulankulama Family containing in extent thirty-five acres (35A. 0R. 0P.)

(Sgd.) V. RAMASWAMY,
Proctor for Plaintiff.

PEDIGREE

Owita Kumarihamy



P 25
Plaint in District
Court,
Anuradhapura
Case No. 2263--
15-3-40
—Continued

L. B. Bulan-
kulama
1/5

M. B. Bulan-
kulama
1/5

P. B. Bulan-
kulama
1/5

T. B. Bulan-
kulama
1/5

Weragama
Loku
Kumari-
hamy
1/5

(Sgd.) V. RAMASWAMY,
Proctor for Plaintiff.

¹⁰ True copy of plaint with amended caption in District Court. Anuradhapura partition Case No. 2263.

(Sgd.)
Secretary.
District Court,
Anuradhapura,
14-12-61.

Lispendens in District Court, Anuradhapura
Case No. 2263

P 24
Lispendens in
District Court,
Anuradhapura
Case No. 2263—
24-4-40

²⁰ Registered as a Lispendens A119/18.
Anuradhapura, 24th April, 1940.

(Sgd.)
Registrar of Lands.

Application for Registration of a Lispendens.

To the Registrar of Lands of Anuradhapura.

I, Velupillai Ramaswamy, Proctor of Anuradhapura, hereby apply for registration of the partition action to wit :

Names of parties :

⁸⁰ PALLEKAGAMA DHAMMAPALA THERUNNANSE of Landarama
in Anuradhapura.

Plaintiff.

P 24
Lispendens in
District Court,
Anuradhapura
Case No. 2263—
24-4-40
—Continued.

Vs.

1. VISUVANATHAR KANAGARATNAM of Puloly West, Point Pedro.
2. SOORIYA KUMARA WANNISINGHE ALFRED MADDUMA BANDA BULANKULAMA.
3. SOORIYA KUMARA WANNISINGHE RICHARD PUNCHI BANDA BULANKULAMA.
4. SOORIYA KUMARA WANNISINGHE HENRY BULANKULAMA.
5. WERAGAMA KAHANDE WALAUWE PUNCHI KUMARIHAMY. 10
6. BULANKULAMA WALAUWE WERAGAMA LOKU KUMARIHAMY.
7. PUNCHI BANDA BULANKULAMA all of Bulankulama Walauwe in Anuradhapura Town.
8. SOORIYA KUMARA WANNISINGHE BULANKULAMA SOMAWATHIE KUMARIHAMY of Kapuwatta Walauwe in the District of Matale.

Defendants.

Name of the Court : In the District Court of Anuradhapura.

Number of the Action : 2263. 20

Reference to previous registration of the land if known : A 96/156 as a Lispendens affecting the land in your District described in the schedule hereto.

(Sgd.) R. RAMASWAMY,
Signature of Applicant's Proctor

Dated 24th April, 1940.

Schedule above referred to

All that land called Ihalawela, Pahalawela and Kakkamotewela together forming one property bearing lot No. 8B in Final Village Plan situated at Bandara Bulankulama in the Town and District of Anuradhapura 30 of the North Central Province and bounded on the North by Crown Land Pankuliya Tank and Land belonging to Bulankulama Family on the East by the Acreland belonging to Bulankulama Family on the South by the land belonging to Bulankulama Family and on the West by land belonging to Bulankulama Family containing in extent thirty-five acres (35A. 0R. 0P.)

(Sgd.) R. RAMASWAMY,
Proctor for Plaintiff.

True copy of Lispendens filed of record in District Court, Anuradhapura
Partition case No. 2263.

(Sgd.) 40
Secretary,
District Court,
Anuradhapura.

D 20

Decree in District Court, Anuradhapura, Partition
Case No. 2263

D 20
Decree in District
Court,
Anuradhapura
Partition Case
No. 2263—
3-8-44

DECREE

IN THE DISTRICT COURT OF ANURADHAPURA

PALLEKAGAMA DHAMMAPALA THERUNNANSE of
Lankarama in Anuradhapura.

No. 2263

Plaintiff.

Partition.

Vs.

10

1. VISUVANATHAR KANAGARATNAM of Point Pedro.

2. SOORIYA KUMARA WANNISINGHE ALFRED
MADDUMA BANDA BULANKULAMA by his
guardian ad-litem S. W. MADDUMA BANDA
BULANKULAMA of Anuradhapura.

3. SOORIYA KUMARA WANNISINGHE RICHARD
PUNCHI BANDA BULANKULAMA.

4. SOORIYA KUMARA WANNISINGHE HENRY
BULANKULAMA.

20

5. WERAGAMA KAHANDE WALAUWA PUNCHI
KUMARIHAMY.

6. BULANKULAMA WALAUWA WERAGAMA LOKU
KUMARIHAMY (dead).

7. PUNCHI BANDA BULANKULAMA all of Bulan-
kulama Walauwa in Anuradhapura Town.

8. SOORIYA KUMARA WANNISINGHE BULAN-
KULAMA SOMAWATHIE KUMARIHAMY of Kapu-
watta Walauwa in the District of Matale.

Defendants.

30

1. DANGAMUWA WERAGAMA MADDUMA KUMARI-
HAMY of Dangamuwa Walauwa in Welimada.

1st set of Added-Defendant.

D 20
Decree in District
Court,
Anuradhapura
Partition Case
No. 2263—
8-8-44
—Continued.

1. HOWAGE KIRIMENIKA (dead)
2. MANELLAGE SIMON
3. MANELLAGE HENDRICK
4. MANELLAGE SOLOMON
5. MANELLAGE JUSSEY minor by his *guardian-ad-litem* MANELLAGE SIMON all of Bandara Buiankulama in Nuwaragam Korale.

2nd set of Added-Defendants.

This action coming on for final disposal before T. Quentin Fernando, Esquire, District Judge of Anuradhapura on the 3rd day of August, 1944¹⁰ in the presence of Mr. V Ramaswamy, Proctor on the part of the plaintiff, Mr. A. Sivacolundu, Proctor on the part of the 1st defendant and the first and second sets of added parties and Mr. S. Nadaraja, Proctor on the part of the 2nd, 3rd, 4th, 5th and 8th defendants and the 6th defendant being absent and unrepresented having no interest in the land in question and having transferred her interest therein and notice of considering the Commissioner's report and entering the final decree having been served.

It is ordered that of the land described in the schedule hereto marked X and described by lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 in Survey Plan No. 662 dated 14th February, 1942 made by T. Subramaniam, Licensed Surveyor²⁰ and Leveller of Anuradhapura filed of record.

1. The lot marked 1 in the said plan No. 662 in extent Three acres and nine and two-fifth perches (3A. 0R. 9 and 2/5P.) and lot marked 7 therein in extent Eight acres Two roods and Thirty seven perches (8A. 2R. 37P.) with their appurtenances and lot marked 8 therein in extent Eight acres One rood and Twenty four perches and more fully described in the schedule hereto marked A be allotted and given to the 2nd, 3rd, 4th, 5th and 8th defendants and they are hereby declared entitled to them.

2. The lot marked 11 in the said plan No. 662 in extent Two acres (2A. 0R. 0P.) and lot marked 2 in extent One acre One rood and one and four-fifth perches with their appurtenances more fully described in the schedule hereto marked B be allotted and given to the 7th defendant's successor-in-title the second set of added parties aforesaid and they are hereby declared entitled to them.

3. The lot marked 3 in the said plan No. 662 in extent One rood and thirty six and four-fifth perches (0A. 1R. 36 and 4/5P.) and lot marked 10 therein in extent one acre and one rood (1A. 1R. 0P.) with their appurtenances and more fully described in the schedule hereto marked C be allotted and given to the first set of added party and she is hereby declared entitled to it.

4. The lot marked 4 in the said plan No. 662 in extent Two roods and sixteen perches (0A. 2R. 16P.) and lot marked 5 therein in extent three acres and eight perches (3A. 0R. 8P.) and lot marked 9 therein in extent One acre one rood and sixteen perches (1A. 1R. 16P.) with their appurtenances and more fully described in the schedule hereto marked D be allotted and given to the first defendant and he is hereby declared entitled to it.

D 20
Decree in District
Court,
Anuradhapura
Partition Case
No. 2268—
3-8-44
—Continued.

5. The lot marked 6 in the said plan No. 662 in extent Three acres one rood and thirty-five perches (3A. 1R. 35P.) with its appurtenances and more fully described in the schedule hereto marked E be allotted and given to the plaintiff and he is hereby declared entitled to it.

Schedule " X "

1. All that land called Ihalawela, Pahalawela and Kakkamotewela together forming one property bearing lot No. 8 B in B.S.P.P. 525 represented by lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 in Survey Plan No. 662 made by T. Subramaniam, Licensed Surveyor, situated at Bandara Bulankulama in the Town and District of Anuradhapura of the North Central Province and bounded on the North by Crown Land Pankuliya Tank and land belonging to Bulankulama Family on the East by the acreland belonging to Bulankulama Family on the South by the land belonging to the Bulankulame Family and on the West by the lands belonging to the Bulankulama Family containing in extent Thirty-five acres (35A. 0R. 0P.) but containing an extent of Thirty-three acres Two roods and Twenty-four perches (33A. 2R. 24P.) according to the said Survey Plan No. 662.

Schedule " A "

1. All that allotment of land marked lot 1 in the Survey Plan No. 662 dated 14th February, 1942 made by T. Subramaniam, Licensed Surveyor and Leveller being divided portion of lot 8 B aforesaid containing in extent of Three acres and Nine and Two-fifth perches (3A. 0R. 9 and 2/5P.) and bounded on the East by lot 2 and on the North-West and South by Crown land and

2. All that allotment of land marked 7 in the aforesaid plan No. 662 being a divided portion of lot 8 B aforesaid containing in extent Eight acres Two roods and Thirty-seven perches (8A. 2R. 37P.) and bounded on the East by lot 6 on the North by Crown land and lots 2 and 3 on the West by lot 8 and land belonging to the Bulankulama Family and on the South by land belonging to the Bulankulama Family and

3. All that allotment of land marked Lot 8 in Survey Plan No. 662 aforesaid being a divided portion of Lot 8 B aforesaid containing in extent Eight acres One rood and Twenty-four perches and bounded on the East by lot 7 North by Crown land West by Lot 9 South by land of Bulankulama Family.

Schedule " B "

D 20
Decree in District
Court,
Anuradhapura
Partition Case
No. 2263—
3-8-44
—Continued.

1. All that lot marked 2 in aforesaid plan 662 being a divided portion of Lot No. 8 B aforesaid containing in extent One acre One rood and One and four-fifth perches (1A. 1R. 1 and 4/5th P.) and bounded on the East by land belonging to the plaintiff and lot 3 on the West by lot 1 on the South by Crown land and lot 7.

2. All that lot marked 11 in the aforesaid plan No. 662 being a divided portion of Lot No. 8 B aforesaid containing in extent Two acres (2A. 0R. 0P.) and bounded on the East by lot 10 on the North by Crown land and on the West and South by land belonging to the Bulankulama Family. ¹⁰

Schedule " C "

1. All that lot marked 3 in the aforesaid plan 662 being a divided portion of lot No. 8 B aforesaid containing in extent One rood and Thirty-six and four-fifth perches (0A. 1R. 36 4/5P.) and belonging to the plaintiff and on the West by lot 2 and on the South by lot 7 and Crown land.

2. All that lot marked 10 in the aforesaid plan No. 662 being a divided portion of lot No. 8 B aforesaid containing in extent One acre and One rood (1A. 1R. 0P.) and bounded on the North by Crown land on the East by lot No. 9 on the West by lot No. 11 and on the South by the land belonging ²⁰ to the Bulankulama Family.

Schedule " D "

1. All that lot marked 4 in the aforesaid plan 662 being a divided portion of the lot No. 8 B aforesaid containing in extent Two roods and sixteen perches (0A. 2R. 16P.) and bounded on the East and North by land belonging to the plaintiff on the West by lot 3 and on the South by Crown land.

2. All that lot marked 5 in the aforesaid plan 662 being a divided portion of lot No. 8 B aforesaid containing in extent Three acres and Eight perches (3A. 0R. 8P.) and bounded on the East by land belonging to the plaintiff on the North by Crown land and on the West by lot 6 and on the South ³⁰ by land belonging to the Bulankulama Family.

3. All that lot marked 9 in the aforesaid plan 662 being a divided portion of lot No. 8 B aforesaid containing in extent One Acre One rood Sixteen perches (1A. 1R. 16P.) and bounded on the East by lot 8 on the North by Crown land on the West by lot 10 and on the South by land belonging to the Bulankulama Family.

Schedule " E "

D 20
Decree in District
Court,
Anuradhapura
Partition Case
No. 2263—
3-8-44
---Continued.

1. All that lot marked 6 in the aforesaid plan 662 being a divided portion of lot 8 B aforesaid containing in extent Three acres One rood and Thirty-five perches (3A. 1R. 35P.) and bounded on the East by lot 5 on the North by Crown land on the West by Lot 7 and on the South by land belonging to the Bulankulama Family.

It is further ordered that to adjust the difference in value of the appurtenances in the respective lots of the said land allotted to the parties aforesaid the plaintiff do pay to the 2nd, 3rd, 4th, 5th and 8th defendants a sum of Rupees 41/35 cts. and that the first defendant do pay them a sum of Rupees 133/96 cts. and that the parties do pay to plaintiff his costs of suit and of partition *pro-rata*.

(Sgd.) N. KRISHNADASAN,
District Judge.

The 3rd day of August, 1944.

True Copy.

(Sgd.)
Secretary,
District Court,
Anuradhapura,
25th October, 1948

20

P 11

**Deed of Transfer No. 94 attested by V. K. Subramaniam,
Notary Public**

P 11
Deed of Transfer
No. 94 attested
by V. K.
Subramaniam,
Notary Public—
1-12-40

Application No. 109/11-2-60.

Translation

The Duplicate bears two stamps of the value of Rs. 15/-.

³⁰ Transfer
Land 1.
Rs. 650/-.

Prior Registration
A 211/122.

1st December, 1940.

No. 94

Know all men by these presents that we Suppar Veluppillai and wife Sinnappillai of Alvai South for and in consideration of the sum of Rs. 650/- Six hundred and fifty, do hereby, transfer and set over the land mentioned in schedule below on condition described below.

P 11
Deed of Transfer
No. 94 attested
by V. K.
Subramaniam,
Notary Public—
1-12-40
Continued.

The property mentioned in the said Schedule below was in favour of the 1st named of us by deed of transfer No. 13863 attested by Notary Paramu Sithamparappillai on the 31st day of December, 1915 belongs to us and by possession and the said consideration amount of Rs. 650/- with interest thereon at 10 percent be paid within three years from this date by us or our heirs, executors or administrators, the grantee or his aforewritten should retransfer same at our costs for consideration as same to us or to our aforewritten and if we or our aforewritten fail to pay the said Rs. 650/- and interest thereon within three years and at the elapse of three years these conditions will be null and void and this instrument shall be considered legal and valid and after that period this deed of transfer is a legal and valid one and there shall be no rights to us or our aforewritten to demand a deed of transfer to be executed and the grantee shall have rights to enter and take possession of the property and the right of possession shall be with us or with our aforewritten for the said three years and we deliver the title deed with this instrument and we have the full right and power to transfer and sell and we shall warrant and defend the property

The Schedule of Property

Land called Nungaiyapulam situated at Thunnalai, Veerasuntharamuthalikurichy in Kaddaiveli Parish, Vadamaradchy Division, Jaffna District, Northern Province in extent 49 $\frac{1}{4}$ Lachchams V.C. of this for $\frac{5}{7}$ share on the South is in extent 35 $\frac{1}{4}$ Lachchams V.C. according to possession with well is bounded on the East by the property of Kathirgamar Arambo and others North by the property of Nagapparamu and others West by the property of Mylvaganam Arulampalam and others and on the South by the property of Raman Velapparam and others of those contained within these boundaries an undivided $\frac{2}{3}$ share of $\frac{1}{6}$ share.

In Witness whereof we set our signatures to this and to two others of the same tenor in the office of the said Notary at Puloly East this 1st day of December, 1940.

We the witnesses do hereby,
declare that we know the grantors and
grantee by their real name, residence
and occupation.

(Sgd.) S. VELUPPILLAI.

X This is the hand mark of
Sinnappillai, wife of Velup-
pillai.

Left thumb impression.

(Sgd.) V COOMARASWAMY

(Sgd.) K. VALLIPURAM

(Sgd.) V K. SUBRAMANIAM

40

(Sgd.) V K. SUBRAMANIAM,
Notary Public.

I, Visuvanathan Kanagaratnam Subramaniam, Notary Public for the Judicial Division of the Court of Point Pedro and Chavakachcheri, do hereby, certify and attest that I read over and explained the foregoing instrument to the said Murugar Suppar Veluppillai who signed as S. Veluppillai and to Sinnappillai who set her left thumb impression and to the witnesses Velauthar Kumaraswamy of Puloly West who set his signature illegible and to Kanthar Vallipuram of Karaveddy East and I know them and the said grantors and witnesses in my presence and all in the presence of each other signed this 1st day of December, 1940 and the amount mentioned in this instrument was paid in my presence and the duplicate bears 2 stamps of the value of Rs. 15/- and the original one stamp of the value of Re. 1/- and before the instrument was read over and explained in duplicate 2nd page in 1st line ("in Tamil") is corrected and in original 1st page last line ("in Tamil") was written over.

P 11
Deed of Transfer
No. 94 attested
by V. K.
Subramaniam,
Notary Public --
1-12-40
Continued.

Date of attestation :

1st December, 1940.

(Sgd.) V. K. SUBRAMANIAM
(Sgd.) V. K. SUBRAMANIAM,
Notary Public.

(SEAL)

²⁰ I, Selvarajah, Registrar of lands, Point Pedro, do hereby, certify that the foregoing is a true copy of the deed of transfer made from the duplicate filed of record in this office and the same is granted on the application of Mr. S. Nagalingamudaly, Proctor, Supreme Court, Point Pedro.

Land Registry,
Point Pedro,
29th February, 1960.

(Sgd.) Illegibly,
Registrar of Lands.

Translated by me :

³⁰ (Sgd.) T. K. SUBRAMANIAM,
Sworn Translator,
District Court,
Jaffna.

D 18

Final Partition Decree in District Court, Point Pedro
Case No. 1415/P.

D 18
Final Partition
Decree in District
Court,
Point Pedro
Case No. 1415/P—
27-8-42

FINAL PARTITION DECREE
IN THE DISTRICT COURT OF JAFFNA

Held at Point Pedro

⁴⁰ No. 1415/P. 1. THAMOETHARAMPILLAI THANGARAJAH
2. and wife BALARATNAM, both of Thunnalai North.
Plaintiffs.

18
Final Partition
Decree
in District Court,
Point Pedro
Case No. 1415/P--
27-8-42
—Continued.

Vs.

1. SETHUNATHAPILLAI VELUPILLAI of Thunnalai North.
2. ARULESWARY, daughter of PARAMSOTHY of -do.-
Minor by her *Guardian-ad-litem*
VALLIPURAM PARAMSOTHY of -do.-
3. VAIRAVAN SUPPAN of Puloly South.
4. VAIRAVAN PASUVAN of -do.-
5. THAMAN KANAPATHY of -do.-
6. and wife WALLY of -do.- 10
7. THAMU VEERAGATHYPILLAI of Alvai South.
8. VALLIAPPAN VELUPILLAI of -do.-
9. and wife NAGAMUTTU of -do.-
10. SUPPAR VELUPILLAI of -do.-
11. VISUVANATHAR KANAGARATNAM of Puloly West.
12. THAMAR CHINNATHAMBY of -do.-
13. VINASITHAMBY SENATHIRAJASEGARAM of Puloly South.
14. S. C. KANAGASABAI of Puloly East. 20
15. VIYAGESAN SOMASUNDARAM of Nallur, Jaffna.

Defendants.

This action coming on for final disposal before L. W. de Silva Esquire, Additional District Judge on the 27th day of August, 1942 in the presence of Mr. M. Esurapadham, Proctor on the part of the plaintiffs and of Mr. A. Nadarajah Sunderam, Proctor on the part of the 7--10 defendants, of Mr. V. K. Subramaniam, Proctor on the part of the 11th defendant and the other defendant being absent and unrepresented and notice of Final Decree having been reported duly served on them.

It is ordered and decreed that of the land situated at Thunnalai Veera--
sundaramudalikurichy in the Parish of Kaddaiveli in Vadammaradchy 30
Division in the District of Jaffna called Nungayapulam in extent 38 Lach-
chams V.C. and 6, 27/32 Kulies with its appurtenances including well and

bounded on the East by the property of Murugar Vallipuram and others. On the North by the property of V. Senathirajasegaram and others. On the West by the property of the heirs of the late Sinnathamby Subramaniam and on the South by the property of Kanadappar Thambiah and others and C. Sivapiragasam and others and described by Lots marked 1, 2, 3, 4, 5, 6, 7 and 8 in the survey plan No. 663 dated the 28th day of April, 1942 and prepared by Mr. M. Velupillai, Licensed Surveyor and Commissioner appointed by this Court to partition the said land and filed of record in this case.

D 18
Final Partition
Decree
in District Court,
Point Pedro
Case No. 1415/P...
27-8-42
—Continued

¹⁰ 1. The lot marked 3 in extent 5 Lachchams V.C. and 10, 17/32 kulies with its appurtenances and bounded on the East by lot No. 9 on the North by lot No. 2 and the West by the property of the heirs of the late Sinnathamby Subramaniam and of the South by lots Nos. 4 and 8 be and the same is hereby declared to be the absolute property of the 2nd plaintiff.

2. The lot marked 2 in extent 5 Lachchams V.C. 10, 17/32 kulies with its appurtenances and bounded on the East by Lot No. 9 on the North by lot No. 1, on the West by the property of the heirs of late Sinnathamby Subramaniam and on the South by lot No. 3 be and the same is hereby declared to be the absolute property of the 11th defendant.

²⁰ 3. The lot marked 4 in extent 7 Lachchams V.C. and 5, 8/32 kulies with its appurtenances and bounded on the East by lot No. 9 and on the North by lot No. 3 on the West by the property of the heirs of late Sinnathamby Subramaniam and on the South by lot No. 5 be and the same is hereby declared to be the absolute property of the 2nd defendant.

4. The lot marked 5 in extent 6 Lachchams V.C. and 2, 25/32 kulies with its appurtenances and bounded on the East by lot No. 9 and on the North by lot No. 4 on the West by the property of the heirs of the late Sinnathamby Subramaniam and on the South by lot No. 6 be and the same is hereby declared to be the absolute property of the 7th and 9th defendants
³⁰ in equal shares.

5. The lot marked 6 in extent 6 Lachchams V.C. and 2, 25/32 kulies with its appurtenances and bounded on the East by lot No. 9 on the North by lot No. 5 on the West by the property of the heirs of the late Sinnathamby Subramaniam and on the South by lot No. 7 be and the same is hereby declared to be the absolute property of the 3rd, 4th and 6th defendants in equal shares.

6. The lot marked 7 in extent 4 Lachchams V.C. and 1, 27/32 kulies with its appurtenances and bounded on the East by the property of Murugar Vallipuram and others on the North by lots No. 6 and 8 on the West by the
⁴⁰ property of the heirs of the late Sinnathamby Subramaniam and on the South by the property of Kandappar Thambiah and others and C. Sivapiragasam and others be and the same is hereby declared to be the absolute property of the 11th defendant subject to right of 10th defendant to obtain a retransfer according to the terms stipulated in Deed No. 94 dated 1st December, 1940 and attested by Mr. V K. Subramaniam, N.P. and marked P 19.

D 18
Final Partition
Decree
in District Court,
Point Pedro
Case No. 1415/P-
27-8-42
Continued.

7. The lot marked 1 in extent 2 Lachchams V.C. and 30/32 kulies with its appurtenances and bounded on the East by lot No. 9 on the North by the property of V. Senathirajasegaram and others, on the West by the property of heirs of the late Sinnathamby Subramaniam and South by lots 2 and 8 be and the same is hereby declared to be the absolute property of the 13th, 14th and 15th defendants.

8. The lot marked 8 in extent 11, 13/32 kulies with its appurtenances and bounded on the East and West by lots No. 2, 3, 4, 5 and 6 and on the North by lots Nos. 1 and 3 and on the South by lots Nos. 4 and 7 be and the same is hereby declared to be the common property of the plaintiff¹⁰ and defendants for the use as reservation of the well, way and water course in proportion to their shares of the land.

9. The lot marked 9 in extent 14, 25/32 kulies with its appurtenances and bounded on the East by the property of Murugar Vallipuram and others North by the property of V. Senathirajasegaram and others West by lots No. 1, 2, 3, 4, 5 and 6 and on the South by lot No. 7 be and the same is hereby declared to be the common property of the plaintiffs and defendants for the use as path.

It is further decreed that to adjust the difference in the value of the appurtenances in the respective lots of the said land allotted to the parties²⁰ as aforesaid the 2nd plaintiff do pay to the 3rd, 4th and 5th defendants Rs. 284/66½, 2nd plaintiff do pay to 11th defendant Rs. 134/67½, 2nd defendant do pay to 11th defendant Rs. 598/60½, 2nd defendant do pay to 13, 14, 15th defendants Rs. 34/21½, 7th and 9th defendants do pay to 13, 14 and 15th defendants Rs. 161/83½, and 11th defendant do pay to 13, 14 and 15th defendants Rs. 17/84.

It is further decreed that the costs of this action and of partition not exceeding 1/9th value of the land be borne by the parties in proportion to their shares in the said land.

This 27th day of August, 1942.

30

(Sgd.) L. W. DE SILVA,
Additional District Judge.

Drawn by :

(Sgd.) M. ESURAPADHAM,
Proctor for Plaintiff.

“ True copy of the Final Partition Decree in District Court, Jaffna Case No. 1415 held at Point Pedro.”

(Sgd.)
Secretary,
District Court,
Point Pedro,
5-7-61.

40

**Deed of Transfer No. 1236 attested by V. K. Subramaniam,
Notary Public**

P 16
Deed of Transfer
No. 1236 attested
by V. K.
Subramaniam,
Notary Public
28-10-42

Duplicate bears Stamps of the value of Rs. 10/-.
Transfer.
Land 1.
Rupees 500/-.

Application No. 235/25-3-60.
Prior Registration Jaffna.
A 204/224.

No. 1236/28th October, 1942

Know all men by these presents that I Vethavanam Kathirgamar
10 of Puloly West for and in consideration of Rupees 500/- five hundred paid
and received from Visuvanathar Kanagaratnam of the same place do hereby
transfer and set over the property mentioned in schedule below with all
its right, title and interest thereon unto the said Visuvanathar Kanagaratnam.

Whereas I declare that the property described in the said schedule
belong to me by deed of Transfer No. 9968 dated 17th day of January,
1910 and attested by Notary S. Subramaniam and by right of Mudusom
from my father and by right of Possession and the said deed of transfer is
not with me at present and I have the full right and power to sell and transfer
and I shall warrant and defend if any claim and dispute arise.

20

The abovesaid Schedule

Land called Pommikaladdy situated at Puloly East Singapahuthe-
vankurichy in Point Pedro Parish, Vadamardchy Division, Jaffna District,
Northern Province in extent 34 Lachchams V.C. of this an extent of 1
Lachcham 15 kulies for the lane on the Western side being excluded the
extent of the rest is 32 Lachchams 3 kulies with well and vadalies is bounded
on the North-East by the property of Sithamparanathar Kanapathippillai
and others, North by the property of Kanapathippillai Vairavippillai and
others and the property of Vallathai wife of Vairamuthu and others West
by the lane allotted by this property and South by the property of Sitham-
30 paranathar Kanapathippillai of the whole of these contained within these
boundaries an undivided 9/64 share and the share of the well belonging to
this.

In witness whereof I set my signature to this and to two others of the
same tenor at Puloly West this 28th day of October, 1942.

(Sgd.) V. KATHIRGAMAR.

Witnesses :

(Sgd.) S. SUPPAN.

(Sgd.) V KASINATHAR.

(Sgd.) V K. SUBRAMANIAM.

(Sgd.) V. K. SUBRAMANIAM,
Notary Public.

40

P 16
Deed of Transfer
No. 1236 attested
by V. K.
Subramaniam,
Notary Public
28-10-42
—Continued

I, Visuvanathar Kanagaratnam Subramaniam, Notary Public for the judicial division of the Court of Point Pedro and Chavakachcheri, Jaffna District, do hereby certify and attest that the foregoing instrument was read over and explained by me to the said Vethavanam Kathirgamar and to the subscribing witnesses Sinnavan Suppan of Puloly West and to Velupillai Kasinathar of Puloly East and I know all of them and the said grantor and witnesses in my presence and they in the presence of one another set their signatures at Puloly West on the 28th of October, 1942 and the sum mentioned in the Instrument was paid in my presence and the duplicate bears 1 stamp of the value of Rs. 10/- and the original bears 1 stamp of the value of Re. 1/-.

Date of attestation :

28th October, 1942.

(Sgd.) V. K. SUBRAMANIAM,
(SEAL) Notary Public.

I, T. Selvarajah, Registrar of Lands, Point Pedro, do hereby, certify that the foregoing is a true copy of a deed of transfer made from the duplicate filed of record in this office and the same is granted on the application of Mr. K. Kandappa, Puloly West.

Land Registry,
Point Pedro.
1st April, 1960.

(Sgd.) Illegibly,
Registrar of Lands.

Translated by :

(Sgd.) T. K. SUBRAMANIAM
Sworn Translator,
District Court,
Jaffna.

D 19
Final Partition
Decree in District
Court, Point Pedro
Case No. 124/P.
11-12-42

D 19

Final Partition Decree in District Court, Point Pedro
Case No. 124/P

FINAL PARTITION DECREE

IN THE DISTRICT COURT OF JAFFNA HELD AT
PT. PEDRO

VISUVANATHAR KANAGARATNAM of Puloly West

No. 124/P

Vs.

Plaintiff.

1. OLAGANATHAR MURUGESAPILLAI of Puloly West.
- Minors { 2. AMBALAVANAR MAHESAN of Puloly West.
3. MAHESWARI daughter of AMBALAVANAR of -do-.
Minors by their *Guardian-ad-litem* CHELLAM, widow
of AMBALAVANAR of-do-.

4. VALLIPURAM VELUPPILLAI of Alvai South.
5. and wife WALLIPPILLA of -do-.
6. K. PANDARAM KANDAVANAM of Puloly West.
7. ALVAPPILLAI NAMASIVAYAM of -do-.
8. and wife MUTHURATNAM of -do-.
9. PERIYATHAMBY MURUGUPPILLAI of Alvai North.
10. KANDIAH RAJARATNAM of -do-.
11. VELAUTHAR SINNATHAMBY CHINNIAM of -do-.
12. VALLIPURAM MANICCAM of -do-.

10

Minors

- | | |
|---|---|
| { | 13. THAMAR PARAMOE of Puttur East. |
| { | 14. THAMAR IYATHURAI of Alvai South. |
| { | 15. THAMAR VANNIYASINGHAM of Puttur East. |
| { | 16. THAMAR THAMBIAH of -do-. |
| { | 17. THAMAR KASINATHAR of -do-. |
| { | 18. SINNAMMAH, daughter of THAMAR of -do- Minors
by their <i>Guardian-ad-litem</i> VELLAIMUTTAR THAMAR
of -do-. |

19. MAILVAGANAM ARASARATNAM of Puloly West.
20. PONNUCHAMY NADARAJAH of Puloly West.
21. and wife SETHUPPILLAI of -do-

20

22. KANAPATHIPPILLAI KUMARASAMY of Alvai South.
23. KANAPATHIPPILLAI PARAMAGURU of Alvai South.
24. KANAPATHIPPILLAI KATHIRITHAMBY of -do-.

Dead.

25. KANAPATHIPPILLAI THINAKARIPPILLAI of -do-.
26. KANAPATHIPPILLAI CHELLIAH of -do-.
27. KANAPATHIPPILLAI SITHAMPARAPPILLAI of -do-.
28. T. PONNAMBALAM.

D. 19
Final Partition
Decree in District
Court, Point Pedro
Case No. 124/P.
11-12-42
—Continued.

29. MAILVAGANAM.
30. MAHAMANICKAM.
31. and wife VISALADCHIPPILLAI.
32. T. CHELLAMMAH, widow of KUMARAR of Alvai North,
Defendants.
33. N. ALVAPPILLAI of Puloly West substituted in place of the 8th defendant.

This action coming on for final disposal before L. W. de Silva, Esquire, Additional District Judge, on the 11th day of December, 1942 in the presence ¹⁰ of Mr. S. Soorasangaram, Advocate, instructed by Mr. V. K. Subramaniam, Proctor on the part of the plaintiff and of Mr. T. Ramalingam, Advocate, instructed by Mr. S. Visuvalingam, Proctor on the part of the 22nd defendant and the other defendants being absent and unrepresented and notice of Final Decree having been reported duly served on them.

It is ordered and decreed that of the land situated at Alvai Veerakodiakurichy in Kaddaively Parish in the Division of Vadammaradchy in the District of Jaffna. Northern Province called Ampalantheny in extent 26 Lachchams V.C. and kulies with its appurtenances including house and well and bounded on the East by lane, on the North by the property of ²⁰ Kanapathippillai Kumarasamy and others and madamland, on the West by the property of Kanapathippillai Kumarasamy and wife Muttupillai and others and on the South by the property of Kailayar Suppar and others, and described by lots marked 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 in the Survey Plan No. 1720 dated the 9th day of October, 1940 and prepared by Mr. K. Velmurugu, Licensed Surveyor and Commissioner appointed by this Court to partition the said land and filed of record in this case.

1. The lot marked 1 in extent 6 Lachchams V.C. and 9 kulies with its appurtenances and bounded on the East by lane on the North by the ⁸⁰ property of Kanapathippillai Kumarasamy and others on the West by the property of Kanapathippillai Kumarasamy and wife Muttupillai and others and on the South by lot 2 be and the same is here by declared to be the absolute property of the Madam of which the 22, 23, 24, 26 and 27 defendants are trustees.

2. The lot marked 2 in extent 3 Lachchams V.C. and 4 1/2 kulies with its appurtenances inclusive of the house and bounded on the East by lane, on the North by lot 1, on the West by the property of Kanapathippillai Kumarasamy and wife Muttupillai and others and on the South by lot 3 be and the same is hereby declared to be the absolute property of the plaintiff. ⁴⁰

3. The lot marked 3 in extent 3 Lachchams V.C. and 4 1/2 kulies with its appurtenances and bounded on the East by lane, on the North by lot 2, on the West by the property of Kanapathippillai Kumarasamy and wife Muttupillai and others and on the South by lot No. 4 be and the same is hereby declared to be the absolute property of the 9th defendant.

4. The lot marked 4 in extent 1 Lachcham V.C. and 1, 1/2 kulies with its appurtenances and bounded on the East by lane, on the North by lot 3, on the West by the property of Kanapathippillai Kumarasamy and wife Muttuppillai and others and on the South by lot 5, be and the same is hereby declared to be the absolute property of the 11th defendant.

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Final Partition
Decree in District
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11-12-42
—Continued.

5. The lot marked 5 in extent—Lachchams V.C. and 9, 3/4 kulies with its appurtenances and bounded on the East by lane, on the North by lot 4, on the West by the property of Kanapathippillai Kumarasamy and wife Muttuppillai and others and on the South by lot 6 be and the same is hereby declared to be the absolute property of the 10th defendant.

6. The lot marked 6 in extent 2 Lachchams V.C. and 7, 7/8 kulies with its appurtenances inclusive of the well and bounded on the East by lane, on the North by lot 5, on the West by the property of Kanapathippillai Kumarasamy and wife Muttuppillai and others and on the South by lot 7, be and the same is hereby declared to be the absolute property of the 6th defendant.

7. The lot marked 7 in extent 14, 5/8 kulies with its appurtenances and bounded on the East by lane, on the North by lot 6, on the West by the property of Kanapathippillai Kumarasamy and wife Muttuppillai and others and on the South by lot 8, be and the same is hereby declared to be the absolute property of the 21st defendant.

8. The lot marked 8 in extent 2 Lachchams V.C. and 7, 7/8 kulies with its appurtenances and bounded on the East by lane, on the North by lot 7, on the West by the property of Kanapathippillai Kumarasamy and wife Muthuppillai and others and on the South by lot 9 be and the same is hereby declared to be the absolute property of the 8th defendant.

9. The lot marked 9 in extent 8, 31/40 kulies with its appurtenances and bounded on the East by lane, on the North by lot 8, on the West by the property of Kanapathippillai Kumarasamy and others and South by lot 10 be and the same is hereby declared to be the absolute property of the 1st defendant.

10. The lot marked 10 in extent 4, 31/80 kulies with its appurtenances and bounded on the East by lane, North by lot 9, West by the property of Kanapathippillai Kumarasamy and wife Muttuppillai and others and on the South by lot 11, be and the same is hereby declared to be the absolute property of 2nd defendant.

11. The lot marked 11 in extent 4, 31/80 kulies with its appurtenances and bounded on the East by lane, on the North by lot 10, on the West by the property of Kanapathippillai Kumarasamy and wife Muttuppillai and others, and on the South by lot No. 12 be and the same is hereby declared to be the absolute property of the 3rd defendant.

12. The lot marked 12 in extent 1 Lachcham V.C. and 11, 1/4 kulies with its appurtenances and bounded on the East by lane, on the North by lot 11, on the West by the property of Kanapathippillai Kumarasamy and wife Muttuppillai and others and on the South by lot 13 be and the same is hereby declared to be the absolute property of the 5th defendant.

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Final Partition
Decree in District
Court, Point Pedro
Case No. 124/P.
11-12-42
—Continued.

13. The lot marked 13 in extent 1 Lachcham V.C. and 8, 13/40 kulies with its appurtenances and bounded on the East by lane, North by lot 12, West by the property of Kanapathippillai Kumarasamy and wife Muttuppillai and others and South by lot 14, be and the same is hereby declared to be the absolute property of the 4th defendant.

14. The lot marked 14 in extent—Lachchams V.C. and 14, 5/8 kulies with its appurtenances and bounded on the East by lane, on the North by lot 13, on the West by the property of Kailayar Suppar and others and on the South by lot 15 be and the same is hereby declared to be the absolute property of the 12th defendant. 10

15. The lot marked 15 in extent—Lachchams V.C. and 2, 7/16 kulies with its appurtenances and bounded on the East by lane, on the North by lot 14, on the West by the property of Kailayar Suppar and others and on the South by lot 16 be and the same is hereby declared to be the absolute property of the 13th defendant.

16. The lot marked 16 in extent—Lachchams V.C. and 2, 7/16 kulies with its appurtenances and bounded on the East by lane and bounded on the North by lot 15, on the West by the property of Kailayar Suppar and others, and on the South by lot 17, be and the same is hereby declared to be the absolute property of the 14th defendant. 20

17. The lot marked 17 in extent—Lachchams V.C. and 2, 7/16 kulies with its appurtenances and bounded on the East by lane, on the North by lot 16, on the West by the property of Kailayar Suppar and others, and on the South by lot 18 be and the same is hereby declared to be the absolute property of the 15th defendant.

18. The lot marked 18 in extent 2, 7/16 kulies with its appurtenances and bounded on the East by lane, on the North by lot 17, on the West by the property of Kailayar Suppar and others and on the South by lot 19 be and the same is hereby declared to be the absolute property of the 16th defendant. 30

19. The lot marked 19 in extent 2, 7/16 kulies with its appurtenances and bounded on the East by lane, on the North by lot 18, on the West by the property of Kailayar Suppar and others and South by lot 20 be and the same is hereby declared to be the absolute property of the 17th defendant.

20. The lot marked 20 in extent 2, 7/16 kulies with its appurtenances and bounded on the East by lane, on the North by lot 19, on the West and on the South by the property of Kailayar Suppar and others be and the same is hereby declared to be the absolute property of the 18th defendant.

It is further decreed that to adjust the difference in the value of the appurtenances in the respective lots of the said land allotted to the parties as aforesaid the

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Final Partition
Decree in District
Court, Point Pedro
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11-12-42
—Continued.

plaintiff do pay to the madam (22, 24, 26 and 27 defendants) Rs. 17/12 ;

„ do pay to the 8th defendant Rs. 19·92 ;

„ do pay to the 1st defendant Rs. 17·89 ;

„ do pay to the 2nd defendant Rs. 5·94 ;

„ do pay to the 5th defendant Rs. 16·07 ;

9th defendant do pay to the 5th defendant Rs. 22·71 and to the 4th defend-
¹⁰ant Rs. 95·23, 11th defendant do pay to the 4th defendant cents 33, and to
 the 12th defendant Rs. 39·65, 10th defendant do pay to the 12th defendant
 Rs. 11·99, 6th defendant do pay to the 12th defendant Rs. 6·50, to the
 13th defendant Rs. 12·05, to the 14th defendant Rs. 12·05 to the 15th
 defendant Rs. 12·05 and to the 16th defendant Rs. 12·05, 6th defendant
 do pay to the 17th defendant Rs. 4·46, 21st defendant do pay to the 17th
 defendant Rs. 2·59 and to the 18th defendant Re. 1·00, 3rd defendant
 do pay to the 18th defendant cts. 05.

It is further decreed that, the costs of this action and of partition be borne by the parties in proportion to their shares in the said land.

²⁰ This 11th day of December, 1942.

(Sgd.) L. W. DE SILVA,
Additional District Judge.

Drawn by :

(Sgd.) V. K. SUBRAMANIAM,
Proctor for Plaintiff.

True copy of Final Partition Decree in Case No. 124/P. D.C. Jaffna held at Point Pedro.

(Sgd.)
Secretary,

District Court, Pt. Pedro.
 6-7-61.

Final Decree in District Court, Anuradhapura

Case No. 2309

FINAL DECREE

IN THE DISTRICT COURT OF ANURADHAPURA

V KANAGARATNAM of Puloly West, Point Pedro.

Plaintiff

No. 2309

Vs.

1. SOORIYA KUMARA WANNISINGHE PUNCHI BANDA
BULANKULAMA of Puliyankulama. 10
2. WERAGAMA KAHANDE WALAWWE BULANKULAMA
TIKIRI KUMARIHAMY of Nuwarawewa Walawwa in
Anuradhapura.
3. PUNCHI BANDA BULANKULAMA of Bulankulama
Walawwa in Bulankulama.
4. MYLVAGANAM SIVARAMALINGAM.
5. MYLVAGANAM NALLANATHAN.
6. MYLVAGANAM RAMANATHAN.
7. SELVADURAI PANCHRATNAWADI VELAUTHAN.
8. SELVADURAI KAMALAWATHI. 20
9. SELVADURAI VYTHIANATHAN.
10. SELVADURAI SEETHALAKSHIMI, the 4th, 5th, and
6th defendants minors by their *Guardian-ad-litem*
Vythianathar Mylvaganam and 7th, 8th, 9th and
10th defendants, minors by their *Guardian-ad-litem*
Vythianathar Selvadurai all of Anuradhapura.

Defendants.

This action coming on for Final disposal before E. V. R. Samarawickrama Esquire, District Judge of Anuradhapura on the 14th December, 1942, in the presence of Mr. A. Sivacolundu, Proctor on the part of the plaintiff and Messrs. Ramaswamy and Paramakuru, Proctors on the part of the 1st and 2nd defendants and Mr. K. Subramaniam, Proctor on the part of the 4th to 10th defendants. 30

It is ordered and decreed that the allotment of the land called Siyam-balawela bearing Lot No. 6 situated at Bandara Puliyankulama and fully described in the schedule hereto and depicted in Plan No. 670 mentioned above is declared the common property of the plaintiff and the 1st, 2nd and 4th to 10th defendants.

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Final Decree
in District Court,
Anuradhapura
Case No. 2309
—Continued.

And it is further ordered and decreed (1) that lot No. 1 and 6 in the said Plan No. 670 containing in extent 3A. 1R. 8·7P and 4A. 2R. 27·5P respectively and in the aggregate 7A. 3R. 36·2P, and described below in the Schedule B be and the same is decreed the property of the plaintiff.

10 2. That the lot No. 15 in the said Plan No. 670 containing in extent 15A. 3R. 32·3P, and described below in the schedule B be and the same is decreed the property of the 1st defendant.

3. That lots Nos. 5, 13 and 14 in the said Plan No. 670 containing in extent respectively 3A. 2R. 37·3P.; 2A. 3R. 21·1P.; 1A. 1R. 17·8P, and in the aggregate 7A. 3R. 36·2P and described below in schedule B be and the same are decreed the property of the 2nd defendant.

4. Lot No. 2 in the said Plan No. 670 containing in extent 1A. 1R. 03·2P described in schedule B be and the same is decreed the property of the 4th defendant.

20 5. Lot No. 3 in the said Plan No. 670 containing in extent 1A. 1R. 03·2P and described below in Schedule B be and the same is decreed the property of the 5th defendant.

6. Lots Nos. 4 and 11 in the said Plan No. 670 containing in extent respectively 3R. 02·5P, and 0A. 2R. 00·7P, described below in schedule B be and the same are decreed the property of the 6th defendant.

7. Lot No. 7 in the said Plan No. 670 containing in extent 0A. 3R 32·4P, described below in Schedule B be and the same is decreed the property of the 7th defendant.

8. Lot No. 8 in the said Plan No. 670 containing in extent 0A. 3R 32·4P and described below in schedule B be and the same is decreed the property of the 8th defendant.

9. Lot No. 9 described in the said Plan No. 670 containing in extent 0A. 3R. 32·4P, and described below in schedule B be and the same is decreed the property of the 9th defendant.

10. Lot No. 10 in the said Plan No. 670 containing in extent 0A. 3R 32·4P, and described below in schedule B be and the same is decreed the property of the 10th defendant.

11. Lot No. 12 in the said Plan No. 670 described below in schedule B containing in extent 0A. 1R. 17P, be and the same is decreed the common property of the 4th to 10th defendants to serve as a path for their respective lands.

D 17
Final Decree
in District Court,
Anuradhapura
Case No. 2309
—Continued.

It is further ordered and decreed that the parties to this case bear the costs of these proceedings and of partition in proportion to their respective shares.

Schedule 'A'

The allotment of land called Siyamblagahawela bearing lot No. 6 situated at Bandara Puliyankulama in Ihalawewa Tulana Kende Korale containing in extent 41 acres 3 roods and 8 perches and bounded on the North by Mullagahakele bearing lot No. 1 D and Puliyankulama Mukalana bearing lot No. 1F. East by lot 1F. called Puliyankulama Mukalana South East by Puliyankulama Mukalana bearing lot 1, South by road leading to Rambawewa and Mullagahakele bearing lot No. 1D and West by lot 1D called Mullagahakele exclusive of the Rail Road passing through it and the land reserved for the Road with its appurtenances which said lot No. 6 is presently described in Plan No. 670 dated 5th October, 1942 made by C. J. Sabapathy, Licensed Surveyor and Leveller and is said to contain 39A. 3R. 20·9P according to his survey and Plan.

Schedule 'B'

1. All that land lot No. 1 marked in Plan No. 670 dated 5th October, 1942 and made by C. J. Sabapathy, Licensed Surveyor and Leveller situated at Bandara Puliyankulama in Ihala New Tulana of Kende Korale in Nuwara-²⁰gam Palata in the District of Anuradhapura of the North Central Province bounded on the North by lot 2 in the said Plan No. 670 East by Railway Reservation. South by lot 1D and West by lot 1D containing in extent 3A. 1R. 08·7P.

2. All that land lot No. 2 marked in the said Plan No. 670 situated at Bandara Puliyankulama aforesaid and bounded on the North by lot 3 in the said Plan No. 670 East by Railway Reservation South by lot 1 described above and West by the property of the 1st defendant containing in extent 1R. 03·2P

3. All that land lot No. 3 marked in the said Plan No. 670 situated³⁰ as aforesaid and bounded on the North by lot 4 in the said Plan No. 670 East by Railway Reservation; South by lot 2 described above and West by property belonging to the 1st defendant containing in extent 1A. 1R 03·2P.

4. All that lot No. 4 marked in the said Plan No. 670 situated as aforesaid and bounded on the North by lot 13 in the said Plan No. 670 and the property of the 1st defendant; East by Railway Reservation; and West by the property belonging to the 1st defendant and South by lot No. 3 described above.

5. All that land lot No. 5 in the said plan No. 670 situated as aforesaid⁴⁰ bounded on the North by the property of the 1st defendant and by lot 6 in the said Plan No. 670; East by Reservation and lot 1D South by lot 1D and West by Railway Reservation containing in extent 3A. 2R. 37·3P

6. All that land lot No. 6 marked in the said Plan No. 670 situated as aforesaid bounded on the North by lot No. 12 in the said Plan No. 670 East by Road Reservation; South by lot 5, described above, property belonging to 1st defendant and Railway Reservation and West by Railway Reservation containing in extent 4A. 2R. 27 5P.

D 17
Final Decree
in District Court,
Anuradhapura
Case No. 2309
—Continued.

7. All that land lot No. 7 marked in the said Plan No. 670 situated as aforesaid bounded on the North by lot 15 in the said Plan No. 670; East by Road Reservation; South by lot 12 in the said Plan No. 670 and West by lot No. 8 described below containing in extent 0A. 3R. 32·4P.

¹⁰ 8. All that land lot No. 8 marked in the said Plan No. 670 situated as aforesaid bounded on the North by lot 15 in the said plan; East by lot 7 described above; South by 12 in the said Plan and West by lot 9 described below containing in extent 0A. 3R. 32·4P.

9. All that land lot No. 9 marked in the said Plan No. 670 situated as aforesaid bounded on the North by lot 15 in the said Plan No. 670 East by lot 8 described above South by lot 12 in the said Plan and West by lot 10 described below containing in extent 0A. 3R. 32·4P

²⁰ 10. All that lot marked 10 in the said Plan No. 670 situated as aforesaid and bounded on the North by lot 15 aforesaid; East by lot 9 described above South by lot 12 aforesaid and West by lot 11 described below containing in extent 0A. 3R. 32·4P.

11. All that land lot No. 11 marked in the said Plan No. 670 situated as aforesaid and bounded on the North by lot 15 aforesaid East by lot 10 aforesaid; South by lot 12 aforesaid and West by Railway Reservation containing in extent 0A. 2R. 0·7P

12. All that land lot No. 12 marked in the said Plan No. 670 situated as aforesaid and bounded on the North by lots 7 to 11 aforesaid; East by Road Reservation; South by lot 6 aforesaid above and West by Railway Reservation containing in extent 0A. 1R. 17P.

³⁰ 13. All that land lot No. 13 marked in the said Plan No. 670 situated as aforesaid and bounded on the North and West by the property of the 1st defendant; East by Railway Reservation; South by lot 4 described above containing in extent 2A. 3R 21 1P.

14. All that land lot marked 14 described in the said Plan No. 670 and situated as aforesaid and bounded on the North and East by property of the 1st defendant; South by lot 15 described below and West by Railway Reservation containing in extent 1A. 1R. 17·8P.

D 17
Final Decree
in District Court,
Anuradhapura
Case No. 2309
--Continued.

15. All that land lot No. 15 marked in the said Plan No. 670 situated as aforesaid and bounded on the North by the property of the 1st defendant and lot 14 described above; East by Road Reservation and threshing floor and the property of the 1st defendant; South by lots 7 to 11 described above and West by Railway Reservation containing in extent 15A. 3R. 32. 3P

(Sgd.) E. V. R. SAMARAWICKRAMA,
District Judge.

True Copy of Final Decree Entered in Case No. 2309 D.C. Anuradhapura and filed of record in the same Case. 10

(Sgd.)
Secretary.

P 5
Deed of Transfer
No. 1573 attested
by V. K. Subra-
maniam,
Notary Public-
1-4-1943

P 5

**Deed of Transfer No. 1573 attested by
V. K. Subramaniam, Notary Public**

Translation

The Duplicate bears four stamps of the value of Rs. 9/50. 20

Application No. 109/11-2-1960.
1st April, 1943.

Transfer.
Lands 8.
Rs. 300/-

No. 1573

Know all men by these presents that we Velauthar Arumugam of Puloly West and K. Velauthan Nagalingam for and in consideration of the sum of Rs. 300/- Rupees Three hundred received from Visuvanathar Kanagaratnam of the same place do hereby sell, transfer and convey to the said Visuvana-³⁰thar Kanagaratnam the lands mentioned in the following schedule :—

In witness whereof we set our signatures to this at Puloly West on the 1st day of April, 1943.

Land mentioned in the following schedule belongs to Kumaraswamy Velauthar, the late father of us and by urumai and possession according to administration case No. 124/P of the District Court of Jaffna.

Schedule of Property

P 5
Deed of Transfer
No. 1573 attested
by V. K. Subra-
maniam,
Notary Public-
1-4-1948
—Continued

In Point Pedro Parish, Vadamaradchy Division Jaffna District North-
ern Province.

1. Land situated at Puloly West Malavarayakurichchy called Veran-
thanai in extent $2\frac{3}{4}$ Lachchams V.C. bounded on the East by the property
of Ponnammah widow of Kandiah and others. North by water channel,
West by country limits street of Alvai and South by the property of Ponnach-
chy widow of Kandiah and others of the whole of this within the boundaries
an undivided one eighteenth share.

10

2. Land situated at Puloly West Singabahuthevankurichchy called
Arian Kaladdy in extent 12, $\frac{1}{8}$ Lachchams V.C. —do— house $\frac{1}{4}$ Total
12 Lachchams V.C. 8, $\frac{1}{4}$ kulies bounded on the East, West and South by
land and North by the property of Annapoorani widow of Arumugam and
others. Of the whole of this of ground an undivided $\frac{7}{432}$ shares. Within
this land, on the West, of the palmyrahs and tamarind trees $\frac{1}{18}$ share.

3. In — do — Nitchinganollai Vadakku in extent 7, $\frac{1}{4}$ Lachchams
V.C. with palmyrahs and vadalties bounded on the West by lane, North
by lane, West and South by the property of the purchaser. Of the whole
an undivided $\frac{1}{18}$ share.

20

4. Land situated at Puloly West, Malavarayakurichchy called
Nedunkulavelitheni Thenkilakkilmetku. This according to plaint filed
with final decree in partition case No. 18665 of the District Court of Jaffna —
Lot No. 3 in extent 1 Lachcham 11, $\frac{1}{2}$ kulies bounded on the East by the
property of Sothilingam wife of Kumaraswamy, North by the property of
Aladiyitpillaiyar Temple, West by the property of Ponnammah widow of
Singaravelu and South by lane. Of the whole of this an undivided $\frac{1}{6}$
share.

30

5. Land situated at Puloly West Singabahuthevankurichchy called
Vilvalai in extent 9, $\frac{1}{2}$ Lachchams V.C. with palmyrahs and vadalties bound-
ed on the East by lanes. North by the property of Rasammah, wife of
Kanagaratnam and others, West by our property and others and South by
lane of the whole of this an undivided $\frac{1}{18}$ share.

6. In — do — Sathollai in extent 10, $\frac{1}{4}$ Lachchams V.C. of this $\frac{1}{2}$
share in extent 5, $\frac{1}{8}$ Lachchams V.C. with palmyrahs and vadalties bounded
on the East by the property of Eladchumy wife of Ramoe and others,
North by the property of Kanthan Vyramuttu and others, West by
the property of Amirthammah wife of Suppiramaniam and South by water
channel of this an undivided $\frac{1}{18}$ share

40

7. Land situated at Puloly West, Malavarayakurichchy called Ala-
kiawattai in extent 9, $\frac{1}{8}$ Lachchams V.C.—do — Sinhapahuthevankurich-
chy called Alakiawatte in extent 10 Lachchams V.C. Total 19, $\frac{1}{8}$ Lachchams
V.C. with palmyrahs and vadalties bounded on the East by the property
of Veluppillai Kumaraswamy and others North by the property of Kathiri-
thamby Subramaniam and others. West and South by country limit
street of Alvai of the whole of this an undivided $\frac{14}{576}$ share.

P 5
Deed of Transfer
No. 1573 attested
by V. K. Subra-
maniam,
Notary Public-
1-4-1943
—Continued

8. Land situated at Puloly West Malavarayakurichey called Vilvalai in extent 14, 1/2 Lachchams V.C. with palmyrahs and vadalies bounded on the East and North by the property of the purchaser and others, and West by the property of Kathirithamby Subramaniam and others, and South by the property of Vinasithamby Somasundaram and others of the whole of this, an undivided 1/72 share.

(Sgd.) C. V. NAGALINGAM.

(Sgd.) V ARUMUGAM.

WITNESSES :

(Sgd.) A. Sabapathipillai.

10

(Sgd.) V. Kasinathar.

(Sgd.) V. K. SUBRAMANIAM.

(Sgd.) V. K. SUBRAMANIAM,
Notary Public.

I, Visuvanathar Kanagaratnam Subramaniam Notary Public of the Jurisdiction of the Court of Point Pedro and Chavakachcheri do hereby certify and attest : I read and explained the foregoing instrument to the said M. Velauthar Nagalingam, Velauthar Arumugam to herein signed witnesses Arunasalam Sabapathy of Puloly West, Veluppillai Kasinathar of Puloly West in their presence. I know all of them. The grantors and witnesses in my presence and they in the presence of one another signed at the same time at Puloly West on the 1st of April, 1943. The consideration mentioned in the deed was paid in my presence, the duplicate bears 4 stamps of the value of Rs. 9.50 cts. and the original bears stamp of Re. 1/- and before this deed was read and explained, in duplicate page 1, 1st line ("in Tamil") was cut in 4th line ("in Tamil") was corrected, 2nd land 1st line ("in Tamil") ("in Tamil") was written above, in 4th line ("in Tamil") was cut 3rd land 2nd line ("in Tamil") ("in Tamil") was written above in the original page 1, 2nd line ("in Tamil") was cut, 2nd land 1st line, 4th land 1st line ("in Tamil") ("in Tamil") was written above, 8th land 4th line ("in Tamil") was written above. 80

Date of Attestation

1st April, 1943.

(Sgd.) V. K. SUBRAMANIAM,

Notary Public.

Translated by

(Sgd.)
Sworn Translator,
District Court, Jaffna.

D 7

**Deed of Transfer No. 5619 attested by
A. Sivacolundu, Notary Public**

D 7
Deed of Transfer
No. 5619 attested
by A. Sivacolundu,
Notary Public
29-7-1943

Registered A 133/37
Anuradhapura, 16th August, 1943.

(Sgd.)
Registrar of Lands.

Transfer
Lands 1
¹⁰ Consideration Rs. 200/-
Prior Registration
Stamp Duty Rs. 4/00

No. 5619

1650/16th August, 1943

Know all Men by these presents that I, VISUVANATHAR KANAGARATNAM of Puloly West in Point Pedro (hereinafter sometimes called the Vendor) for and in consideration of the sum of Rupees Two Hundred (Rs. 200/-) of lawful money of Ceylon well and truly paid to me by Kanagaratnam Subramaniam of Puloly West in Point Pedro (hereinafter sometimes called ²⁰ the Vendee), the receipt whereof I do hereby admit and acknowledge do hereby grant, convey, assign, sell, transfer, and set over, unto the Vendee, his heirs, executors, administrators and assigns the land described in the schedule hereto together with all and singular the rights, ways, easements, advantages, servitudes and appurtenances whatsoever thereto belonging or in otherwise appertaining or usually held occupied, used or enjoyed therewith or reputed or known as part or parcel thereof and together with all the estate, rights, title, interest, claim and demands, whatsoever of me the said Vendor of in to upon or out of the said premises and every part thereof which ³⁰ Final Partition Decree entered in Case No. 2309 of the District Court of Anuradhapura dated 14th December, 1942.

TO HAVE AND TO HOLD the said premises hereby sold and conveyed with the rights, easements and appurtenances unto him the said Vendee, his heirs, executors, administrators and assigns absolutely forever.

And I the said Vendor for myself and my heirs, executors and administrators do hereby covenant promise and declare with and to the said Vendee his heirs executors, administrators and assigns. that the said premises hereby sold and conveyed are free from any encumbrance whatsoever and that I and my aforewritten shall and will at all times hereafter warrant and defend ⁴⁰ the same and every part thereof, unto him and his aforewritten against any person or persons whomsoever and also shall and will at all times hereafter

D 7
Deed of Transfer
No. 5619 attested
by A. Sivacolundu,
Notary Public-
29-7-1943
—Continued.

at the request and cost of the said Vendee his aforewritten do and execute or cause to be done and executed all such further and other acts, deeds, assurances, matters and things whatsoever for the further and more perfectly assuring the said premises hereby sold and conveyed or any part thereof unto him and his aforewritten as by his or them may be reasonably required.

IN WITNESS WHEREOF I the said Vendor do hereunto and to two others of the same tenor and date as these presents set my hand at Anuradhapura on this Twenty Ninth day of July, One Thousand Nine Hundred and Forty Three.

The Schedule above referred to

10

All that land Lot No. 6 marked in Plan No. 670 dated 5th October, 1942 and made by T. Sabapathy Licensed Surveyor and Leveller situated in Bandarapuliyankulama in Ihala Wewa Tulana Kande Korale in Nuwara-gam Palata in the District of Anuradhapura of the North Central Province bounded on the North by Lot 12 in the said Plan No. 670, East by Road Reservation, South by the property belonging to P. B. Bulankulama and Railway Reservation and West by Railway Reservation containing in extent Four Acres Two Roods and Twenty seven and five hundredth perches (4A. 2R. 27 5/100 P.).

WITNESSES

20

Signed and delivered in the presence of us and we declare that we are well acquainted with the executant and know his proper name, occupation and residence.

(Sgd.) V KANAGARATNAM.

1. (Sgd.) S. V Mudalihamy

2. (Sgd.) R. Tikiri Banda

(Sgd.) A. SIVAKOLUNDU,
Notary Public.

I, ALVAPILLAI SIVAKOLUNDU of Anuradhapura in the island of Ceylon, ³⁰ Notary Public do hereby certify and attest that the foregoing instrument having been duly read and explained by me the said Notary to the said Visuvanathar Kanagaratnam who is known to me in the presence of Seerala Velvidanage Mudalihamy of Anuradhapura and Ranhamige Tikiri Banda of Nambadawewa the subscribing witnesses thereto both of whom are known to me the same was signed by the said executant and also by the said witnesses in my presence and in the presence of one another all being present at the same time at Anuradhapura aforesaid on this Twenty Ninth day of July, One Thousand Nine Hundred and Forty Three.

And I further certify and attest that the duplicate of this instrument ⁴⁰ bears Two stamps of the value of Rupees Four and that the consideration mentioned therein was not paid in my presence.

Date of attestation.
29th July, 1943.

(Sgd.) A. SIVAKOLUNDU,
Notary Public.

**Deed of Transfer No. 6579 attested by
K. Krishnapillai, Notary Public**

P 6
Deed of Transfer
No. 6579 attested
by K. Krishna-
pillai,
Notary Public-
4-10-1943

Translation.

The duplicate bears stamps of the value of Rs. 18/-.

Application No. 109/11-2-1960.

Transfer
Lands 4.
Rs. 900/-

Prior Registration, Jaffna, A 289/236-237

10

Prior Registration
Anuradhapura A55/47 & 49

4th October, 1943.

No. 6579

Know all men by these presents, that we, Sinnathamby Saravanamuttu and wife Parupathypillai of Puloly West, for and in consideration of the sum of Rs. 900/- Rupees Nine Hundred received from Visuvanathar Kanagaratnam of the same place do hereby sell transfer and convey to the said Visuvanathar Kanagaratnam the land mentioned in the following schedule.

In witnesses whereof we set our signatures to this at Puloly West on
20 the 4th day of October, 1943. The land mentioned in the following schedule belongs to the late V. Vinasithamby Subramaniam who is the uncle of the second named of us and which lands according to Administration case No. 179 of the District Court of Jaffna is belonged to me by way of Urumai.

Schedule of Property

In Point Pedro Parish, Vadamarachchy Division, Jaffna District, Northern Province.

1. Land situated at Puloly West Singapahuthevankurichchy called Nedunkulaveliththeni Kadukadalpai in extent 47 Lachchams V.C. of this on the West 7 1/2 lachchams V.C. Pallankadu Kadalpai in extent 18,
30 3/4 Lachchams V.C. of this 3, 1/2 Lachchams V.C. Total in extent 11 Lachchams V.C. this according to plaint filed in partition Case No. 8814 of the District Court of Jaffna lot No. 1 in extent 4 Lachchams V.C. 8, 5/16 kulies bungalow house coconut trees palmyrah trees and well bounded on the East by water channel North by road West by the property of Kathirithamby Sabapathy and others and South by the property of Kathirithamby Sabapathy and the property of Kamadchy wife of Kathirgamu of the whole of this an undivided 1/2 of 5/28 share,

P 6
Deed of Transfer
No. 6579 attested
by K. Krishna-
pillai,
Notary Public-
4-10-1943
—Continued.

2. — Do — land in — do — Plan lot No. 2 in extent 15, 9/16 kulies with coconut trees bounded on the East by the property of Britto Muththunayagam, North by the property of Krishnapillai Mailvaganam, West by Vellavayakkal and South by the property of Kathirithamby Sabapathy and others of the whole of this an undivided 1/2 of 5/28 share.

In Anuradhapura town Nuwaragam Division, Nuwaragam Korale, in Anuradhapura District North - central Province.

3. Vasuvakkulam T.P.134597 ground in Plan on the North according to lot in plan prepared by Kanthappar Velmurugu on 7th June, 1915 in extent 1 Acre 3 Roods 20 Perches with coconut trees, arecanut trees, mango ¹⁰ trees, Jak trees, orange trees, lime trees bounded on the East by property belonging to the 2nd named of us and others, North by the property of Buddhist Temple, described in Plan No. 131807, West by the following land and South by the property of Vinasithamby Somasundaram and others, of this an undivided 1/2 of 1/7 share.

4. In — do — in — do — land of Plan No. T.P. 131745 1/2 share North of the said Plan, the extent in lot C, 3 Acres 3 Roods 36 Perches with coconut trees hut and houses arecanut trees bounded on the North by water channel and path and the property of Naarangawatta Sumanasara Unnanse East by the above said land and South by the property of Vinasithamby Somasundaram and others, West by water channel, of the whole ²⁰ of this an undivided 1/2 of 1/7 share.

(Sgd.) S. SARAVANAMUTTU.

This is the hand mark of Parupathipillai and left hand thumb mark.

○

(Sgd.) C. KRISHNAPILLAI,
Notary Public.

WITNESSES.

(Sgd.) S. Mariampillai.

(Sgd.) K. Selliah.

I, KATHIRITHAMBY KRISHNAPILLAI, Notary Public of the Jurisdiction ³⁰ of this Court of Point Pedro, Jaffna District do hereby certify and attest I read and explained the foregoing instrument to the said Sinnathamby Saravanamuttu, and wife Parupathipillai, who set hand mark and left hand thumb mark to herein signed witnesses Swampillai Mariampillai of Karaveddy West, Kanthavanam Selliah of Karaveddy North, in their presence. I know them, the said deed was signed by grantor. Witnesses in my presence and they in the presence of one another signed at the same

time at Puloly West on the 4th October, 1943. The consideration mentioned in the deed, was paid in my presence. The Duplicate bears 4 stamps of Rs. 18/- and the original bear one stamp of Re. 1/- and before this deed was read and explained in the original page 2. 24th line (" in Tamil ") was written above

P 6
Deed of Transfer
No. 6579 attested
by K. Krishna-
pillai,
Notary Public
4-10-1943
-Continued.

Date of attestation.

5th October, 1943.

(Sgd.) C. KRISHNAPILLAI,
Notary Public.

10

(SEAL)

I. S. T. SELVARAJAH, Registrar of Lands of Point Pedro, do hereby certify that the foregoing is a true copy of a deed of transfer made from the duplicate filed of record in this office and the same is granted on the application of Mr. S. Nagalingamudaly, Proctor Supreme Court.

(Sgd.) Illegibly,
Registrar of Lands.

Land Registry,

Point Pedro,

29th February, 1960.

20 Translated by

(Sgd.) Illegibly.

Sworn Translator.

District Court, Jaffna.

P 7
Deed of Transfer
No. 6593 attested
by K. Krishna-
pillai, Notary
Public—
7-10-43

P 7

Deed of Transfer No. 6593 attested by

K. Krishnapillai, Notary Public

Translation.

The Duplicate bears Four stamps of the value of Rs. 34/-.

Prior Registration Jaffna.

A 289/236 & 237

Anuradhapura A 55/47 & 49

Transfer.

Lands 4.

Rs. 1,800, .

10

No. 6593/7.10.43

Know all men by these presents that I Parupathipillai widow of Arunasalam of Puloly West for and in consideration of the sum of Rs. 1,800/- Rupees One thousand eight hundred received from Visuvanathar Kanagaratnam of the same place do hereby sell transfer and convey to him the land mentioned in the following schedule :

In witness whereof I set my signature to this at Puloly West on the 7th day of October 1943.

P 7
Deed of Transfer
No. 6598 attested
by K. Krishna-
pillai Notary
Public—
7-10-43
—Continued.

I do hereby declare the land mentioned in the following belongs to me according to transfer deed No. 2707 dated the 20th August 1939 and attested by this attesting Notary and possession and the said deed have been given along with this :

Schedule of Property

In Point Pedro Parish, Vadamarachy Division, Jaffna District, Northern Province

- 10 1. Land situated at Puloly West Singabahuthevankurichchy called Nedunkulavelitheni Kadukadalpai in extent 47 Lachchams V.C. of this on the West 7, 1/2 Lachchams V.C. Pallan Kadukadalpai in extent 18, 3/4 Lachchams V.C. of this 3, 1/2 Lachchams V.C. Total 11 Lachchams V.C. This according to plan filed with partition Case No. 8814 of the District Court of Jaffna Lot No. 1 in extent 4 Lachchams V.C. 8, 8/16 Kulies with bungalow house coconut trees palmyrah trees and well bounded on the East by water channel North by road, West by Kathirithamby Sabapathy and others, South by the property of Kathirithamby Sabapathy and Kamadchy wife of Kathiriganu of this an undivided 5/28 share.

P 7
Deed of Transfer
No. 6598 attested
by K. Krishna-
pillai Notary
Public—
7-10-43
—Continued.

2. -- Do -- -- do -- land lot No. 2 in Plan in extent 15, 9/16 kulies with coconut trees bounded on the East by the property of Britto Muthunayagam North by the property of Krishnapillai Mylvaganam, West by water channel, and South by the property of Kathirithamby Sabapathy and others of the whole of this an undivided 5/28 share.

3. In Anuradhapura Town Nuvaragama Division Nuvaragam Korale in Anuradhapura District Northern Province called Vasuvakkulam T.P 134597 ground in Plan, on the North of Plan prepared by Kanthappar Velmurugu Surveyor on the 7th June 1915, the extent of lot A, in the said Plan is 1 Acre 3 Roods 20 Perches with coconut trees, arecanut trees, mango trees, jak trees, orange trees, lime trees, bounded on the East by the property of the heirs of the late Vinasithamby Veluppillai and others belonging by lease and possession, North by Buddhist Temple mentioned in Plan 131807 West by the following land and South by the property of Vinasithamby Somasundaram and shareholders. Of this an undivided 1/7 share.

4. In -- do -- -- do -- T.P. 131745 described in the Plan 1/2 share North of the said Plan lot C in extent 3 Acres 3 Roods 36 Perches with coconut trees, hut and houses, arecanut trees bounded on the North by water channel and path, and the land belonging to Narangavitta Sumanasara Unnanse and on the East by the above said land and South by the property of Vinasithamby Somasundaram and Shareholders and West by water channel, of the whole of this an undivided 1/7 share.

(Sgd.) A. PARUPATHIPPILLAI,

(Sgd.) C. KRISHNAPILLAI,

Notary Public.

WITNESSES :

(Sgd.) K. CHELLIAH

(Sgd.) M. SUBRAMANIAM

P 7
 Deed of Transfer
 No. 6593 attested
 by K. Krishna-
 pillai, Notary
 Public—
 7-10-43
 -Continued.

I, KATHIRITHAMBY KRISHNAPILLAI, Notary Public of the jurisdiction of the Court of Point Pedro Jaffna District do hereby certify and attest. I read and explained the foregoing deed to Parupathippillai widow of Arunasalam to herein signed witnesses Kanthavanam Chelliah of Karaveddy North, Muruguppillai Subramaniam of Alvai South in their presence. I know them the grantor and witnesses. in my presence and they in the presence of
 10 one another signed at the same time at Puloly West on the 7th of October 1943. The consideration mentioned in the deed was paid in my presence. this Duplicate bears 4 stamps of Rs. 34/- and the original bears one stamp of Re. 1/- and before this deed was read and explained, in Duplicate Page 1 27th line (" in Tamil ") was corrected page 2. 15th line (" in Tamil ") was cut, and (" in Tamil ") (" in Tamil ") was written above in the original page 1, 19th line (" in Tamil ") page 2. 2nd line (" in Tamil ") was corrected,..... para. 4. was corrected in Duplicate the grantor in her signature (" in Tamil ") and in the original (" in Tamil ") and she signed as—.

(Sgd.) C. KRISHNAPILLAI,

Notary Public.

20

Date of attestation.

8th October, 1943.

P 7
Deed of Transfer
No. 6593 attested
by K. Krishna-
pillai, Notary
Public
7-10-43
---Continued.

I. T. Selvarajah, Registrar of Lands of Point Pedro, do hereby certify that the foregoing is a true copy of a deed of Transfer, made from the duplicate filed of Record in this office and the same is granted on the application of Mr. Nagalingamudaly, Proctor, Point Pedro.

(Sgd.)
Registrar of Lands.

Land Registry,
Point Pedro,
27th February, 1960.

Translated by me

10

(Sgd.)
Sworn Translator.

Decree for sale in District Court Jaffna
Partition Case No. 2080

And Final Partition Decree in District Court, Jaffna Case No. 8841
DECREE FOR SALE

IN THE DISTRICT COURT OF JAFFNA HELD AT POINT PEDRO

VISUVANATHAR KANAGARATNAM of Puloly West.

Plaintiff.

No. 2080 P

Vs.

- 10 1. ARUMUGAM SANGARAPILLAI of Federated Malay States by his Attorney KATHIRITHAMBY KRISHNAPILLAI of Puloly West
2. and wife SEETHEVAN of — do —.
- Minor 3. CHELVATHAMBY RAMACHANDRAN of — do —.
4. MANIKCAM CHELVATHAMBY of Puloly East, *Guardian -ad-litem* of the 3rd Defendant.
- Minors { 5. VINASITHAMBY SOMASUNDARAM of Puloly West.
6. VINASITHAMBY GANANATHAN of — do —.
- 20 7. SINNATHAMBY SARAVANAMUTHU of — do — *Guardian -ad-litem* of 5th and 6th defendants.

Defendants.

This matter coming on for final disposal before Earle Wijeyawardena Esquire, Additional District Judge of Jaffna on the 31st day of August, 1944 in the presence of Advocate N. Sivagnanasundaram instructed by Mr. V. K. Subramaniam Proctor on the part of the plaintiff and Messrs. Kandaiya and Mailvaganam Proctors on the part of the 4th defendant.

It is ordered and decreed that the lands situated at Puloly West Singhapahuthevan Kurichchy in the Parish of Point Pedro of the Division of Vadamardchy of the Northern Province called Nedunkulavelitheni in extent 4 Lachchams V.C. and 8, 8/16 kulies and 15, 9/16 kulies and described in 30 Survey Plan No. 2150 dated 26th April, 1944 and prepared by K. Velmuruku licensed Surveyor as lots No. 1 and No. 2 and containing in extent 5 Lachchams V.C. and 6, 1/16 kulies and bounded as follows:—

Lot No. 1 — East by water channel, North by Road, West by the property of Kathirithamby Sabapathy and others, South by the property of Kathirithamby Sabapathy and others and by the property of Kamatchy wife of Kathirgamu and others.

D 13
Decree for Sale
in District Court
Jaffna, Partition
Case No. 2080 —
31-8-41
—Continued.

Lot No. 2 — East by the property of Britto Muthunayagam, North by the property of Krishnapillai Mailvaganam, West by water channel, South by the coconut garden belonging to Alady Pillaiyar Temple and the same is hereby declared the common property of the plaintiff 1st, 2nd, 3rd, 5th and 6th defendants belonging to them in common.

The plaintiff is entitled to an undivided 82/112 share of the said lands.

2nd defendant is entitled to an undivided 10/112 share of the said lands.

3rd defendant is entitled to an undivided 10/112 share of the said lands.

5th defendant is entitled to an undivided 5/112 share of the said lands.

6th defendant is entitled to an undivided 5/112 share of the said lands. ¹⁰

It is further ordered and decreed that the said land with its appurtenances be sold under the provisions of Section 8 of Chapter 56 of the Ceylon Legislative Enactments and that the proceeds of sale thereof be divided and given to the owners thereof in proportion to their shares.

It is further decreed that the costs of this action and sale not borne by the purchaser both not exceeding Rs. 600/- be borne by the parties in proportion to their shares in the said land.

The 31st day of August, 1944.

(Sgd.) E. WIJEYAWARDENA,
Additional District Judge. ²⁰

Drawn by :

V. K. SUBRAMANIAM,
Proctor for Plaintiff.

FINAL PARTITION DECREE

IN THE DISTRICT COURT OF JAFFNA

SUPIRAMANIAM VETHAVANAM of Point Pedro

Plaintiff.

No. 8841.

Vs.

1. SUPIRAMANIAM KATHIRKAMATHAMBY of Point Pedro.
2. CULANDAIVELU ARAMBAMOORTHY of — do —.
3. Wife PONNAILAMPIKAI of — do —.
4. SUPIRAMANIAM SENPAKAPILLAI of — do —.

³⁰

Final Partition
Decree in District
Court, Jaffna
Case No. 8841—
26-10-14

5. KATHIRASIPILLAI daughter of Supiramaniam of — do—
6. SOTHIMINAMMAL daughter of Supiramaniam of — do —.
7. KANATTAIPILLAI widow of Supiramaniam of — do —.
8. VINASITHAMBY SUPIRAMANIAM of Puloly West.
9. KATHIRAN KANTHIAH of Point Pedro.
10. KATHIRAN NAGAMUTTU of — do —.
11. SANKARA AIYAR SAPAPATHY AIYAR of Tholpuram.

D 13
Final Partition
Decree in District
Court Jaffna,
Case No. 8841 —
26-10-14
—Continued.

Defendants.

The 4th, 5th and 6th defendants are minors by their Guardian the 7th
¹⁰ defendant.

The above action coming on for final disposal before W. Duraisamy Esquire, Acting District Judge on the 26th day of October, 1914, in the presence of Mr. K. Arulampalam Proctor for the 8th defendant and the plaintiff and the 1st, 3rd, 7th — 9th and 10th defendants being absent and unrepresented and notice of final decree having been reported duly served on them.

It is ordered and decreed that of the land situated at Point Pedro Singapahuthevanurichchy called Nedunkulaveliythenikkadukadalpaya in extent 10 Lachchams V.C. and 12, 2/16 kulies with its appurtenances and
²⁰ bounded on the East by the property of Britto's children, North by road, West by land belonging to Viknesuparapillaiar Temple and South by land belonging to Viknesuparapillaiyar Temple, and described by lots marked 1, 2, 3, 4, 5, 6, 7, 8 and 9 on the survey plan dated 15th day of April, 1914 and filed in this case by Mr. G. C. Ganapathypillai Licensed Surveyor and Commissioner appointed by this Court to partition the said land.

1. The lot marked 3 in extent 8 kulies with the appurtenances belonging thereto, bounded on the East by lot marked 4 in the said Plan, North by road, West by channel marked in the said Plan, and South by lot marked 2 in the said Plan, be and the same is hereby declared to be the absolute
³⁰ property of the plaintiff, subject to life interest in favour of the 7th defendant, and further subject to mortgage in favour of the 11th defendant.

2. The lot marked 4 in extent 8 kulies with its appurtenances, bounded on the East by lot marked 5 in the said Plan, North by road, West by the lot marked 3 in the said Plan, and South by lot marked 2 in the said Plan, be and the same is hereby declared to be the absolute property of the 1st defendant subject to life interest in favour of the 7th defendant and further subject to Mortgage in favour of the 11th defendant.

D 13
Final Partition
Decree in District
Court Jaffna
Case No. 8841 —
26-10-14
—Continued.

3. The lot marked 5 in extent 8 kulies with its appurtenances, bounded on the East by the lot marked 6 in the said Plan, North by road, West by the lot marked 4 in the said Plan and South by the lot marked 2 in the said Plan be and the same is hereby declared to be the absolute property of the 3rd defendant subject to life interest in favour of the 7th defendant.

4. The lot marked 6 in extent 8 kulies with its appurtenances, bounded on the East by the lot marked 7 in the said Plan, North by road, West by the lot marked 5 in the said plan and South by the lot marked 2 in the said Plan, be and the same is hereby declared to be the absolute property of the 4th defendant to life interest in favour of the 7th defendant. 10

5. The lot marked 7 in extent 8 kulies with its appurtenances bounded on the East by the lot marked 8 in the said Plan, North by road, West by the lot marked 6 in the said Plan, and South by the lot marked 2 in the said Plan, be and the same is hereby declared to be the absolute property of the 5th defendant, subject to life interest in favour of the 7th defendant.

6. The lot marked 8 in extent, 8 kulies with its appurtenances, bounded on the East by the lot marked 9 in the said Plan, North by road, West by the lot marked 7 in the said Plan and South by lot marked 2 in the said Plan, be and the same is hereby declared to be the absolute property of the 6th defendant, subject to life interest in favour of the 7th defendant. 20

7. The lot marked 9 in extent 2 Lachchams V.C. and 12, 1/16 kulies with its appurtenances and bounded on the East by the property of Britto's children, North by road, West by the lot marked 8 in the said Plan, and South by the lot marked 2 in the said Plan, be and the same is hereby declared to be the absolute property of the 7th defendant.

8. The lot marked 1 in extent 4 Lachchams V.C. and 8, 8/16 kulies with its appurtenances, bounded on the East by channel marked in the said Plan, North by road, West and South by land belonging to Viknesuparapillaiyar Temple and the lot marked 2 in extent 15, 9/16 kulies with its appurtenances bounded on the East by the property of Britto's children, 30 North by lots marked 9, 8, 7, 6, 5, 4 and 3 in the said Plan, West by channel and South by land belonging to Viknesuparapillaiyar Temple, be and the same are hereby declared to be the absolute property of the 8th defendant.

It is further decreed that the 9th and 10th defendants do pull down and remove, within two months from the date hereof, the huts marked A, B, C, and D belonging to them. It is further decreed that, to adjust the difference in the value of the appurtenances in the respective lots of the said land allotted to the parties as aforesaid, the plaintiff do pay to the 8th defendant Rs. 66/- to the 1st defendant Rs. 35/58 and to the 3rd defendant Rs. 22/84 the 4th defendant do pay to the 3rd defendant Rs. 12/42 and the 7th defen- 40 dant do pay to the 3rd defendant cents 32, to the 5th defendant Rs. 14/58 and to the 6th defendant Rs. 15/58.

It is further decreed that the costs of this action and of partition be borne by the parties *pro-rata*.

D 13
Final Partition
Decree in District
Court Jaffna,
Case No. 8841—
26-10-14
—Continued.

The 26th day of October, 1914.

(Sgd.) W. DURAISAMY,
Acting District Judge.

True Copy.

(Sgd.)
Secretary, District Court, Jaffna.
17-12-1943.

10

True copy of Decree for Sale and
Final Partition Decree in D.C.,
Jaffna Case No. 8841 filed in D.C.,
Point Pedro Case No. 2080/P.

(Sgd.).....
Secretary,
District Court Point, Pedro.
10-10-62.

P 9

Certificate of Sale

P 9
Certificate of
Sale —
15-2-45

20

CERTIFICATE OF SALE

IN THE DISTRICT COURT OF JAFFNA HELD AT POINT PEDRO

VISUVANATHAR KANAGARATNAM of Puloly West.

Plaintiff.

No. 2080/P.

Us.

1. ARUMUGAM SANGARAPPILLAI of Federated Malay
States by his Attorney KATHIRITHAMBY KRISHNA-
PILLAI of Puloly West.

2. and wife SEETHEVAN of — do. —.

Minor 3. CHELVATHAMBY RAMACHANDRAN.

30

4. MANIKKAM CHELVATHAMBY of Puloly East.
(Guardian-ad-litem of the 3rd Defendant)

P 9
Certificate of
Sale —
15-2-45
Continued.

- Minors. { 5. VINASITHAMBY SOMASUNDERAM of Puloly West.
6. VINASITHAMBY GANANATHAN of — do —.
7. SINNATHAMBY SARAVANAMUTTU of — do —. (*Guardian-ad-litem of 5th and 6th Defendants*)
- Defendants.*

Whereas under and by virtue of decree for sale entered in this case under the provisions of Chapter 56 of the Legislative Enactments of Ceylon the land described in the schedule hereto was declared the property of the Plaintiff, 2nd, 3rd, 5th and 6th Defendants.

And whereas by the said decree dated 31-8-44 it was ordered that the said land with its appurtenances should be sold in terms of the said Chapter. 10

And whereas by virtue of the commission issued under the decree the said land was sold on the 16th day of December, 1944 by Mr. V. Mudaliyar Culandaivelu Commissioner of Sales in terms of the conditions of sale duly approved by this Court and that the said land was purchased by the Plaintiff in this case as the highest bidder for the sum of Rupees Eleven thousand (Rs. 11,000/-) and the Plaintiff was given credit for the sum of Rupees Eight thousand and fifty three and cents fifty eight (Rs. 8,053/58) and the said Plaintiff has deposited in Court the balance sum of Rupees Two thousand nine hundred and forty six and cents forty two (Rs. 2,946/42).

And whereas by an order of this Court dated 1st February, 1945 certificate of sale has been ordered to be issued to the said Visuvanathar Kanagaratnam of Puloly West the Plaintiff in this case. 20

1. Earle Wijeyawardena Additional District Judge Jaffna do hereby certify in terms of section 8 of Chapter 56 of the Legislative Enactments of Ceylon that the said land described in the schedule hereto was duly sold on the 16th day of December, 1944, under the provisions of the said Chapter 56 and was duly purchased by the said Visuvanathar Kanagaratnam of Puloly West, the plaintiff in this case as the highest bidder among the co-owners for the sum of Rupees Eleven thousand (Rs. 11,000/-) and he was given credit for them of Rs. 8,053/58 and that the whole of the balance 30 purchase amount of Rs. 2,946/42 was duly paid by the said Visuvanathar Kanagaratnam in terms of the conditions of sale duly approved by this Court. That the said Visuvanathar Kanagaratnam has become the absolute owner and proprietor of the land described in the schedule hereto.

Given under my hand at Point Pedro this 15th day of February, 1945.

(Sgd.) E. WIJEYAWARDENA,
Additional District Judge.

Schedule referred to above

Land situated at Puloly West Singapahuthevankurichchy in the Parish of Point Pedro in the Division of Vadamaradchy in the District of 40 Jaffna, Northern Province called "Nedunkulavelitheni" in extent

4 Lachchams V.C. and 8, 8/16 kulies and 15, 9/16 kulies with stone built house and appurtenances and described in Survey Plan No. 2150 dated 26th April, 1944 and prepared by K. Velmurugu Licensed Surveyor as Lot 1 and 2 consisting in equal extent 5 Lachchams V.C. and 6, 1/16 kulies and bounded as follows:—

P 9
Certificate of
Sale —
15-2-45
—Continued.

Lot 1.— in extent 4 Lachchams V.C. and 8, 8/16 kulies. East by water channel, North by road, West by the property of Kathirithamby Sabapathy and others, South by the property of Kathirithamby Sabapathy and others and by the property of Kamatchy wife of Kathirgamu and others.

¹⁰ Lot 2.— in extent 15, 9/16 kulies, East by the property of Britto Muthunayagam, North by the property of Krishnapillai Mailvaganam, West by water channel, South by coconut garden belonging to Alady Pillaiyar Temple.

(Sgd.) E. WIJEYAWARDENA,
Additional District Judge.

WITNESSES :

1. (Sgd.) Illegibly
2. (Sgd.) Illegibly

Drawn by :

²⁰ (Sgd.) V. K. SUBRAMANIAM,
Proctor for Plaintiff.

True copy of the Certificate of Sale in D.C. Jaffna (held at Point Pedro)
Case No. 2080/P.

(Sgd.) Illegibly,
Acting Secretary.
4-3-60.

District Court,
Point Pedro.
4th March, 1960.

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P 18

Plaint in District Court Anuradhapura

Case No. 2515

IN THE DISTRICT COURT OF ANURADHAPURA

1. KARTHIGESAR MURUGUPILLAI and wife
2. MURUGUPILLAI PONNAMMA both of Puloly West,
Point Pedro.

Plaintiffs.

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Plaint in
District Court,
Anuradhapura
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 Plaint in
 District Court,
 Anuradhapura
 Case No. 2515 —
 1-3-45
 —Continued.

No. 2515

Vs.

1. VINASITHAMBY SOMASUNDARAM
2. VINASITHAMBY KANAGANATHAN
3. CHELVATHAMBY RAMACHANDRAN
4. ANNAMMA *alias* SEETHEVAN wife of SANGARAPILLAI and
5. VISUVANATHAR KANAGARATNAM all of Puloly West
 in — do. —.

Defendants.

This 9th day of March, 1945.

The Plaint of the plaintiffs abovenamed appearing by K. Subramaniam, ¹⁰
 their Proctor states as follows :—

1. That certain Arumugam Alvappillai of Anuradhapura was the original owner of the land Lot No. 448 situated at Basawakulama within the jurisdiction of this Court.

2. That by deed of donation Nos. 75 and 96 dated 11th May, 1903 and 3rd June, 1903 both attested by Notary J. H. R. Jayamanna, the said Arumugam Alvappillai donated the said lands to his daughter Nachchippillai wife of Murugappar Ampalavanar.

3. The said Murugappar Ampalavanar and wife Nachchippillai by deed of Transfer No. 15258 dated 1st January, 1908 attested by Notary M. ²⁰
 Subramaniam transferred an undivided one half share of the said land to Veerakathiyar Annamalai.

4. That by deed of transfer No. 15298 dated 1st February, 1908 attested by the said Notary M. Subramaniam, the said Ampalavanar and wife Nachchippillai transferred the other undivided one half share of the said land to P. Vinasithamby Subramaniam.

5. That by virtue of a deed of transfer No. 1023 dated 30th October, 1908 attested by B. Horsebrough, District Judge of Anuradhapura the said Veerakathiyar Annamalai and the said P. Vinasithamby Subramaniam were jointly entitled to land Lot No. 449 adjoining the land Lot No. 448 above- ³⁰
 said both of which lots have since then been treated as one property.

6. That by deed of partition No. 306 dated 9th June, 1915 attested by Notary D. S. Arumugam, the said Veerakathiyar Annamalai and P. Vinasithamby Subramaniam mutually divided the said land lots 448 and 449 and the said P. Vinasithamby Subramaniam was allotted and given the lots marked "A" and "C" in Plan No. 80 dated 7th June, 1915 and made by K. Velmurugu Licensed Surveyor and more fully described in the schedule hereto.

7. The said P. Vinasithamby Subramaniam died intestate and issueless and leaving as his sole heirs—(1) Periyathamby Vinasithamby (2) Parupathippillai wife of Saravanamuttu (who were the children of his brother Periyathamby) who became entitled to an undivided 2/28th share each and (3) Vinasithamby Sinnathamby (4) Vinasithamby Veluppillai (5) Vinasithamby Kandappar (6) Mailathaippillai widow of Murugappar (7) Kadirasipillai widow of Annamalai and (8) Vinasithamby Kumaresu each of whom became entitled to an undivided 4/28th share of the said land.
8. The said Periyathamby Vinasithamby died in July, 1935 intestate and leaving as his sole heirs his sons Vinasithamby Somasundaram and Vinasithamby Kanaganathan each of whom became entitled to an undivided 1/28th share.
9. That said Vinasithamby Sinnathamby died leaving a Last Will bequeathing his 4/28th share of the said land to his son Sinnathamby Vinasithamby who obtained Probate of the said Last Will in the said District Court of Jaffna Testamentary Case No. 40/P.T. and sold the same by deed of Transfer No. 640 dated 6th February, 1939 attested by Notary K. Subramaniam to Sinnathamby Kandiah.
10. The said P. Vinasithamby Veluppillai by deed of Transfer No. 2027 dated 20th August, 1939 attested by Notary C. Krishnapillai sold and transferred his 4/28th share to Parupathippillai wife of Arunasalam who by deed of Transfer No. 6593 attested by the same Notary sold the same to the 5th defendant.
11. The 4/28th share of P. Vinasithamby Kandappar was sold on a writ issued against him in Case No. 28299 of the Court of Requests of Point Pedro and was purchased by Nagamma widow of P. Vinasithamby Subramaniam who obtained Fiscal's Conveyance No. 488 dated 15th August, 1938 and by deed of Transfer No. 10270 dated 8th October 1941 attested by Notary M. S. Kandaiya sold the same to Parupathippillai wife of Sinnathamby Kandiah.
12. The Sinnathamby Kandiah referred to in paragraph 9 and his wife Parupathippillai referred to in paragraph 11 by deed of Donation No. 6518 dated 22nd December, 1943 gifted their undivided 8/28th share to the 2nd plaintiff.
13. The said P. Vinasithamby Kumaresu died intestate and leaving as his sole heirs his daughters Sellamma wife of Chelvathamby and Annamma *alias* Seethevan wife of Sangarapillai.
14. That said Sellamma died intestate leaving as her sole heir her son Chelvathamby Ramachandran who and the said Annamma *alias* Seethevan became entitled to an undivided 2/28th share.
15. The said Kadirasipillai widow of Annamalai died leaving a Last Will dated 22nd February, 1938 appointing the said Mailathaippillai widow of Murugappar as executrix of the said Last Will and testament and devising and bequeathing her shares to the said Somasundaram and Kanaganathan. The said Last Will was proved in the District Court of Jaffna Testamentary Case No. 47/P.T.

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 District Court,
 Anuradhapura
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 9-3-45
 —Continued.

16. The said Mailathaippillai acting personally and as executrix of the Last Will of Kadirasippillai sold her 4/28th share and the 4/28th share of Kadirasippillai by deed No. 2842 dated 4th October, 1939 to the 5th defendant.

17. That by reason of the above premises the parties to this action have become entitled to the following shares :—

The 2nd plaintiff to an undivided 8/28th share.

The 1st defendant to an undivided 1/28th share.

The 2nd defendant to an undivided 1/28th share.

The 3rd defendant to an undivided 2/28th share.

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The 4th defendant to an undivided 2/28th share.

The 5th defendant to an undivided 14/28th share.

18. That the parties to this action have by their undisturbed and uninterrupted possession and the like possession of their predecessors in title have acquired a prescriptive right and title to their shares in the said land in terms of Prescription Ordinance of 1871.

19. The plaintiffs find it inconvenient and impracticable to possess the said lands in common.

20. The said lands are reasonably worth Rs. 6,000/-.

21. The 1st plaintiff is made a party as husband of the 2nd plaintiff²⁰ and the defendants be declared entitled to the said lands in common in the shares specified above that the said lands be partitioned and divided shares thereof allotted to the plaintiff and the defendants that the costs of suit of partition be awarded *pro-rata* and for such other and further relief as to this Court shall seem meet.

(Sgd.) K. SUBRAMANIAM,
 Proctor for Plaintiffs.

Schedule referred to above

1. All that land marked Lot 'A' in Plan No. 80 dated 7th June, 1915 made by Kandappar Velmurugu Licensed Surveyor forming the Northern³⁰ portion of land described in T.P. — 134597 situated at Baswakulama in the Town and district of Anuradhapura and bounded on the North by land described in Plan No. 131807, East by Reservation along Road, South by land Lot marked 'B' in the said Plan No. 80 forming the Southern Portion of this said land described in T.P. — No. 134597 and West by land described in T.P. — No. 131745, containing in extent One Acre Three roods and Twenty perches (1A. 3R. 20P) with the trees and plantations standing thereon and,

2. All that Lot marked 'C' in the aforesaid Plan forming the Northern half of land described in T.P. — No. 131745 situated at Baswakulama aforesaid and bounded on the North by water course and a path. East by land described in T.P. — No. 134597. South by land lot marked Lot 'D' in the said Plan forming the Southern half of this said land described in T.P. — No. 131745, and West by water course containing in extent Three Acres, One Rood and Thirty six perches — (3A. 1R. 36P) with the trees and plantations standing thereon.

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Plaint in
District Court,
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9-3-45
---Continued.

10

(Sgd.) K. SUBRAMANIAM,
Proctor for Plaintiffs.

True copy of Plaintiff filed of record in District Court Anuradhapura Case No. 2515.

(Sgd.)
Secretary.

P 17

**Application for Registration of Lispendens
in District Court, Anuradhapura**

Case No. 2515

APPLICATION FOR REGISTRATION FOR LISPENDENS

To the Registrar of Lands, Anuradhapura.

I, K. Subramaniam of Anuradhapura, Proctor for Plaintiff do hereby apply for registration of the Partition Action to wit :

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Application for
Registration of
Lispendens in
District Court,
Anuradhapura
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10-4-45

20

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Registered :
A 134/207 & 293
Anuradhapura,
10th April, 1945.

(Sgd.)
Registrar of Lands.

Names of the Parties :—

- 1. KARTHIGESAR MURUGUPPILLAI and wife
- 2. MURUGUPPILLAI PONNAMMA both of Puloly West, Point Pedro.

Plaintiffs.

P. 17
Application for
Registration of
Lispendens in
District Court,
Anuradhapura
Case No. 2515 —
10-4-45
—Continued

Vs.

1. VINASITHAMBY SOMASUNDARAM
2. VINASITHAMBY KANAGANATHAN
3. CHELVATHAMBY RAMACHANDRAN
4. ANNAMMA *alias* SEETHEVAN wife of SANGARAPPILLAI
5. VISUVANATHAR KANAGARATNAM all of Puloly West,
Point Pedro.

Defendants.

Name of Court : District Court, Anuradhapura.

Number of the Action : 2515

10

Reference to previous Registration

of the land if known : A 55/47 & 49, 134/270 & 293

As a Lispendens affecting the land in your District described in the schedule hereto.

Dated 10th April, 1945.

(Sgd.) K. SUBRAMANIAM,
Signature of his Proctor.

Schedule above referred to

1. All that land marked Lot A in Plan No. 80 dated 7th June, 1915 made by Kandappar Velmurugu Licensed Surveyor forming the Northern portion of land described in T.P. 134597 situated at Baswakulama in the Town and District of Anuradhapura and bounded on the North by the land described in Plan No. 131807 East by reservation along road South by land Lot marked " B " in the said Plan No. 80 forming the Southern portion of the said land described in T.P. No. 134597 and West by land described in T.P. 131745 containing in extent One Acre Three Roods and Twenty Perches (1A. 3R. 20P) with the trees and plantations standing thereon and

2. All that Lot marked " C " in the aforesaid Plan forming the Northern half of land described in T. P. No. 131745 situated at Baswakulama aforesaid and bounded on the North by water course and a path East by land described in T.P. No. 134597 South by land Lot marked " D " in the said Plan forming the Southern half share of this said land described in T.P. No. 131745 and West by water course containing in extent Three Acres One Rood and Thirty Six Perches (3A. 1R. 36P.) with the trees and plantations standing thereon.

True copy of Lispendens filed of record in D. C. Anuradhapura Partition Case No. 2515.

(Sgd.)
Secretary,
District Court Anuradhapura.

Final Decree in District Court, Anuradhapura

Case No. 2515

D 12
Final Decree in
District Court,
Anuradhapura
Case No. 2515
8-5-46

IN THE DISTRICT COURT OF ANURADHAPURA

1. KARTHIGESAR MURUGUPPILLAI and wife
2. MURUGUPPILLAI PONNAMMA both of Puloly West,
Point Pedro.

Plaintiffs.

No. 2515

Vs

- 10 1. VINASITHAMBY SOMASUNDARAM
2. VINASITHAMBY KANAGANATHAN
3. CHELVATHAMBY RAMACHANDRAN
4. ANNAMMA *alias* SEETHEVAN wife of SANGARAPILLAI.
5. VISUVANATHAR KANAGARATNAM all of Puloly West,
Point Pedro.

Defendants.

This action coming on for final disposal before N. Krishnadasan Esquire, District Judge of Anuradhapura on the 8th day of May, 1946 in the presence of Mr. K. Subramaniam Proctor on the part of the plaintiffs and of Mr. A. Sivacolundu Proctor on the part of the 5th defendant and notice of considering the Commissioner's report and entering final decree in this case having been duly served on the defendants.

It is ordered and decreed that the land described in the schedule hereto marked "X" and described by Lots — 1, 2, 3, 4, 5, and 6 in the Survey Plan No. 261 dated 20th April, 1946 and made by V. Seevaratnam Licensed Surveyor of Point Pedro and filed of record :

(1) The lot marked 2 in the said Plan in extent one acre one rood and thirty three perches (1A. 1R. 33P.) and its appurtenances fully described in the schedule "A" hereto is hereby allotted and given to the second plaintiff who is hereby declared entitled thereto.

(2) The lot marked 5 in the said Plan in extent one rood and eighteen perches (0A. 1R. 18P.) with its appurtenances fully described in the schedule "B" hereto is hereby allotted and given to the first and second defendants who are hereby declared entitled thereto.

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Final Decree in
District Court,
Anuradhapura
Case No. 2515
8-5-46
Continued.

(3) The lot marked 3 in the said plan in extent one rood and eighteen perches (0A. 1R. 18P.) with its appurtenances fully described in the schedule "C" hereto is hereby allotted and given to the third defendant who is hereby declared entitled thereto.

(4) The lot marked 4 in the said Plan in extent one rood and eighteen perches (0A. 1R. 18P.) with its appurtenances fully described in the schedule "D" is hereby allotted and given to the fourth defendant who is hereby declared entitled thereto.

(5) The lot marked 1 in the said plan in extent two acres two roods and seven perches (2A. 2R. 07P.) with its appurtenances fully described in the schedule "E" hereto is hereby allotted and given to the fifth defendant who is hereby declared entitled thereto. ¹⁰

(6) The lot marked 6 in the said plan in extent twenty four perches (0A. 0R. 24P.) with its appurtenances fully described in the schedule "F" hereto is hereby allotted and given to the second plaintiff and the defendants as access to the shares of the said land.

It is further ordered and decreed that to adjust the differences in the value of appurtenances as shown in the schedules hereto in the respective lots of the said lands allotted to the parties as aforesaid the second plaintiff shall pay to the first defendant Rs. 57/36 and to the 2nd defendant Rs. 21/27 ²⁰ and the 5th defendant shall pay to the 2nd defendant Rs. 36/09 and to the 3rd defendant Rs. 55/72 and to the 4th defendant Rs. 96/72.

It is further ordered and decreed that the plaintiff's costs of this action and of partition be borne by the 2nd plaintiff and the defendants in proportion to the shares in the said land.

Schedule " X "

A piece of land called Basawakulamakele (Northern portion of T.P.s 134597 and 131745) described by Lots 1, 2, 3, 4, 5 and 6 in Survey Plan No. 261 dated 20th April, 1946 and made by V. Secvaratnam of Point Pedro Licensed Surveyor situated at Basawakulama in the town and District of Anuradhapura of the North Central Province and bounded on the North by T.P. No. 131807 property belonging to pansala, East by Reservation along the road, South by the property of the 1st defendant and others and West by Reservation along the anti-Malarial Ela containing in extent five acres and thirty eight perches (5A. 0R. 38P.). ³⁰

Schedule " A "

The Lot marked 2 in Plan No. 261 aforesaid in extent one acre one rood and thirty three perches (1A. 1R. 33P.) with its appurtenances and bounded on the North by Lot No. 1, East by Road Reservation, South by Lot Nos. 3 and 6 and West by Reservation along anti-Malarial Ela exclusive of Ela ⁴⁰ passing through it.

Schedule " B "

The lot marked 5 in the said Plan No. 261 in extent one rood and eighteen perches (0A. 1R. 18P) with its appurtenances and bounded on the North by Lot No. 4, East by the property of 1st defendant, South by the property of the 1st defendant and others and West by Reservation along the anti-malarial Ela.

D 12
Final Decree in
District Court,
Anuradhapura
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—Continued.

Schedule " C "

The lot marked 3 in the said plan in extent one rood and eighteen perches (0A. 1R. 18P.) with its appurtenances and bounded on the North by Lot No. 2, East by Lot No. 6 South by lot No. 4 and West by Reservation along the anti-malarial Ela.

Schedule " D "

The lot marked 4 in the said Plan No. 261 in extent one rood and eighteen Perches (0A. 1R. 18P.) with its appurtenances and bounded on the North by Lot No. 3, East by Lot No. 6, South by Lot No. 5 and West by Reservation along anti-malarial Ela.

Schedule " E "

The lot marked 1 in the said Plan No. 261 in extent two acres two roods and seven Perches (2A. 2R. 07P.) and bounded on the North by the property belonging to pansala (T.P. 131807) East by road Reservation, South by Lot No. 2 and West by Reservation along anti-malarial Ela exclusive of the Ela passing through it.

Schedule " F "

The lot marked 6 in extent 24 perches (0A. 0R. 24P.) with its appurtenances and described in the said Plan No. 261 and bounded on the North by Lot 2, East by Road Reservation, South by the property of the 1st defendant and others and West by Lots Nos. 2, 3, and 4.

(Sgd.) N. KRISHNADASAN,
District Judge.

³⁰ This 8th day of May, 1946.

Drawn by :

(Sgd.) K. SUBRAMANIAM,
Proctor for Plaintiffs.

True copy of the Final Decree in D.C. Anuradhapura 2515.

(Sgd.)
Secretary, D.C. Anuradhapura.

P. 3
Affidavit of V. K.
Subramaniam
(Substituted De-
fendant) filed in
Testamentary
Action No. 400
in District Court,
Point Pedro —
30-1-49.

Affidavit of V. K. Subramaniam (Substituted Defendant)
filed in Testamentary Action No. 400 in District Court,
Point Pedro.

IN THE DISTRICT COURT OF POINT PEDRO

**IN THE MATTER OF THE LAST WILL AND TESTAMENT OF THE LATE
RASAMMA WIFE OF VISUVANATHAR KANAGARATNAM OF PULOLY
WEST.**

Deceased.

Testamentary
Jurisdiction
No. 400

10

V. KANAGARATNAM SUBRAMANIAM of Puloly West.

Petitioner.

Vs.

1. **VISUVANATHAR KANAGARATNAM of Puloly West.**
2. **V KANAGARATNAM KUMARASAMY of — do —.**
3. **V. KANAGARATNAM CHANDRASEGARAM of — do —.**
4. **V. KANAGARATNAM KATHIRGAMAN of — do —.**
5. **V. KANAGARATNAM KANDAPPA of — do —.**

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Respondents.

**I, V. Kanagaratnam Subramaniam of Puloly West do hereby solemnly
sincerely and truly declare and affirm as follows :—**

1. I am the petitioner above-named.
2. My step mother Rasamma wife of the 1st Respondent died at Puloly West within the jurisdiction of this court on the 20th day of August, 1948 leaving behind a joint Last Will executed by her and her husband the said 1st respondent dated the 26th day of March, 1946 and attested by K. Sivasan-garam Notary Public under No. 1001.
3. The said deceased bequeathed and devised all her property movable³⁰ and immovable to her husband the 1st respondent.

4. The heirs of the said deceased but for the Last Will are her sons the 2nd, 3rd, 4th and 5th Respondents.

5. Full and true particulars of the property belonging to the estate of the said deceased are given in the schedule hereto.

6. I claim Probate of the said Last Will as Executor appointed thereunder.

P 3
Affidavit of V. K. Subramaniam (Substituted Defendant) filed in Testamentary Action No. 400 in District Court, Point Pedro — 30-1-49
—Continued.

The Schedule of property referred to above

Immovable Property

- | | | |
|----|--|--------|
| 10 | 1. Land situated at Puloly West Malavarayakurichchy called "Veerapandianseema" in extent 6, 1/8 Lachchams V.C. and bounded on the East by lane, North by the 2nd land West by the property of Kathirithamby Subramaniam and others and South by the property of Ponnachy widow of Kandiah and others, of this an undivided 14/27 share worth | 300·00 |
| | 2. Land situated at — do — called "Ethirollai" in extent 2, 3/4 Lachchams V.C. and bounded on the East and North by lane, West by the property of Ponny widow of Sollian and others and on the South by the 1st land of this an undivided 217/288 share worth | 200·00 |
| 20 | 3. Land situated at — do — called "Vilvalai" in extent 8 Lachchams V.C. and 3, 29/32 kulies and bounded on the East by the property of Visuvanathar Kanagaratnam and others, North by lane, West by the property of Kathirgamar Kanapathipillai and others South by the property of Velappar Subramaniam and others of this an undivided 1/8 share worth Rs. 100/- of this 1/2 share worth | 50·00 |
| 30 | 4. Land situated at — do — called "Veerapandianseema" in extent 2, 1/2 Lachchams V.C. and bounded on the East by lane, North by the property of Ponny wife of Alvan Velan and West and South by the property of the heirs of Subramaniam Jekasothy and others. The whole of this worth Rs. 100/- of this 1/2 share worth | 50·00 |
| | 5. Land situated at Puloly West Singapahuthevankurichy called "Vilvalai" in extent 9, 1/2 Lachchams V.C. and bounded on the East by lane, North by the property of Rasamma wife of Kanagaratnam and others, West by the Property of Paramu Subramaniam and others and South by the property of the heirs of Seethevan. Of this an undivided 1/4 share worth | 200·00 |

P. 3
Affidavit of V. K.
Subramaniam
(Substituted De-
fendant) filed in
Testamentary
Action No. 400
in District Court,
Point Pedro
30-1-49
—Continued.

- | | | |
|-----|---|----------------------|
| 6. | Land situated at — do. — called “Seema” in extent 7, 1/8 Lachchams V.C — Do. — Veedu 1. Of these parcels on the South an extent of 8 Lachchams V.C. and 5/8 kulies and bounded on the East by the property of Visuvanathar Kanagaratnam West by the property of Visuvanathar Kanagaratnam and on the West and South by lane. Of this an undivided 1/2 share worth Rs. 600/-. Of this 1/2 worth. | 300·00 |
| 7. | Land situated at Puloly West Malavarayakurichchy called “Seema ” in extent 4 Lachchams V.C. and bounded on the East by the property of Visuvanathar Kanagaratnam, North by the property of Alvapillai Velautham, West by street and on the South by the property of V Kanagaratnam and others. The whole of this worth Rs. 300/- Of this 1/2 worth | 150·00 ¹⁰ |
| 8. | Land situated at — do — called “ Seema ” in extent 5 Lachchams V.C. and 1/8 kulies and bounded on the East and South by the property of V. Kanagaratnam, North by the property of Kandar Sinnathamby and West by lane. The whole of this worth Rs. 500/- . Of this 1/2 worth ... | 250·00 ²⁰ |
| 9. | Land situated at — do — called “ Seema ” in extent 4 Lachchams V.C. and 13 kulies and bounded on the East by the property of V. Kanagaratnam and others, West by the following 10th land and South by the property of V. Kanagaratnam and others and by lane. The whole of this worth Rs. 500/- . Of this 1/2 share worth ... | 250·00 |
| 10. | Land situated at — do — called “ Seema ” in extent 9 kulies bounded on the East by the aforesaid 9th land, North by the property of Theivanai widow of Murugappar, West by the property of Alvappillai Velautham and on the South by the property of V. Kanagaratnam. The whole of this worth Rs. 50/- . Of this 1/2 share worth ... | 25·00 ³⁰ |
| 11. | Land situated at — do — called “ Seema ” in extent 1 Lachcham V.C. and bounded on the East by the property of V. Kanagaratnam and others, North by the property of Theivanaipillai widow of Murugappar, West by the aforesaid 10th land and South by the aforesaid 9th land. Of this an undivided 1/2 share worth Rs. 100/- . Of this 1/2 share worth ... | 50·00 |
| 12. | Land situated at — do — called “ Nitchinganollai Vadakku ” in extent 7, 1/4 Lachchams V.C. and bounded on the East by lane, North by the property of Sothilingam wife of Kumarasamy and others, West by the property of Kandar Sinnathamby and others and on the South by the property of Theivanai wife of Kathiravelu and others. Of this an undivided 7/18 share worth Rs. 600/- . Of this 1/2 share worth ... | 300·00 ⁴⁰ |

13.	Land situated at — do — called Nitchinganollai in extent 2 Lachchams V.C. and 17, 5/8 kulies and bounded on the East and South by lane. North by the property of V. Kanagaratnam and others, West by the property of V. Kanagaratnam. The whole of this worth Rs. 600/-. Of this 1/2 share worth	300·00
14.	Land called Seema situated at Puloly West Singapahuthavankurichchy in extent 15 Lachchams V.C. and 1 kuly with stone built houses and bounded on the East and South by lane. North by the property of Kandar Sinnathamby and others, West by the property of the heirs of Velauthar Arunasalam and others. The whole of this worth Rs. 10,000/-. Of this 1/2 share worth	5,000·00
15.	Land situated at Puloly West Malavarayakurichchy called "Nedunkulavelitheni Thenkilakilmetku" in extent 13 Lachchams V.C. is bounded on the East by street, North by the property of Sivakamipillai widow of Murugappar and others, West by the property of Sivakamipillai wife of Sivapiragasam and others and South by the property of V. Kanagaratnam and others. Of this an undivided 1/3 share worth Rs. 1,200/-. Of this 1/2 share worth	600·00
16.	Land situated at — do — called "Arasadi" in extent 6 Lachchams V.C. and bounded on the East by the property of Kathirithamby Subramaniam, North by the property of Sothilingam wife of Kumarasamy and others West by lane, and South by the property of Kathirithamby Subramaniam and others. Of this an undivided 33/36 share of 1/3 share and share of well and 1/8 share of 6 Lachchams V.C. worth Rs. 150/-. Of this 1/2 share worth	75·00
17.	Land situated at Alvai Mappanakurichchy called "Periatheni" in extent 1 Lachcham V.C. and bounded on the East by the following 18th land, North by the property belonging to Imparsitty Pillaiyar Temple, West by the property of Kanapathippillai Paramakuru and brothers, and South by the property of Sinnathangam wife of Somasundaram. The whole of this and share of well in the North of this land and in the 18th land worth Rs. 300/-. Of this 1/2 share worth.	150·00
18.	Land situated at — do — called "Periatheni" in extent 3, 3/5 kulies. bounded on the East by the property of V. Kanagaratnam and others North by the property belonging to Imparsitty Pillaiyar Temple, West by the aforesaid 17th land and South by the property of Sinnathangam wife of Somasundaram. Of this an undivided 1/4 share and share of well, right of way and water course worth Rs. 200/-. Of this 1/2 share worth	100·00

P. 3
Affidavit of V. K.
Subramaniam
(Substituted De-
fendant) filed in
Testamentary
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30-1-49
—Continued.

300·00

2425·00

5,000·00

600·00

75·00

150·00

100·00

P. 8
Affidavit of V. K.
Subramaniam
(Substituted De-
fendant) filed in
Testamentary
Action No. 400
in District Court
Point Pedro
80-1-49
—Continued.

- | | | | |
|-----|--|-----------|----|
| 19. | Land situated at — do — called “ Periatheni ” in extent 14, 2/5 kulies with well and bounded on the East by the property of Wallippillai wife of Veluppillai, North by the property belonging to Imparsiddy Pillaiyar Temple, West by lane and South by the property of Sinnathangam wife of Somasundaram. Of these contained within these boundaries in the well the share appertaining to this the right of way and water course and an undivided 1/4 share of the ground, coconut trees and palmyrah trees, worth Rs. 30/-. | 15·00 | 10 |
| 20. | Land situated at Alvai Malavarayakurichchy called “ Vathayavilanai ” in extent 92 Lachchams V.C. and 5, 1/4 kulies and bounded on the East by lane and graveyard, North by the property of Valliappar Vethavanam and others, and South by the property of Valliappar Vethavanam and others, the whole of this worth Rs. 26,000/-. Of this 1/2 share worth | 13,000 | |
| | | 21,275·00 | |
| 21. | Land situated at Alvai Maniveerabahuthevankurichchy called “ Ayatkulappai Vayal ” in extent 22 Lachchams V.C. — do — Thoddam 6, — do — 12 Lachchams V.C. and bounded on the East by the property of Kathirithamby Subramaniam and others North by the property of Kumi-ladiyait Pillaiyar Kovil, West by the property of the heirs of Kumarasamy Velauthan and South by the property of the heirs of Karthigesar Subramaniam and others. Of this an undivided 23/96 share worth Rs. 50/-. Of this 1/2 share worth | 25·00 | 20 |
| 22. | Land situated at Puloly West Singapahuthevankurichchy called “ Manthiodai ” in extent 4 Lachchams V.C. and 2, 20/32 kulies and bounded on the East by the property of Theivanaipillai wife of Muttukumarasamy and others, West by the property of Kanapathipillai Kumarappan and others and South by road. The whole of this worth Rs. 1,000/-. Of this 1/2 share worth | 500·00 | 80 |
| 23. | Land situated at Puloly West Singapahuthevankurichchy called “ Manthiodai ” in extent 4 Lachchams V.C. and 10/32 kulies and bounded on the East by the property of Sithamparan Sinnaian and others, North by Channel, West by the property of Ponnammah wife of Rasiah, South by the following 24th land. The whole of this and share of well and right of way and water course, worth Rs. 1,400/- | 700·00 | 40 |
| 24. | Land situated at — do — called “ Manthiodai ” in extent 16, 20/32 kulies, and bounded on the East by the property of Sithamparam Sinnaian and others, North by the afore- | | |

said 23rd Land, West by the property of Ponnammah wife of Rasiah and South by the property of Theivanai widow of Manickam. The whole of this and share of well and right of way and water course worth Rs. 100/-. Of this 1/2 worth

P. 3
Affidavit of V. K.
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—Continued.

50·00

25. Land situated at Alvai Veerakodiakurichchy called " Pada-
vadapulathuvayal " in extent 17, 3/8 Lachchams V.C. and
bounded on the East and South by the property of Kathiri-
thamby Subramaniam and others, North by the property
of Velappar Subramaniam and others, West by the
property of Kandappar Kanagasabai and others. Of this
an undivided 1/4 share worth Rs. 200/-. Of this 1/2 share
worth

100·00

26. Land situated at Puloly West Singapahuthevankurichchy
called " Nedunkulavelitheni " in extent 4 Lachchams V.C.
and 8, 8/16 kulies with stone built house and bounded on
the East by water channel, North by road West by the
property of Kathirithamby Sabapathy and others. South
by the property of Kathirithamby Sabapathy and others
and by the property of Kamadhchy wife of Kathirkamoe
and others. The whole of this worth Rs. 10,000·00. Of
this 1/2 share worth

5,000·00

27. Land situated at — do — called " Nedunkulavelitheni " in
extent 15, 9/16 kulies is bounded on the East by the pro-
perty of Britto Muttunayagam, North by the property
of Krishnapillai Mailvaganam, West by water channel
and South by the property belonging to Aladipillaiyar
Temple. The whole of this worth Rs. 200/-. Of
this 1/2 share worth

100·00

30 27,750·00

28. Land situated at Puloly West Singapahuthevankurichchy
called " Theva kaladdy " in extent 7 Lachchams V.C. and
bounded on the East by the following 29th land, North
by the property of Kathirithamby Subramaniam and
others, West by the property of Sethuppillai wife of Sinna-
thambiar and others and South by the property of Suppar
Murugesu and others. Of this an undivided 1/2 worth
Rs. 100/-. Of this 1/2 share worth

50·00

40 29. Land situated at — do — called " Thevakaladdy " in
extent 15, 1/4 Lachchams V.C. and bounded on the East by
the property of Thamoe Alvar and others North by the
property of Thangammah wife of Supiramaniam and others,
West by the aforesaid 28th land, and South by the property
of Vellathai wife of Kathirippillai and others. Of this an
undivided 1/3 share worth Rs. 250/-. Of this 1/2 share worth

125·00

P. 3
Affidavit of V. K. Subramaniam (Substituted Defendant) filed in Testamentary Action No. 400 in District Court Point Pedro — 80-1-49
—Continued.

80. Land situated at Puloly West Malavarayakurichchy called "Nedunkulavelitheni Thenkilakilmekku" in extent 7 Lachchams V.C. and 6, 1/2 kulies with well is bounded on the East by Lot 2, in Plan No. 1450 dated 6th June, 1937 and prepared by G. C. Ganapathippillai Surveyor belonging to Parupathippillai widow of Kathirithamby, North by the property belonging to Aladipillayar Temple. West by Lot No. 15 in the said plan and on the South by lane. The whole of this and shares in wells in Lots Nos. 16, 17, 18 and 20 and share in Lots Nos. 19 and 21 worth Rs. 2,200/-. Of this 1/2 share worth 10
1,100·00
81. Land situated at Alvai Veerakodiakurichchy and Maniveeravakuthevankurichchy called "Seenanseema" and "Sathanawattai" in extent 66 kulies and bounded on the East by the property of Kandiah Rasaratnam, North by lane, West by the property of Arumugam Veluppillai South by land called "Seenan Seema" and "Sathanavattai." The whole of this Rs. 10/-. Of this 1/2 share worth ... 5·00
82. Land situated at Alvai Perumiarkurichchyeri called "Paddythidilvattai" in extent 5, 3/8 Lachchams V.C. and bounded on the East by the property of Pillaiyar Kovil situated at Vyarappu Kaladdy North by the property of Ponnambalam Murugupillai and others, West by the property of Mailvaganam Kandiah and others, and South by the property of Sethupathiammah wife of Rasaratnam and others. Of this an undivided 1/4 share of the ground and 1/4 plantation share of the palmyrahs and 1/4 share of the remaining palmyrahs worth Rs. 80/-. Of this 1/2 share worth. 20
40·00
83. Land situated at Alvai Veerakodiakurichchy and Maniveeravahuthevankurichchy called "Seenan Seema" and "Sathanaivathai" in extent 5 Lachchams V.C. and 14, 1/4 kulies and bounded on the East by the property of Kandiah Rasaratnam and another. On the North by the property of Ponnambalam Murugupillai and others, on the West by the property of Ramoe Kathirippillai and others and on the South by the property of Kandiah Rasaratnam and another. Of this 1/4 plantation share worth Rs. 50/-. Of this 1/2 share worth. 30
25·00
84. Land situated at Puloly West Singapahuthevankurichchyrai called "Vilvalai" in extent 4 Lachchams V.C. and 2, 4/32 kulies and bounded on the East by lane, North by Lots 1, 2 and 3 in Plan No. 594 dated 25th February, 1941 and prepared by T. Subramaniam Surveyor, West by the property of Valliappar Kandappar and others, South by the property of Rasammah wife of Kanagaratnam and others. Of this an undivided 1/2 share worth 40
200·00

29,295·00

35. Land situated at Puloly West Malavarayakurichchy called "Sivilakaladdy" in extent 8, $\frac{3}{4}$ Lachchams V.C.---do--- Veedu 1 with $\frac{1}{2}$ well and bounded on the East by lane, North by lane and by the property of Seethevi wife of Sanmugam and others West by the property of Rasammah wife of Kanagaratnam, South by the property of the heirs of Walliammai wife of Velauthar. Of this an undivided $\frac{1}{8}$ share worth 300 00
- 10 36. Land situated at ---do --- called "Arasady" in extent 43, $\frac{1}{4}$ Lachchams V.C. --- do --- thoddam 4. Of these parcels and extent of 6 Lachchams V.C. and 2 kulies and bounded on the East by the property of Velan Ampalavan and others and on the North by the property of the heirs of Paramoe Sithamparappillai, West by the property of Sothilingam wife of Kumarasamy and others and South by the property of Kandar Kanapathiar and others. Of this an undivided $\frac{1}{4}$ share worth Rs 150 00
- 20 37. Land situated at -- do -- called "Varanthanai" Kilakku in extent 18, $\frac{1}{2}$ Lachchams V.C. -- do -- Thoddam 2, with well and bounded on the East by lane, North by the property of Sinnappillai wife of Thambiah and others, West by the property of Muttuppillai widow of Nellinathar and others and South by the property of Sandirasegarar Vethavanam. Of this an undivided $\frac{1}{12}$ share of the ground and share of well worth 600 00
- 30 38. Land situated in the District of Anuradhapura in the village of Puliyankulama called "Siyanbalawela" in extent 39 acres 3 roods, and 20.9 perches. Of this extent for Lot No. 8 is 3 acres 1 rood and 0.87 perches and bounded on the East by Railway Reservation, North by lot No. 2 in the said Plan, West and South by Lot 1D. The whole of this worth Rs. 1,000/-. Of this $\frac{1}{2}$ share worth. 500 00
- 40 39. Land situated at Thunnalai Veerasundaramudalikurichchy called "Nungayapulam" in extent 38 Lachchams V.C. and 6, $\frac{27}{32}$ kulies. Of this the extent for Lot No. 2 in Plan No. 663 is 5 Lachchams V.C. and $10, \frac{17}{32}$ kulies and bounded on the East by Lot No. 9 North by Lot No. 1 West by the property of the late Sinnathamby Subramaniam and on the South by Lot No. 3. The whole of this worth Rs. 2,000/- Of this $\frac{1}{2}$ share worth 1,000 00
- 40 40. Land situated at Puloly West Malavarayakurichchy called "Thinakaladdy" in extent 4 Lachchams V.C. and 1, $\frac{5}{32}$ kulies. Of this extent for Lot No. 1 in Plan No. 6505 is 3 Lachchams V.C. and $28, \frac{3}{32}$ kulies and bounded on the East by the property of Kandar Kovindi, North by street, West by Lot No. 2 in the said Plan, and on the South by the property of Kaliappar Kandiah worth Rs. 750/-. Of this $\frac{1}{2}$ share worth 375 00

P 3
Affidavit of V. K.
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Defendant) filed
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P 3
Affidavit of V. K.
Subramaniam
(Substituted
Defendant) filed
in Testamentary
action No. 400 in
District Court,
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—Continued.

41. Land situated at -- do — called “Varanthanai” in extent 2, $\frac{3}{4}$ Lachchams V.C. and bounded on the East by the property of Ponnammah widow of Kandiah and others, North by water channel West by the village limit of Alvai, South by the property of Ponnachchy widow of Kandiah and others. Of this an undivided $\frac{1}{18}$ share—worth Rs. 50/-. Of this $\frac{1}{2}$ share worth 25·00
42. Land situated at Puloly West Singapaguthevankurichchy called “Arian Kaladdy” in extent 12, $\frac{1}{8}$ Lachchams V.C. -- Do -- Veedu $\frac{1}{4}$ forming a total extent of 12 Lachchmas V.C. and 8, $\frac{1}{4}$ kulies and bounded on the East, West and South by lane, North by the property of Annapoorani wife of Arumugam and others. Of this an undivided $\frac{7}{432}$ share and $\frac{1}{18}$ share out of the palmyrahs and tamarind trees standing on the West of this land worth Rs. 40/-. Of this $\frac{1}{2}$ share worth 20·00
43. Land situated at Alvai Veerakodiakurichchy called “Ampalam Theni” in extent 26 Lachchams V.C. as depicted in Plan No. 1720 dated 9th October, 1940 and prepared by K. Velmurugu Licensed Surveyor. Of this the extent for Lot No. 2 in the said Plan is 3 Lachchams V.C. and 4, $\frac{1}{2}$ kulies is bounded on the East by lane, North by Lot No. 1 West by the property of Kanapathippillai Kumarasamy and wife Muttupillai and others and on the South by Lot No. 3. The whole of this worth Rs. 600/-. Of this $\frac{1}{2}$ share worth 300·00
44. Land situated at Alvai Mappanakurichchy called “Peria-theni” in Extent 7 Lachchams V.C. and 12, $\frac{3}{4}$ kulies and depicted in Plan No. 2495 dated 19th June, 1947 and prepared by K. Velmurugu Licensed Surveyor. Of this extent for Lot No. 1 is 3 Lachchams VC. and 12, $\frac{1}{2}$ kulies and bounded on the East by Lot No. 2 North, by the property of Theivanai wife of Namasiyam and others, West by the property of Rasammah wife of Kandiah and others, and on the South by Lot No. 4. The whole of this and right of way and water course A, B, C, and well lying in the Eastern land worth Rs. 900/- Of this $\frac{1}{2}$ share worth 450·00
45. Land situated at Basawakulama in the District of Anuradhapura called “Basawakulamakele” in extent 5 Acres, 0 Roods, 33 Perches. The extent for Lot No. 1, 2 Acres, 2 Roods and 7 Perches and bounded on the East by reservation along the road, North by the property belonging to Pansala, West by Ela and South by Lot No. 2. The whole of this worth Rs. 1,000/-. Of this $\frac{1}{2}$ share worth 500·00
46. Land situated at Puloly West Malavarayakurichchy called “Nedunkulavelithenithenkilakkil Metku”. Of this 1 Lachcham V.C. and 11, $\frac{1}{2}$ kulies being Lot No. 3 marked in Plan filed of record in partition Case No. 17655 of the District

- Court of Jaffna and bounded on the East by the property of Sothilingam wife of Kumarasamy North by the property belonging to Aladippillaiyar Temple, West by the property of Ponnammah widow of Singaravelu, and South by lane. Of this an undivided $\frac{1}{6}$ share worth Rs. 100/-. Of this $\frac{1}{2}$ share worth 50.00
47. Land situated at Puloly West Singapahuthevanurichchy called "Sathollai" in extent 10, $\frac{1}{8}$ Lachchams V.C. Of this 5, $\frac{1}{8}$ Lachchams V.C. being the Eastern $\frac{1}{2}$ share and bounded on the East by the property of Ledchumy widow of Ramoe and others. North by the property of Kandiah Vairamuttu and others, West by the property of Amuthammah wife of Subramaniam and South by water channel. Of this an undivided $\frac{1}{18}$ share worth Rs. 30/-. Of this $\frac{1}{2}$ share worth. 15.00
48. Land situated at Puloly West Malavarayakurichchy called "Alakiavattai" in extent 9, $\frac{1}{8}$ Lachchams V.C. do — Singapahuthevanurichchy called "Alakiavattai" in extent 10 Lachchams V.C. Total in extent 19, $\frac{1}{8}$ Lachchams V.C. is bounded on the East by the property of Velupillai Kumarasamy and others, North by the property of Kathirithamby Subramaniam and others, West by South by the Village limit of Alvai. Of this an undivided $\frac{19}{576}$ share worth 60.00
49. Land situated at Puloly West Malavarayakurichchy called "Vilvalai" in extent 14, $\frac{1}{2}$ Lachchams V.C. and bounded on the East and North by the property of Kathirithamby Subramaniam and others West by South by the property of Sinnathamby Somasundaram and others. Of this an undivided $\frac{1}{72}$ share worth Rs. 20/-. Of this $\frac{1}{2}$ share worth 10.00
50. Land situated at —do— called "Nedunkulavelitheni Kilak-kilmetku" in extent 72 Lachchams V.C. Of this on the West of the lane passing through this an extent of 13 Lachchams V.C. and bounded on the East by the property of Visuvanathar Kanagaratnam and others, North by the property of Sivakamippillai widow of Murugappar and others, West by the property of Veerakathiar Konamalai and others and South by the property of Rasammah widow of Sethuramalingakurukkal and others. Of the ground and well contained within these boundaries an undivided $\frac{1}{3}$ share worth Rs. 1,200/-. Of this $\frac{1}{2}$ share worth 600.00

P 3
Affidavit of V. K.
Subramaniam
(Substituted
Defendant) filed
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P 3
Affidavit of V. K.
Subramaniam
(Substituted
Defendant) filed
in Testamentary
action No. 400 in
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—Continued.

51. Land situated at — do — called “ Ivilavattai ” in extent 11, 1/2 Lachchams V.C. — do — Thoddam 1, 1/2. Of this extent for 3/16 share on the East is 2, 1/2 Lachchams V.C. and bounded on the East by the property of Visuvanathar Kanagaratnam and others, North by the property of Valliappan Vethavanam and others, West by the property of Kovinthar Thampoe and others and South by Road. Of this an undivided 1/4 share worth Rs 25·00
52. Land situated at Puloly West Vandaripahuthevanakurichchy called “ Mailappai ” in extent 27, 1/2 Lachchams V.C. — — Do — Thoddam 2 is bounded on the East by the property of Arunasalam Suppar and others, North by the property of Vairamuttu Velauthar, West by the property of Kandar Kathirithamby and others, and South by the property of Kandar Sinnathamby and others. Of this an undivided 1/40 share worth 50·00
53. Land situated at Alvai Neelakuddiarkurichchy called “ Urulai ” in extent 31, 5/8 Lachchams V.C. — do — Thoddam 1, of these parcels and extent of 10, 1/2 Lachchams in the middle. Of this on the North an extent of 5 Lachchams V.C. and 2, 3/4 kulies and bounded on the East and West by the property of Theivanai daughter of Ampalam and others. North by the property of Kathirgamar Ramalingam, and South by the property of Parupathippillai wife of Alvappillai. The whole of this worth ... 200·00
54. Land situated at Puloly West Malayarayakurichchy called “ Muttukkottawattai ” in extent 17, 1/4 Lachchams V.C. is bounded on the East by the property of Velauthar Sithamparappillai and others, North by the property of Thangammah wife of Thambipillai and others, West by the property of Ponnambalam Paramoe and others and South by lane. Of this an undivided 5/84 share worth 100·00
55. Land situated at Alvai Neelakuddiarkurichchy called “ Kalappalavattai ” in extent 15, 1/2 Lachchams V.C. — do — Thoddam 4. Of this an extent of 5 Lachchams v.c. and bounded on the East by the property of Suppar Murugesu and others, North by the property of Walliammai wife of Velauthar and others, West by the property of Kandar Murugupillai and others, and on the South by the property of Parupathippillai wife of Sinnathamby and others. Of this an undivided 1/2 share of 1/3 share and share of well worth 100·00
56. Land situated at Alvai Maniveeravahuthevanakurichchy called “ Ayatkulappaivayal ” in extent 2 Lachchams V.C. — do — 12 Lachchams V.C. — do — Thoddam 6 with well bounded on the East by the property of Kandappan Arumugam and others, North by the property belonging to

	Kumuladiyit Pillaiyar Temple, West by the property of heirs of Kumarasamy Velauthar and others and on the South by the property of Ulaganathar Murugesappillai and others. Of this an undivided 1/2 of 1/3 of 19/128 share worth	100·00
57.	Land situated in the District of Anuradhapura in the village of Bandara Bulankulama called "Ibalawela, Pahalawela Kokkamattawela," in extent 3 acres, 4 roods and 24 perches. Of this Extent for Lot No. 4 is 2 Roods 16 Purches Lot No. 5 is 3 Acres 8 Perches. Lot No. 9 is 1 Acre, 1 Rood, 16 Perches Total 5 Acres. 0 Roods. 0 Perches worth Rs. 1,500/-. Of this 1/2 share worth	750·00
	<i>Movable Property</i>	
	1. By amount due on Mortgage Bond No. 3497 dated 20th May, 1946 and attested by V. K. Subramaniam Notary for Rs. 160/- at 8 per cent interest Rs. 177/-. Of this 1/2 share	88·50
	2. By amount due on Mortgage Bond No. 940 dated 26th July, 1942 and attested by V. K. Subramaniam N.P. for Rs. 400/- at 7 per cent interest Rs. 568/-. Of this 1/2 share	284·00
20	3. By amount due on Mortgage Bond No. 3427 dated 13th March, 1946 and attested by V. K. Subramaniam Notary Public for Rs. 600/- at 8 per cent interest Rs. 716/-. Of this 1/2 share	358·00
	4. By amount due on Mortgage Bond No. 4979 dated 2nd April, 1942 and attested by V. K. Senathirajasegaram Notary Public for Rs. 600/- at 7 per cent interest Rs. 866/- Of this 1/2 share	433·00
30	5. By amount due on Mortgage Bond No. 1439 dated 29th January, 1943 and attested by V. K. Subramaniam Notary Public for Rs. 150/- at 8 per cent interest Rs. 217/-. Of this 1/2 share	108·50
	6. By amount due on Mortgage Bond No. 460 dated 17th November, 1941 and attested by V. K. Subramaniam Notary Public for Rs. 900/- ... at per cent interest Rs. 653/- Of this 1/2 share	326·50
	7. By amount due on Mortgage Bond No. 3596 dated 24th August, 1946 and attested by V. K. Subramaniam Notary Public for Rs. 700/- at 7 per cent interest. Rs. 798/-. Of this 1/2 share	399·00
40	8. By amount due on Mortgage Bond No. 3187 dated 29th August, 1945 and attested by V. K. Subramaniam Notary Public for Rs. 2,500/- at 7 per cent interest Rs. 3,025/- Of this 1/2 share	1,512·50

P 3
Affidavit of V. K. Subramaniam (Substituted Defendant) filed in Testamentary action No. 400 in District Court, Point Pedro — 30-1-49
—Continued.

P 3
Affidavit of V. K.
Subramaniam
(Substituted
Defendant) filed
in Testamentary
action No. 400 in
District Court,
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—Continued.

9.	By amount due on Mortgage Bond No. 2533 dated 27th May, 1944 and attested by V. K. Subramaniam Notary Public for Rs. 1,000/- at 8 per cent Rs. 1,340/-. Of this 1/2 share	670·00
10.	By amount due on Mortgage Bond No. 2914 dated 8th January, 1945 and attested by V. K. Subramaniam Notary Public for Rs. 1,000/- at 7 per cent interest Rs. 1,251/-. Of this 1/2 share	625·50
11.	By amount due on Mortgage Bond No. 2565 dated 26th April, 1948 and attested by V. K. Subramaniam Notary Public for Rs. 1,000/- at 7 per cent interest Rs. 1,023/-. Of this 1/2 share	511·50
12.	By amount due on Mortgage Bond No. 4396 dated 1st March, 1948 and attested by V. K. Subramaniam Notary Public for Rs. 400/- at 7 per cent interest Rs. 412/- Of this 1/2 share	206·00
13.	By amount due on Mortgage Bond No. 3979 dated 11th May, 1947 and attested by V. K. Subramaniam, Notary Public for Rs. 150/- at 8 per cent interest. Rs. 165/-. Of this 1/2 share	82·50
14.	By amount due on Mortgage Bond No. 3578 dated 29th July 1937 and attested by V. Senathirajasegaram Notary Public for Rs. 3,000/- at 9 per cent interest Rs. 3,635/-. Of this 1/2 share	1,817·50
15.	By amount due on Mortgage Bond No. 3134 dated 16th March, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 7 per cent interest Rs. 1,169/-. Of this 1/2 share	584·50
16.	By amount due on Mortgage Bond No. 4191 dated 5th October, 1947 and attested by V. K. Subramaniam, Notary Public for Rs. 500/- at 7 per cent interest Rs. 529/- Of this 1/2 share	214·50
17.	By amount due on Mortgage Bond No. 3709 dated 5th November, 1946 and attested by V. K. Subramaniam Notary Public for Rs. 800/- at 7 per cent interest Rs. 898/-. Of this 1/2 share	449·00
18.	By amount due on Mortgage Bond No. 2500 dated 22nd May, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 310/- at 8 per cent interest Rs. 368/- Of this 1/2 share	184·00

19.	By amount due on Mortgage Bond 3729 dated 21st November, 1946 and attested by V. K. Subramaniam Notary Public for Rs. 500/- at 8 per cent interest Rs. 577/-.	Of this 1/2 share.	.....	...	...	...	...	288.50
20.	By amount due on Mortgage Bond No. 3802 dated 8th January, 1947 and attested by V. K. Subramaniam Notary Public for Rs. 600/- at 7 per cent interest Rs. 666/-.	Of this 1/2 share	...	...	...	...	...	333.00
10	21.	By amount due on Mortgage Bond No. 3459 dated 11th April, 1946 and attested by V. K. Subramaniam Notary Public for Rs. 700/- at 6 per cent interest Rs. 798/-.	Of this 1/2 share	...	...	...	...	399.00
	22.	By amount due on Mortgage Bond No. 3803 dated 13th January, 1947 and attested by V. K. Subramaniam Notary Public for Rs. 1,000/- at 6 per cent interest Rs. 1,095/-.	Of this 1/2 share	...	...	...	...	547.50
20	23.	By amount due on Mortgage Bond No. 772 dated 24th March, 1947 and attested by A. Sivakolunthu, Notary Public for Rs. 250/- at 12 per cent interest Rs. 322/-.	Of this 1/2 share	...	...	...	...	161.00
	24.	By amount due on Mortgage Bond No. 14151 dated 3rd February, 1943 and attested by V. K. Subramaniam Notary Public for Rs. 250/- at 8 per cent interest Rs. 360/-.	Of this 1/2 share	...	...	...	...	180.00
	25.	By amount due on Mortgage Bond No. 3237 dated 29th September, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 6 per cent interest Rs. 1,175/-.	Of this 1/2 share	...	...	...	...	587.50
30	26.	By amount due on Mortgage Bond No. 767 dated 19th March, 1946 and attested by A. Sivakolundu Notary Public for Rs. 350/- at 12 per cent interest Rs. 451/-.	Of this 1/2 share	...	...	...	...	225.50
	27.	By amount due on Mortgage Bond No. 5587 dated 17th January, 1940 and attested by V. Senathirajasegaram for Rs. 50/- at 10 per cent interest	.....	...	...	...	...	100.00
	28.	By amount due on Mortgage Bond No. 5497 dated 7th December, 1939 and attested by V. Senathirajasegaram for Rs. 100/- at 10 per cent interest.	.....	...	...	...	...
40	29.	By amount due on Mortgage Bond No. 2952 dated 10th February, 1945 and attested by V. K. Subramaniam Notary Public for Rs. 400/- at 8 per cent interest Rs. 512/-.	Of this 1/2 share	...	...	...	...	256.00

P 3
Affidavit of V. K. Subramaniam (Substituted Defendant) filed in Testamentary action No. 400 in District Court, Point Pedro — 30-1-49
—Continued.

P 8
Affidavit of V. K.
Subramaniam
(Substituted
Defendant) filed
in Testamentary
action No. 400 in
District Court,
Point Pedro —
30-1-49
—Continued.

30.	By amount due on Mortgage Bond No. 7613 dated 7th January, 1943 and attested by V. Senathirajasegaram for Rs. 150/- at 8 per cent interest Rs. 185/-. Of this 1/2 share	...	...	...	...	...	92·50
31.	By amount due on Mortgage Bond No. 1248 dated 9th November, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 150/- at 8 per cent interest Rs. 185/-. Of this 1/2 share	...	...	...	...	...	92·50
32.	By amount due on Mortgage Bond No. 3085 dated 22nd May, 1945 and attested by V. K. Subramaniam for Rs. 1,800/- at 7 per cent interest Rs. 2,209/-. Of this 1/2 share	...	...	...	...	...	1,104·50 ¹⁰
33.	By amount due on Mortgage Bond No. 3091 dated 25th January, 1945 and attested by V. K. Subramaniam Notary Public for Rs. 200/- at 8 per cent interest Rs. 252/-. Of this 1/2 share	...	...	...	...	...	126·00
34.	By amount due on Mortgage Bond No. 2702 dated 18th September 1944 and attested by V. K. Subramaniam, Notary Public for Rs. 1,500/- at 6 per cent interest Rs. 1,852/-. Of this 1/2 share	...	...	...	...	...	926·00
35.	By amount due on Mortgage Bond No. 2929 dated 22nd January, 1945 and attested by V. K. Subramaniam Notary Public for Rs. 500/- at 8 per cent interest Rs. 643/-. Of this 1/2 share	...	...	...	...	...	321·50 ²⁰
36.	By amount due on Mortgage Bond No. 5116 dated 5th April, 1939 and attested by V. Senathirajasegaram Notary Public for Rs. 800/- at 8 per cent interest Rs. 1,141/-. Of this 1/2 share	...	...	...	...	...	570·50
37.	By amount due on Mortgage Bond No. 883 dated 9th July, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 600/- at 7 per cent interest Rs. 855/-. Of this 1/2 share	...	...	...	...	...	427·50 ³⁰
38.	By amount due on Otty Bond No. 570 dated 7th February 1942 and attested by V. K. Subramaniam Notary Public for Rs. 300/-. Of this 1/2 share	...	...	...	...	...	150·00
39.	By amount due on Mortgage Bond No. 598 dated 18th February, 1942 and attested by V. K. Subramaniam Notary Public for Rs. 500/- at 8 per cent interest Rs. 545/-. Of this 1/2 share	...	...	...	...	...	272·50
40.	By amount due on Mortgage Bond No. 3159 dated 5th August, 1955 and attested by V. K. Subramaniam Notary Public for Rs. 300/- at 8 per cent interest Rs. 372/-. Of this 1/2 share	...	...	...	...	...	186·00 ⁴⁰

41.	By amount due on Mortgage Bond No. 3001 dated 14th March, 1945 and attested by V. K. Subramaniam Notary Public for Rs. 400/- at 8 per cent interest Rs. 509/-. Of this 1/2 share	204.50	P 3 Affidavit of V. K. Subramaniam (Substituted Defendant) filed in Testamentary action No. 400 in District Court, Point Pedro — 30-1-49 —Continued.
42.	By amount due on Mortgage Bond No. 3103 dated 2nd June, 1945 and attested by V. K. Subramaniam Notary Public for Rs. 200/- at 7 per cent interest Rs. 200/-. Of this 1/2 share	100.00	
10 43.	By amount due on Mortgage Bond No. 427 dated 26th October, 1941 and attested by V. K. Subramaniam Notary Public for Rs. 100/- at 10 per cent interest Rs. 158/-. Of this 1/2 share	79.00	
44.	By amount due on Mortgage Bond No. 537 dated 12th January, 1942 and attested by V. K. Subramaniam Notary Public for Rs. 1,000/- at 8 per cent interest Rs. 1,527/-. Of this 1/2 share	763.50	
20 45.	By amount due on mortgage Bond No. 5537 dated 27th December, 1939 and attested by V. Senathirajasegaram Notary Public for Rs. 420/- at 10 per cent interest Rs. 220/-. Of this 1/2 share	110.00	
46.	By amount due on Mortgage Bond No. 3260 dated 11th October, 1945 and attested by V. K. Subramaniam Notary Public for Rs. 500/- at 8 per cent interest Rs. 560/-. Of this 1/2 share	280.00	
47.	By amount due on Mortgage Bond No. 3001 dated 14th March, 1945 and attested by V. K. Subramaniam Notary Public for Rs. 400/- at 8 per cent interest Rs. 509/-. Of this 1/2 share	254.50	
30 48.	By amount due on Mortgage Bond No. 2452 dated 3rd April, 1944 and attested by V. K. Subramaniam Notary Public for Rs. 75/- at 8 per cent interest Rs. 101/-. Of this 1/2 share	50.50	
49.	By amount due on Promissory Note dated 8th January, 1944 for Rs. 280/- at 10 per cent interest Rs. 408/-. Of this 1/2 share	204.00	
50.	By amount due on Promissory note dated 10th October, 1945, for Rs. 75/- at 8 per cent interest, Rs. 92/-. Of this 1/2 share	46.00	
40 51.	By amount due on Promissory Note dated 23rd January, 1944 for Rs. 175/- at 6 per cent interest Rs. 227/-. Of this 1/2 share	113.50	
52.	By amount due in Case No. 3114P D. C. Point Pedro, Rs. 397/11. Of this 1/2 share	198.50	
53.	By amount recovered in Cases No. 3087, 3088, and 3089 D.C. Point Pedro Rs. 2,140/-. Of this 1/2 share ...	1,070.00	

P 3
Affidavit of V. K.
Subramaniam
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District Court,
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—Continued.

54.	By amount due on Mortgage Bond No. 5821 dated 23rd June, 1940, and attested by V. Senathirajasegaram from Vairavan Suppan of Puloly West Rs. 616/33. Of this 1/2 share	308·00
55.	3 Almyrahs worth Rs. 300/00. Of this 1/2 share	...	...	...	...	...	150·00
56.	3 Tables worth Rs. 300/00. Of this 1/2 share	...	...	...	...	...	150·00
57.	8 Chairs worth Rs. 50/00. Of this 1/2 share	...	...	...	...	...	25·00
58.	1 Wooden Chest worth (large) Rs. 100/00. Of this 1/2 share	...	...	...	...	...	50·00
59.	1 Wooden Chest (small) worth Rs. 50/00. Of this 1/2 share	...	...	...	...	...	25·00
60.	Brassware worth Rs. 60/00. Of this 1/2 share	...	...	...	...	...	30·00 ¹⁰
61.	Jewellery worth	...	...	...	...	...	2,000·00

Immovable Property (Additional)

62.	Land situated at Puloly West Singapahuthevankurichchy called Bommikaladdy in extent 32 Lachchams V.C. and 3 kulies and bounded on the East by the property of Sithamparanathar Kanapathipillai and others, North by the property of Kanapathiar Vyravipillai and others, and by the property of Vallattai wife of Vyramuttu and others, West by lane and South by the property of Sithamparanathar Kanapathipillai. Of this an undivided 54/384 share worth Rs. 600/00. Of this 1/2 share worth	300·00 ²⁰			
Total Value of Estate							58,289·50

Signed and affirmed to the truth and correctness hereof at Puloly West on the 30th day of January, 1949.

Drawn by : (Sgd.) V. K. SUBRAMANIAM,

(Sgd.) M. ESURAPADHAM,
Proctor for Petitioner.

Before me :—

(Sgd.) P. KANAGASABAI,
Commissioner for Oaths. ³⁰

District Court of Point Pedro,
8th October, 1962.

(Seal)

True Copy of AFFIDAVIT in District Court, Point Pedro Testamentary Case No. 400.

(Sgd.) Illegibly,
Secretary,
District Court,
Point Pedro.
8-10-62. ⁴⁰

**Petition of V. K. Subramaniam (Substituted Defendant)
filed in Testamentary Action No. 400 in District
Court, Point Pedro**

IN THE DISTRICT COURT OF POINT PEDRO

In the matter of the Last Will and Testament of the Late **RASAM-
MAH**, wife of **VISUVANATHAR KANAGARATNAM** of Puloly West.

P 2
Petition of V. K.
Subramaniam
(Substituted
Defendant)
filed in
Testamentary
Action No. 400 in
District Court,
Point Pedro
31-1-49

Deceased.

10 Testamentary }
Jurisdiction } No. 400

V **KANAGARATNAM SUBRAMANIAM** of Puloly West.

Petitioner.

Vs.

1. **VISUVANATHAR KANAGARATNAM** of Puloly West.
2. V **KANAGARATNAM KUMARASAMY** of-do-.
3. V. **KANAGARATNAM SANTHIRASEGARAM** of-do-.
4. V. **KANAGARATNAM KATHIRKAMAN** of-do-.
5. V **KANAGARATNAM KANDAPPA** of-do-.
- 20 6. **VISUVANATHAR KANAGARATNAM SUBRAMANIAM** of
Puloly West substituted in the room of the Deceased
4th Respondent.

Respondents.

The 31st day of January, 1949.

The Petition of the abovenamed Petitioner appearing by Mr. M. Esura-
padham his Proctor states as follows :—

1. The Petitioner's Step-mother **Rasammah**, wife of the 1st Respond-
ent died at Puloly West within the Jurisdiction of this Court on the 20th
day of August, 1948 leaving behind a Joint Last Will executed by her
30 and her husband the said 1st Respondent dated the 26th day of March, 1946
and attested by **K. Sivasangaram**, Notary Public under No. 1001.
2. The said deceased bequeathed and devised all her property move-
able and immovable to her husband the 1st Respondent.
3. The heirs of the said deceased but for the said Last Will are her
sons the 2nd, 3rd, 4th and 5th Respondents.

P 2
 Petition of V.K.
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 —Continued.

4. Full and true particulars of the property belonging to the Estate of the said deceased are given in the schedule hereto.

5. The Petitioners claim Probate of the said Last Will as executor appointed thereunder.

WHEREFORE the Petitioner prays :—

- (a) that the said Last Will of the deceased be declared proved ;
- (b) that the petitioner as Executor appointed under the said Will be declared entitled to obtain probate thereof ;
- (c) that probate of the said Will be accordingly issued to the Petitioner ;
- (d) for costs ; 10

and for such other and further relief as to this Court shall seem meet.

(Sgd.) M. ESURAPADHAM.
Proctor for Petitioner.

SCHEDULE OF PROPERTY REFERRED TO

Immovable Property

	Rs.	Cts.
1. Land situated at Puloly West Malavarayakurichchy called "Veerapandianseema" in extent 6, 1/8 Lachchams V.C. and bounded on the East by lane, North by the 2nd land, West by the property of Kathirithamby Subramaniam and others, and South by the property of Ponnachchy widow of Kandiah and others. Of this an undivided 14/27 share worth	300	00
2. Land situated at -do- called "Ethirollai" in extent 2, 3/4 Lachchams V.C. and bounded on the East and North by lane, West by the property of Ponny, widow of Solian and others, and on the South by the 1st land. Of this an undivided 217/288 share worth	200	00
3. Land situated at -do- called "Vilvalai" in extent 8 Lachchams V.C. and 3, 29/32 kulies and bounded on the East by the property of Visuvanathar Kanagaratnam and others, North by lane, West by the property of Kathirgamar Kanapathippillai and others and South by the property of Velappar Subramaniam and others. Of this an undivided 1/8 share worth 100.00	100	00
Of this 1/2 share worth	50	00

P 2
 Petition of V. K.
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- | | | |
|----------|---|--------|
| 4. | Land situated at -do- called " Veerapandianseenam " in extent 2, 1/2 Lachchams V.C. and bounded on the East by lane, North by the property of Ponny, wife of Alvan Velan and West and South by the property of the heirs of Subramaniam Jekasothy and others. The whole of this worth 100·00 | 50·00 |
| | Of this 1/2 share worth | |
| 10
5. | Land situated at Puloly West Singhapahuthevankurichchy called " Vilvalai " in extent 9, 1/2 Lachchams V.C. and bounded on the East by lane, North by the property of Rasammah, wife of Kanagaratnam and others West by the property of Paramu Subramaniam and others, and South by the property of the heirs of Seethevan. Of this an undivided 1/4th share | 200·00 |
| 20
6. | Land situated at -do- called " Seema " in extent 7, 1/8 Lachchams V.C.-Do- Veedu 1. Of these parcels on the South an extent of 8 Lachchams V.C. and 5/8 kulies and bounded on the East by the property of Visuvanathar Kanagaratnam, West by the property of Visuvanathar Kanagaratnam, and on the West and South by lane. Of this an undivided 1/2 share worth 600·00 | 300·00 |
| | Of this 1/2 share worth | |
| 30
7. | Land situated at Puloly West Malavarayakurichchy called " Seema " in extent 4 Lachchams V.C. and bounded on the East by the property of Visuvanathar Kanagaratnam North by the property of Alvappillai Velautham West by street, and on the South by the property of V Kanagaratnam and others. The whole of this worth 300·00 | 150·00 |
| | Of this 1/2 worth | |
| 8. | Land situated at -do- called " Seema " in extent 5 Lachchams V.C. and 1/8 kuly and bounded on the East and South by the property of V. Kanagaratnam North by the property of Kandar Sinnathamby and West by lane. The whole of this worth 500·00 | 250·00 |
| | Of this 1/2 worth | |
| 40
9. | Land situated at -do- called " Seema " in extent 4 Lachchams V.C. and 13 kulies and bounded on the East by the property of V. Kanagaratnam and others, West by the following 10th land and South by the property of V. Kanagaratnam and others, and by lane, The whole of this worth 500·00 | 250·00 |
| | Of this 1/2 share worth | |

P 2
 Petition of V. K.
 Subramaniam
 (Substituted
 Defendant)
 filed in
 Testamentary
 Action No. 400 in
 District Court,
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 —Continued.

10. Land situated at -do- called "Seema" in extent 9 kulies bounded on the East by the aforesaid 9th land, North by the property of Theivanai widow of Murugappan, West by the property of Alvappillai Velautham and on the South by the property of V. Kanagaratnam. The whole of this worth 50·00
 Of this 1/2 share worth 25·00
11. Land situated — do — called "Seema" in extent 1 Lachcham V.C. and bounded on the East by the property of V. Kanagaratnam and others, North by the property of Theivanaippillai, widow of Murugappan, West by the aforesaid 10th land, and South by aforesaid 9th land. Of this an undivided 1/2 share worth 100·00 10
 Of this 1/2 share worth 50·00
12. Land situated at -do- called "Nitchinganollai Vadakku" in extent 7, 1/4 Lachchams V.C. and bounded on the East by lane, North by the property of Sothilingam, wife of Kumarasamy and others, West by the property of Kandar Sinnathamby and others and on the South by the property of Theivanai, wife of Kathiravelu and others. Of this an undivided 7/18 share worth 600·00 20
 Of this 1/2 share worth 300·00
13. Land situated at — do — called "Nitchinganollai" in extent 2 Lachchams V.C. and 17, 5/8 kulies and bounded on the East and South by lane, North by the property of V Kanagaratnam and others, West by the property of V Kanagaratnam. The whole of this worth 600·00
 Of this 1/2 share worth 300·00
14. Land called "Seema" situated at Puloly West, Singhapahuthevanakurichchy in extent 15 Lachchams V.C. and 1 kuly with stone built houses and bounded on the East and South by lane, North by the property of Kandar Sinnathamby and others, West by the property of heirs of Velauthar Arunasalam and others. The whole of this 10,000·00 30
 Of this 1/2 share worth 5,000·00
15. Land situated at Puloly West Malavarayakurichchy called "Nedunkulavelitheni Thenkilakilmekku" in extent 13 Lachchams V.C. is bounded on the East by street, North by the property of Sivakamipillai, 40

widow of Murugappan and others, West by the property of Sivakamipillai, wife of Sivappiragasam and others, and South by the property of V. Kanagaratnam and others. Of this an undivided $\frac{1}{3}$ share worth 1,200·00

Of this $\frac{1}{2}$ share worth 600·00

16. Land situated at-do called "Arasadi" in extent 6 Lachchams V.C. and bounded on the East by the property of Kathirithamby Subramaniam, North by the property Sothilingam, wife of Kumarasamy and others, West by lane, and South by the property of Kathirithamby Subramaniam and others. Of this an undivided $\frac{33}{36}$ share of $\frac{1}{3}$ share and share of well and $\frac{1}{8}$ share of 6 Lachchams V.C. worth 150·00 ...

Of this $\frac{1}{2}$ share worth 75·00

17. Land situated at Alvai Mappanakurichchy called "Periatheni" in extent 1 Lachcham V.C. and bounded on the East by the following 18th land North by the property of belonging to Imparsitty Pillaiyar Temple, West by the property of Kanapathippillai Paramaguru and brothers, and South by the property of Sinnathangam, wife of Somasundaram. The whole of this and share of well in the North of this land and in the 18th land worth 300·00

Of this $\frac{1}{2}$ share worth 150·00

18. Land situated at-do called "Periatheni" in extent 3, $\frac{3}{5}$ kulies bounded on the East by the property of V. Kanagaratnam and others, North by the property belonging to Imparsitty Pillaiyar Temple, West by the aforesaid 17th land, and South by the property of Sinnathangam, wife of Somasundaram. Of this an undivided $\frac{1}{4}$ share and share of well, right of way and watercourse worth 20·00

Of this $\frac{1}{2}$ share worth 10·00

19. Land situated at-do called "Periatheni" in extent 14, $\frac{2}{5}$ kulies with well and bounded on the East by the property of Wallippillai, wife of Veluppillai, North by the property belonging to Imparsitty Pillaiyar Temple West by lane, and South by the property of Sinnathangam, wife of Somasundaram. Of those contained within these boundaries in the well the share appertaining to this the right of way and watercourse and an undivided $\frac{1}{4}$ share of the ground, coconut trees, and palmyrah trees, worth 30·00 ...

Of this $\frac{1}{2}$ share worth 15·00

P 2
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P 2
 Petition of V. K.
 Subramaniam
 (Substituted
 Defendant)
 filed in
 Testamentary
 Action No. 400 in
 District Court,
 Point Pedro
 31-1-49
 —Continued.

20. Land situated at Alvai Malavarayakurichchy called
 “ Vathayavillanai ” in extent 92 Lachchams V.C. and
 5, 1/4 kulies and bounded on the East by lane, and
 grave yard, North by the property of Valliappar
 Vethavanam and others and South by the property of
 Valliappar Vethavanam and others. The whole of this
 worth 26,000·00
 Of this 1/2 share worth 13,000·00
21. Land situated at Alvai Maniveerabahuthevan-
 kurichchy called “ Ayatkulappai Vayal ” in extent 22 Lachchams
 V.C.-do thoddam 6,-do 12 Lachchams V.C. and
 bounded on the East by the property of Kathiri-
 thamby Subramaniam and others, North by the pro-
 perty of Kumaladiyit Pillaiyar Kovil, West by the
 property of the heirs of Kumarasamy Velauthar
 and South by the property of the heirs of Karthigesu
 Subramaniam and others. Of this an undivided
 23/96 share worth 50·00
 Of this 1/2 share worth 25·00
22. Land situated at Puloly West Singhapahuthevan-
 kurichchy called “ Manthiodai ” in extent 4 Lachchams
 V.C. and 2, 20/32 kulies and bounded on the East by
 the property of Theivanaipillai, wife of Muttukumara-
 samy and others, West by the property of Kanapathi-
 pillai Kumarappan and others, and South by road.
 The whole of this worth 1,000·00
 Of this 1/2 share worth 500·00
23. Land situated at Puloly West, Singhapahuthevan-
 kurichchy called “ Manthiodai ” in extent 4 Lach-
 chams V.C. and 10/32 kulies and bounded on the
 East by the property of Sithamparan Sinnian and
 others, North by channel, West by the property of
 Ponnammah, wife of Rasiah, South by the following
 24th land. The whole of this and share of well and right
 of way and watercourse, worth 1,400·00
 Of this 1/2 share worth 700·00
24. Land situated at-do called “ Manthiodai ” in extent
 16, 20/32 kulies and bounded on the East by the pro-
 perty of Sithamparan Sinnian and others, North by
 the aforesaid 23rd land, West by the property of
 Ponnammah, wife of Rasiah and South by the property
 of Theivanai, widow of Manicam. The whole of this
 and share of well and right of way and watercourse
 worth 100·00
 Of this 1/2 share worth 50·00

	25.	Land situated at Alvai Veerakodiakurichchy called "Padavadapulathuvayal" in extent 17, 3/8 Lachchams V.C. and bounded on the East and South by the property of Kathirithamby Subramaniam and others, North by the property of Velappar Subramaniam and others West by the property of Kandappar Kanagasabai and others. Of this an undivided 1/4 share worth 200·00	...	...	...
		Of this 1/2 share worth	...	...	...	100·00
10	26.	Land situated at Puloly West Singhapahuthevan-kurichchy called "Nedunkulavelitheni" in extent 4 Lachchams V.C. and 8, 8/16 kulies with stone built house and bounded on the East by water channel, North by road, West by the property of Kathirithamby Sabapathy and others, South by the property of Kathirithamby Sabapathy and others and by the property of Kamadechy, wife of Kathirkamu and others. The whole of this worth 10,000·00	...	...	...
20		Of this 1/2 share worth	...	...	...	5,000·00
	27.	Land situated at-do called "Nedunkulavelitheni" in extent 15 9/16 kulies is bounded on the East by the property of Britto Muttunayagam, North by the property of Krishnapillai Mylvaganam, West by water channel, and South by the property belonging to Aladipillaiyar Temple. The whole of this worth 200·00	...	...	...
		Of this 1/2 share worth	...	...	...	100·00
30	28.	Land situated at Puloly West Singhapahuthevan-kurichchy called "Thevakaladdy" in extent 7 Lachchams V.C. and bounded on the East by the following 29th land, North by the property of Kathirithamby Subramaniam and others West by the property of Sethupillai, wife of Sinnathambiar and others, and South by the property of Suppar Murugesu and others. Of this an undivided 1/2 share worth 100·00	...	...	...
		Of this 1/2 share worth	...	...	...	50·00
40	29.	Land situated at-do called "Thevakaladdy" in extent 15, 1/4 Lachchams V.C. and bounded on the East by the property of Thamoe Alvar and others, North by the property of Thangammah, wife of Subramaniam and others, West by the aforesaid 28th land, and South by the property of Vellathai, wife of Kathiripillai and others. Of this undivided 1/3 share worth 250·00	
		Of this 1/2 share worth	125·00

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30. Land situated at Puloly West Malavarayakurichy called Nedunkulavelitheni Thenkilakilmetku in extent 7 Lachchams V.C. and 6 1/2 kulies with well is bounded on the East by lot 2 in plan No. 1450 dated 6th June, 1937 and prepared by G. C. Ganapathippillai, Surveyor belonging to Parupathippillai, widow of Kathirithamby, North by the property belonging to Aladipillaiyar temple, West by lot No. 15 in the said plan and on the South by lane. The whole of this and shares in wells in lots Nos. 16, 17, 18 and 20 and share in lots Nos. 19 and 21 worth 2,200·00 10
- Of this 1/2 share worth 1,100·00
31. Land situated at Alvai Veerakodiakurichchy and Maniveeravaguthevankurichy called Seenanseema and Sathanawattai in extent 66 kulies and bounded on the East by the property of Kandiah Rasaratnam, North by lane, West by the property of Arumugam Veluppillai. South by the land called Seenan Seema and Sathanawattai. The whole of this 10·00 ...
- Of this 1/2 share worth 5·00 20
32. Land situated at Alvai Perumiakurichchyeri called Paddithidalwattai in extent 5, 3/8 Lachchams V.C. and bounded on the East by the property of Pillaiyar Kovil situated at Vyrappu Kaladdy North by the property of Ponnambalam Muruguppillai and others, West by the property of Mylvaganam Kandiah and others. Of this an undivided 1/4 share of the ground and 1/4th plantation share of the palmyrahs and 1/4 share of the remaining palmyrahs worth 80·00
- Of this 1/2 share worth 40·00 30
33. Land situated at Alvai Veerakodiakurichchy and Maniveeravaguthevankurichy called Seenan Seema and Sathanawattai in extent 5 Lachchams V.C. and 14, 1/4 kulies and bounded on the East by the property of Kandiah Rasaratnam and another. On the North by the property of Ponnambalam Muruguppillai and others. On the West by the property of Ramoe Kathirippillai and others and on the South by the property of Kandiah Rasaratnam and another. Of this 1/4 plantation share worth 50·00 40
- Of this 1/2 share worth 25·00

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34. Land situated at Puloly West Singapahuthevan-
kurichchy called Vilvalai in extent 4 Lachchams V.C.
and 2, $\frac{4}{32}$ kulies and bounded on the East by lane,
North by lot 1, 2 and 3 in plan No. 594 dated 25th
February, 1941 and prepared by T. Subramaniam,
Surveyor. West by the property of Valliappar Kand-
appar and others, South by the property of Rasammah,
wife of Kanakarattam and others. Of this an undivided
 $\frac{1}{2}$ share worth 200·00
- 10 35. Land situated at Puloly West Malavarayakurichy
called Sivilakaladdy in extent 8, $\frac{3}{4}$ Lachchams
V.C.-do-veedu 1 with $\frac{1}{2}$ well and bounded on the East
by lane, North by lane and by the property of Seethevi,
wife of Sanmugam and others, West by the property
of Rasammah, wife of Kanagarattam, South by the
property of the heirs of Walliammai, wife of Velauthar.
Of this an undivided $\frac{1}{8}$ share worth 300·00
- 20 36. Land situated at-do called "Arasady" in extent 43,
 $\frac{1}{4}$ Lachcham V.C.-do thoddam 4. Of these parcels
an extent of 6 Lachchams V.C. and 2 kulies and
bounded on the East by the property of Velan Ampala-
van and others and on the North by the property of the
heirs of Paramoe Sithamparappillai, West by the
property of Sothilingam, wife of Kumarasamy and
others and South by the property of Kandar Kanapa-
thiar and others. Of this an undivided $\frac{1}{4}$ share
worth 150·00
- 30 37. Land situated at-do called Varanthaikilakku in
extent 18 $\frac{1}{2}$ Lachchams V.C. do. thoddam 2 with
well and bounded on the East by lane, North by the
property of Sinnappillai, wife of Thambiah and others,
West by the property of Muttuppillai, widow of Nelli-
nathar and others and South by the property of Sandira-
segarar Vethavanam. Of this an undivided $\frac{1}{12}$
share of the ground and share of well worth 600·00
- 40 38. Land situated in the District of Anuradhapura in the
Village of Pulliyankulama called Siyanbalawela in
extent 39 acres, 3 roods and 20·9 perches. Of this
extent for lot No. 8 is 3 acres 1 rood and 0·87 perches
and bounded on the East by Railway reservation
North by lot No. 2 in the said plan, West and South
by lot 1D. The whole of this worth 1,000·00 ...
Of this $\frac{1}{2}$ share worth 500·00
39. Land situated at Thunnalai Veerasundaramudali-
kurichchy called Nungayapulam in extent 38 Lach-
chams V.C. and 6, $\frac{27}{32}$ kulies. Of this the extent

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	for lot No. 2 in plan No. 663 is 5 Lachchams V.C. and 10, 17/32 kulies and bounded on the East by lot No. 9, North by lot No. 1, West by the property of the late Sinnathamby Subramaniam and on the South by lot No. 3. The whole of this worth 2,000·00	1,000·00
	Of this 1/2 share worth	...	...	...	1,000·00
40.	Land situated at Puloly West Malavarayakurichchy called Thinakaladdy in extent 4 Lachchams V.C. and 1, 5/32 kulies. Of this extent for lot No. 1 in plan No. 6505 is 3 Lachchams V.C. and 28/32 kulies and bounded on the East by the property of Kandar Kovindi, North by street, West by lot No. 2 in the said plan, and on the South by the property of Kaliappar Kandiah, worth 750·00	...	...	...	10 750·00
	Of this 1/2 share worth	...	...	...	375·00
41.	Land situated at-do called Varanthanai in extent 2, 3/4 Lachchams V.C. and bounded on the East by the property of Ponnammah, widow of Kandiah and others, North by water channel, West by the village limit of Alvai, South by the property of Ponnachchy, widow of Kandiah and others. Of this an undivided 1/18 share worth 50·00	...	...	...	20 50·00
	Of this 1/2 share worth	...	...	...	25·00
42.	Land situated at Puloly West Singapahuthevankurichchy called Ariankaladdy in extent 12, 1/8 Lachchams V.C.-do-vedu 1/4 forming a total extent of 12 Lachchams V.C. and 8, 1/4 kulies and bounded on the East, West and South by lane, North by the property of Annapoorani, wife of Arumugam and others. Of this an undivided 7/432 share and 1/18 share out of the palmyrahs and tamarind trees standing on the West of this land worth 40·00	...	...	...	30 40·00
	Of this 1/2 share worth	...	...	...	20·00
43.	Land situated at Alvai Veerakodiakurichy called Ampalantheni in extent 26 Lachchams V.C. as depicted in plan No. 1720 dated 9th October, 1940 and prepared by K. Velmurugu, Licensed Surveyor. Of this the extent for lot No. 2 in the said plan is 3 Lachchams V.C. and 4 1/2 kulies is bounded on the East by lane, North by lot No. 1, West by the property of Kanapathipillai Kumarasamy and wife Muttuppillai and others on the South by lot No. 3. The whole of this worth 600·00	...	...	...	40 600·00
	Of this 1/2 share worth	...	...	...	300·00

44. Land situated at Alvai Mappanakurichchy called Periatheni in extent 7 Lachchams V.C. and 12 $\frac{3}{4}$ kulies as depicted in plan No. 2495 dated 19th June, 1947 and prepared by K. Velmurugu, Licensed Surveyor. Of this extent for lot No. 1 is 3 Lachchams V.C. and 12 $\frac{1}{2}$ kulies and bounded on the East by lot No. 2. North by the property of Theivanai, wife of Namasivayam and others, West by the property of Rasamah, wife of Kandiah and others and on the South by lot No. 4. The whole of this and right of way and water course, A.B.C. and well lying in the Eastern land worth 900·00
- Of this $\frac{1}{2}$ share worth 450·00
45. Land situated at Basawakulama in the District of Anuradhapura called Basawakkulamakela in extent 5 acres, 0 roods, 33 perches. The extent for lot No. 1 2 acres, 2 roods and 7 perches and bounded on the East by reservation along the road, North by the property belonging to Pansala, West by Ela and South by lot No. 2. The whole of this worth 1,000·00
- Of this $\frac{1}{2}$ share worth 500·00
46. Land situated at Puloly West Malavarayakurichchy called Nedunkulavelithenithenkilakkilmetku. Of this 1 Lachcham V.C. and 11 $\frac{1}{2}$ kulies being lot No. 3 marked in plan filed of record in partition Case No. 17655 of the District Court of Jaffna and bounded on the East by the property of Sothilingam, wife of Kumarasamy, North by the property belonging to Aladipillaiyar temple, West by the property of Ponnammah, widow of Singaravelu and South by lane. Of this an undivided $\frac{1}{6}$ share worth 100·00
- Of this $\frac{1}{2}$ share worth 50·00
47. Land situated at Puloly West Singapahuthevankurichchy called Sathollai in extent 10, $\frac{1}{8}$ Lachchams V.C. Of this 5, $\frac{1}{8}$ Lachchams V.C. being the Eastern half share and bounded on the East by the property of Ledchumy, widow of Ramoe and others, North by the property of Kandiah Vairamutu and others, West by the property of Amuthammah, wife of Subramaniam and South by water channel. Of this an undivided $\frac{1}{18}$ share worth 30·00
- Of this $\frac{1}{2}$ share worth 15·00

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48. Land situated at Puloly West Malavarayakurichchy called Alakiawattai in extent 9, 1/8 Lachchams V.C. -do- Singapahuthevan- kurichchy called Alakiawattai in extent 10 Lachchams V.C. Total in extent 19, 1/8 Lachchams V.C. is bounded on the East by the property of Veluppillai Kumarasamy and others, North by the property of Kathirithamby Subramaniam and others, West bySouth by the Village limit of Alvai. Of this an undivided 19/576 share worth 60·00 10
49. Land situated at Puloly West Malavarayakurichchy called Vilvalai in extent 14, 1/2 Lachchams V.C. and bounded on the East and North by the property of Kathirithamby Subramaniam and others West bySouth by the property of Sinnathamby Somasundaram and others. Of this an undivided 1/72 share worth 20·00
- Of this 1/2 share worth 10·00
50. Land situated at -do- called Nedunkulavelithenikillakil metku in extent 72 Lachchams V.C. Of this on the West of the lane passing through this an extent of 13 Lachchams V.C. and bounded on the East by the property of Visuvanathar Kanagaratnam and others, North by the property of Sivakamippillai Mrugappar and others, West by the property of Veeragathiar Konamalai and others and South by the property of Rasammah, widow of Sethuramalingakurukkal and others. Of the ground and well contained within these boundaries an undivided 1/3 share worth Rs. 1,200/-. Of this 1/2 share worth 600·00 80
51. Land situated at -do- called Ivilawattai in extent 11 1/2 Lachchams V.C. -do- thoddam 1, 1/2. Of this extent for 3/16 share on the East is 2, 1/2. Lachchams V.C. and bounded on the East by the property of Visuvanathar Kanagaratnam and others, North by the property of Valliappar Vethavanam and others, West by the property of Kovindar Thampoe and others and South by Road. Of this an undivided 1/4 share worth 25·00
52. Land situated at Puloly West Vandaripahuthevan- kurichchy called Mailappai in extent 27 1/2 Lachchams V.C. do. thoddam 2 is bounded on the East by the property of Arunasalam Suppar and others, North by the property of Vairamutu Velauthar, West by the property of Kandar Kathirithamby and others, and South by the property of Kandar Sinnathamby and others. Of this an undivided 1/40 share worth 50·00

53. Land situated at Alvai Neelakuddiarkurichchy called Urulai in extent 31, $\frac{5}{8}$ Lachchams V.C. -do- thoddam 1. Of these parcels an extent of 10 $\frac{1}{2}$ Lachchams in the middle. Of this on the North an extent of 5 Lachchams V.C. and 2, $\frac{3}{4}$ kulies and bounded on the East and West by the property of Theivanai, daughter of Ampalam and others, North by the property of Kathirgamar Ramalingam and South by the property of Parupathippillai, wife of Alvappillai. The whole of this worth 200.00
54. Land situated at Puloly West Malavarayakurichchy called Muttikottawattai in extent 17, $\frac{1}{4}$ Lachchams V.C. is bounded on the East by the property of Velauthar Sithamparappillai and others. North by the property of Thangammah, wife of Thambippillai and others, West by the property of Ponnambalam Paramoe and others and South by lane. Of this an undivided $\frac{5}{84}$ share worth 100.00
55. Land situated at Alvai Neelakuddiakurichchy called Kalappalawattai in extent 15, $\frac{1}{2}$ Lachchams V.C. do. thoddam 4. Of this an extent of 5 Lachchams V.C. and bounded on the East by the property of Suppar Murugesu and others. North by the property of Valliammai, wife of Velauthar and others, West by the property of Kandar Muruguppillai and others and on the South by the property of Parupathippillai, wife of Sinnathamby and others. Of this an undivided $\frac{1}{2}$ share of $\frac{1}{3}$ share and share of well worth 100.00
56. Land situated at Alvai Maniveeravaguthevankurichchy called Ayatkulappaivayal in extent 22 Lachchams V.C. - do - 12 Lachchams V.C. - do - Thoddam 6 with well and bounded on the East by the property of Kandappar Arumugam and others North by the property belonging to Kumaladipillaiyar Temple West by the property of the heirs of Kumarasamy Velauthar and others and on the South by the property of Ulaganathar Murugesappillai and others. Of this an undivided $\frac{1}{2}$ of $\frac{1}{3}$ of $\frac{19}{128}$ share worth 100.00
57. Land situated in the District of Anuradhapura in the village of Bandara Bulankulama called Ibalawela, Pahalawela, Kokkamattawela in extent 3 acres 4 roods and 24 perches.

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	Rs.	Cts.
Of this :		
Extent for lot No. 4 is 2 roods 16 perches		
lot No. 5 is 3 acres 8 perches		
lot No. 9 is 1 acre 1 rood, 16 perches		
Total	5 Acres	0 rood 0 perches
worth Rs. 1,500.00. Of this 1/2 share worth	...	750.00
	Rs. ...	<u>35,575.00</u>

Movable Property

	Rs.	Cts.
1. By amount due on Mortgage Bond No. 3497 dated 20th May, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 150/- at 8 per cent interest Rs. 177/-. Of this 1/2 share	...	88.50 ¹⁰
2. By amount due on Mortgage Bond No. 940 dated 26th July, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 400/- at 7 per cent interest Rs. 568/-. Of this 1/2 share	...	284.00
3. By amount due on Mortgage bond No. 3427 dated 13th March, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 600/- at 8 per cent interest Rs. 716/-. Of this 1/2 share	...	358.00
4. By amount due on mortgage bond No. 4979 dated 2nd April, 1942 and attested by V. Senathirajasegaram, Notary Public for Rs. 600/- at 7 per cent interest Rs. 866/-. Of this 1/2 share	...	433.00 ²⁰
5. By amount due on mortgage bond No. 1439 dated 29th January, 1943 and attested by V. K. Subramaniam, Notary Public for Rs. 150/- at 8 per cent interest. Rs. 217/-. Of this 1/2 share	...	108.50
6. By amount due on Mortgage Bond No. 460 dated 17th November, 1941 and attested by V. K. Subramaniam, Notary Public for Rs. 900/- at per cent interest. Rs. 653/- Of this 1/2	...	326.50 ⁸⁰
7. By amount due on Mortgage Bond No. 3596 dated 24th August, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 700/- at 7 per cent interest. Rs. 798/-. Of this 1/2 share	...	399.00
8. By amount due on Mortgage Bond No. 3187 dated 29th August, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 2,500/- at 7 per cent interest. Rs. 3,025/-. Of this 1/2 share	...	1,512.50

	9.	By amount due on Mortgage bond No. 2533 dated 27th May, 1944 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 8 per cent Rs. 1,340/-. Of this 1/2 share	670.00
		Rs. ...	39,755.00
	10.	By amount due on Mortgage Bond No. 2914 dated 8th January, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 7 per cent interest Rs. 1,251/-. Of this 1/2 share	625.00
10	11.	By amount due on Mortgage Bond No. 2565 dated 26th April, 1948 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 7 percent interest, Rs. 1,023/-. Of this 1/2 share	511.50
	12.	By amount due on Mortgage Bond No. 4396 dated 1st March, 1948 and attested by V. K. Subramaniam, Notary Public for Rs. 400/- at 7 per cent interest. Rs. 412/-. Of this 1/2 share	206.00
20	13.	By amount due on Mortgage Bond No. 3979 dated 11th May, 1947 and attested by V. K. Subramaniam, Notary Public for Rs. 150/- at 8 percent interest. Rs. 165/-. Of this 1/2 share	82.50
	14.	By amount due on mortgage Bond No. 3578 dated 29th July, 1937 and attested by V. Senathirajasegaram, Notary Public for Rs. 3,000/- at 9 percent interest Rs. 3,635/-. Of this 1/2 share	1,817.50
	15.	By amount due on Mortgage Bond No. 3434 dated 16th March, 1948 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 7 percent interest Rs. 1,169/-. Of this 1/2 share	584.50
30	16.	By amount due on Mortgage Bond No. 4191 dated 5th October, 1947 and attested by V. K. Subramaniam, Notary Public for Rs. 500/- at 7 percent interest Rs. 529/-. Of this 1/2 share	214.50
	17.	By amount due on Mortgage Bond No. 3709 dated 5th November, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 800/- at 7 percent interest Rs. 898/-. Of this 1/2 share	449.00
40	18.	By amount due on Mortgage Bond No. 2500 dated 22nd May, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 310/- at 8 percent interest Rs. 368/-. Of this 1/2 share	184.00

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19.	By amount due on Mortgage Bond No. 3729 dated 21st November, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 500/- at 8 percent interest Rs. 577/- . Of this 1/2 share	288·50	
20.	By amount due on Mortgage Bond No. 3802 dated 8th January, 1947 and attested by V. K. Subramaniam, Notary Public for Rs. 600/- at 7 percent interest Rs. 666/- . Of this 1/2 share	333·00	
21.	By amount due on Mortgage Bond No. 3459 dated 11th April, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 700/- at 6 percent interest Rs. 798/- . Of this 1/2 share	399·00	10
22.	By amount due on Mortgage Bond No. 3808 dated 13th January, 1947 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 6 percent interest Rs. 1,095/- . Of this 1/2 share	547·50	
23.	By amount due on Mortgage Bond No. 772 dated 24th March, 1946 and attested by A. Sivakolunthu, Notary Public for Rs. 322/- of this 1/2 share	161·00	
24.	By amount due on Mortgage Bond No. 1451 dated 3rd February, 1943 and attested by V. K. Subramaniam, Notary Public for Rs. 250/- at 8 percent interest Rs. 360/- . Of this 1/2 share	180·00	20
25.	By amount due on Mortgage Bond No. 3237 dated 28th September, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 6 percent interest Rs. 1,175/- . Of this 1/2 share	587·50	
26.	By amount due on mortgage Bond No. 767 dated 19th March, 1946 and attested by A. Sivakolunthu, Notary Public for Rs. 350/- at 12 percent interest Rs. 451/- . Of this 1/2 share	225·50	30
27.	By amount due on Mortgage Bond No. 5587 dated 17th January, 1940 and attested by V. Senathirajasegaram for Rs. 50/- at 10 percent interest	100·00	}
28.	By amount due on Mortgage Bond No. 5497 dated 7th December, 1939 and attested by V. Senathirajasegaram Notary Public for Rs. 100/- at 10 percent interest		
29.	By amount due on Mortgage Bond No. 2952 dated 10th February, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 400/- at 8 percent interest Rs. 512/- . Of this 1/2 share	256·00	40

	30.	By amount due on Mortgage Bond No. 7613 dated 7th January, 1943 and attested by V. Senathirajasegaram for Rs. 150/- at 8 percent interest Rs. 185/- Of this 1/2 share	92·50	P 2 Petition of V. K. Subramaniam (Substituted Defendant) filed in Testamentary Action No. 400 in District Court, Point Pedro 81-1-49 —Continued.
	31.	By amount due on Mortgage Bond No. 1248 dated 9th November, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 150/- at 8 percent interest Rs. 185/-. Of this 1/2 share	92·50	
10	32.	By amount due on Mortgage Bond No. 3085 dated 22nd May, 1945 and attested by V. K. Subramaniam for Rs. 1,800/- at 7 per cent interest Rs. 2,209/-. Of this 1/2 share	1,104·50	
	33.	By amount due on Mortgage Bond No. 3091 dated 25th January, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 200/- at 8 percent interest Rs. 252/-. Of this 1/2 share	126·00	
20	34.	By amount due on Mortgage Bond No. 2702 dated 18th September, 1944 and attested by V. K. Subramaniam, Notary Public for Rs. 1,500/- at 6 percent interest Rs. 1,852/-. Of this 1/2 share	926·00	
			49,849·50	
	35.	By amount due on Mortgage Bond No. 2929 dated 22nd January, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 500/- at 8 percent interest Rs. 643/-. Of this 1/2 share	321·50	
	36.	By amount due on Mortgage Bond No. 5116 dated 5th April, 1939 and attested by V. Senathirajasegaram, Notary Public for Rs. 800/- at 8 per cent interest Rs. 1,141/-. Of this 1/2 share	570·50	
30	37.	By amount due on Mortgage Bond No. 883 dated 9th July, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 600/- at 7 percent interest Rs. 855/- Of this 1/2 share	427·50	
	38.	By amount due on Otty Bond No. 570 dated 7th February, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 300/- Of this 1/2 share	150·00	
40	39.	By amount due on Mortgage Bond No. 598 dated 18th February, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 500/- at 8 percent interest Rs. 545/-. Of this 1/2 share	272·50	

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40.	By amount due on Mortgage Bond No. 3159 dated 5th August, 1955 and attested by V. K. Subramaniam, Notary Public for Rs. 300/- at 8 percent interest Rs. 372/-. Of this 1/2 share	186·00
41.	By amount due on Mortgage Bond No. 3001 dated 14th March, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 400/- at 8 percent interest Rs. 509/-. Of this 1/2 share	204·50
42.	By amount due on Mortgage Bond No. 3103 dated 2nd June, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 200/- at 7 percent interest Rs. 200/-. Of this 1/2 share	100·00
43.	By amount due on Mortgage Bond No. 427 dated 26th October, 1941 and attested by V. K. Subramaniam, Notary Public for Rs. 100/- at 10 percent interest Rs. 158/-. Of this 1/2 share	79·00
44.	By amount due on Mortgage Bond No. 537 dated 12th January, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 8 percent interest Rs. 1,527/-. Of this 1/2	763·50 ²⁰
45.	By amount due on Mortgage Bond No. 5537 dated 27th December, 1939 and attested by V. Senathirajasegaram, Notary Public for Rs. 420/- at 10 percent interest Rs. 220/-. Of this 1/2 share	110·00
46.	By amount due on Mortgage Bond No. 3260 dated 11th October, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 500/- at 8 percent interest Rs. 560/-. Of this 1/2	280·00
47.	By amount due on Mortgage Bond No. 3001 dated 14th March, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 400/- at 8 percent interest Rs. 509/-. Of this 1/2 share	254·50
48.	By amount due on Mortgage Bond No. 2452 dated 3rd April, 1944 and attested by V. K. Subramaniam, Notary Public for Rs. 75/- at 8 percent interest Rs. 101/-. Of this 1/2 share	50·50
49.	By amount due on Promissory Note dated 8th January, 1944 for Rs. 280/- at 10 percent interest Rs. 408/-. Of this 1/2 share	204·00
50.	By amount due on Promissory Note dated 10th October, 1945 for Rs. 75/- at 8 percent interest Rs. 92/- Of this 1/2 share	46·00

	51.	By amount due on Promissory Note dated 23rd January, 1944 for Rs. 175/- at 6 percent interest Rs. 227/-. Of this 1/2 share	113·50	P 2 Petition of V. K. Subramaniam (Substituted Defendant) filed in Testamentary Action No. 400 in District Court, Point Pedro 31-1-49 —Continued.
	52.	By amount due in Case No. 3114 P District Court, Point Pedro Rs. 397/11. Of this 1/2 share	198·50	
	53.	By amount recovered in cases Nos. 3087, 3088 and 3089 District Court, Point Pedro Rs. 2,140/-. Of this 1/2 share	1,070·00	
10	54.	By amount due on Mortgage Bond No. 5821 dated 23rd June, 1940 and attested by V. Senathirajasegaram from Vairavan Suppan of Puloly West Rs. 616/33. Of this 1/2 share	308·00	
	55.	3 almyrahs worth Rs. 300/-. Of this 1/2 share	150·00	
	56.	3 tables worth Rs. 300/-. Of this 1/2 share	150·00	
	57.	8 chairs worth Rs. 50/-. Of this 1/2 share	25·00	
	58.	1 wooden chest (large) worth Rs. 100/-. Of this 1/2 share	50·00	
	59.	1 wooden chest (small) worth Rs. 50/-. Of this 1/2 share	25·00	
	60.	Brassware worth Rs. 60/- Of this 1/2 share	30·00	
	61.	Jewellery worth	2,000·00	
20		Immovable Property (Additional)		
30	62.	Land situated at Puloly West, Singhapahuthevan- kurichy called Pommikaladdy in extent 32 Lachchams V.C. and 3 kulies and bounded on the East by the property of Sithamparanathar Kanapathipillai and others, North by the property of Kanapathiar Vyravi- pillai and others and by the property of Vallattai, wife of Vyramuttu and others, West by lane and South by property of Sithamparanathar Kanapathi- pillai. Of this an undivided 54/384 share worth Rs. 600/- Of this half-share worth	300·00	
		Total value of Estate	58,289·50	

(Sgd.) M. ESURAPADHAM,
Proctor for Petitioner.

True copy of Petition dated 31-1-49 in District Court, Point Pedro
Case No. 400/T.

(Sgd.) Illegibly,
Secretary,
District Court, Point Pedro.
6-3-62

D 16
Journal Entry
in District Court,
Point Pedro
Testamentary
Case No. 400
24-9-49

Journal Entry in District Court, Point Pedro Testamentary

Case No. 400

IN THE DISTRICT COURT OF POINT PEDRO

In the matter of the Last Will and Testament of the late RASAMMAH, wife of VISUVANATHAR KANAGARATNAM of Puloly West.

Deceased.

Testamentary }
Jurisdiction } No. 400

10

V. KANAGARATNAM SUBRAMANIAM of Puloly West.

Petitioner.

Vs.

1. VISUVANATHAR KANAGARATNAM of Puloly West and 4 others.

Respondents.

Journal Entry of 24-9-49

As all the movable properties described under item 1 to 60 in the schedule to the petition and affidavit filed in this case as well as all the immovable properties described therein under items 1- 4, 6-33, 38-50, 53, 57 and 62²⁰ were acquired not by the deceased but by her husband the 1st respondent and as in terms of section 20 of Ordinance 58 of 1947 the said properties still remain the exclusive properties of the deceased's husband and as by a mistake the said properties had been included in the schedule. Mr. M. Esurapadham, Proctor moves to amend the petition by deleting all the said properties in the schedule thereto.

This amendment will not in any way affect the inquiry fixed in this case.

Move with notice to Proctor for respondents.

(Sgd.) P SRI SKANDA RAJAH, ³⁰
District Judge.

True Copy of Journal Entry of 24-9-49 in District Court, Point Pedro Case No. 400/T.

(Sgd.)
Secretary,
District Court,
Point Pedro.
13-12-61.

**Affidavit of K. Kathirgaman filed in Testamentary Action
No. 400 in District Court, Point Pedro**

IN THE DISTRICT COURT OF POINT PEDRO

In the matter of the Estate and effects of the late
RASAMMAH, wife of VISUVANATHAR KANAGARATNAM
of Puloly West.

P 4A
Affidavit of K
Kathirgaman,
filed in
Testamentary
Action No. 400
in District Court,
Point Pedro
14-9-50

Deceased.

Testamentary Jurisdiction
10 No. 400/T.

KANAGARATNAM KATHIRGAMAN of Puloly West, pre-
sently Irrigation Engineer, Gal-Oya.

Petitioner.

Vs.

1. KANAGARATNAM KUMARASWAMY of Puloly West,
presently of 40/2, Joseph Lane, Bambalapitiya.
2. KANAGARATNAM SANDIRASEKERAM of -do-.
3. KANAGARATNAM KANDAPPAH of -do-.
4. VISUVANATHAR KANAGARATNAM of Puloly West.

20

Respondents.

I, Kanagaratnam Kathirgaman of Puloly West, presently Irrigation
Engineer, Gal-Oya, do hereby, solemnly, sincerely and truly declare and
affirm as follows :—

1. I am the Petitioner abovenamed.
2. My mother the abovenamed deceased died at Puloly West and on
the 20th day of August, 1948.
3. Full and true particulars of the property left behind by the said
deceased are given in the schedule hereinbelow :
4. The heirs of the said deceased are her children the petitioner and
30 1st to 3rd respondents.
5. I claim Letters of Administration to the Estate of the deceased
as the son of the deceased.

P 4A
Affidavit of K.
Kathirgaman,
filed in
Testamentary
Action No. 400
in District Court,
Point Pedro
14-9-50
-- Continued.

SCHEDULE OF PROPERTY REFERRED TO

Immovable Property	Rs. Cts.
1. Land situated at Puloly West Malavarayakurichchy called "Veerapadiaseema" in extent 6, 1/8 Lachchams V.C. and bounded on the East by lane, North by the 2nd land, West by the property of Kathirithamby Subramaniam and others and South by the property of Ponnachchy, widow of Kandiah and others. Of this an undivided 14/27 share worth	300·00
2. Land situated at -do- called "Ethirollai" in extent 2, 3/4 Lachchams V.C. and bounded on the East and North by lane, West by the property of Ponny, widow of Solian and others and on the South by the 1st land. Of this an undivided 217/288 share worth	10 200·00
3. Land situated at -do- called "Vilvalai" in extent 8 Lachchams V.C. and 3, 29/32 Kulies and bounded on the East by the property of Visuvanathar Kanagaratnam and others North by lane, West by the property of Kathirgamar Kanapathippillai and others and South by the property of Velappar Subramaniam and others. Of this an undivided 1/8 share worth Rs. 100/-. Of this half share	20 50·00
4. Land situated at -do- called Veerapandianseema in extent 2, 1/2 Lachchams V.C. and bounded on the East by lane, North by the property of Ponny, wife of Alvan Velan and West and South by the property of the heirs of Subramaniam Jekasothy and others The whole of this worth Rs. 100/-. Of this 1/2 share worth	50·00
5. Land situated at Puloly West Singapahuthevan-kurichchy called Vilvalai in extent 9, 1/2 Lachchams V.C. and bounded on the East by lane, North by the property of Rasammah, wife of Kanagaratnam and others, West by the property of Paramoe Subramaniam and others and South by the property of the heirs of Seethevan. Of this an undivided 1/4 share	30 200·00
6. Land situated at—do— called "Seema" in extent 7, 1/8 Lachchams V.C.—do—Veedu 1 of these parcels on the South an extent of 8 Lachchams V.C. and 5/8 kulies and bounded on the East by the property of Visuvanathar Kanagaratnam, West by the property of Visuvanathar Kanagaratnam and on the West and South by lanes. Of this an undivided 1/2 share worth Rs. 600/-. Of this 1/2 share worth	40 300·00

7. Land situated at Puloly West Malavarayakurichchy called "Seema" in extent 4 Lachchams V.C. and bounded on the East by the property of Visuvanathar Kanagaratnam, North by the property of Alvappillai Velautham, West by Street and on the South by the property of V. Kanagaratnam and others. The whole of this worth Rs. 300/-. Of this 1/2 worth ... 150·00
8. Land situated at—do—called "Seema" in extent 5 Lachchams V.C. and 1/8 Kulies and bounded on the East and South by the property of V. Kanagaratnam West by lane. The whole of this worth Rs. 500/-. Of this 1/2 share worth ... 250·00
9. Land situated at—do—called "Seema" in extent 4 Lachchams V.C. and 13 kulies and bounded on the East by the property of V. Kanagaratnam and others, West by the following 10th land and South by the property of V. Kanagaratnam and others and by lane. The whole of this worth Rs. 500/- . Of this 1/2 share worth ... 250·00
10. Land situated at—do—called "Seema" in extent 2 kulies bounded on the East by the aforesaid 9th land, North by the property of Theivanai, widow of Murugappar West by the property of Alvapillai Velautham and on the South by the property of V. Kanagaratnam. The whole of this worth Rs. 50/-. Of this 1/2 share worth ... 25·00
11. Land situated at—do—called "Seema" in extent 1 Lachcham V.C. and bounded on the East by the property of V. Kanagaratnam and others North by the property of Theivanaippillai, widow of Murugappar West by the aforesaid 10th land and South by the aforesaid 9th land. Of this an undivided 1/2 share worth Rs. 100/-. Of this 1/2 share worth ... 50·00
12. Land situated at—do—called "Nitchinganollai" Vadaku in extent 7, 1/4 Lachchams V.C. and bounded on the East by lane, North by the property of Sothilingam, wife of Kumarasamy and others West by the property of Kandar Sinnathamby and others and on the South by the property of Theivanai, wife of Kadiravelu and others. Of this an undivided 7/18 share worth Rs. 600/-. Of this 1/2 share worth ... 300·00
13. Land situated at—do—called "Nitchinganollai" in extent 2 Lachchams V.C. and 17, 5/8 kulies and bounded on the East and South by lane, North by the property of V. Kanagaratnam and others, West by the property of V. Kanagaratnam. The whole of those worth Rs. 600/-. Of this 1/2 share ... 300·00

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Affidavit of K.
Kathirgaman,
filed in
Testamentary
Action No. 400
in District Court,
Point Pedro
14-9-50
—Continued.

P 4A
Affidavit of K.
Kathirgaman,
filed in
Testamentary
Action No. 400
in District Court,
Point Pedro
14-9-50
—Continued.

- | | | |
|-----|--|--------------|
| 14. | Land called "Seema" situated at Puloly West Sinhapahuthevankurichchy in extent 15 Lachchams V.C. 1 kuly with stone built houses and bounded on the East and South by the lane, North by the property of Kandar Sinnathamby and others, West by the property of the heirs of Velauthar Arunasalam and others. The whole of this worth Rs. 10,000/-. Of this 1/2 share | 5,000·00 |
| 15. | Land situated at Puloly West Malavarayakurichchy called "Nedunkulavelitheni Thenkilakkilmetku" in extent 13 Lachchams V.C. is bounded on the East by street, North by the property of Sivakamippillai, widow of Murugappar and others, West by the property of Sivakamippillai, wife of Sivapiragasam and others and on the South by the property of Kanagaratnam and others. Of this an undivided 1/3 share worth Rs. 1,200/-. Of this 1/2 share worth | 10
600·00 |
| 16. | Land situated at—do—called "Arasadi" in extent 6 Lachchams V.C. and bounded on the East by the property of Kathirithamby Subramaniam, North by the property of Sothilingam, wife of Kumaraswamy and others West by lane and South by the property of Kathirithamby Subramaniam and others. Of this an undivided 33/36 share of 1/3 share and share of well and 1/8 share of 6 Lachchams V.C. and worth Rs. 150/-. Of this 1/2 share worth | 20
75·00 |
| 17. | Land situated at Alvai Mappanakurichchy called Periyatheny in extent 1 Lachcham V.C. and bounded on the East by the following 18th land, North by the property belonging to Imparsitty Pillaiyar Temple West by the property of Kanapathippillai Paramakuru and others and South by the property of Sinnathangam, wife of Somasundaram. The whole of this and share of well in the North. Of this land and in the 18th land worth Rs. 300/-. Of this half worth | 30
150·00 |
| 18. | Land situated at -do- called "Periatheny" in extent 3,3/5 kulies bounded on the East by the property of V. Kanagaratnam and others, North by the property belonging to Imparsitty Pillaiyar Temple, West by the aforesaid 17th land and South by the property of Sinnathangam, wife of Somasundaram. Of this an undivided 1/4 share and share of well right of way and water course worth Rs. 20/-. Of this 1/2 share worth | 40
10·00 |
| 19. | Land situated at -do- called "Periyatheny" in extent 14, 2/4 kulies with well and bounded on the East by the property of Wallippillai, wife of Veluppillai, North by the property belonging to Imparsitty Pillaiyar | |

Temple, West by lane and South by the property of Sinnathangam, wife of Somasundaram. Of those contained within these boundaries in the well the share appertaining to this right of way and water course and an undivided 1/4 share of the ground, coconut trees and palmyrah trees worth Rs. 30/-. Of this 1/2 share worth

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Affidavit of K.
Kathirgaman,
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15·00 —Continued.

- 10 20. Land situated at Alvai Malavarayakurichchy called "Vathayavilanai" in extent 92 Lachchams V.C. and 5,1/4 kulies and bounded on the East by lane and graveyard, North by the property of Valliappar Vethavanam and others and South by the property of Valliappar Vethavanam and others. The whole of this worth Rs. 26,000/-. Of this 1/2 share worth ... 13,000·00
- 20 21. Land situated at Alvai Maniveeravaguthevankurichchy called "Ayatkulapaivayal" in extent 22 Lachchams V.C. -do- Thoddam 6—do—12 Lachchams V.C. and bounded on the East by the property of Kathirithamby Subramaniam and others North by the property of Kumuladiyait Pillaiyar Koil West by the property of the heirs of Kumarasamy Velayuthar and South by the property of the heirs of Karthigesar Subramaniam and others. Of this an undivided 23/96 share worth Rs. 50/-. Of this 1/2 share worth ... 500·00
- 30 22. Land situated at Puloly West Singapahuthevankurichchy called "Manthiodai" in extent 4 Lachchams V.C. 2, 20/32 kulies and bounded on the East by the property of Theivanaippillai, wife of Muttukumarasamy and others, West by the property of Kanapathipillai Kumarappan and others and South by road. The whole of this worth Rs. 1,000/-. Of this 1/2 share worth ... 500·00
23. Land situated at Puloly West Singapahuthevankurichchy called "Manthiodai" in extent 4 Lachchams V.C. and 10/32kulies and bounded on the East by the property of Sithambaran Sinnan and others, North by channel West by the property of Ponnammah, wife of Rasiah, South by the following 24th land. The whole of this and share of well and right of way and water course worth, Rs. 1,400/-. Of this 1/2 share worth ... 700·00
- 40 24. Land situated at -do- called "Manthiodai" in extent 16, 20/32 kulies and bounded on the East by the property of Sithambaran Sinnan and others North by the aforesaid 23rd land, West by the property of Ponnammah, wife of Rasiah and South by the property of Theivanai, widow of Maniccam. The whole of this and share of well and right of way and water course worth Rs. 100/-. Of this half worth ... 50·00

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Affidavit of K.
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—Continued.

25. Land situated at Alvai Veerakodiakurichchy called "Padavadapulathuvayal" in extent 17, $\frac{3}{8}$ Lachchams V.C. and bounded on the East and South by the property of Kathirithamby Subramaniam and others, North by the property of Velappar Subramaniam and others West by the property of Kandappar Kanagamah and others. Of this an undivided $\frac{1}{4}$ share worth Rs. 200/- Of this $\frac{1}{2}$ share worth 100·00
26. Land situated at Puloly West Singapahuthevan-
kurichchy called Nedunkulavelitheny in extent 4 Lachchams V.C. and 8, $\frac{8}{16}$ kulies with stone built house and bounded on the East by water channel North by road West by the property of Kathirithamby Sabapathy and others, South by the property of Kathirithamby Subramaniam and others and by the property of Kamadchy, wife of Kathirgamoe and others. The whole of this worth Rs. 10,000/-. Of this $\frac{1}{2}$ share worth 5,000·00 10
27. Land situated at -do- called Nedunkulavelitheny in extent 15, $\frac{9}{16}$ kulies is bounded on the East by the property of Britto Muttunayagam, North by the property of Krishnapillai Mylvaganam, North by the water channel and South by the property belonging to Aladipillaiyar Temple. The whole of this worth Rs. 200/-. Of this $\frac{1}{2}$ share worth 100·00 20
28. Land situated at Puloly West Singapahuthevan-
kurichchy called "Thevakaladdy" in extent 7 Lachchams V.C. and bounded on the East by the following 29th land North by the property of Kathirithamby Subramaniam and others, West by the property of Sethuppillai wife of Sinnathambiar and others and South by the property of Suppar Murugesu and others. Of this an undivided $\frac{1}{2}$ share worth Rs. 100/-. Of this $\frac{1}{2}$ share worth 50·00 30
29. Land situated at-do- called "Thevakaladdy" in extent 15 $\frac{1}{4}$ Lachchams V.C. and bounded on the East by the property of Themoe Alvar and others North by the property of Thangammah, wife of Subramaniam and others, West by the aforesaid 28th land and South by the property of Vallaththai, wife of Kathirippillai and others. Of this an undivided $\frac{1}{3}$ share worth Rs. 250/-. Of this $\frac{1}{2}$ share worth 125·00 40
30. Land situated at Puloly West Malavarayakurichchy called Nedunkulavelitheny Thenkilakku in extent 7 Lachchams V.C. and 6 $\frac{1}{2}$ kulies with well is bounded on the East by lot 2 in plan No. 1450 dated 6th June, 1937 and prepared by Mr. G. C. Ganapathypillai, Surveyor, belonging to Parupathippillai, widow of

	Kathirithamby, North by the property belonging to Aladiyitpillaiar Temple West by lot No. 15 in the said plan and on the South by lane. The whole of this and shares in well in lots Nos. 16, 17, 18 and 20 share in lots Nos. 19 and 21 worth Rs. 2,200/-. Of this half share worth	...	...	...	...	1,100·00
10	31. Land situated at Alvai Veerakodiakurichchy and Maniveeravaguthevankurichchy called Seemanseema and Satanawattai in extent 66 kulies and bounded on the East by the property of Kandiah Rasaratnam North by lane, West by the property of Arumugam Veluppillai, South by the land called Seemanseema and Satnanawattai. The whole of this Rs. 10/-. Of this 1/2 share worth	...	...	...	...	5·00
20	32. Land situated at Alvai Veerakodiakurichchy and Maniveeravaguthevankurichchy called Seemanseema in extent 5 3/8 Lachchams V.C. and bounded on the East by the property of Pillaiyar Koil situated at Vyrappukaladdy North by the property of Ponnambalam Muruguppillai and others and South by the property of Sethupathiammah, wife of Rasaratnam and others. Of this an undivided 1/4 share of the ground and 1/4 plantations share of the palmyrans and 1/4 share of the remaining palmyrahs worth Rs. 80/-. Of this 1/2 share worth	...	...	...	...	40·00
30	33. Land situated at Alvai Veerakodiakurichchy and Maniveeravakuthevankurichchy called Seemanseema and Sathanavattai in extent 5 Lachchams V.C. and 14, 1/4 kulies and bounded on the East by the property of Kandiah Rasaratnam and another on the North by the property of Ponnambalam Muruguppillai and others, on the West by the property of Ramoe Kathinipillai and others and on the South by the property of Kandiah Rasaratnam and another. Of this 1/4 plantation share worth Rs. 50/-. Of this 1/2 share worth	...	...	...	...	25·00
40	34. Land situated at Puloly West Singapahuthevankurichchy called "Vilvalai" in extent 4 Lachchams V.C. and 2, 4/32 kulies and bounded on the East by lane, North by lot, 1, 2 and 3 in plan No. 594 dated 25th February, 1941 and prepared by T. Subramaniam, Licensed Surveyor, West by the property of Valliappar Kandappar and others, South by the property of Rasammah, wife of Kanagaratnam and others. Of this an undivided 1/2 share	200·00

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Affidavit of K.
Kathirgaman,
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Kathirgaman,
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—Continued.

35. Land situated at Puloly West Malavarayakurichchy called "Sivilakaladdy" in extent 8 3/4 Lachchams V.C. Veedu 1 with 1/2 well and bounded on the East by lane, North by lane and by the property of Seethevi, wife of Shanmugam and others, West by the property of Rasammah, wife of Kanagaratnam, South by the property of the heirs of Walliammai, wife of Velauthar. Of this an undivided 1/2 share worth 300·00
36. Land situated at-do-called "Arasady" in extent 43, 1/4 Lachchams V.C.—do—Thoddam 4. Of these parcels an extent of 6 Lachchams V.C. and 2 kulies and bounded on the East by the property of Velan Ampalavan and others and on the North by the property of the heirs of Paramoe Sithambarapillai, West by the property of Sethulingam, wife of Kumarasamy and others and South by the property of Kandar Kanapathiar and others. Of this an undivided 1/4 share worth 150·00
37. Land situated at-do-called "Varanathanaikillakku" in extent 18, 1/2 Lachchams V.C. - do - Thoddam 2 with well and bounded on the East by lane, North by the property of Sinnappillai, wife of Thambiah and others, West by the property of Muttuppillai, widow of Nellinathar and others and South by the property of Sandirasegar Vethavanam. Of this an undivided 1/12 share of the ground and share of well worth 600·00
38. Land situated at Anuradhapura in the village of Puliyankulama called 'Siyabalawela' in extent 39 acres 3 roods and 20·9 perches. Of this extent lot No. 8 is 3 Acres 1 Rood and 0·87 Perches, and bounded on the East by Railway Reservation, North by lot No. 2 in the said plan, West and South by lot 1 D. The whole of this worth Rs. 1000/- Of this 1/2 share worth 500·00
39. Land situated at Thunnalai Veerasundaramudalickurichchy called "Nunagavapulam" in extent 38 Lachchams V.C. and 6, 27/32 kulies. Of this the extent for No. 2 in plan No. 663 is 5 Lachchams V.C. and 10, 17/32 kulies and bounded on the East by lot No. 9 North by lot 1, West by the property of the late Sinnathamby Subramaniam and on the South by lot No. 2. The whole of this worth Rs. 2,000/-. Of this 1/2 share worth 1,000·00

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Affidavit of K.
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40. Land situated at Puloly West Malavarayakurichchy called "Thinakaladdy" in extent 4 Lachchams V.C. and 1, 5/32 kulies. Of this extent for lot No. 1 in plan No. 6505 is 3 Lachchams V.C. and 28/32 kulies and bounded on the East by the property of Kandar Kovindi, North by street, West by lot No. 2 in the said plan and on the South by the property of Kailappiar Kandiah worth Rs. 750/-. Of this 1/2 share worth ... 375·00
- 10 41. Land situated at -do- called "Varanthanai" in extent 2 3/4 Lachchams V.C. and bounded on the East by the property of Ponnammah, widow of Kandiah and others, North by water channel, West by the village limit of Alvai South by the property of Ponnachchy, widow of Kandiah and others. Of this an undivided 1/18 share worth Rs. 50/- Of this 1/2 share worth ... 25·00
- 20 42. Land situated at Puloly West Singhapahuthevan- kurichchy called Vairankaladdy in extent 12, 1/8 Lachchams V.C. Veedu 1/4 forming a total extent of 12 Lachchams V.C. and 8, 1/3 kulies, and bounded on the East, West and South by lane, North by the property of Annapoorani, wife of Arumugam and others. Of this an undivided 7/432 share and 1/18th share out of the palmyrahs and tamarind trees standing on the West of this land worth Rs. 40/-. Of this 1/2 share worth ... 20·00
- 30 43. Land situated at Alvai Veerakodiakurichchy called 'Ampalantheni' in extent 26 Lachchams V.C. as depicted in plan No. 1720 dated 9th October, 1940 and prepared by Mr. K. Velmurugu, Licensed Surveyor. Of this the extent for lot No. 1 in the said plan is 3 Lachchams V.C. and 4, 1/2 kulies is bounded on the East by lane, North by lot No. 1, West by the property of Kana- pathippillai Kumarasamy and wife Muttuppillai and others and on the South by lot No. 3. The whole of this worth Rs. 600/-. Of this 1/2 share worth ... 300·00
- 40 44. Land situated at Alvai Mappanakurichchy called Periatheny in extent 7 Lachchams V. C. and 12, 3/4 kulies as depicted in Plan No. 2495 dated 19th June, 1947 and prepared by Mr. J. Velmurugu, Licensed Surveyor. Of this an extent for lot No. 1 is 3 Lach- chams V.C. and 12, 1/2 kulies and bounded on the East by lot No. 2, North by the property of Theivanai, wife of Namasivayam and others, West by the property of Rasammah, wife of Kandiah and others and on the South by lot No. 4. The whole of this and right of way and watercourse. A.B.C. and well lying in the Eastern land worth Rs. 900/-. Of this 1/2 share worth ... 450·00

P 4A
Affidavit of K.
Kathirgaman,
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45. Land situated at Esawakulam in the District of Anuradhapura called 'Essawakulanmakele' in extent 5 acres 0 rood 33 perches. The extent for lot No.1 is 2 acres 2 rood and 7 perches and bounded on the East by reservation along the road, North by the property belonging to Pansala, West by Ela and South by lot 2. The whole of this worth Rs. 1,000/- Of this 1/2 share worth ... 500·00
46. Land situated at Puloly West Malavarayakurichchy called Nedunkulavelithenikilakkilmetku. Of this 1 Lachcham V.C. and 11. 1/2 kulies being lot No. 3 marked 3 in plan filed of record in partition case No. 17655 of the District Court of Jaffna and bounded on the East by the property of Sothilingam, wife of Kumarasamy, North by the property belonging to Aladipillaiyar Temple, West by the property of Ponnammah, widow of Singaravadivelu and South by lane. Of this an undivided 1/6 share worth Rs. 100/-. Of this 1/2 share worth 50·00
47. Land situated at Puloly West Singhapahuthevan- kurichchy called "Saththolai" in extent 10, 1/8 Lachchams V. C. Of this 5, 1/8 Lachchams V. C. being the Eastern 1/2 share and bounded on the East by the property of Ledchumy, widow of Ramoe and others West by the property of Amirthammah, wife of Subramaniam and South by water channel. Of this an undivided 1/18 share worth Rs. 30/-. Of this 1/2 share worth 15·00
48. Land situated at Puloly West Malavaryakurichchy called 'Alisavattai' in extent 9, 1/8 Lachchams V.C.-do-Singhapahuthevan- kurichchy called "Alikawattai" in extent 10 Lachchams V.C. Total extent 10, 1/8 Lachchams V.C. is bounded on the East by the property of Veluppillai Kumarasamy and others, North by the property of Kathirithamby Subramaniam and others West by the property of.....and South by the Village Limit of Alvai. Of this an undivided 19/576 share worth 60·00
49. Land situated at Puloly West Malavarayakurichchy called "Vilvalai" in extent 14. 1/2 Lachchams V.C. and bounded on the East and North by the property of Kathirithamby Subramaniam and others, West and South by the property of Sinnathamby Somasundaram and others. Of this an undivided 1/72 share worth Rs. 20/-. Of this 1/2 share worth 10·00

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Affidavit of K.
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- 10 50. Land situated at -do- called Nedunkulavclithenikila-
kilmekku in extent 72 Lachchams V.C. Of this on the
West of the lane passing through this an extent of 13
Lachchams V.C. and bounded on the East by the
property of Visuvanathar Kanagaratnam and others
North by the property of Sivakamippillai, widow of
Murugappiar and others, West by the property of
Veeragathiar Konamalai and others and South by
the property of Rasammah, widow of Sethuramalinga-
kurukkal and others. Of the ground and well con-
tained within these boundaries an undivided $\frac{1}{3}$ share
worth Rs. 1,200/-. Of this $\frac{1}{2}$ share worth ... 600·00
- 20 51. Land situated at -do- called Ivilavattai in extent 11, $\frac{1}{2}$
Lachchams V.C. -do- thoddam 1, $\frac{1}{2}$. Of this extent
for $\frac{3}{16}$ share on the East is 2, $\frac{1}{2}$ Lachchams V.C.
and bounded on the East by the property of Visuva-
nathar Kanagaratnam and others, North by the pro-
perty of Valliappiar Vethavanam and others, West by
the property of Kovindar Thampoe and others, and
South by road. Of this an undivided $\frac{1}{4}$ share worth ... 25·00
52. Land situated at Puloly West Veerapahuthevan-
kurichchy called Mailappai in extent 27 $\frac{1}{2}$ Lachchams
V.C. -do- thoddam 2 is bounded on the East by the
property of Arunasalam Suppar and others North by
the property of Vyramuttu Velauthar West by the
property of Kandar Sinnathamby and others. Of this
an undivided $\frac{1}{40}$ share worth ... 50·00
- 30 53. Land situated at Alvai Neelakuddiyarkurichchy called
"Urulai" in extent 31, $\frac{5}{8}$ Lachchams V.C. thoddam 1.
Of these parcels an extent of 10, $\frac{1}{2}$ Lachchams in
the middle. Of this on the North an extent of 5 Lach-
chams V.C. and 2, $\frac{3}{4}$ kulies and bounded on the East
and West by the property of Theivanai daughter of
Ambalam and others, North by the property of Kathir-
gamar Ramalingam and South by the property of
Parupathippillai, wife of Alvappillai. The whole of
this worth ... 200·00
- 40 54. Land situated at Puloly West Malavarayakurichchy
called 'Muttukkottawattai' in extent 17, $\frac{1}{4}$ Lachchams
V.C. is bounded on the East by the property of Velau-
thar Sithamparappillai and others, North by the pro-
perty of Thangammah, wife of Thambipillai and
others, West by the property of Ponnambalam Paramu
and others and South by lane. Of this an undivided
 $\frac{5}{84}$ share worth ... 100·00

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—Continued.

55. Land situated at Alvai Neelakuddiarkurichchy called "Kanappalavattai" in extent of 15, 1/2 Lachchams V.C. -do- thoddam 4. Of this an extent of 5 Lachchams V.C. and bounded on the East by the property of Suppar Murugesu and others, North by the property of Valliammai, wife of Velauthar and others, West by the property of Kandar Muruguppillai and others and on the South by the property of Parupathippillai, wife of Sinnathamby and others. Of this an undivided 1/2 share of 1/3 share and share of well worth 100·00 ¹⁰
56. Land situated at Alvai Maniveeravaguthevankurichchy called "Ayatkulappaivayal" in extent 2 Lachchams V.C. -do- 12 Lachchams V.C. -do- thoddam 6 with well and bounded on the East by the property belonging to Kumuladiyitpillaiyar Temple, West by the property of the heirs of Kumarasamy Velauthar and others and on the South by the property of Ulagagurunathar Murugesapillai and others. Of this an undivided 1/2 share of 1/3 share of 19/128 share worth 100·00
57. Land situated at the District of Anuradhapura in the Village of Bandara Bulankula called Ihalawela Pahalawela Kokkamattawela in extent 3 Acres 4 roods and 24 perches. Of this extent for lot No. 4 is 2 roods 16 perches.
- Lot No. 5 is 3 acres 8 perches.
Lot No. 9 is 1 acre 1 rood and 16 perches.
Total 5 acres 0 rood and 0 perches worth Rs. 1,500/-.
Of this 1/2 share worth 750·00

Movable Property

1. By amount due on mortgage Bond No. 3497 dated 20th May, 1946 and attested by V. K. Subramaniam for Rs. 150/- at 8 per cent per annum interest Rs. 177/-. Of this 1/2 share 88·50 ³⁰
2. By amount due on mortgage Bond No. 940 dated 26th July, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 400/- at 7 per cent interest Rs. 568/-. Of this 1/2 share 284·00
3. By amount due on Mortgage Bond No. 2427 dated 13th March, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 600/- at 8 per cent interest Rs. 716/-. Of this 1/2 share 358·00 ⁴⁰
4. By amount due on mortgage Bond No. 3939 dated 20th April, 1946 and attested by Senathirajasegaram, Notary Public for Rs. 600/- at 8 per cent interest Rs. 866/-. Of this 1/2 share 433·00

	5.	By amount due on Mortgage Bond No. 1439 dated 29th January, 1943 and attested by V K Subramaniam, Notary Public for Rs 150/- at 8 per cent interest Rs 217/- Of this 1/2	...	...	...	108·50
	6.	By amount due on Mortgage Bond No. 460 dated 17th November, 1941 and attested by V K. Subramaniam, Notary Public for Rs. 150/- at 8 per cent interest Rs. 653/- Of this 1/2	...	...	...	326·50
10	7.	By amount due on Mortgage Bond No. 35848 dated 1946 and attested by V K. Subramaniam, Notary Public for Rs. 700/- per cent per annum Rs. 798/- Of this 1/2 share	...	...	...	399·00
	8.	By Amount due on Mortgage Bond No. 3187 dated 29th August, 1945 and attested by V K. Subramaniam, Notary Public for Rs. 2,500/- at 7 per cent interest Rs. 3,025/- Of this 1/2 share	...	...	...	1,512·50
20	9.	By amount due on Mortgage Bond No. 2533 dated 27th May, 1944 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 8 per cent per annum Rs. 1,340/- Of this 1/2 share	...	...	...	670·00
	10.	By amount due on Mortgage Bond No. 2914 dated 8th January, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 7 per cent interest Rs. 1,253. Of this 1/2 share	...	...	...	625·50
	11.	By amount due on Mortgage Bond No. 2565 dated 26th April, 1948 and attested by V K. Subramaniam, Notary Public for Rs. 1,000/- at 7 per cent interest Rs. 1,023/- Of this half share	...	...	...	511·50
30	12.	By amount due on Mortgage Bond No. 4396 dated 1st March, 1948 and attested by V K. Subramaniam, Notary Public for Rs. 400/- at 7 per cent interest Rs. 412/- Of this 1/2 share	...	...	...	206·00
	13.	By amount due on Mortgage Bond No. 3979 dated 11th May, 1947 and attested by V K. Subramaniam, Notary Public for Rs. 150/- at 8 per cent interest Rs. 165/- Of this 1/2 share	...	...	...	82·50
40	14.	By amount due on Mortgage Bond No. 3578 dated 29th July, 1947 and attested by V. K. Subramaniam, Notary Public for Rs. 300/- at 9 per cent per annum Rs. 3,865/- Of this 1/2	...	...	...	1,887·50
	15.	By amount due on Mortgage Bond No. 3834 dated 16th March, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 7 per cent interest Rs. 1,109/- Of this 1/2 share	584·50

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Affidavit of K.
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P 4A
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16.	By amount due on Mortgage Bond No. 4191 dated 5th October, 1947 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 7 per cent interest Rs. 1,109/-. Of this 1/2	584·50
17.	By amount due on Mortgage Bond No. 3709 dated 5th November, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 800/- at 7 per cent interest Rs. 898/-. Of this 1/2	...	...	449·00
18.	By amount due on Mortgage Bond No. 2500 dated 22nd May, 1948 and attested by V. K. Subramaniam, Notary Public for Rs. 310/- at 8 per cent interest Rs. 368/-. Of this 1/2	...	...	184·00
19.	By amount due on Mortgage Bond No. 3729 dated 21st November, 1946 and attested by V. K. Subramaniam, Notary Public for Rs. 500/- at 8 per cent interest Rs. 577/-. Of this half share	...	...	288·50
20.	By amount due on Mortgage Bond No. 3802 dated 8th January, 1947 and attested by V. K. Subramaniam, Notary Public for Rs. 500/- at 8 per cent interest Rs. 677/-. Of this 1/2 share	...	...	333·00 ²⁰
21.	By amount due on Mortgage Bond No. 3459 dated 11th April, 1946 and attested by V. Subramaniam, Notary Public for Rs. 700/- at 6 per cent interest Rs. 798/-. Of this 1/2 share	...	...	399·00
22.	By amount due on Mortgage Bond No. 3808 dated 13th January, 1947 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 6 per cent interest Rs. 1,095/-. Of this 1/2 share	...	...	547·50
23.	By amount due on Mortgage Bond No. 772 dated 24th March, 1948 and attested by A. Sivakolunthu, Notary Public for Rs. 250/- at 12 per cent interest Rs. 322/-. Of this 1/2 share	...	...	161·00
24.	By amount due on Mortgage Bond No. 1451 dated 3rd February, 1948 and attested by V. K. Subramaniam, Notary Public for Rs. 250/- at 8 per cent interest Rs. 360/-. Of this 1/2 share	...	...	180·00
25.	By amount due on Mortgage Bond No. 3237 dated 29th September, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 8 per cent interest Rs. 1,175/-. Of this 1/2 share	...	...	587·50 ⁴⁰
26.	By amount due on Mortgage Bond No. 767 dated 19th March, 1946 and attested by K. Sivakolunthu, Notary Public for Rs. 350/- at 12 per cent interest Rs. 451/-. Of this 1/2 share	...	...	225·50

	27.	By amount due on Mortgage Bond No. 5587 dated 17th January, 1940 and attested by V. Senathirajasegaram for Rs. 50/- at 10 per cent per annum interest	
	28.	By amount due on Mortgage Bond No. 5497 dated 7th December, 1939 and attested by V. Senathirajasegaram, Notary Public for Rs. 100/- at 10 per cent interest	...
		The item 27 and 28	100·00
10	29.	By amount due on Mortgage Bond No. 2952 dated 10th February, 1945 and attested by V K. Subramaniam, Notary Public for Rs. 400/- at 8 per cent interest Rs. 512/-. Of this 1/2 share	256·00
	30.	By amount due on Mortgage Bond No. 7613 dated 7th January, 1943 and attested by V. Senathirajasegaram for Rs. 150/- at 8 per cent interest Rs. 185/-. Of this 1/2 share	92·50
20	31.	By amount due on Mortgage Bond No. 1248 dated 9th November, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 160/- at 8 per cent interest Rs. 185/-. Of this 1/2 share	92·50
	32.	By amount due on Mortgage Bond No. 3085 dated 22nd May, 1945 and attested by V K. Subramaniam, Notary Public for Rs. 1,800/- and 7 per cent interest Rs. 2,209. Of this 1/2	1,104·50
	33.	By amount due on Mortgage Bond No. 3091 dated 25th January, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 200/- at 8 per cent interest Rs. 252/-. Of this 1/2 share	126·00
30	34.	By amount due on Mortgage Bond No. 2702 dated 18th September, 1944 and attested by V K. Subramaniam, Notary Public for Rs. 1,500/- at 6 per cent interest Rs. 1,852/-. Of this 1/2 share.	926·00
	35.	By amount due on Mortgage Bond No. 2929 dated 2nd January, 1945 and attested by V K. Subramaniam, Notary Public for Rs. 500/- at 8 per cent interest Rs. 643/-. Of this 1/2 share	321·50
40	36.	By amount due on Mortgage Bond No. 5118 dated 5th April, 1929 and attested by V Senathirajasegaram, Notary Public for Rs. 800/- at 8 per cent per annum. Of this 1/2 share	570·50

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Affidavit of K.
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P 4A
Affidavit of K.
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37.	By amount due on Mortgage Bond No. 883 dated 9th July, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 600/- at 7 per cent per annum Rs. 855/-. Of this 1/2 share	427·50
38.	By amount due on Oddy Bond No. 570 dated 7th February, 1942 attested by V. K. Subramaniam, Notary Public for Rs. 300. Of this 1/2 share ...	150·00
39.	By amount due on Mortgage Bond No. 598 dated 18th February, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 500/- at 8 per cent interest Rs. 545/-. Of this half share	272·50 ¹⁰
40.	By amount due on Mortgage Bond No. 3159 dated 14th March, 1945 and attested by V. K. Subramaniam, Notary Public Rs. 300/- at 8 per cent interest Rs. 372/-. Of this 1/2 share	186·00
41.	By amount due on Mortgage Bond No. 3001 dated 14th March, 1945 and attested by V. K. Subramaniam, Notary Public Rs. 400/- and interest at 8 per cent. Of this 1/2 share	204·50
42.	By amount due on Mortgage Bond No. 3103 dated 2nd June, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 200/- and interest at 7 per cent for Rs. 200/-. Of this half share	100·00 ²⁰
43.	By amount due on Mortgage Bond No. 427 dated 26th October, 1941 and attested by V. K. Subramaniam, Notary Public for Rs. 100/- at 10 per cent per annum Rs. 158/-. Of this 1/2 share	79·00
44.	By amount due on Mortgage Bond No. 537 dated 12th January, 1942 and attested by V. K. Subramaniam, Notary Public for Rs. 1,000/- at 8 per cent interest Rs. 1,527/-. Of this 1/2 share	763·50 ³⁰
45.	By amount due on Mortgage Bond No. 5537 dated 27th December, 1839 and attested by V. Senathirajasegaram, Notary Public for Rs. 420/- at 10 per cent per annum. Rs. 220/-. Of this 1/2 share ...	110·00
46.	By amount due on Mortgage Bond No. 3260 dated 11th October, 1945 and attested by V. K. Subramaniam, for Rs. 500/- at 8 per cent interest Rs. 560/-. Of this 1/2 share	280·00 ⁴⁰

	47.	By amount due on Mortgage Bond No. 3001 dated 14th March, 1945 and attested by V. K. Subramaniam, Notary Public for Rs. 400/- at 8 per cent interest Rs. 509/-. Of this 1/2 share	254·50
	48.	By amount due on Mortgage Bond No. 2452 dated 3rd April, 1944 and attested by V. K. Subramaniam, Notary Public for Rs. 75/- at 8 per cent per annum interest Rs. 101/-. Of this 1/2 share	50·50
10	49.	By amount due on Promissory Note dated 8th January, 1944 and for Rs. 280/- at 10 per cent interest Rs. 408/-. Of this 1/2 share	204·00
	50.	By amount due on a Promissory Note dated 10th October, 1945 and for Rs. 75/- at 8 per cent per annum Rs. 92/-. Of this 1/2 share	46·00
	51.	By amount due on a promissory note dated 23rd January, 1944 for Rs. 175/- and 6 per cent interest Rs. 227/-. Of this 1/2 share	113·00
	52.	By amount due in Case No. 3114/P. District Court, Point Pedro Rs. 397/11. Of this 1/2 share	198·50
20	53.	By amount recovered in Cases Nos. 3087, 3088 and 3089 District Court, Point Pedro Rs. 2,140/-. Of this 1/2 share	1,070·00
	54.	By amount due on Mortgage Bond No. 5821 dated 23rd June, 1950 and attested by V. Senathirajasegaram, Notary Public for Vairavan Suppan of Puloly West Rs. 616/33. Of this 1/2 share	308·00
	55.	3 Almyrahs worth Rs. 300/-. Of this 1/2 share	150·00
	56.	3 Tables worth Rs. 300/-. Of this 1/2 share	150·00
	57.	8 Chairs worth Rs. 50/-. Of this 1/2 share	25·00
30	58.	1 Wooden chest worth (large). Rs. 100/- Of this 1/2	50·00
	59.	1 Wooden chest (small) worth Rs. 50/-. Of this 1/2... ..	25·00
	60.	Brassware worth Rs. 60/- Of this half share	30·00
	61.	Jewellery worth	2,000·00
		Journal Entry of 2-2-51. 61. A. Cash in hand of the 4th Respondent Rs. 40,000/-. Of this half share	20,000·00

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Affidavit of K.
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Immovable Property (Additional)

P 4A
Affidavit of K.
Kathirgaman,
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14-9-50
—Continued.

62.	Land situated at Puloly West, Singapahuthevankurichy called "Kommikaladdy" in extent 32 Lachchams V.C. and 3 kulies and bounded on the East by the property of Sithambaranathar Kanapathippillai and others, North by the property of Kanapathiar Vairavipillai and others and by the property of Vallaththai, wife of Vyramuttu and others, West by lane and on the South by the property of Sithampananathar, K. Kanapathipillai. Of this an undivided 54/384 share worth Rs. 600/- Of this 1/2 share worth	10 300·00
	Total value of Estate	78,289·50

Liabilities

- | | | | |
|----|-----------------------------------|-----|----------|
| 1. | Medical Expenses Rs. 1,500/- | | |
| 2. | Funeral Expenses Rs. 2,300/- | ... | 4,300·00 |
| 3. | Net value of Estate Rs. 73,989·50 | | |

Affirmed to the truth and correctness thereof at Kalmunai this 14th day of September, 1950.

(Sgd.) K. KATHIRGAMAN,
14-9-50. 20

Before me :

(Sgd.)
Justice of the Peace,
14-9-50.

Drawn by :

(Sgd.) S. NAGALINGAMUDALY,
Proctor for Petitioner.

True copy of the Inventory filed of Record in District Court, Point Pedro Case No. T/400.

(Sgd.) Illegibly, 30
Secretary,
9-10-62.

District Court,
Point Pedro.

P 4

Petition of K. Kathirgaman filed in Testamentary action No. 400

in District Court, Point Pedro

IN THE DISTRICT COURT OF POINT PEDRO

P 4
Petition of
K. Kathirgaman,
filed in
Testamentary
action No. 400
in District Court,
Point Pedro
8-10-50

In the Matter of the Last Will and Testament, of the Late
Rasammah, wife of Visuvanathar Kanagaratnam of Puloly West.

Deceased.

Testamentary
Jurisdiction
10 No. 400.

V KANAGARATNAM SUBRAMANIAM of Puloly West.

Petitioner

Vs.

1. VISUVANATHAR KANAGARATNAM of Puloly West.
2. V KANAGARATNAM KUMARASWAMY of -- do --.
3. V KANAGARATNAM SANDIRASEKARAM of -- do --.
4. V. KANAGARATNAM KATHIRGAMAN of -- do --.
5. V KANAGARATNAM KANDAPPAH of -- do --.

Respondents.

20 In the matter of the Intestate Estate and effect of the late
Rasammah, wife of Visuvanathar Kanagaratnam of Puloly West.

Deceased.

Testamentary
Jurisdiction
No. 400

Kanagaratnam Kathirgaman of Puloly West, presently
Irrigation Engineer, Gal-Oya.

Petitioner

P 4
 Petition of
 K. Kathirgaman,
 filed in
 Testamentary
 action No. 400
 in District Court,
 Point Pedro
 3-10-50
 -- Continued.

Vs.

1. KANAGARATNAM KUMARASWAMY of Puloly West, presently of 40/2, Joseph Lane, Bambalapitiya.
2. KANAGARATNAM SANDIRASEKARAM of -- do --.
3. KANAGARATNAM KANDAPPAH of -- do --.
4. VISUVANATHAR KANAGARATNAM of Puloly West.

Respondents.

This 3rd day of October, 1950.

The Petition of the abovenamed petitioner appearing by S. Nagalingamudaly his Proctor states as follows:— 10

1. The Petitioner's mother, the late Rasammah wife of Visuvanathar Kanagaratnam died intestate at Puloly West on the 20th day of August, 1948.

2. Full and true particulars of the property left behind by the deceased are given in the schedule to the affidavit filed herewith.

3. To the best of the Petitioner's knowledge the heirs of the said deceased are her children, the Petitioner and the 1st, 2nd and 3rd Respondents.

4. The Petitioner claims letters of Administration to the estate of the said deceased, as son of the said deceased.

WHEREFORE the Petitioner prays:—

(i) That the Petitioner be declared entitled to take out letters of ²⁰ Administration to the Estate of the late Rasammah, wife of Visuvanathar Kanagaratnam the deceased as the son of the said deceased.

(ii) That letters of Administration be issued to him accordingly.

(iii) For costs; and for such other and further relief as to this court shall seem meet.

(Sgd.) S. NAGALINGAMUDALY,
Proctor for Petitioner.

D 21

Final Partition Decree in District Court, Point Pedro
Case No. 2988

D 21
 Final Partition
 Decree in
 District Court,
 Point Pedro
 Case No. 2988
 13-10-49

FINAL PARTITION DECREE
IN THE DISTRICT COURT OF POINT PEDRO
VISUVANATHAR KANAGARATNAM of Puloly West.

Plaintiff.

No. 2988

Vs.

1. AMBALAVANAR JOSEPH MYLVAGANAM of Alvai North.
- 10 2. KANAPATHIAR KANDIAH of Puloly South.
3. THAMAR SINNATHAMBY of — do —.
4. P. KANAPATHIPILLAI VELAUTHAM of — do —.
5. KANAPATHIPILLAI VAIRAVIPPILLAI of — do —.
6. Wife SINNAPPILLAI of — do —.
7. SITHAMPARANATHAR KANAPATHIPPILLAI of — do —.
8. VALLIPURAM ARAMBAR of — do —.
9. VALLIAPPAR CHINNIAM of — do —.
10. Wife PONNAMMAH of — do —.
11. CHINNACHCHY widow of KANDAPPAR of — do —.

20

Defendants.

This action coming on for final disposal before P. Sri Skanda Rajah Esquire, District Judge of Point Pedro on the 13th day of October, 1949 in the presence of Mr. Advocate K. Jeyakody instructed by Mr. V. K. Subramaniam Proctor on the part of the Plaintiff and Mr. Advocate S. Soorasangaram instructed by Messrs. Thanabalasingham and Paramsothy Proctors on the part of the 1st Defendant and Mr. C. Thanabalasingham Proctor on the part

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—Continued.

of the 4th and 8th Defendants, Mr. Advocate K. S. Rajendram instructed by Mr. T. Balakrishnan Proctor on the part of the 2nd, 3rd, 5th and 6th Defendants and Mr. M. Esurapadham Proctor on the part of the 7th defendant and the other Defendants being absent and unrepresented and Notice of Final Decree having been reported duly served on them.

It is ordered and decreed that of the land situated at Puloly East Singhapahuthevanurichechy in the Parish of Point Pedro, called "Pommikaladdy" in extent 34 Lachchams V. C. and 3 kulies with its appurtenances and bounded on the East by the property of Sithamparanathar Kanapathipillai and others, on the North by the property of Kanapathiar Vairavipillai and Vallaththai wife of Vairamuttu and others, on the West by the lane and on the South by the property of Sithamparanathar Kanapathippillai and described by lots marked 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in the Survey Plan No. 2596 dated the 6th day of September, 1948 and prepared by Mr. K. Velmuruku Licensed Surveyor appointed by this Court to partition the said land and filed of record in this Case.

1. The lot marked 1 in extent 17 Lachchams V.C. and 7, 13/24 kulies with its appurtenances and bounded on the East by Lots Nos. 7 and 11 on the North by the property of Kanapathiar Vairavipillai and Vallaththai wife of Vairamuttu and others, on the West by lane and lot No. 10 and on the South by lots Nos. 2 and 11 be and the same is hereby declared to be the absolute property of the 1st Defendant.

2. The lot marked 2 in extent 4 Lachchams V.C. and 6, 3/4 kulies with its appurtenances and bounded on the East by the property of Sithamparanathar Kanapathipillai and others, on the North by lots Nos. 1, 9 and 11, on the West by lane and on the South by lot No. 3 be and the same is hereby declared to be the absolute property of the Plaintiff.

3. The lot marked 3 in extent 1 Lachcham V.C. and 15, 13/24 kulies with its appurtenances and bounded on the East by the property of Sithamparanathar Kanapathipillai and others, on the North by lot No. 2, on the West by lane and on the South by lot No. 4 be and the same is hereby declared to be the absolute property of the 6th Defendant.

4. The lot marked 4 in extent 1 Lachcham V.C. and 17 kulies with its appurtenances and bounded on the East by the property of Sithamparanathar Kanapathipillai and others, on the North by lot No. 3, on the West by lane and on the South by lot No. 5 be and the same is hereby declared to be the absolute property of the 4th defendant.

5. The lot marked 5 in extent 1 Lachcham V.C. and 5, 1/3 kulies with its appurtenances and bounded on the East by the property of Sithamparanathar Kanapathippillai and others, on the North by lot No. 4, on the West by lane and on the South by lot No. 6, be and the same is hereby declared to be the absolute property of the 8th Defendant.

6. The lot marked 6 in extent 11, $\frac{2}{3}$ kulies with its appurtenances and bounded on the East by the property of Sithamparanathar Kanapathipillai and others, on the North by lot No. 5, on the West by lane and on the South by the property of Sithamparanathar Kanapathipillai be and the same is hereby declared to be the absolute property of the 7th Defendant.

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--Continued.

7. The lot marked 7 in extent 1 Lachcham V.C. and 5, $\frac{1}{3}$ kulies with its appurtenances including the houses marked A and B and bounded on the East by the property of Sithamparanathar Kanapathipillai and others, on the North by the property of Kanapathiar Vairavippillai and Vallaththai
10 wife of Vairamuttu and others, on the West by lot No. 1 and on the South by lots Nos. 8 and 11 be and the same is hereby declared to be the absolute property of the 3rd Defendant.

8. The lot marked 8 in extent 1 Lachcham V.C. and 17 kulies with its appurtenances including the houses marked C, D, E. and F and bounded on the East by the property of Sithamparanathar Kanapathipillai and others, on the North by lot No. 7 on the West by lot No. 11 and on the South by lot No. 9 be and the same is hereby declared to be the absolute property of the 2nd Defendant subject to life interest in favour of the 11th Defendant in respect of $\frac{1}{64}$ share.

20 9. The lot marked 9 in extent 5, $\frac{5}{6}$ kulies with its appurtenances and bounded on the East by the property of Sithamparanathar Kanapathipillai and others, on the North by lot No. 8, on the West by lot No. 11 and on the South by lot No. 2 be and the same is hereby declared to be the absolute property of the 10th Defendant.

10. The lot marked 10 in extent 12, $\frac{1}{4}$ kulies, with its appurtenances including well and bounded on the East and North by lot No. 1, on the West by lane, and on the South by lots Nos. 1 and 11 be and the same is hereby declared to be the absolute property of the Plaintiff and the 1st, 2nd, 3rd, 4th, 6th, 7th, 8th, and 10th Defendants in common for the use of the well
30 therein.

11. The lot marked 11 in extent 9, $\frac{3}{4}$ kulies with its appurtenances and bounded on the East by lots Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9 on the North by lots Nos. 7, 10 and 1 on the West by lots 1, 2, 3, 4, and 5 and South by lots 6 and 2 be and the same is hereby declared to be the absolute property of the Plaintiff and the 1st, 2nd, 3rd, 4th, 6th, 7th, 8th and 10th Defendants in common for way and water course.

12. The lot marked 12 in extent 1 Lachcham V.C. and 15 kulies at present a common lane belonging to Plaintiff and 1st, 2nd, 3rd, 4th, 6th, 7th, 8th, and 10th Defendants.

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Final Partition
Decree in
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13-10-49
--Continued.

It is further decreed that to adjust the difference in the value of the appurtenances in the respective lots of the said land allotted to the parties as aforesaid the following payments be made :—

The Plaintiff do pay to the 1st Defendant	...	...	Rs. 119·03
The 6th Defendant do pay to the 1st Defendant	...	...	Rs. 50·71
The 4th Defendant do pay to the 1st Defendant	...	...	Rs. 52·88
The 8th Defendant do pay to the 1st Defendant	...	...	Rs. 7·21
The 8th Defendant do pay to the 3rd Defendant	...	...	Rs. 16·60
The 8th Defendant do pay to the 2nd Defendant	...	...	Rs. 11·43
The 7th Defendant do pay to the 2nd Defendant	...	...	Rs. 13·47 ¹⁰
The 7th Defendant do pay to the 10th Defendant	...	...	Rs. 4·15

It is further decreed that the costs of this action and of partition be borne by the parties in proportion to their shares in the said land and that Plaintiff's costs *pro rata* do not exceed one third of the value of the land as fixed by the Commissioner.

It is further decreed that the Plaintiff is entitled to Rs. 25/- for preparing pedigree in addition to his *pro rata* costs.

It is further decreed that the 1st, 4th, and 8th Defendants do pay to the Plaintiff, 2nd, 3rd, 5th, 6th and 7th Defendants their costs of contest.

The 13th day of October, 1949.

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(Sgd.) P SRI SKANDA RAJAH,
District Judge,
8-3-50.

Drawn by :

(Sgd.) V K. Subramaniam,
Proctor for Plaintiff.

True Copy of Final Partition Decree in Case No. 2988 District Court,
Point Pedro.

(Sgd.)
Secretary. 80
4-10-57.

District Court,
Point Pedro.

Plaint in District Court, Point Pedro

Case No. 4329/Partition

P 13
Plaint in
District Court,
Point Pedro
Case No. 4329
Partition
8-8-52

IN THE DISTRICT COURT OF POINT PEDRO

1. KATHIRITHAMBY SUBRAMANIAM and wife.
2. THANGAMMAH of Puloly West.
3. SUBRAMANIAM BALASUBRAMANIAM and wife.
4. BAGAWATHY of — do —.

Plaintiffs.

¹⁰ No. 4329

Nature : Partition

vs.

1. VISUVANATHAR KANAGARATNAM of — do —.
- (dead) 2. VELAUTHAR CUMARASAMY of — do —.
3. KANTHAPPAR SUBRAMANIAM and
4. Wife THANGAMMAH of — do —.
5. V. CANDAPPAH VELAUTHAR presently of 24 - 36 Lane,
Wellawatte personally and as substitute of deceased
2nd Defendant.
6. KANDIAH SITHAMPARAPPILLAI of Puttalam.
- ²⁰ 7. and wife SARASWATHY of — do —.

Vide
Journal
Entry
(24) of
26-11-52

- | | |
|---|--|
| { | 8. KANAGARATNAM KUMARASAMY |
| { | 9. KANAGARATNAM SANDIRASEGARAM |
| { | 10. KANAGARATNAM KATHIRGAMAN |
| { | 11. KANAGARATNAM KANDAPPAH all of Puloly West. |

This 8th day of August, 1952.

Defendants.

The plaint of the plaintiffs abovenamed appearing by their Proctor
³⁰ K. Ramalingam states as follows :—

1. That the Plaintiffs seek to partition the land situated at Puloly West Malavarayakurichchy within the jurisdiction of this Court called Nitchinganollai vadakku in extent 7, 1/4 Lachchams V.C. and described morefully in the schedule below.

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 Plaint in
 District Court,
 Point Pedro
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 8-8-52
 —Continued

2. That certain Wallinachchy wife of Paramu Arumugathar was the original owner and proprietor of the whole of the said land who died several years ago leaving behind property worth below Rs. 2,500/- and leaving behind her children Paramar, Chempaththai, Kulanthainachy and Kandappar of whom Chempaththai was dowried other lands. Thus the said Paramar, Kulanthainachy and Kandappar became entitled to an undivided 1/3 share each (*Vide* pedigree filed).

3. That the said Paramar having held and possessed his 1/3 share dowried the same to his daughter Katpagam daughter of Paramoe on deed No. 5270 dated 2nd June, 1885 and attested by Murugar Kandappar Notary Public who donated the same to her brothers Paramoe Thambiah and Paramoe Subramaniam in equal shares respectively on Deeds Nos. 5833 and 5834 dated 16th October, 1894 and attested by Sandrasekarar Sathasivam, Notary Public who both donated the same to Muthuppillai daughter of Subramaniam on Deed No. 11587 dated 22nd May, 1895 and attested by Murugar Kandappar Notary Public who died leaving behind property worth above Rs. 2,500/- which was administered in case No. 6693 D.C. Jaffna (Testamentary) and the said share was sold in the said Testamentary Case to the 1st defendant as per Deed No. 2066 dated 10th December, 1933 and attested by V. Senathirajasegaram Notary Public. ²⁰

4. That the said Kulanthainachchy referred to in paragraph 2 above having held and possessed her 1/3 share dowried the same to her daughter Sinnappillai wife of Kathirgamar on deed No. 9041 dated 2nd November, 1891 and attested by Murugar Kandappar Notary Public who donated the same to the 4th defendant on Deed No. 10294 dated 25th July, 1909 and 3rd August, 1909 and attested by Paramoe Sithamparappillai Notary Public.

5. That the said Kandappar referred to in paragraph 2 above died leaving behind property worth below Rs. 2,500/- and leaving behind his children Walliammai, Sivagamippillai, Meenadchippillai and Sinnappillai of whom Meenadchippillai and Sinnappillai died issueless subsequently. ³⁰ Thus the said Walliammai and Sivagamippillai became entitled to 1/6 share each.

6. That the said Walliammai wife of Velauthar having held and possessed her 1/6 share bequeathed the said share to her husband Cumarasamy Velauthar by a Last Will which was proved in Case No. 8525 District Court Testamentary Jaffna.

7. That the said Cumarasamy Velauthar having held and possessed the said 1/6 share died 17 years ago leaving behind property worth Rs. 2,500/- which was administered in Case No. 124 District Court Testamentary Jaffna and leaving behind his children the 2nd Plaintiff, the 2nd Defendant, Velauthar Candappah, Velauthar Arumugam, Velauthar Nagalingam and Ponnammah widow of Thambirajah who thus became entitled to 1/36 share each. ⁴⁰

8. That the said Velauthar Candappah having held and possessed his 1/36 share died in June, 1950 leaving behind property worth Rs. 2,500/- and leaving behind his children the 4th plaintiff and the 5th and 7th Defendants who thus became entitled to 1/108 share each. His estate was administered in Case No. 448 District Court Testamentary, Point Pedro.

9. That the said Velauthar Arumugam and Velauthar Nagalingam having held and possessed their 1/18 share sold the same to the 1st Defendant on Deed No. 1573 dated 1st April 1943 and attested by V. K. Subramaniam Notary Public.

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Plaint in
District Court,
Point Pedro
Case No. 4329
Partition
8-8-52
—Continued

10. That the said Ponnammah widow of Thambirajah having held and possessed her 1/36 share sold the same to the 2nd Plaintiff on Deed No. 17067 dated 8th August, 1948 and attested by K. Subramaniam Notary Public.

11. That the said Sivagamippillai referred to in paragraph 5 above having held and possessed her 1/6 share donated the same to the 4th plaintiff on Deed No. 1484 dated 8th August, 1936 and attested by V. V. Subramaniam Notary Public.

12. That the 2nd and 4th Plaintiffs have by their own undisturbed and uninterrupted possession and by the like possession of those from whom they claim the said shares of land by a title adverse to and independent of that of the defendants and all others whomsoever for a period of 10 years and upwards next immediately preceding the date of this action acquired a prescriptive right and title to the same in terms of the 3rd clause of Chapter 55 of the Ceylon Legislative Enactments of 1938.

13. That the said land belongs to the parties as follows :—

- 20 (a) An undivided 6/108 share belongs to the 2nd Plaintiff.
- (b) An undivided 19/108 share belongs to the 4th Plaintiff.
- (c) An undivided 42/108 share belongs to the 1st Defendant.
- (d) An undivided 3/108 share belongs to the 2nd Defendant.
- (e) An undivided 36/108 share belongs to the 4th Defendant, subject to mortgage in favour of the 1st Defendant on Deed No. 5537 dated 27th December, 1939 and attested by V. Senathirajasegaram Notary Public by which the 1st Defendant is entitled to possess the said land in lieu of interest.
- 30 (f) An undivided 1/108 share belongs to each of the 5th and 7th Defendants.

14. That the possession in common as heretofore is found to be inconvenient and it is therefore expedient that the said land should be partitioned or sold under the provisions of the Partition Act No. 16 of 1951.

P 18
 Plaint in
 District Court,
 Point Pedro
 Case No. 4329
 Partition
 8-8-52
 —Continued.

15. That no persons other than those maintained in the plaint have any share or interest in the said land.

16. That the said land is reasonably worth Rs. 4,000/-.

WHEREFORE the plaintiffs pray :—

- (a) that the land morefully described in the schedule below be declared the common property of the 2nd and 4th Plaintiffs and 1st, 2nd, 4th, 5th and 7th Defendants.
- (b) that the said land be partitioned and divided shares thereof be allotted and given to the parties as aforesaid and if such partition be found impracticable then the land be sold and the proceeds of sale be divided *pro rata*.
- (c) that the costs of this action and of partition or sale as the case may be ordered to be borne by the parties in proportion to their shares.
- (d) and for such other and further relief as to this Court shall seem meet.

(Sgd.) K. RAMALINGAM,
Proctor for Plaintiffs.

Memo of Documents annexed.

- (a) An abstract of title.
- (b) A Pedigree.

(Sgd.) K. RAMALINGAM,
Proctor for Plaintiffs.

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Schedule referred to

Land situated at Puloly West Malavarayakurichey Point Pedro Parish, Vadamaradchi Division, Jaffna District, Northern Province called Nitchin-ganollai Vadakku in extent 7, 1/4 Lachchams v.c. with palmyrahs and bounded on the East by lane, North by the property of Nagalosany wife of Mylvaganam and others, West by the property of Pavalavally daughter of Muruguppillai and others and by the property of 1st Defendant and South by the property of Theivanaippillai wife of Kathiravelu and others and by other lands. The whole of this.

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(Sgd.) K. RAMALINGAM,
Proctor for Plaintiffs.

P 13 B

**Statement of Claim of K. Coomaraswamy, K. Sandrasegaram,
K. Kathirgaman and K. Kandappah
in District Court, Point Pedro**

Case No. 4329/Partition

P 18 B
Statement of
Claim of K.
Coomaraswamy,
K. Sandrasegaram,
K. Kathirgaman,
and K. Kandappah
in District Court,
Point Pedro Case
No. 4329/Partition
17-12-52

IN THE DISTRICT COURT OF POINT PEDRO

1. **KATHIRITHAMBY SUBRAMANIAM** of Puloly West and
3 others.

Plaintiffs.

¹⁰ No. 4329

Vs.

1. **KATHIRITHAMBY SUBRAMANIAM**
2. **VELAUTHAR KUMARASAMY** of — do —.
3. **KANTHAPPAR SUBRAMANIAM** of — do —.
4. **Wife THANGAMMAH** of — do —.
5. **V. KANDAPPAH VELAUTHAR** presently of 24 — 36 lane,
Wellawatte.
6. **KANDIAH SITHAMPARAPPILLAI** of Puttalam.
7. **Wife SARASWATHY** of — do —.
8. **KANAGARATNAM COOMARASAMY.**
9. **KANAGARATNAM SANDRASEGARAM**
10. **KANAGARATNAM KATHIRGAMAN**
11. **KANAGARATNAM KANDAPPAH** all of Puloly West
presently of Bambalapitiya.

²⁰

Defendants.

This 17th day of December, 1952.

The statement of claim of the above named 8th to 11th defendants appearing by S. Nagalingamudaly their Proctor states as follows :—

1. These defendants admit such of the averments in the plaint as are not inconsistent with the averments contained hereinafter.

P 13 B
Statement of
Claim of K.
Coomaraswamy,
K. Sandrasegaram,
K. Kathirgaman,
and K. Kandappah
in District Court,
Point Pedro Case
No. 4329/Partition
17-12-52
—Continued.

2. The 9th defendant claimed before the surveyor an undivided $\frac{7}{36}$ share of the land for himself and his brothers the 8th, 10th and 11th defendants but the plaintiffs though they were all along aware of the rights of these defendants to the said share and were also aware of the claim put forward at the survey have failed and neglected to have these defendants made parties to this action.

3. These defendants state that the acquisition of the $\frac{1}{3}$ and $\frac{1}{18}$ shares respectively by the 1st defendant on deed No. 2066 of 10-12-1933 referred to in paragraph 3 above of the plaint and deed No. 1573 of 1-4-1943 referred to in paragraph 9 of the plaint were made during the subsistence of his marriage with his wife Rasammah and that by virtue of such acquisition the said Rasammah became vested with a right to a half share thereof in terms of Section 19 and 20 of Ordinance No. 1 of 1911.

4. These defendants further state that on the death of the said Rasammah her right to a $\frac{7}{36}$ shares of the said land which had vested in her devolved on her children the 8th to 11th defendants each of whom thus became entitled to a $\frac{7}{144}$ shares of the said land.

5. These defendants have by their own undisturbed and uninterrupted possession of their previous owners for more than ten years next immediately preceding the date of this action by a title adverse to and independent of the plaintiffs and all others whomsoever acquired a prescriptive right and title to the said $\frac{7}{36}$ share of the said land in terms of Section 3 of Chapter 55 of the Legislative Enactments of Ceylon.

6. These defendants further state that the 1st defendant is entitled to only $\frac{7}{36}$ shares of the said land and not to $\frac{42}{108}$ shares as alleged in paragraph 14 of the plaint.

Wherefore these defendants pray :-

- (i) that they be declared entitled to a $\frac{7}{36}$ shares of the said land ;
- (ii) that these defendants be allotted a divided lot for their $\frac{7}{36}$ shares of the said land ;
- (iii) for costs ;

and for such other and further relief as to this Court shall seem meet.

(Sgd.) S. NAGALINGAMUDALY,
Proctor for 8th — 11th Defendants.

Memo of Documents annexed :

A Pedigree.

(Sgd.) S. NAGALINGAMUDALY,
Proctor for 8th — 11th Defendants.

P 13 A

Statement of Claim of K. Subramaniam
in District Court, Point Pedro
Case No. 4329 Partition

P 13 A
Statement of
Claim of K.
Subramaniam
in District Court,
Point Pedro Case
No. 4329/Partition
29-1-53

IN THE DISTRICT COURT OF POINT PEDRO

1. KATHIRITHAMBY SUBRAMANIAM
2. and wife THANGAMMAH
3. SUBRAMANIAM BALASUBRAMANIAM
4. and wife PAGAWATHY all of Puloly West.

10

Plaintiffs.

No. 4329

Vs.

1. VISUVANATHAR KANAGARATNAM of --- do --- and
10 others.

Defendants.

The 29th day of January, 1953.

The statement of claim of the 1st defendant appearing by his Proctor N. A. Rajaratnam states as follows :—

1. Answering to the entire plaint this defendant admits the correctness of the averments contained therein.

20 2. Answering to the statement of claim of the 8 --- 11 defendants this defendant while admitting that the 14/36 share were purchased on the aforesaid Deeds No. 2066 and 1573 denies the correctness of the rest of the averments contained therein and states that his wife Rasammah died in August, 1948 and the provision of Section 20 of Ordinance 58 of 1947 apply and that no share devolved either on Rasammah or her children the 8th — 11th defendants.

3. This defendant specifically denies that the 8th to 11th defendants are entitled to any share in the land sought to be partitioned or that they possessed any share on their behalf.

30 4. This defendant has by his own undisturbed and uninterrupted possession and by the like possession of his previous owners for more than ten years next immediately preceding the date of this action by a title adverse to and independent and all others whomsoever acquired a prescriptive right title thereto in terms of Section 3 of Chapter 55 of the Legislative Enactments of Ceylon.

P 13 A
Statement of
Claim of K.
Subramaniam
in District Court,
Point Pedro Case
No. 4329/Partition
29-1-53
—Continued.

WHEREFORE this defendant prays :—

- (i) that he be declared entitled to an undivided 42/108 share of the said land.
- (ii) that divided lot be allotted in the partition.
- (iii) that the statement of claim of 8th defendant be dismissed.
- (iv) for costs and for such other and further relief as to this Court shall seem meet.

(Sgd.) N. A. RAJARATNAM,
Proctor for 1st defendant.

P 14 A
and P 14 B
Issues framed in
District Court,
Point Pedro
Case No. 4329
3-9-53

P 14 A & P 14 B

10

Issues Framed

in District Court, Point Pedro

Case No. 4329.

D. C. 4329 (P) — Point Pedro

Trial : 3-9-53.

10th defendant Kanagaratnam Kathirgamar present, others absent.

Mr. K. Ramalingam. Proctor for Plaintiffs.

Mr. Advocate Shivapathasundaram instructed by Mr. N. A. Rajaratnam,
Proctor for 1st defendant.

Mr. Advocate Soorasangaram instructed by Mr. S. Nagalingamudaly, ²⁰
Proctor for 8 — 11 defendants.

There is no contest as between the Plaintiffs and as against any of the defendants.

Mr. Ramalingam states that the contest is between the 1st defendant and 8 — 11 defendants.

Mr. Shivapathasundaram states that there is no contest as between the 1st defendant and plaintiff and that the 1st defendant stands by the share allotted to him by the Plaintiff namely 42/108 share.

Mr. Soorasangaram raises the following points of contest :—

- (1) Is the 1st defendant entitled to only half share acquired by him on Deeds No. 2066 of 10-12-1933 and 1573 of 1-4-1943 ?
- (2) Have 8 -- 11 defendants become entitled to a half share of the said shares by inheritance from their mother Rasammah ?

P 14 A
and P 14 B
Issues framed in
District Court,
Point Pedro
Case No. 4329
3-9-53
—Continued.

(It is common ground amongst all parties to the suit that Rasammah mother of the 8 -- 11 defendants and wife of the 1st defendant died in August, 1948, and also that the marriage between the 1st defendant and deceased Rasammah took place in 1915 and that the marriage between the 1st defendant and the said Rasammah was in subsistence at the time of the¹⁰ execution of the Deeds Nos. 2066 of 10-12-1933 and 1573 of 1-4-1943).

P 14 C

**Decree and Judgment of the Supreme Court
in District Court, Point Pedro Case No. 4329/Partition**

P 14c
Decree and
Judgement of the
Supreme Court
in District Court,
Point Pedro
Case No. 4329/P.
16-7-54

20 **ELIZABETH THE SECOND, QUEEN OF CEYLON AND OF HER OTHER REALMS
AND TERRITORIES; HEAD OF THE COMMONWEALTH**

IN THE SUPREME COURT OF THE ISLAND OF CEYLON

1. **KANAGARATNAM KUMARASAMY** of Puloly West and others all of Puloly West.

*8th, 9th, 10th and 11th
Defendants Appellants.*

Vs.

1. **KATHIRITHAMBY SUBRAMANIAM** of Puloly West and others.

Plaintiffs - Respondents.

30 **VISUVANATHAR KANAGARATNAM** of Puloly West and others.

*1st to 7th
Defendants - Respondents.*

P 14c
Decree and
Judgment of the
Supreme Court
in District Court,
Point Pedro
Case No. 4320/P.
16-7-54
—Continued.

Action No. 4329.

In the District Court of Point Pedro

This cause coming on for hearing and determination on the 8th, 9th and 16th day of July, 1954 and on this day, upon an appeal preferred by the 8th, 9th, 10th and 11th defendants — appellants before the Hon. Mr. E. F. N. Gratiaen, Q.C., Puisne Justice and the Hon. Mr. H. N. G. Fernando, Acting Puisne Justice of this Court, in the presence of Counsel for the Appellants and 1st Defendant Respondent.

It is considered and adjudged that this appeal be and the same is hereby allowed and the Interlocutory Decree passed in the Lower Court is amended ¹⁰ (a) by allotting a 7/36 share to the appellants jointly and (b) by proportionately reducing the share allotted to the 1st defendant i.e., by allotting only a 7/36 share to him. The appellants are also entitled to the costs of this appeal and of the contest in the Court below. In all other respects the Interlocutory Decree is affirmed.

(Vide copy of the Judgment attached)

Witness the Hon. Sir Alan Edward Percival Rose, Kt., Q.C., Chief Justice at Colombo, the 21st day of July in the year of our Lord One thousand Nine hundred and fifty four and our Reign the Third.

(Sgd.) ²⁰
Deputy Registrar, Supreme Court.

S.C. No. 180 of 1953 (Interlocutory)

District Court, Point Pedro 4329P.

K. KUMARASAMY and 3 others

*8th to 11th
Defendants - Appellants.*

Vs.

K. SUBRAMANIAM and 3 others.

Plaintiffs Respondents

AND

30

V KANAGARATNAM and 6 others.

*1st to 7th
Defendants Respondents.*

Present :— Gratiaen J. and Fernando A.J.

Counsel:— H. V Perera Q.C., with T. Arulananthan for the Appellants. Sir Lalitha Rajapakse Q.C., with H. W. Thambiah and S. Sharvananda for the 1st Defendant - Respondent.

Argued on :— 8th, 9th July, 1954.

Decided on :— 16th July, 1954.

GRATIAEN, J.

P 14c
Decree and
Judgment of the
Supreme Court
in District Court,
Point Pedro
Case No. 4329/P
16-7-54
—Continued.

This is an appeal in a partition action. The only dispute which calls for our adjudication arises upon the legal consequences of certain admitted facts.

Kanagaratnam (the 1st defendant) and his wife Rasammah were Tamils to whom the Tesawalamai applies. They were married in 1915, and their property rights as Tesawalamai spouses were until 4th July, 1947 regulated by the Jaffna Matrimonial Rights and Inheritance Ordinance (Chapter 48) —
¹⁰ hereinafter called — the principal Ordinance.

In 1933 Kanagaratnam purchased in his own name an undivided 1/3 share in the property sought to be partitioned, and in 1943 he similarly purchased an additional 1/18 share, so that the total extent purchased by him under the relevant conveyance amounted to 7/18. These shares admittedly constituted the *thediatheddham* “of the husband” within the meaning of section 19 of the Principal Ordinance.

The Appellants are the children of the marriage and as such were the preferential heirs of either parent under Section 21 of the Principal Ordinance.
²⁰ Rasammah died in August, 1948 after the Jaffna Matrimonial Rights and Inheritance (Amendment) Ordinance No. 58 of 1947 (hereinafter called “the amending Ordinance”) had passed into law.

The appellants claimed that half the *thediatheddham* property purchased by Kanagaratnam in 1933 and 1943 (that is to say, an undivided 7/36 share) vested in Rasammah by operation of law immediately upon its acquisition by Kanagaratnam (Section 20 of the principal Ordinance) and that this undivided 7/36 share devolved on them upon her death under section, 21, whose provisions have not been repealed by the amending Ordinance. Kanagaratnam maintained in the Court below that, on the contrary,
³⁰ the entire 7/18 now belonged to him by virtue of an allegedly sweeping alteration which had taken place in the relevant law. This latter contention was upheld by the learned District Judge whose decision is, I regret to say, based on a misunderstanding of two recent rulings of a Full Bench of this Court.

In my opinion, the problem under consideration admits of no doubt. Rasammah’s rights in respect of *thediatheddham* property acquired by her husband before 4th July 1947 were governed by Section 20 of the principal Ordinance, and the provisions of Section 5 and 6 of the amending Ordinance did not operate to divest Rasammah of rights already vested in her under the earlier law—
⁴⁰ *Akilandanayaki v. Sothinagaratnam* (1952, 53 N.L.R. 385 F.B., *Kandavanam v. Nagammah* (1952) 46 C.L.W. 104.

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Earlier controversies as to the nature of the rights of the non-acquiring spouse in *thediatheddham* acquired by the other spouse before 4th July, 1947, have long since been resolved by decision of this Court. An undivided half share on the property sought to be partitioned had automatically vested in Rasammah, as the non acquiring spouse, by operation of law — *Parasaththy Ammal v. Setupulle* (1872) 3 N.L.R. 271. The dissenting judgment of Garvin J., to the same effect in *Seelachchy v. Visuvanathan* (1922) 23 N.L.R. 97 has been consistently followed. See *Sampasivam v. Manikkar* (1921) 23 N.L.R. 257, *Iya Mattayer v. Kanapathippillai* (1928) 29 N.L.R. 301 and *Vaitilingam v. Seenivasagam* (1944) 28 C.L.W 63.

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During the subsistence of her marriage, Rasammah's title in a half share of the *thediatheddham* was of course subject to the marital power of her husband to alienate it or mortgage it for consideration. This marital power was referable to the husband's status as the manager "sole or irremovable attorney of the wife" — per Mac Donnell C. J., in *Sangarappillai v. Devarajah Mudaliyar* (1936) 38 N.L.R. 1 FB. It is quite wrong to suggest that the power proceeds from the enjoyment of any *dominium* over the wife's share.

The devolution of Rasammah's share upon her death in 1948 remains to be considered. *This question is governed by the relevant provisions of* ²⁰ *the principal Ordinance of 1911 as amended by the amending Ordinance of 1947.*

Dr. Rajapakse very properly informed us that he could not support the wholly untenable proposition that the entirety of Rasammah's 7/36 share of the property devolved on Kanagaratnam as the surviving spouse. He argued, however, that the case was governed by Section 6 of the amending Ordinance which repealed Section 20 of the principal Ordinance and substituted in its place a new Section in the following terms:—

" 20. On the death of either spouse one half of the *thediatheddham* which belonged to the deceased spouse shall devolve on the surviving spouse and the other half shall devolve on the heirs ³⁰ of the deceased spouse."

He suggested, a 7/72 share in properties passed under this Section to Kanagaratnam on Rasammah's death and only the remaining 7/72 share to the appellants jointly. For the reasons which follow, I am unable to accept this argument.

In *Kannammah v. Sanmugalingam* (1954) 55 N.L.R. 260, Pulle J. has effectively disposed of the theory that a single sentence (isolated from its context) of my judgment in *Kandavanam's Case* (1952) 46 CLW 104 at 105 leads support to the proposition which Dr. Rajapakse had invited us to adopt. No necessity arose in *Kandavanam's Case* to examine the precise ⁴⁰ meaning of Section 6 of the amending Ordinance; it sufficed for the purpose of that appeal to emphasise that the amending Ordinance did not retroactively divest people of any rights acquired before 4th July, 1947 under the principal Ordinance.

In order to extract the true meaning of Section 6 of the amending Ordinance, we must first examine Section 5 which repeals Section 19 of the principal Ordinance and substitutes a new Section 19 which reads as follows—

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19. "No property other than the following shall be deemed to be *thediatheddam* of a spouse :

(a) property acquired by that spouse during the subsistence of the marriage for valuable consideration, such consideration not forming or representing any part of the separate estate of that spouse ;

10 (b) profits arising during the subsistence of the marriage of that spouse. "

I shall hereafter refer to Section 5 and 6 of the amending Ordinance as " the new Section 19 " and " the new Section 20 " respectively.

The new Section 19 gives a definition of *thediatheddam* " which restores for the future the more traditional conception of *thediatheddam* which had been unmistakably, even though carelessly, altered by legislative intervention in 1911 " — *Akilandanayaki's Case* (1952) 53 N.L.R. 385 at 397. Accordingly, property which would previously have constituted *thediatheddam* within the meaning of the principal Ordinance in accordance with the ruling²⁰ in *Avitchi Chettiar's Case* (1933) 35 N.L.R. 313, must, if acquired on or after 4th July, 1947, be regarded as " separate property."

The repeal of the old Section 20 and the substitution of the new Section 20 have the following effect :

(a) If either spouse acquires *thediatheddam* property on or after 4th July, 1947 no share in it vests by operation of law in the non-acquiring spouse during the subsistence of the marriage ;

30 (b) if the acquiring spouse predeceases the non-acquiring spouse without having previously disposed of such property, the new Section 20 applies accordingly, half the property devolves on the survivor and the other half on the deceased's heirs ;

(c) if the non-acquiring spouse predeceases the acquiring spouse the *thediatheddam* property of the acquiring spouse continues to vest exclusively in the acquiring spouse ; the new Section 20 has no application because the *thediatheddam* of the acquiring spouse never " belonged " to the non-acquiring spouse.

These three propositions pre-suppose that the *thediatheddam* property had been acquired after the amending Ordinance passed into law.

It thus becomes clear that the new Sections 19 and 20 have no bearing on the present problem. A half share of the *thediatheddam* property⁴⁰ acquired by Kanagaratnam in 1933 and 1943 had automatically vested in Rasammah (as the non-acquiring spouse) under the old Section 20 and the

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subsequent repeal of the old Section 20 did not operate to divest her of that share. The devolution of Rasammah's share upon her death in 1948 was regulated solely by Section 21 of the principal Ordinance because the new Section 20 has no application to the case. Accordingly, the entirety of Rasammah's vested interest in the *thediatheddham* property (*i.e.*, a $\frac{7}{36}$ share) passed to the appellants as her heirs. The balance $\frac{7}{36}$ continued of course, to be vested in the 1st defendant Kanagaratnam.

For these reasons, I would allow the appeal and amend the interlocutory decree passed in the lower Court (a) by allotting a $\frac{7}{36}$ share to the appellants jointly and (b) by proportionately reducing the share allotted to the 1st defendant — *i.e.* by allotting only a $\frac{7}{36}$ share to him. ¹⁰

The appellants are also entitled to the costs of this appeal and of the contest in the Court below. In all other respects the interlocutory decree must be affirmed.

It is unnecessary for the purpose of this appeal to give a definite ruling as to the devolution of *thediatheddham* property acquired before 4th July, 1947 of the acquiring spouse predeceases the non-acquiring spouse after 4th July, 1947. In such a case, it is already settled law that the new Section 20 could not operate to divest the non-acquiring spouse of the half share which had previously vested in him (or her) under the old Section 20. Dr. Rajapakse, suggested, however, that the devolution of the half share belonging to the deceased acquiring spouse would be regulated by the new Section 20 — with the result that the non-acquiring spouse would then become vested with an additional $\frac{1}{4}$ share. Although I appreciate the undesirability of giving expression to any *obiter dictum* concerning the interpretation of the amending Ordinance, I desire to place on record that, as at present advised, I am quite unable to accept this theory which (so Dr. Rajapakse informs me) is at present entertained in certain quarters. ²⁰

The amending Ordinance appears to me to deal only with the incidence the devolution of *thediatheddham* property acquired by one or other of the spouses on or after 4th July, 1947. In the hypothetical case referred to, the correct view, in my opinion, is that the new Section 20 would not apply, and that the half share belonging to the acquiring spouse would, upon his death devolve on his heirs under Section 21 of the principal Ordinance — whereas the other half share would continue, as before, to vest in the non-acquiring spouse. I find no indication in the language of the amending Ordinance of any intention to enlarge the rights or expectations of a non-acquiring spouse in respect of *thediatheddham* property which came into existence before 4th July, 1947. ³⁰

FERNANDO, A. J.

(Sgd.) E. F. N. GRATIAEN

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I Agree.

(Sgd.) H. N. G. FERNANDO.

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 3-10-56

FINAL PARTITION DECREE

1. KATHIRITHAMBY SUBRAMANIAM and wife.
2. THANGAMMAH of Puloly West.
3. SUBRAMANIAM BALASUBRAMANIAM and wife.
4. BAGAWATHY of — do —.

Plaintiffs.

¹⁰ No. 4329.

Vs.

1. VISUVANATHAR KANAGARATNAM of — do —.
- (Dead) 2. VELAUTHAR CUMARASAMY of — do —.
3. KANTHAPPAR SUBRAMANIAM and wife.
4. THANGAMMAH of — do —.
5. V. CANDAPPAH VELAUTHAR of — do — presently
 of 24 — 36 Lane, Wellawatte personally and as
 representative of the estate of the late 2nd defendant.
6. KANDIAH SITHAMPARAPPILLAI of Puttalam
7. wife SARASWATHY of — do —.
- ²⁰ 8. KANAGARATNAM KUMARASAMY of — do — presently
 of Bambalapitiya.
9. KANAGARATNAM SANDIRASEGARAM of — do —.
10. KANAGARATNAM KATHIRGAMAN of — do —.
11. KANAGARATNAM KANDAPPAH of — do —.

Defendants.

D 8
Deed of
Donation
No. 2797
attested by
P. Kanapathipillai,
Notary Public
2-11-52

D 8

Deed of Donation No. 2797 attested by

P. Kanapathipillai, Notary Public

TRANSLATION

2-11-1952.

Donation
Lands 14
Rs. 20,000/-.

No. 2797

Know all men by these presents that I Visuvanathar Kanagaratnam of ¹⁰ Puloly West for and on account of the natural love I have towards my son Visuvanathar Kanagaratnam Subramaniam of the same place and further for other good causes which would urge me to this act do hereby set over and convey by way of donation unto the said Visuvanathar Kanagaratnam Subramaniam the properties mentioned in the following schedule worth Rs. 20,000/-.

I do hereby declare that the 1st property mentioned in the following schedule belongs as per certificate of Sale No. 140 dated 15th February, 1945 executed in partition Case No. 2080 of the District Court of Point Pedro and the 2nd property as per final partition decree in Case No. 1415 of the ²⁰ District Court of Point Pedro and the 3rd property as per transfer Deed No. 2792 dated 18th February, 1935 and attested by V Senathirajasegaram Notary Public in my favour and the 4th property as per transfer Deed No. 1810 dated 1st August, 1938 and attested by V Senathirajasegaram Notary in my favour and the 5th property as per transfer Deed No. 21741 dated 11th February 1931 and attested by S. Subramaniam Notary in my favour and the 6th property as per final partition decree in Case No. 269 of the District Court of Point Pedro in my favour and the 7th, 8th, 9th 10th, 11th, 12th and 13th properties as per donation Deed No. 10834 dated 25th ³⁰ December, 1909 and attested by P Sithamparapillai Notary in my favour and by possession and endorsements are made on the said Deeds Nos. 2792 and 10834 and I deliver herewith the other deeds and I will not revoke this donation and make it null and void for any cause whatsoever I the donee the said Visuvanathar Kanagaratnam Subramaniam have accepted this donation with gratitude.

The aforesaid Schedule

In Point Pedro Parish Vadamara lchy Division Jaffna District Northern Province.

1. Land situated at Puloly West Singapahuthevankurichchy called Nedunkulavelitheni in extent 4 Lachchams V.C. and 8, 8/16 kulies --- Do --- ⁴⁰ 15, 9/16 kulies. This is described as lots 1 and 2 in plan No. 2150 dated 26th April 1944 and prepared by K. Velmurugu Licensed Surveyor. Of

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FINAL PARTITION DECREE

1. KATHIRITHAMBY SUBRAMANIAM and wife.
2. THANGAMMAH of Puloly West.
3. SUBRAMANIAM BALASUBRAMANIAM and wife.
4. BAGAWATHY of — do —.

Plaintiffs.

¹⁰ No. 4329.

Vs.

1. VISUVANATHAR KANAGARATNAM of — do —.
- (Dead) 2. VELAUTHAR CUMARASAMY of — do —.
3. KANTHAPPAR SUBRAMANIAM and wife.
4. THANGAMMAH of — do —.
5. V. CANDAPPAH VELAUTHAR of — do — presently of 24 — 36 Lane, Wellawatte personally and as representative of the estate of the late 2nd defendant.
6. KANDIAH SITHAMPARAPPILLAI of Puttalam
7. wife SARASWATHY of — do —.
- ²⁰ 8. KANAGARATNAM KUMARASAMY of — do — presently of Bambalapitiya.
9. KANAGARATNAM SANDIRASEGARAM of — do —.
10. KANAGARATNAM KATHIRGAMAN of — do —.
11. KANAGARATNAM KANDAPPAH of — do —.

Defendants.

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—Continued.

This action coming on for final disposal before S. Thambydurai Esquire, District Judge Point Pedro on the 3rd day of October 1956 in the presence of Mr. K. Ramalingam Proctor on the part of the plaintiffs, Mr. N. A. Rajaratnam Proctor on the part of the 1st Defendant and of Mr. S. Nagalingamudaly on the part of the 3, 4, 8, 9, 10 and 11 defendants and the other defendants being absent and unrepresented.

It is ordered and decreed that of the land situated at Puloly West Malavarayakurichchy Point Pedro Parish, Vadamaradchy Division Jaffna District, Northern Province called Nitchinganollai Vadakku in extent 7 1/4 Lachchams but according to survey plan referred to below in extent 10 7 Lachchams V.C. and 17 Kulies with palmyrahs and margosa trees and bounded on the East by lane, North by lane and by the property of Nagalosany wife of Mylvaganam and others, West by the property of Pavalavathy daughter of Murugupillai and others and by the property of the 1st defendant and South by the property of Theivanaippillai wife of Kathiravelu and others and by the property of the 1st defendant and represented by lots Nos. 1, 2, 3, 4, 5 and 6 in Survey Plan No. 1917 dated 29th July, 1956 prepared by Mr. T. Subramaniam Licensed Surveyor and filed of record.

1. Lot No. 1 in the said plan in extent 1 Lachcham V.C. and 8, 1/32 Kulies with palmyrahs and margosa trees and bounded on the East by lot 20 No. 2 in the said plan, North by the property of Nagalosany wife of Mylvaganam and others, West by the property of Pavalavathy daughter of Murugupillai and others and South by the property of Theivanaippillai wife of Kathiravelu and others be and the same is hereby declared to be the absolute property of the 1st defendant.

2. Lot No. 2 in the said plan in extent 1 Lachcham V.C. and 15, 15/32 Kulies with palmyrahs and margosa trees and bounded on the East by lot No. 3 in the said plan, North by lot No. 6 in the said plan, West by lot No. 1 in the said plan and South by the property of Theivanaippillai wife of Kathiravelu and others be and the same is hereby declared to be the absolute property of the 2nd and 4th plaintiffs and the 5th and 7th defendants in the proportion of 6, 19, 1 and 1. 30

3. Lot No. 3 in the said plan in extent 3, 23/32 Kulies and bounded on the East by lot No. 4 in the said Plan, North by lot No. 6 in the said plan, West by lot No. 2 in the said plan and South by the property of Theivanaippillai wife of Kathiravelu and others be and the same is hereby declared to be the absolute property of the 5th defendant as representative of the estate of the 2nd Defendant.

4. Lot No. 4 in the said plan in extent 2 Lachchams V.C. and 8, 20/32 Kulies with palmyrahs and margosa tree and bounded on the East by lot 40 No. 5 in the said plan, North by lot No. 6 in the said plan, West by lot No. 3 in the said plan and South by the property of Theivanaippillai wife of Kathiravelu and others and by the property of the 1st defendant be and the same is hereby declared to be the absolute property of the 4th defendant subject to mortgage and otty in favour of the 1st defendant.

5. Lot No. 5 in the said plan in extent 1 Lachcham V.C. and 8, $1/32$ P 13 c
Kulies with palmyrahs and bounded on the East by lane, North by lot
No. 6 in the said plan, West by lot No. 4 in the said plan and South by the
property of the 1st defendant be and the same is hereby declared to be the
absolute property of the 8, 9, 10 and 11th defendants in equal shares. Final Partition
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Continued.

6. Lot No. 6 in the said plan in extent 9, $4/32$ Kulies with 3 female
palmyrahs and 7 male palmyrahs and bounded on the East by lane, North
by bye-lane and by the property of Nagalosany wife of Mylvaganam and
others, West by lot No. 1 in the said plan and South by lots Nos. 2, 3, 4 and
10 5 in the said plan be and the same is hereby declared to be the common
property of the 2nd and 4th plaintiffs and the 1, 4, 5, 7, 8, 9, 10 and 11
defendants in proportion to their shares.

It is further ordered and decreed that the palmyrahs standing in lot
No. 6 be cut down and disposed of and the proceeds of sale be divided pro-
portionately among the share holders.

It is further ordered and decreed that to adjust the difference in value
of the respective lots allotted to the shareholders as aforesaid the 8 to 11th
defendants do pay to the 2nd and 4th plaintiffs and the 5th and 7th defen-
dants Rs. 180·31 $\frac{1}{2}$ cts to the 1st defendant Rs. 81·22 $\frac{1}{2}$ cts to the 5th defen-
20 dant as representative of the 2nd defendant Rs. 61·65 $\frac{1}{2}$ cts and to the
4th defendant Rs. 89·02 cts.

It is further ordered and decreed that the rateable costs of this action
and of partition be borne by the respective parties in proportion to their
shares.

The 3rd day of October, 1956.

(Sgd.) S. THAMBYDURAI,
District Judge.

Drawn by :

(Sgd.) K. RAMALINGAM,
30 *Proctor for Plaintiffs.*

D 8
Deed of
Donation
No. 2797
attested by
P. Kanapathipillai,
Notary Public
2-11-52

D 8

Deed of Donation No. 2797 attested by

P. Kanapathipillai, Notary Public

TRANSLATION

2-11-1952.

Donation
Lands 14
Rs. 20,000/-.

No. 2797

Know all men by these presents that I Visuvanathar Kanagaratnam of ¹⁰ Puloly West for and on account of the natural love I have towards my son Visuvanathar Kanagaratnam Subramaniam of the same place and further for other good causes which would urge me to this act do hereby set over and convey by way of donation unto the said Visuvanathar Kanagaratnam Subramaniam the properties mentioned in the following schedule worth Rs. 20,000/-.

I do hereby declare that the 1st property mentioned in the following schedule belongs as per certificate of Sale No. 140 dated 15th February, 1945 executed in partition Case No. 2080 of the District Court of Point Pedro and the 2nd property as per final partition decree in Case No. 1415 of the ²⁰ District Court of Point Pedro and the 3rd property as per transfer Deed No. 2792 dated 18th February, 1935 and attested by V. Senathirajasegaram Notary Public in my favour and the 4th property as per transfer Deed No. 1810 dated 1st August, 1938 and attested by V. Senathirajasegaram Notary in my favour and the 5th property as per transfer Deed No. 21741 dated 11th February 1931 and attested by S. Subramaniam Notary in my favour and the 6th property as per final partition decree in Case No. 269 of the District Court of Point Pedro in my favour and the 7th, 8th, 9th 10th, 11th, 12th and 13th properties as per donation Deed No. 10834 dated 25th December, 1909 and attested by P. Sithamparapillai Notary in my favour ³⁰ and by possession and endorsements are made on the said Deeds Nos. 2792 and 10834 and I deliver herewith the other deeds and I will not revoke this donation and make it null and void for any cause whatsoever I the donee the said Visuvanathar Kanagaratnam Subramaniam have accepted this donation with gratitude.

The aforesaid Schedule

In Point Pedro Parish Vadamaraichy Division Jaffna District Northern Province.

1. Land situated at Puloly West Singapahuthevankurichchey called Nedunkulavelitheni in extent 4 Lachchams V.C. and 8, 8/16 kulies -- Do -- ⁴⁰ 15, 9/16 kulies. This is described as lots 1 and 2 in plan No. 2150 dated 26th April 1944 and prepared by K. Velmurugu Licensed Surveyor. Of

this lot marked (a) 1 in extent 4 Lachchams V.C. and 8, 8/16 kulies with stone built house and coconut trees and bounded on the East by water channel, North by road, West by the property of the heirs of Kathirithamby Sabapathipillai, and others and South by the property of the heirs of Kathirithamby and others and by the property of Kamadchy wife of Kathirgamu and others. The whole of these contained within these boundaries.

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Notary Public
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(b) Lot No. 2 in extent 15, 9/16 kulies and bounded on the East by the property of Britto Muttunayagam, North by the property of Krishnapillai Mylvaganam, West by water channel and South by the coconut estate belonging to Aladiet Pilliyar Temple. The whole hereof.

2. Land situated at Thunnalai Veerasuntharamuthaly Kurichchy in Kaddaiveli Parish in — Do — called Nunkayapulam in extent 38 Lachchams V.C. and 6, 27/32 kulies. This is in extent 38 Lachchams V.C. and 6, 27/32 kulies as per plan No. 663 dated 28th April, 1942 and prepared by M. Velupillai Licensed Surveyor and filed along with the final partition decree in Case No. 1415 of the District Court of Point Pedro. Of this lot No. 2 in the said plan in extent 5 Lachchams V.C. and 10 17/32 kulies and bounded on the East by lot No. 9 in the said plan, North by lot No. 1 in the said plan, West by the property of the heirs of Sinnathamby Subramaniam and South by lot No. 3 in the said plan. The whole of those contained within these boundaries.

3. Land situated at Alvai Malavarayakurichchy called Vethiyavilavai in extent 60 Lachchams V.C. — Do — 2, 5/8 Lachchams V.C. — Do — 17, 1/4 Lachchams V.C. — Do — thoddam 1 — Do — 29, 1/4 Lachchams V.C. Total in extent 110 Lachchams V.C. and 8, 1/4 kulies. Of this excluding an extent of 20, 1/4 Lachchams V.C. on the East given to the Burial ground the remaining in extent 90 Lachchams V.C. and 3, 3/4 kulies. This is in extent 92 Lachchams V.C. and 5, 1/4 kulies as per plan No. 523 prepared by K. Velautham Licensed Surveyor and bounded on the East by lane and by burial ground, North by the property of Valliappar Vethavanam, West by the property of Valliappar Vethavanam and by the property of Sinnathangachchy wife of Sinniah and others and South by the property of Valliappar Vethavanam and others. Of the ground wells and the building where water drawing machine was kept contained within these boundaries an undivided 1/4 share and the share of the parapet wall on the North of the Western boundary.

4. Land situated at Puloly West Malavarayakurichchy in Point Pedro Parish called Nedunkulavelithnythenkilakkilmetku in extent 72 Lachchams V.C. Of this an extent of 13 Lachchams V.C. on the West in the middle out of the ground, on the West of the lane passes through and bounded on the East and South by property belonging to me and others North by the property of Sivakamipillai widow of Murugappar and others. And West by the property of Murugappar Alvapillai and others and by the property of Veeragathiar Konamalai and others. Of the ground and well contained within these boundaries an undivided 1/3 share.

D 8
Deed of
Donation
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P. Kanapathipillai,
Notary Public
2-11-52
—Continued.

5. Land situated at Alvai Veerakodiyakurichchy in Kaddaiveli Parish called Padavadpulathuvayal in extent 5 Lachchams V.C. —Do— Padavadpulathuvayal 2 Lachchams V.C. —Do— Padavadpulathuvayal in extent 6, $\frac{1}{2}$ Lachchams V.C. Poenthiervayal 3, $\frac{7}{8}$ Lachchams V.C. total in extent 17, $\frac{3}{8}$ Lachchams V.C. and bounded on the East and South by the property of Kathirithamby Subramaniam and others North by the property of Velappar Subramaniam and others, West by the property of Kandappar Kanagasabai and others. Within these boundaries out of the ground an undivided $\frac{1}{4}$ share and out of the palmyrahs, 2 palmyrahs on the South according to possession. 10

6. Land situated at Puloly West Singapahuthevankurichchy in Point Pedro Parish called Eluveddy in extent 4, $\frac{1}{4}$ Lachchams V.C. Veedu 1 and land situated at Puloly West Veerabahuthevankurichchy called Mudaneelikaladdy in extent 7 Lachchams V.C. Of these an extent of 8 Lachchams V.C. and 6, $\frac{3}{4}$ kulies according to partition possession. Of this excluding 2 Lachchams V.C. in the middle on the North, the remaining in extent 7 Lachchams V.C. and 14 kulies this is in extent 7 Lachchams V.C. and 8 $\frac{1}{2}$ kulies as per plan No. 410 A dated 18th October, 1938 and prepared by M. Velupillai Licensed Surveyor and filed along with the final partition decree in Case No. 269 of the District Court of Point Pedro of this lot marked 20 2 in the said plan in extent 1 Lachcham V.C. and 15, $\frac{5}{8}$ kulies and bounded on the East by lot 3 in the said plan, North by lots marked A, B in the said plan, West by the property of Manimekalai wife of the grantee and South by property belonging to me and others. The whole of the ground and coconut trees contained within these boundaries.

7. Land situated at — Do — called Eluveddy Mudaneelikaladdy of these parcels of land an extent of 8, $\frac{3}{4}$ kulies of ground according to partition possession with well and coconut trees and arecanut tree contained therein and bounded on the East by the following 8th property and by my property, North by road, West by the property of Manimekalai wife of the grantee 30 and South by my property. Of those contained within these boundaries excluding one coconut tree standing on the North and the other coconut trees belonging exclusively and out of the ground, well and arecanut trees an undivided $\frac{1}{4}$ share of $\frac{2}{3}$ share.

8. Further out of the land called Eluveddy Mudaneelikaladdy an extent of 2 kulies of ground according to partition possession and bounded on the East by the property of Seethaledchimy wife of Muttukumarasamy North by road, West by the aforesaid 7th property and South by property belonging to me and Sangarapillai Rajendram. Of the ground contained within these boundaries $\frac{1}{4}$ share of $\frac{2}{3}$ share. 40

9. Land situated at Puloly West Malavarayakurichchy called Kovoakaladdy in extent 15, $\frac{7}{8}$ Lachchams V.C. the extent in possession for the Western half share is 7, $\frac{13}{16}$ Lachchams V.C. with palmyrahs, vadalies, margosa trees and Ianthai trees and bounded on the East by the property

of the heirs of Visuvanathar, Sangarapillai and others, North by the property belonging to me and others, West by the property of Subramaniam Kandiah and by the property of Parimalam wife of Nadarajah and South by the property of Subramaniam Kandiah. Of the whole of those contained within these boundaries an undivided $\frac{1}{4}$ share.

D 8
Deed of
Donation
No. 2797
attested by
P. Kanapathipillai,
Notary Public
2-11-52
—Continued.

10 10. Land situated at — do — called Ivathai in extent $26\frac{1}{4}$ Lachchams V.C. with palmyrah trees and vadalies and bounded on the East by lane, North by property of Thangammah widow of Arumugam and others, West by the property of Sinnathamby Sivapragasam and South by the property of Mahesu wife of Pasupathy and others. Of those contained within these boundaries an undivided $\frac{1}{4}$ share.

11. Land situated at — Do — called Ivathai Vayal in extent 13, $\frac{3}{4}$ Lachchams P.C. with palmyrahs and vadalies and bounded on the East and North by the aforesaid 10th property, West by the property of Sinnathamby Sivapragasam and South by the property of Mahesu wife of Pasupathy and others. Of those contained within these boundaries an undivided $\frac{1}{4}$ share.

20 12. Land situated at — Do — called Tholiodai in extent 30, $\frac{1}{4}$ Lachchams V.C. with palmyrahs and vadalies and bounded on the East by lane, North by lane and by the property of the heirs of Ayamuttu Karthigesar and others, West by the property of the heirs of Umayathai wife of Kovindar and others, and South by lane and by the property of the heirs of Arambar Chelliah and others. Of the whole of those contained within these boundaries an undivided $\frac{1}{16}$ share.

30 13. Land situated at Alvai Veerakodiakurichchy in Kaddaiveli Parish called Pullavadiyayal in extent 11, $\frac{1}{2}$ Lachchams P.C. Of this the extent on possession for $\frac{1}{4}$ share on the North is 2, $\frac{7}{8}$ Lachchams P.C. and bounded on the East by the property of the heirs of Aiyamuttu Karthigesar and others, North by the property of Sivakamipillai widow of Periathamby and others, and West by the property of Wallipillai widow of Kulanthaivelu and others and South by the property of Valliappar Murugappan and others. Of these contained within these boundaries an undivided $\frac{1}{4}$ share.

In witness whereof we set our signatures to this and to two others of the same tenor the 2nd day of November, 1952 at Puloly West.

(Sgd.) V. KANAGARATNAM,

(Sgd.) V. K. SUBRAMANIAM.

Witnesses :

(Sgd.) R. SIVAPATHASUNDARAM.

(Sgd.) M. K. KANAPATHIPILLAI.

(Sgd.) P. KANAPATHIPILLAI,

(Sgd.) P. KANAPATHIPILLAI
Notary Public.

D 8
Deed of
Donation
No. 2797
attested by
P. Kanapathipillai,
Notary Public
2-11-52
—Continued.

I, Ponnampalam Kanapathipillai Notary Public do hereby certify and attest and I have read over and explained the foregoing instrument to the said Visuvanathar Kanagaratnam and Visuvanathar Kanagaratnam Subramaniam in the presence of the witnesses hereto Ratnasingam Sivapathasundaram of Karanavai South and M. Kandiah Kanapathipillai of Puloly West and I know the executants and witnesses and the said executants and witnesses have in my presence and they in the presence of one another signed at the same time on the 2nd day of November, 1952 at Puloly West and the original bears one stamp of Re. 1/- and the duplicate seven stamps of Rs. 332/-.

X X X X X X X

10

Date of attestation

2nd November, 1952.

(Sgd.) P. KANAPATHIPILLAI,

(Sgd.) P. KANAPATHIPILLAI,
Notary Public.

(Seal)

Translated by me :

(Sgd.)
Sworn Translator,
District Court, Point Pedro.

D 9
Deed of Donation
No. 2798
attested by
P. Kanapathipillai,
Notary Public
2-11-52

D 9

20

**Deed of Donation No. 2798 attested by
P. Kanapathipillai, Notary Public**

TRANSLATION

Donation
Lands 5
Rs. 1,850/-

2-11-1952.

No. 2798

Know all men by these presents that I Visuvanathar Kanagaratnam of Puloly West for and on account of the natural love I have towards my son ³⁰ Visuvanathar Kanagaratnam Subramaniam of the same place and for other good causes which would urge me to this act do hereby set over and convey by way of donation unto the said Visuvanathar Kanagaratnam Subramaniam the properties mentioned in the following schedule worth Rs. 1,850/-.

I do hereby declare that the 1st, 2nd and 3rd properties mentioned in the said schedule belong to me as per final partition decree in Case No. 2263 of the District Court of Anuradhapura and the 4th and 5th properties as per transfer deed No. 6196 dated 6th January, 1952 and attested by V. K. Subramaniam Notary in my favour and by possession.

D 9
Deed of Donation
No. 2798
attested by
P. Kanapathipillai,
Notary Public
2-11-52
—Continued.

I the donee the said Subramaniam have accepted this donation with gratitude.

The aforesaid Schedule

Land situated at Pandarapuliampulam in Anuradhapura Town, Anuradhapura District North Central Province called Ipalawela Pahalawela Kakka Mottawella in extent 33 acres 2 roods and 24 perches as per plan No. 662 dated the 14th February 1942 and prepared by T. Subramaniam Licensed Surveyor and filed along with the aforesaid final partition decree in Case No. 2263. Of this lot No. 4 in the said plan in extent 2 roods and 16 perches and bounded on the East and South by Crown land, North by the property of the Plaintiff in Case No. 2263 and West by lot 3 in the said plan. Of these contained within these boundaries an undivided half share.

2. Lot No. 5 in the said plan in extent 3 acres and 8 perches and bounded on the East by the property of the Plaintiff in the said Case No. 2263 North by Crown land, West by lot No. 6 in the said plan and South by the property of Pulankulama. Of the whole of those contained within these boundaries an undivided half share.

3. Lot No. 9 in the said plan in extent 1 acre 1 rood and 16 perches and bounded on the East by Lot No. 8 in the said plan, North by Crown land, West Lot No. 10 in the said plan and South by the property of Pulankulama. Of those contained within these boundaries an undivided half share.

In Naduchettikulapahuthy in Vavuniya South Vavuniya District Northern Province.

4. Land situated at Saththirikulamkulam Irai Lot No. 4177/1624 in Government Survey Plan No. 309266 called Kelkaddukadu in extent 3 acres 2 roods and 28 perches and land situated at — Do — called Palaiadikamam the lot described P.P. 6234/1 in Government Plan No. 368201 in extent 1 acre 3 roods and 16 perches and land situated at — Do — Karampaikadu the lot marked P.P. 7027/1 described in Government Plan No. 398938 in extent 1 acre and 12 perches, total in extent 6 acres 2 roods and 16 perches. Of this an extent of 3 acres, 1 rood and 8 perches according to possession on the east and bounded on the East and North by Crown property, West by the property of Sinnapillai Kothandar and South by the property of Nagamany Muttiah. Of those contained within these boundaries an undivided half share.

D 9
Deed of Donat ion
No. 2798
attested by
P. Kanapathipillai,
Notary Public
2-11-52
—Continued.

5. Land situated at Marukarampani Irai lot marked P.P. 7484/2 described in Government Plan No. 413735 called Karampanikadu in extent 3 acres and perches 39. Of this an extent of 1 acre 2 roods and 19 1/2 perches according to possession on the North and bounded on the East by the property of Suppiah Kulasingam, North by the property of Sinniah Naganmany, West by Crown land and South by the property of the heirs of Sinnapillai Subramaniam. Of those contained within these boundaries an undivided half share.

In witness whereof we set our signatures to this and to two others of the same tenor on the 2nd day of November, 1952 at Puloly West. 10

(Sgd.) V KANAGARATNAM,

(Sgd.) V. K. SUBRAMANIAM.

Witnesses :

(Sgd.) R. SHIVAPATHASUNDARAM,

(Sgd.) M. K. KANAPATHIPILLAI.

(Sgd.) P. KANAPATHIPILLAI,
Notary Public.

I Ponnampalam Kanapathipillai Notary Public do hereby certify and attest that I have read over and explained the foregoing instrument to the said parties in the presence of the witnesses hereto and I know them and the said parties and witnesses have in my presence and they in the presence of one another signed at the same time on the 2nd day of November, 1952 at Puloly West and the original bears one stamp of Re. 1/- and the duplicate 3 stamps of Rs. 35/-.

X X X X X X X

Date of attestation :

2nd November, 1952.

(Sgd.) P. KANAPATHIPILLAI,
Notary Public.

(Seal)

Translated by me :

30

(Sgd.)
Sworn Translator,
District Court, Point Pedro.

D 10

Deed of Donation No. 2799 attested by

P. Kanapathipillai, Notary Public

D 10
Deed of Donation
No. 2799
attested by
P. Kanapathipillai,
Notary Public
2-11-52

TRANSLATION

2-11-1952.

Donation
Land 10.
Rs.10,000/-.

No. 2799

¹⁰ Know all men by these presents that I Visuvanathar Kanagaratnam of Puloly West for and on account of the natural love I have towards my daughter Meenamamah wife of Alvapillai Rajaratnam of the same place and for other good causes which would urge me to this act do hereby set over and convey by way of donation unto the said Meenamamah wife of M. Alvapillai Rajaratnam the properties mentioned in the following schedule worth Rs. 10,000/-.

Title of Properties

I do hereby declare that out of the following properties, the 1st property belongs as per transfer deed No. 2792 dated the 18th February, 1935 and attested by V. Senathirajasegaram Notary in my favour and the 2nd and 3rd properties as per transfer Deed No. 3518 dated the 28th day of June, 1936 and attested by V. Senathirajasegaram Notary in my favour and the 4th property as per donation Deed No. 10834 dated 25th December, 1909 and attested by P. Chithamparapillai Notary in my favour and the 5th property as per conveyance No. 7684 dated 30th June, 1906 and attested by P. Chithamparapillai Notary in my favour and in favour of my brother and the 6th, 7th and 8th properties as per final partition decree in Case No. 2263 of the District Court of Anuradhapura in my favour and the 9th and 10th properties as per transfer deed No. 6196 dated the 6th day of January, 1952 and ³⁰ attested by V. K. Subramaniam Notary in my favour and by possession.

I the said Meenamamah the donee do hereby accept this donation with the consent of my husband M. Alvapillai Rajaratnam.

Schedule of Property

In Kaddaiveli parish Vadamaradchy Division Jaffna District Northern Province.

1. Land situated at Alvai Malavarayakurichchy called Vathiyavilanai in extent 60 Lachchams V.C. —do— 2, $\frac{5}{8}$ Lachchams v.c. — Do — 17, $\frac{1}{4}$ Lachchams V.C. — Do — thoddam 1 — Do — 29, $\frac{1}{4}$ Lachchams V.C., total in extent 110 Lachchams V.C. and 8, $\frac{1}{4}$ kulies. Of this excluding ⁴⁰ $\frac{1}{4}$ Lachchams V.C. on the East taken for the burial ground the remaining

D 10
Deed of Donation
No. 2799
attested by
P. Kanapathipillai,
Notary Public
2-11-52
—Continued.

in extent 90 Lachchams V.C. and 3, 3/4 kulies. This is in extent 92 Lachchams V.C. and 5, 1/4 kulies as per plan No. 523 prepared by K. Velauthan Licensed Surveyor and bounded on the East by lane and by burial ground North by the property of Valliappar Vethavanam West by the property of Valliappar Vethananam and by Sinnathangachchy wife of Chinniah and others and South by the property of Valliappar Vethavanam and others. Of the ground wells and the buildings where the water drawing machine is kept contained within the boundaries an undivided 1/4 share and the share of the parapet wall on the Northern side of the Western boundary in Point Pedro Parish.

10

2. Land situated at Puloly West Singapahuthevankurichchy called Thevakaladdy in extent 15, 7/8 Lachchams V.C. Of this the extent for 5/12 share on the East according to possession at present is 7 Lachchams V.C. with palmyrahs and ilanthai trees and bounded on the East by the following 3rd property, North by the property of Kathirithamby Subramaniam and others, West by the property of Sethupillai wife of Sinnathambiar and others and South by the property of Suppar Murugesar and others. Of the whole of this an undivided half share.

3. Land situated at — Do — called Thevakaladdy in extent 15, 1/4 Lachchams V.C. with palmyrahs, vadalies and ilanthai trees and bounded on the East by the property of Ramu Alvar and others, North by the property of Thangammah wife of Subramaniam and others, West by the aforesaid 1st property and South by the property of Vallaithai wife of Kathiripillai and others. Of the whole of this an undivided 1/3 share.

4. Land situated at Puloly West Malavarayakurichchy called Alagiawattai in extent 9, 1/8 Lachchams V.C. and land situated at Singapahuthevankurichchy called Alagiawattai 10 Lachchams V.C. these parcels of ground with the palmyrahs, vadalies and margosa trees and bounded on the East by the property of Kathirgamar Kanapathipillai and others, North by the property of the heirs of Vinaithithar Paramu and others West by the property of the heirs of Kathirithamby Ponniah and others and South by the village limit of Alvai, of those contained within these boundaries an undivided 1/32 share.

5. Land situated at Puloly West Malavarayakurichchy called Nedunkulavelitheni Thenkilakkil Metku in extent 72 Lachchams V.C. — Do — 16, 5/8 Lachchams V.C. — Do — Vayal 23, 1/4 Lachchams P.C. thoddams — Do — 5, 3/8 Lachchams V.C. Of this out of the 1st parcel in extent 72 Lachchams V.C. an extent of 13 Lachchams V.C. on the East out of 26 Lachchams V.C. in the middle out of the ground on the West of the street passing through with well and coconut trees and bounded on the East by lane, North by the property of Sivakamipillai widow of Murugappar and others, West by the property of the heirs of Sinnapillai wife of Kathirithamby and others and South by the property of Parupathipillai wife of Paramu Sithamparapillai. Of the whole of those contained within these boundaries an undivided half share 4, 2/3 share.

6. Land situated at Pandarapuliakulam in Anuradhapura Town in Anuradhapura District North Central Province called Ipalawela Phahala-wela Kakkamuddawella in extent 33 acres 2 roods and 24 perches as per plan No. 662 dated the 14th February, 1942 and prepared by T. Subramaniam Licensed Surveyor and filed along with the aforesaid final partition decree in Case No. 2263. Of this lot No. 4 in the said plan in extent 2 roods and 16 perches and bounded on the East and South by Crown land, North by the property of the Plaintiff in Case No. 2263 and West by lot 3 in the said plan. Of those contained within these boundaries an undivided half share.

D 10
Deed of Donation
No. 2799
attested by
P. Kanapathipillai,
Notary Public
2-11-52
—Continued.

10 7. Lot No. 5 in the said plan in extent 3 acres and 8 perches and bounded on the East by the property of the Plaintiff in the said Case No. 2263 North by Crown land, West by lot No. 6 in the said plan and South by the property of Pulankulama. Of the whole of those contained within these boundaries an undivided half share.

8. Lot No. 9 in the said plan in extent 1 acre 1 rood and 16 perches and bounded on the East by lot No. 8 in the said plan, North by Crown land, West by lot No. 10 in the said plan and South by the property of Pulankulama. Of those contained within these boundaries an undivided half share.

20 In Naduchettikula Division Vavuniya South Vavuniya District Northern Province.

9. Land situated at Saththirikulankulam Lot No. 4177/1624 in Government Survey Plan No. 309266 called Kilkaddukadu in extent 3 acres 2 roods and 28 perches and land situated at — Do — called Palaiadikamam the lot marked P.P. 6234/1 in Government plan No. 368201 in extent 1 acre 3 roods and 16 perches total in extent 6 acres 2 roods and 16 perches according to possession on the East and bounded on the East and North by Crown land, West by the property of Sinnapillai Kothandar and South by the property of Nagamany Muttiah. Of these contained within these boundaries an undivided half share.

30 10. Land situated at Marukarampan Irai lot marked P.P. 7484/2 described in Government plan No. 413735 called Karampaikadu in extent 3 acres 2 roods and 19, 1/2 perches according to possession on the North and bounded on the East by the property of Suppiah Kulasingam, North by the property of Sinniah Nagamany, West by Crown land and South by the property of the heirs of Sinnapillai Subramaniam. Of those contained within these boundaries an undivided half share.

In witness whereof we set our signatures to this and to two others of the same tenor on the 2nd day of November, 1952 at Puloly West.

(Sgd.) V. KANAGARATNAM,

(Sgd.) M. A. RAJARATNAM,

(Sgd.) R. MEENAMMAH.

Witnesses :

(Sgd.) R. SIVAPATHASUNDARAM,

(Sgd.) M. K. KANAPATHIPILLAI.

(Sgd.) P. KANAPATHIPILLAI,
Notary Public.

D 10
Deed of Donation
No. 2799
attested by
P. Kanapathipillai,
Notary Public
2-11-52
—Continued.

I Ponnampalam Kanapathipillai Notary Public do hereby certify and attest that I have read over and explained the foregoing instrument to the said parties in the presence of the witnesses hereto and I know them and the said parties and witnesses have in my presence and they in the presence of one another signed at the same time on the 2nd day of November, 1952 at Puloly West and the original bears one stamp of Re. 1/- and the duplicate six stamps of Rs. 168/-.

X X X X X X X

(Sgd.) P. KANAPATHIPILLAI,

(Sgd.) P. KANAPATHIPILLAI,
Notary Public.

10

Date of Attestation :

2nd November, 1952.

(Seal)

Translated by me :

(Sgd.)
Sworn Translator,
District Court, Point Pedro.

D 11
Deed of Donation
No. 2801
attested by
P. Kanapathipillai,
Notary Public
2-11-52

D 11

Deed of Donation No. 2801 attested by

P. Kanapathipillai, Notary Public.

20

TRANSLATION

Prior Registration Jaffna
1st, 2nd & 5th lands A 44/152,
239/258, & 286/184.

Donation,
Lands 7.
Rs. 16,000/-.

2-11-1952.

No. 2801

Know all men by these presents that I Visuvanathar Kanagaratnam of ⁸⁰ Puloly West for and on account of natural love I have towards my son V. Kanagaratnam Sangarapillai of the same place and for other good causes which would urge me to this act do hereby set over and convey by way of donation unto the said V. Kanagaratnam Sangarapillai the properties mentioned in the following schedule worth Rs. 16,000/- subject to the following bindings.

Title of Property

D 11
Deed of Donation
No. 2801
attested by
P. Kanapathipillai,
Notary Public
2-11-52
—Continued.

I do hereby declare that out of the following properties, the 1st property belongs as per transfer deed No. 2792 dated the 18th day of February, 1935 and attested by V. Senathirajasegaram Notary Public in my favour and the 2nd property as per transfer Deed No. 4687 dated 13th November, 1948 and attested by V. K. Subramaniam Notary Public in my favour and the 3rd and 4th properties as per transfer Deed No. 4915 dated 9th March, 1942 and attested by C. Krishnapillai Notary Public and the 5th property as per transfer deed No. 186 dated 24th March, 1941 and attested by V. K. Subramaniam Notary and the 6th property as per final partition decree in Case No. 17656 of the District Court of Jaffna and the 7th property as per final partition decree in Case No. 2263 of the District Court of Anuradhapura and by possession and endorsement is made on the said Deed No. 2792 and I deliver herewith the other deeds and this donee shall not have the right to transfer or donate or mortgage or otty these properties to others except he could dowry or donate to his children and will not subject to such debts and fines and he should possess these properties during his life time and allow them to his decendants and if he happens to die without children these properties should devolve in equal shares to his brothers, Subramaniam, Visuvanathar and sister Meenamamah wife of Rajaratnam or to their heirs.

I the donee the said Sangarapillai do hereby accept this donation with gratitude subject to the aforesaid bindings.

Schedule of Property

In Kaddaiveli Parish Vadamaradchy Division Jaffna District Northern Province.

1. Land situated at Alvai Malavarayakurichchy called Vathiyavilanai in extent 60 Lachchams V.C.—Do — 2, 5/8 Lachchams V.C. — Do — 17, 1/4 Lachchams V.C. — Do — thoddam 1 — Do — 29, 1/4 Lachchams V.C. total in extent 110 Lachchams v.c. and 8, 1/4 kulies. Of this excluding 20, 1/4 Lachchams v.c. on the East taken for the burial ground the remaining in extent 90 Lachchams v.c. and 3, 3/4 Kulies. This is in extent 92 Lachchams V.C. and 5, 1/4 kulies as per plan No. 523 prepared by K. Velautham Licensed Surveyor and bounded on the East by lane and by burial ground, North by the property of Valliappar Vethavanam. West by the property of Valliappar Vethavanam and by the property of Sinnathangachy wife of Sinniah and others. And South by the property of Valliappar Vethavanam. Of the ground, wells and the building where the machine to draw water contained within these boundaries an undivided 1/4 share and share of the parapet wall on the Northern side of the Western boundary

40 In Point Pedro Parish.

2. Land situated at Puloly West Singapahuthevankurichchy called Vatkalasiddy in extent 2, 3/4 Lachchams V.C. and land situated at Puloly West Veerapakuthevankurichchy called Vatkalasiddy in extent 1, 3/4 Lachchams V.C. Veedu 1. The extent in possession of this land is 8 Lachchams

D 11
Deed of Donation
No. 2801
attested by
P. Kanapathipillai,
Notary Public
2-11-52
—Continued.

V.C. Of these the Western half share in extent 4 Lachchams V.C. and bounded on the East by the property of Alvapillai Sathasivam, North and West by the property of Alvapillai Thamotherampillai and others and South by road. The whole of the ground and palmyrahs contained within these boundaries.

3. Land situated at Puloly West Singapahuthevankurichey called Manthiodai in extent 26 Lachchams V.C. Of this $\frac{5}{8}$ share on the South and out of the remaining $\frac{3}{8}$ share, $\frac{2}{3}$ share of the East form one lot. Of this lot Nos. 9, 10 and 11 as per plan dated the 19th October 1908 and prepared by Kathirgamar Kanapathipillai Licensed Surveyor in extent 4 Lachchams V.C. and 16, $\frac{10}{32}$ kulies with palmyrahs and bounded on the East by the property of Sithamparam Sinniah and others, North by water channel, West, by the property of Ponnammah wife of Rasiah and South by the following 4th property. The whole hereof and the share of well and the right of way and water course. ¹⁰

4. Land situated at — Do — called Manthiodai out of the lot formed by two shares, lot No. 8 of the aforesaid plan in extent 16 $\frac{20}{32}$ kulies and bounded on the East by the property of Sithamparam Sinniah and others, North by the aforesaid 3rd property, West by the property of Ponnammah wife of Rasiah and South by the property of Theivanai widow of Maniccan. ²⁰ The whole hereof and the share appertaining to this of the well and the right of way and water course.

5. Land situated at — Do — called Manthiodai. Out of the lot formed by two shares lot No. 2 in the aforesaid plan in extent 4 Lachchams v.c. and 2, $\frac{20}{32}$ kulies with palmyrahs and bounded on the East by the property of Theivanaipillai wife of Muttukumarasamy and others, North by the property of Sithamparam Manikkam, West by the property of Kanapathiar Kumarappan and others and South by road. The whole of the ground buildings and the newly sunk well contained within these boundaries.

6. Land situated at Puloly West Malavarayakurichey called Nedun-³⁰ kulatvelithenylakilakilmelku in extent 53 Lachchams V.C. and 10 kulies with wells. Of this lot No. 5 in plan No. 1450 dated the 12th May, 1937 and prepared by K. Velmurgu Licensed Surveyor and filed in the aforesaid case in extent 4 Lachchams V.C. and 2, $\frac{5}{16}$ kulies and bounded on the East by the property of Maheswary wife of Balakrishnan, North by property belonging to Alady Pillaiyar Temple, West by the property of Sothilingam and South by road. The whole of those contained within these boundaries.

7. Land situated at Pandarapuliyamkulam in Ihalaweewa in Kenda Korale Nuwarakam palatha in Anuradhapura District North Central Province called Siampalawella in extent 39 acres 3 roods 20.9 perches as per ⁴⁰ plan dated 5th October, 1942 and prepared by C. J. Sabapathy Licensed Surveyor and filed along with the final partition decree in the aforesaid case No. 2309. Of this lot 1 in the said plan in extent 3 acres, 1 rood and .087 perches and bounded on the East by Railway Station, North by lot No. 2 in the said plan, West and South by lot marked 1D in the said plan. The whole of those contained within these boundaries.

In witness whereof we set our signatures to this and to two others of the same tenor on the 2nd day of November, 1952 at Puloly West.

D 11
Deed of Donation
No. 2801
attested by
P. Kanapathipillai,
Notary Public
2-11-52
—Continued.

(Sgd.) V KANAGARATNAM,
(Sgd.) V. K. SANGARAPILLAI.

Witnesses :

(Sgd.) R. SIVAPATHASUNDARAM,
(Sgd.) M. K. KANAPATHIPILLAI.

(Sgd.) P KANAPATHIPILLAI,
(Sgd.) P. KANAPATHIPILLAI.
Notary Public.

10

I Ponnampalam Kanapathipillai Notary Public do hereby certify and attest that I have read over and explained the foregoing instrument to the said Visuvanathar Kanagaratnam and Visuvanathar Kanagaratnam Sangarapillai in the presence of the witnesses hereto Ratnasingam Sivapathasundaram of Karanavai South and M. Kandiah Kanapathipillai of Puloly West and I know the parties and witnesses and the said parties and witnesses have in my presence and they in the presence of one another signed at the same time on the 2nd day of November, 1952 at Puloly West and the original bears one stamp of Re 1/- and the duplicate 6 stamps of Rs. 261/-.

X X X X X X X

20 Date of attestation :
2nd November, 1952.

(Sgd.) P. KANAPATHIPILLAI,
(Sgd.) P. KANAPATHIPILLAI,
Notary Public.

(Seal)

Translated by me :

(Sgd.)
Sworn Translator.
District Court, Point Pedro.

30

P 43

**Deed of Lease No. 2511 attested by
T. Mylvaganam, Notary Public**

P 43
Deed of Lease
No. 2511 attested
by T.
Mylvaganam,
Notary Public
24-7-59

Application No. 77
13-7-1960.

Lease.
1-Land,
Rs. 576.

No. 2511

This indenture made between Viswanathar Kanakarathnam of Puloly West (hereinafter called the Lessor) of the one part and Secniyar Murugesu of Kopay North presently of Wessagiriya Anuradhapura (hereinafter called the Lessee) of the other part Witnesseth that in consideration of the sum of

40

P 43
Deed of Lease
No. 2511 attested
by T.
Mylvaganam,
Notary Public
24-7-59
—Continued.

three bushels of paddy for each paddy sowing bushel and also in consideration of the further rents hereby reserved and the covenants and agreements hereinafter contained on the part and on behalf of the said Lessee to be paid and performed the said Lessor do hereby let, lease and devise unto the said Lessee, the land and premises in the schedule hereto morefully described.

To hold the said premises hereby devised with all and singular, easements, rights, and appurtenances, thereto belonging or therewith used or enjoyed unto the said Lessee, heirs, executors, administrators and assigns from the Yala season, Thousand nine hundred and fifty nine for and during the term of fully to be complete and end, ended, yielding and paying therefor¹⁰ during the said term unto the said Lessor his and heirs, executors, administrators, the Forty Eight bushels of paddy per cultivation season and said Lessee do hereby for himself his heirs, executors Administrators or assigns covenant with the said Lessor his heirs, executors administrators and assigns that the said Lessee or his aforewritten shall and will during the continuance of this lease pay the said rent in manner hereinbefore appointed and keep the said premises in clean and tenantable condition shall and will at the termination of this lease peaceably quit and surrender unto the said Lessor or his heirs executors, administrators or assigns and the said Lessor do hereby for himself his heirs, executors and administrators or assigns²⁰ covenant, with the said Lessee his heirs, executors assigns that the said Lessee and his aforewritten paying the said rent in manner hereinbefore appointed and observing and performing the covenants and agreements on his part herein contained shall and may hold, occupy and enjoy the said premises during the term hereby devised without any let suit eviction or disturbance by or on the part of any person or persons lawfully claiming the said premises or any right over or share or interest in the same provided always that if the said or his aforewritten shall permit or allow the rent hereby reserved or any part thereof to be in arrears and unpaid after any of the days on which the same shall become due according to the true intent and meaning hereof or if the said or his aforewritten shall be guilty of a breach or non-performance of any of the other covenants or agreements on these presents contained, on the part of Lessor or his aforewritten to be performed it shall be lawful for the said Lessor or his heirs aforewritten, at any time thereafter to cancel and determine these presents and eject the said Lessee and his aforewritten from the said devised premises anything herein contained to the contrary notwithstanding.³⁰

In witness whereof the said Lessor, and the said Lessee have hereunto and to two others of the same tenor as these presents set their respective hands at Anuradhapura this Twenty Fourth day of July One Thousand nine hundred and fifty nine.⁴⁰

The Schedule referred to

Land situated at Puliyankulam in the Division of Town in the District of Anuradhapura of the North Central Province called Siyambalawela in extent 39 acres 3 Roods and 20·9 perches as depicted in plan No. 670 dated 5.10.1942 and prepared by C. J. Sabapathy Licensed Surveyor of this 1 Lot No. 1 in extent 3 acres 1 rood and 08·7 perches and bounded on the East by

Reservation on the North by Lot No. 2 in the said plan and on the West and South by lot 1 D in the said plan. The whole of those contained within these boundaries.

2. Lot No. 6 in extent 4 acres 2 roods and 27.5 perches and bounded on the East by Lot No. 12 in the said plan on the North by Railway Reservation.

Witnesses :

1. (Sgd.) Illegibly
 10 2. (Sgd.) Illegibly

(Sgd.) V. KANAKARATNAM,
 (Sgd.) in Tamil

(Sgd.) S. MURUGESU,

(Sgd.) T. MYLVAGANAM,
Notary Public.

I, Thiagarajah Mylvaganam of Anuradhapura Notary Public do hereby certify and attest that the foregoing instrument having been duly read over and explained by me to the within named Lessor and Lessee the executants hereof who are known to me in the presence of Mohammed Marikar Thaibudeen and Tikiri Banda Jayatilake Wijeratna both of Anuradhapura the
 20 attesting witnesses hereto both of whom known to me the same was signed by the said executant and also by the said witnesses in my presence and in the presence of one another all being present at the same time at Anuradhapura on this Twenty Fourth day of July, 1959. I further certify and attest that no consideration passed in my presence that the duplicate bears one stamp of the value of Rs. 10/- and the original one stamp of the value of Re. 1/-.

Date of Attestation :

24th July, 1959.

(Sgd.) T. MYLVAGANAM,
Notary Public.

30 (Seal)

I, R. Gunasekera, Registrar of Lands, Anuradhapura, do hereby certify that the foregoing is a true copy of a deed of a Lease Bond made from the duplicate filed of record in this office, and the same is granted on the application of T. Mylvaganam Esquire, Proctor S.C. Anuradhapura.

(Sgd.) R. GUNASEKERA,
Registrar of Lands.

Land Registry,
 Anuradhapura,
 13th July, 1960.

P 43
 Deed of Lease
 No. 2511 attested
 by T.
 Mylvaganam,
 Notary Public
 24-7-59
 —Continued.

Extracts from the Registration Entries in the Land Register
at Anuradhapura Land Registry

5-3-02

A8/287, 8/3, 8/49, 16/331, 22/312.

Division : A *Volume* : 3 *Folio* : 10

Folio 287 *Volume* : *Folio* :

This forms a portion of property in A/44

Brought forward from

Name of Land : An allotment of land

Village or Town and Street : Basawakkulama

T. P. No. : 131745

Allot No. : 448

Asst. No.

Situation {

Pathu : Nuwaragam *Kovale* :

District : Nuwaragam Kalaviya *Province* : North Central

Extent : 6A. 3R. 32P. 29

Boundaries :—

N. By a water course a path and land purchased by D. Godage Muhandiram. 10

E. By lands purchased by M. D. Sellaya and H. Kavumuni.

S. By land purchased by M. S. K. K. N. Mohitin Levuai land described in Plan No. 131742 and by a water course.

South West, West and North West by a water course.

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
9th May, 1885	The Government of Ceylon	Ena Ponnamma daughter of A. Alviar of Anuradhapura	Transfer of the above Consideration Rs. 150/-	20th April, 1885	G. T. de O'Brien Acting Col. Secretary	2/-	(Sgd.) S. Outschoorn	

Carried over to : *Volume* : *Folio* : 3 80

Division : A Volume : 8

Folio : 3 Volume : Folio :

Brought forward from : A3

287

Name of Land : Allotment of land 448

Village or Town and Street : Basawakkulama

T. P. No. : 181745

Allot No.

Asst. No.

Pattu : Nuwaragam

Korale : Nuwaragam

Province : North Central

District : Nuwaragam Kalaviya

Extent : Six acres three roods and thirty two perches.

Boundaries :—

North by land said to belong to Sidharta Unhanse.

South by the field of Don Gregoris Appuhamy ex-constable and others.

East by the property of M. D. Selliah and H. Kavumuni.

West by the property of Timbiriwewa President and Ela.

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
6th July, 1895	Ena Ponnamma daughter of Alwar	A. Alwarpillai of Anuradhapura	Transfer of the above Consideration Rs. 200/-	9208 25th February, 1898	I. N. Paranagama	2/-	(Sgd.) D. H. de Silva.	—
10th October, 1899	A. Alvarpulle of Anuradhapura	T. Ponnambalam, Secretary, District Court, Anuradhapura	The above land is mortgaged with another for Rs. 600/- with interest at 15% per annum.	18168 1st October, 1899	I. N. Paranagama	5/-	(Sgd.) T. Ponnambalam.	4058 Vide Aiii 261
14th May, 1908	Avanna Alvarpulle alias Arumugam Alvarpulle of Anuradhapura	Avanna Alvarpullege Nachipulle of Puloly West in Jaffna	The above land valued at Rs. 500/- is gifted over with nine other properties.	75 11th May, 1908	G. H. R. Jayamanne Notary	—	(Sgd.) P. K. Sethukavalalar.	D. B. 1770
							Carried over to	Volume : Folio : 49

Division : A Volume : 8

<p>Boundaries :—</p> <p>North by a water course a path and land purchased by D. Godage Muhandiram.</p> <p>East by land purchased by M. D. Sellaya and H. Kavumuni.</p> <p>South by land purchased by M. S. K. K. N. Mohideen Lebbe described in plan No. 131742 and by a water course.</p> <p>South West, West and North West by a water course.</p> <p>Extent : 6 Acres 3 roods 32 perches</p>		<p>Boundaries :—</p> <p>North by a water course a path and land purchased by D. Godage Muhandiram.</p> <p>East by land purchased by M. D. Sellaya and H. Kavumuni.</p> <p>South by land purchased by M. S. K. K. N. Mohideen Lebbe described in plan No. 131742 and by a water course.</p> <p>South West, West and North West by a water course.</p> <p>Extent : 6 Acres 3 roods 32 perches</p>		<p>Boundaries :—</p> <p>North by a water course a path and land purchased by D. Godage Muhandiram.</p> <p>East by land purchased by M. D. Sellaya and H. Kavumuni.</p> <p>South by land purchased by M. S. K. K. N. Mohideen Lebbe described in plan No. 131742 and by a water course.</p> <p>South West, West and North West by a water course.</p> <p>Extent : 6 Acres 3 roods 32 perches</p>		<p>Boundaries :—</p> <p>North by a water course a path and land purchased by D. Godage Muhandiram.</p> <p>East by land purchased by M. D. Sellaya and H. Kavumuni.</p> <p>South by land purchased by M. S. K. K. N. Mohideen Lebbe described in plan No. 131742 and by a water course.</p> <p>South West, West and North West by a water course.</p> <p>Extent : 6 Acres 3 roods 32 perches</p>		
<p>Folio : 49</p> <p>Volume : 8</p> <p>Brought forward from Folio : 3</p> <p>Name of Land : An allotment of land bearing No. 448</p> <p>Village or Town and Street : Basawakkulama</p> <p>Situation</p> <p>Pathu : Nuwaragam Korale : Nuwaragam</p> <p>District : Nuwaragam Kalaviya Province : North Central</p>	<p>Folio : 49</p> <p>Volume : 8</p> <p>Brought forward from Folio : 3</p> <p>Name of Land : An allotment of land bearing No. 448</p> <p>Village or Town and Street : Basawakkulama</p> <p>Situation</p> <p>Pathu : Nuwaragam Korale : Nuwaragam</p> <p>District : Nuwaragam Kalaviya Province : North Central</p>	<p>Folio : 49</p> <p>Volume : 8</p> <p>Brought forward from Folio : 3</p> <p>Name of Land : An allotment of land bearing No. 448</p> <p>Village or Town and Street : Basawakkulama</p> <p>Situation</p> <p>Pathu : Nuwaragam Korale : Nuwaragam</p> <p>District : Nuwaragam Kalaviya Province : North Central</p>	<p>Folio : 49</p> <p>Volume : 8</p> <p>Brought forward from Folio : 3</p> <p>Name of Land : An allotment of land bearing No. 448</p> <p>Village or Town and Street : Basawakkulama</p> <p>Situation</p> <p>Pathu : Nuwaragam Korale : Nuwaragam</p> <p>District : Nuwaragam Kalaviya Province : North Central</p>	<p>No. and Date of Deed</p> <p>Crown grant dated 28th April 1885</p>	<p>Name of Notary, Judge, &c.</p> <p>Vide Folio 47</p>	<p>Regn. Stamp Duty</p> <p>—</p>	<p>Signature of Registrar</p> <p>(Sgd.) S. Outschoorn</p>	<p>REMARKS</p> <p>For subsequent transactions see A 16/331</p>
<p>Date of Registry (Day Book No. and Date)</p> <p>Vide Folio 47</p>	<p>Grantors (Names in full, and residence)</p> <p>Vide Folio 47</p>	<p>Grantees (Names in full, and residence)</p> <p>Vide Folio 47</p>	<p>Nature and Particulars of Alicnations and Incumbrances (To be concisely and clearly stated)</p> <p>Vide Folio 47</p>	<p>No. and Date of Deed</p> <p>Crown grant dated 28th April 1885</p>	<p>Name of Notary, Judge, &c.</p> <p>Vide Folio 47</p>	<p>Regn. Stamp Duty</p> <p>—</p>	<p>Signature of Registrar</p> <p>(Sgd.) S. Outschoorn</p>	<p>REMARKS</p> <p>For subsequent transactions see A 16/331</p>
<p>Date of Registry (Day Book No. and Date)</p> <p>Vide Folio 47</p>	<p>Grantors (Names in full, and residence)</p> <p>Vide Folio 47</p>	<p>Grantees (Names in full, and residence)</p> <p>Vide Folio 47</p>	<p>Nature and Particulars of Alicnations and Incumbrances (To be concisely and clearly stated)</p> <p>Vide Folio 47</p>	<p>No. and Date of Deed</p> <p>Crown grant dated 28th April 1885</p>	<p>Name of Notary, Judge, &c.</p> <p>Vide Folio 47</p>	<p>Regn. Stamp Duty</p> <p>—</p>	<p>Signature of Registrar</p> <p>(Sgd.) S. Outschoorn</p>	<p>REMARKS</p> <p>For subsequent transactions see A 16/331</p>
<p>Date of Registry (Day Book No. and Date)</p> <p>Vide Folio 47</p>	<p>Grantors (Names in full, and residence)</p> <p>Vide Folio 47</p>	<p>Grantees (Names in full, and residence)</p> <p>Vide Folio 47</p>	<p>Nature and Particulars of Alicnations and Incumbrances (To be concisely and clearly stated)</p> <p>Vide Folio 47</p>	<p>No. and Date of Deed</p> <p>Crown grant dated 28th April 1885</p>	<p>Name of Notary, Judge, &c.</p> <p>Vide Folio 47</p>	<p>Regn. Stamp Duty</p> <p>—</p>	<p>Signature of Registrar</p> <p>(Sgd.) S. Outschoorn</p>	<p>REMARKS</p> <p>For subsequent transactions see A 16/331</p>

Division : A

Volume 16

P 19
Extracts from
the Registration
Entries of the
Land Register
at Anuradhapura
Land Registry
—Continued.

Folio : 381

Previous transactions in A8/49

Folio :

Volume :

Boundaries :—

Brought forward from :

North by a water course a path and land purchased by D. Godage Muhandiram.

Name of Land : Lot 448

East by land purchased by M. D. Sellaya and H. Kavumuni.

Village or Town and Street : Basawakkulama

South by land purchased by M. S. K. K. Mohideen Lebbe described in Plan No. 181742 and by a water course.

Galkandawala Tulana

T.P. No.

Situation

South West, West and North West by a water course.

Pattu : Kande

Korale : Nuwaragam Palatha

District : Anuradhapura

Province : North Central

Extent : (A. 6 R. 3 P. 32) Six acres three roods thirty-two perches

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Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
22nd June, 1906 3639	Awanna Alwar Pulle alias Arumugam Alwar Pulle of Anuradhapura	Awanna Alwar Pullege Nachchipulle of Puloly West in Point Pedro	Gift of the life interest reserved by the Grantor by Deed No. 75 attested by G. H. R. Jayamanne—Value Rs. 30/-	96 dated 3rd June 1903	G. H. R. Jayamanne Notary Public	—	(Sgd.) E. B. Jacolyn	Total value Rs. 300/- for this and land in A. 16/324 to 330, 332 and 99. N. Land of Sidharta Unnanse. S. Field of Don Hendrick de Silva and field of Migel and others. W. Land of Timbiriweve President and Ela. Extent-about Seven Acres as per this deed.
1907 6th July, 4412	Alwaripullege Nachchipulle of Puloly West in Jaffna	Meenachi, widow of Rangasamy of Anuradhapura Town	Mortgage of the above for Rs. 750/- and interest at 15% per annum	3262 17 May 1907	A. R. D. Z. S. Rajapaksa Notary Public	4/-	(Sgd.) Pontian Peiris	Boundaries and extent as per this deed. N. by land of Sidhartha Unnanse. E. by land of Sellaiya and others. S. by field of Don Hendrick Silva and the field of Migel and others. W. by the land of Timbiriweve President and canal (ela) Seven acres.
6th September, 4599	Meenachi, widow of Rangasamy of Anuradhapura	Alwaripullege Nachchipulle of Puloly West in Jaffna	Discharge of the above mortgage Bond No. 3262 dated 17th May, 1907	Discharge dated 5th September 1907		1/-	(Sgd.) Pontian Peiris Carried over to	Volume : A22 Folio : 312

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Division : A Volume : 22

Folio : 312 Volume : Folio : 331
Brought forward from : A16

Name of Land : Lot 448

Village or Town and Street : Basawakkulama

Galkadawala Tulana

T.P. No.

Allot No. : 448

Asst. No.

Patlu : Kande

Korale : Nuwaragam Palatha

Province : North Central

Extent : 6 — 3 — 32 Six acres Three roods Thirty-two perches.

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Boundaries :—

North by a water course a path and land purchased by D. Godage Mudaliyar.

East by a land purchased by M. D. Selaya and H. Kavumuni.

South by land purchased by M. S. K. K. Mohideen Lebbe described in plan No. 181742 and by a water course.

South West, West and North West by a water course.

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
1910 February, 6769	1. Murugappan Ambalawanapillai and wife Nachchippillai of Puloly West	Pena Vinasithamby Subramaniam Irrigation Sub-Inspector now of Anuradhapura	Transfer of an undivided half share of the above. Consideration Rs. 1,000/-	15298 1st February 1908	M. Subramaniam Notary Public	4/-	(Sgd.) Pontian Peiris	Plan No. 181745 Korale Nuwaragam. Boundaries North by property belonging to Sidhartia Unnanse and others. East by property belonging to the heirs of late M. D. Chelliah and others. South by property belonging to Don Hendrick de Silva & others. West by Timbiriwewe's property and Ela (channel or water course). Extent 7 acres (according to the deeds of gift attested) as per this deed.
1910 2nd February, 6770	Murugappan Ambalawanapillai and wife Nachchippillai of Puloly West	Viragattiyar Annamalai of Puloly West	Transfer of undivided half share of the above Consideration Rs. 1,000/-	15258 1st January 1908	M. Subramaniam Notary Public	4/-	(Sgd.) Pontian Peiris	Do. Do.
1910 14th March 6892	1. Vairavanathar Veerakathiar Subramaniam as and Veerakathiar Annamalai as surety both of Puloly West	Sovereign Lord the King	Mortgage of an undivided half share of the above as security for the due performance of the duties of a Notary by the First grantor For the registration of the land in folio 311 as partitioned Lots see A 55 47 to 50 Intld. A. W. de S. R. L. 8. 5. 13	No. 21st February 1910	R. N. Thaine, District Judge	Nil	(Sgd.) A. B. C. Abeyratne	Do. Do. Do. Do.

Volume : Folio :

Carried over to :

I, E. D. W. Gunasekara, Registrar of lands, Anuradhapura, do hereby certify that the above are true extracts made from the registration entries registered in Land Register Volumes A 3/287, 8/3, 8/49, 16/331, 22/312 up to and including 20th January, 1962 and the same is granted on the application of K. Chandrasekaram Esqr., of Anuradhapura.

Land District Registry,
Anuradhapura,
7th March, 1962.

(Sgd.) E. D. W. GUNASEKARA,
Registrar of Lands.

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Extracts from the Registration Entries in the Land Register at Anuradhapura Land Registry

Application No. 42

5-3-62
Folio A 55/47&A184/207P 20
Extracts from
the Registration
Entries in the
Land Register
at Anuradhapura
Land Registry

Division : A Volume : 55 Folio :
Folio : 47
Brought forward from.....
Name of Land : Lot Marked A in plan No. 80, forming the Northern portion of land in T.P. 134597
312 & 311
(Intld.) A. W. D. S.
Registrar of Lands.
8. 5. 15
T.P. No. 134597
Lot No.....
Asst. No.
Situation
Village or Town and Street : Basawakkulama
Anuradhapura Town
Nuwaragam Palatha
Pattu : Korale :
District : Anuradhapura Province : North Central

Boundaries :—

N. Land described in Plan No. 131807.

E. Reservation along the Road.

S. Land Lot marked B in the said Plan forming the Southern portion of the said land described in T.P. 134597 and allotted to V. Annamalai.

W. Land described in T.P. 131745.

Extent : A1 3R 20P

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
389 8 May 1915	Veeragathiar Annamalai of Kunchikulama 1st Grantor.	Periyathamby Vinasithamby Subramaniam of Anuradhapura, 2nd Grantor	Deed of Partition whereby the above is allotted to the 2nd Grantor.	306 9th June 1915	D. S. Arumukkan N. P.	Rs. 10/-	(Sgd.) A. W. de Silva	with lands in folios 48 to 50.
382 15th March 1939	Sinnathamby Vinasithamby of Puloly West in Point Pedro, Jaffna	Sinnathamby Kandiah of Basawakkulama	Transfer of an undivided one-seventh share of the above and of the plantations standing thereon. Consideration Rs. 400/- for this and another.	640 6th February 1939	K. Subramaniam, N. P.	—	(Sgd.) B. F. Nagahawatte	S. by the land Lot marked "B" in the said Plan forming the Southern portion of the said land described in TP134597 and allotted to V. Annamalai presently belonging to the heirs of P. Vinasithamby with land in folio 49.
161 15th January 1941	Sinnathamby Kandiah and wife Pasupathipillai—both of Basawakkulama.	Kandappar Vallipuram of Anuradhapura	Mortgage of undivided one-seventh of the above and of the buildings thereon for Rs. 250/- with interest at 15% if interest is paid regularly every six months it shall be accepted at 12% per annum.	4046 21st December 1940	A. Sivacolundu, N. P.	—	(Sgd.) W. D. W. Perera	Differences as per above with land in folio 49.
2334 13th November 1941	Nagamma, widow of Vinasithamby Subramaniam of Puloly West	Parupathipillai, wife of Sinnathamby Kandiah of Puloly West	Transfer of undivided one-seventh of the above. Consideration Rs. 400/- for this and another.	10270 8th October 1941	M. S. Kandiah, N. P. Jaffna.	—	(Sgd.) S. L. de S. Wikkramatilake	with land in Folio 49.
1085 10th June 1942	Kandappar Vallipuram of Anuradhapura	Sinnathamby Kandiah and wife Pasupathipillai both of Basawakkulama	Discharge of the above registered mortgage bond No. 4046	Discharge dated 3rd June 1942	(Sgd.) S. L. de S. Wikkramatilake	2/-	(Sgd.) S. L. de S. Wikkramatilake Carried over to :	with land in Folio 49. Volume : Folio : A 134 207

Division : A Volume : 134

P 20
Extracts from
the Registration
Entries in the
Land Register at
Anuradhapura
Land Registry
—Continued.

Folio : 207		Volume :		Folio :		Boundaries :-		
T.P. No. : 134597		Brought forward from : A55		47		N. Land described in Plan No. 131807.		
Lot No.		Anuradhapura Town				E. Reservation along the road.		
Asst. No.		Korale :				S. Land lot marked B in the said plan forming the Southern Portion of the said land described in T.P. 134597 and allotted to V. Annamalai.		
District : Anuradhapura		Province : North Central				W. Land described in T.P. 131745		
Extent : 1A 3R 20P								
Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
2771 20th December, 1943	Sinnathamby Kandiah of Basawakkulama	Sinnathambiar Murgesu of Anuradhapura	Mortgage of undivided one-seventh share of the above for Rs. 150/- with right of possession in lieu of interest.	2028 14th December 1943	K. Subramaniam Notary Public	—	(Sgd.) E. Ratnayake	With land in A 55/49
181 26th January, 1944	Sinnathamby Kandiah and wife Parupathipillai both of Puloly West	Ponnamma wife of Karthikesu Murgupillai both of Puloly West	Gift of undivided two-sevenths of the above. Value Rs. 200/- for this and another.	6518 22-12-43	K. Mailvaganam Notary Public, Jaffna District	—	(Sgd.) E. Ratnayake	With land in folio 298. S. Property of Vinasithamby Soma-sundaram.
740 10th April 1945	Karthigesar Murgupillai and Murgupillai Ponnamma both of Puloly West in Point Pedro <i>Plaintiffs</i> Vs Vinasithamby Somasundaram, Vinasithamby Kanaganathan, Chellathamby Ramachandran, Annamma alias Seethevan wife of Sangarapillai and Visuvanathar Kanagaratnam all of Puloly West, Point Pedro <i>Defendants.</i>		Partition action affecting the above.	District Court of Anuradhapura Case No. 2515	K. Subramaniam Proctor for Plaintiffs	Rs. 10/-	(Sgd.) L. H. Perera	Application dated 10-4-1945 with land in folio 298.
1006 16th May 1945	S. Murgesu	S. Kandiah	Discharge of the above registered mortgage Bond No. 2028	Discharge dated 29th January 1945	—	Rs. 2/-	(Sgd.) E. Ratnayake	With land in folio 298.

I, E. W. D. Gunasekara, Registrar of Lands, Anuradhapura do hereby certify that the foregoing is a true copy of the registration entries appearing in the Land Register A Vol. 55 folio 47 and A. Vol. 134 folio 207 of this office, upto and including the 20th January, 1962 and the same is granted on the application of Mr. K. Chandrasekaram of Anuradhapura.

Land Registry,
Anuradhapura,
7th March, 1962.

(Sgd.) E. W. D. GUNASEKARA,
Registrar of Lands.

P 21
Extracts from the Entries in the Land Register at Anuradhapura

Extracts from the Registration Entries in the Land Register at Anuradhapura Land Registry

Boundaries:—

North by land claimed by the Bulankulama family and reservation along the road.
 East by a stream and lands described in Plan Nos. 131806 and 131807.
 South East by a stream.
 South by land described in Plan No. 123705 and land claimed by the Bulankulama family.
 West by land claimed by Bulankulama family by a path and channel, and Bulankulama Kele claimed by P. B. Imburegama Mudaliyar.

Extent: 24 acres and eleven perches

Name, Registration and occupation of Proprietor. Samarasinghe Nawaratna Wasala Mudaliyar of Timbiriwewa.

Nature of Title—By right of purchase from the Government of Ceylon.
No. and date of Deed, and Name of Notary, Judge etc. 17th May, 1887 H. W. Ravenscroft, Acting Col. Secretary
Value of property: Rs. 255.00
Stamp on certificate: Rs. 3.00

Place and date of Registry, and date of certificate of Registration
 Anuradhapura,
 28th July, 1887
 (Sgd.) S. Outschoorn
 Registrar.

Carried over to Volume: A51 Folio: 12

I, E. W. D. Gunasekara, Registrar of Lands, Anuradhapura do hereby certify that the foregoing is a true copy of the registration entry appearing in the Land Register A. Volume 4 folio 226 only and the same is granted on the application of Mr. K. Chandrasegaram.

(Sgd.) E. W. D. GUNASEKARA,
 Registrar of Lands.

Land Registry,
 Anuradhapura,
 6th March, 1962.

Extracts from the Registration Entries in the Land Register at Anuradhapura Land Registry

6-10-61

Folios A 3/86, A 74/61, A 91/68 & A 104/10

Folio : 86 **Volume : 3** **Folio :**

Brought forward from :

Name of Land : An Allotment of Land called Bulankulama

Village or Town and Street :

Situation

Pattu : Anuradhapura **Korale :** Nuwaragam

District : Nuwarakalaviya **Province :** North Central

Registration

T.P. No. 128704

Lot No.

Asst. No.

Boundaries :—

North by land claimed by natives

North-East by land said to belong to the Crown and land claimed by natives.

East by land claimed by natives.

South-East by land purchased by a Baba Appoo and land said to belong to the Crown.

South-West and West by land said to belong to the Crown.

Extent : 15A—0R—25P. 10

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
August 28rd, 1882	The Government of Ceylon	Samarasinghe Nawaratna Wasala Mudiyanseilage Timbiriwewa Tikiri Banda	Value Rs. 205/- with land appearing in folio 87	8th August 1882	Honourable J. Douglas (Col. Secretary)		(Sgd.) F. Vanderput	Another land transferred See folio 87

I, E. W. D. Gunasekara, Registrar of Lands, Anuradhapura District, do hereby certify that the foregoing is a true copy of the registration entries appearing in the land Registers A, Vol. 3 folio 86 of this office, up to and including the 1st September, 1961 and the same is granted on the application of T. Mylvaganam Esqr., of Anuradhapura.

Land Registry,
Anuradhapura,
10th October, 1961.

(Sgd.) E. W. D. GUNASEKARA,
Registrar of Lands.

Division : A Volume : 74

P 22
Extracts from
the Registration
Entries in the
Land Register
at Anuradhapura
Land Registry
—Continued.

Folio : 61

Volume :

Folio :

Boundaries :—

North by land claimed by natives.

North-East by land said to belong to the Crown and land claimed by natives.

East-by land claimed by natives.

South-East by land purchased by Baba Appu and land said to belong to the Crown.

South-West and West by land said to belong to the Crown.

Brought forward from

Name of Land : Bulankulama

Village or Town and Street : Anuradhapura

10 T.P. No.

Lot No.

Asst. No.

Pattu :

Korale :

District : Anuradhapura

Province : North Central

Extent : 15A.—0R.—25P (excluding the road and water course passing through the land)

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
485 8th March 1927	B. L. Weragama wife of P. B. Weragama	V. Mailvaganam	Mortgage of an undivided one-third share of the above for Rs. 2,500/- with interest at 12% per annum	855 17th February 1927	V. Ramaswamy Notary Public		(Sgd.) A. W. de Silva	With land in folio 60
2894 27th November 1928	B. W. Loku Kumarihamy Weragama	N. Kanagaratnam	Mortgage of an undivided 1/3rd share of the above for Rs. 1,500/- together with interest at 15% per annum and if paid annually at 12% per annum	1328 November 15, 1928	A. Sivacolundu Notary Public		(Sgd.) A. Manikavasakar	With land in A. 56/205
2403 27th November 1928	The address of the Mortgagee in the above registered Bond No. 1328 of 15th November 1928 is Visuvanathar Kanagaratnam C/o A. Sivacolundu, Proctor Supreme Court, Anuradhapura			Application dated 26th November 1928		Rs. 2/-	(Sgd.) A. Manikavasakar	With land in A. 56/205
2406 27th November 1928	V. Mailvaganam	B. W. L. Kumarihamy wife of Puncthi Banda Weragama	Discharge of the above registered mortgage Bond No. 855 of 17-2-1927 and attested by V. Ramasamy.	Discharge dated 15th November 1928			(Sgd.) A. Manikavasakar	With land in folio 60 Volume : A91 Folio : 68

Division : A Volume : 91

Folio : 68 Volume : Folio : 61

Brought forward from : A 74

Name of Land : Bulankulama

Village or Town and Street : Anuradhapura

T.P. No.

Lot No.

Asst. No.

Pattu :

Korale :

District : Anuradhapura Province : North Central

Boundaries :—

North by land claimed by natives.

North-East by land said to belong to the crown and land claimed by natives.

East-by land claimed by natives.

South-East by land purchased by Baba Appu and land said to belong to the crown.

South-West and West by land said to belong to the crown.

Extent : A15—R0—P25 (excluding the road and water course passing through the land).

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
1864 16th September 1931	T. B. Bulankulama of Bulankulama Walawwa at Bandara Bulankulama in Anuradhapura.	V. Mailvaganam of Anuradhapura.	Transfer of one undivided third share of the above, Consideration Rs. 1,000/- for this and another.	No. 1804 31 August 1931	A. Sivacolundu, Notary Public	—	(Sgd.) G. S. A. de Silva	With another land see folio 67.
479 28rd March 1932	V. Kanagaratnam by his Attorney V. Puloly West in Point Pedro. Plaintiff. vs. Bulankulama Walawwa Loku Kumarihamy of Bulankulama in Anuradhapura. Defendant.	V. Kumaraswamy, Attorney V. Puloly West, Point Pedro	Lispendens mortgage action effecting an undivided one-third share of the above.	D.C. 1765 Application dated 23 March 1932	A. Sivacolundu, Proctor	Rs. 5/-	(Sgd.) G. S. A. de Silva	With lands in folio 67
1797 10th November 1933	Bulankulama Walawwa Loku Kumarihamy of Bulankulama	Visuvanathar Kanagaratnam of Puloly West, Point Pedro	Transfer of an undivided third share of the above. Consideration Rs. 1,500/- for this and another.	2190 16th October 1933	A. Sivacolundu, Notary Public	---	(Sgd.) G. S. A. de Silva	With another see folio 67 E. Land of R. Subramaniam and others. S.E. Land of Baba Appu and Crown land presently of P.S.T. Sitham-parapillai. S.W. & W. land of the crown and land said to belong to the natives.
215 30th January 1935	Bulankulama Walawwa Weragama Loku Kumarihamy of Bulankulama	Dangamuwe Weragama Meduma Kumarihamy of Dangamuwa Walawwa in Welimada.	Transfer of an undivided third share of the above. Consideration Rs. 1,000/- for this and another.	2416 10th January 1935	A. Sivacolundu, Notary Public	---	(Sgd.) H. D. Rigobert	With another see A 96/156
489 19th March 1935	Vaithianathar Mailvaganam of Anuradhapura	Kanapathipillai Udayamoorthy of Puloly West, Point Pedro	Mortgage of an undivided third share of the above for Rs. 1,000/- with interest at 12% per annum.	625 20th January 1935	S. Velmurugu, Notary Public	---	(Sgd.) G. S. A. de Silva	With another see A 55/290 Volume : A104 Folio : 10

Division : A Volume 104

P 22
Extracts from
the Registration
Entries in the
Land Register at
Anuradhapura
Land Registry
—Continued.

Folio : 10	Volume : Brought forward from : A 91.	Folio : 68.	Boundaries :— North by land claimed by natives. North East by land said to belong to the crown and land claimed by natives. South-East by land purchased by Baba Appu and land said to belong to the Crown. South-West and West by land said to belong to the Crown.
T.P. No	Name of Land : Bulankulam Village or Town or Street : Anuradhapura		
Lot No.	Situation		
10 Asst. No.	Pattu : District : Anuradhapura	Korale : Province : North Central	

Extent : 15A-0R-25P (excluding the road and water course passing through the land).

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienation and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
705 1st May 1985	The Address of the mortgagee in mortgage Bond No. 625 of 20 February, 1985 attested by Notary S. Velmurugu Registered A 91/68, is K. Udayamoorthi Puloly East Point Pedro.			Application dated 29 April 1985		Rs. 2.-	(Sgd.) H. E. Rigobert	With another see folio 9
1116 14th August 1987	Kanapathipillai Udayamoorthi of Puloly East in Point Pedro	Vaithianathan Mailvaganam of the Town and District of Anuradhapura	Discharge of the mortgage bond No. 625 dated 20 February, 1985 and attested by S. Velmurugu Notary Public and Registered in A 91/68	Discharge dated 29th July 1987		Rs. 2.-	(Sgd.) H. E. Rigobert	With lands in folio 9
843 15th July 1989	V. Mailvaganam of Anuradhapura	1. M. Sivaramalingam 2. M. Nallanathan 3. M. Ramanathan 4. S. P. Vadivelanathan 5. S. Kamalanathan 6. S. Vaithianathan and 7. S. Seetha Lakshmi all of Anuradhapura.	Gift of undivided one-third of the above subject to the conditions said forth in this deed.	2560 12 June 1989	V. Ramasamy N. P.		(Sgd.) W. D. W. Perera	Land Bulankulama E. Land claimed by natives value Rs. 6,000/- for this and lands in A.91/67 and A 100/291

40 I, E. D. W. Gunasekera, Registrar of lands Anuradhapura District do hereby certify that the foregoing is a true copy of the Registration entries appearing in the land Registers A. Vol. 74 folio 61, A. Vol. 91 folio 68 and A, Vol. 104, folio 10 of this office up to and including the 1st September, 1961 and the same is granted on the application of Mailvaganam, Esqr., of Anuradhapura.

Land Registry,
Anuradhapura,
10th October, 1961(Sgd.) E. D. W. GUNASEKERA,
Registrar of Lands.

P 23
Extracts from the Registration Entries in the Register of Lands at Anuradhapura Land Registry

Division: A Folio: 12		Volume: 51 Volume: 1		Folio: 226				
Brought forward from: A4								
Name of Land: An allotment of land called Bulankulama								
Village or Town and Street: Bulankulama								
Situation								
Pattu: Nuwaragam Korale:								
District: Nuwarakalavia Province: North Central								
Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
DB 10089 6th March 1922	Suriya Kumara Wannisinghe Tikiri Banda Bulankulama of Bulankulama Walawwa	Daniel Subramaniam Arumugam of Anuradhapura	Mortgage of one undivided third share of the above for Rs. 600/- with interest at 15% per annum. Subject to certain conditions set forth in the Deed.	No. 222 21st February 1922	V. Ramaswamy Notary Public	—	(Sgd.) A. W. De Silva	With the land in folio 13 West by land claimed by the Bulankulama family, by a path and channel and Bulankulamakele claimed by T. B. Timbiriwewe Mudaliyar as per this deed. Interest 12% per annum if paid on the 21st day of February every year or within one calendar month thereafter.
DB 2531 17th April 1924	Suriya Kumara Wannisinghe Loku Kumarihamy of Anuradhapura	Solomon Johnson of Anuradhapura	Mortgage of undivided one-third share of the above for Rs. 500/- with interest at 15% per annum.	4903 11th April 1924	D. S. Arumugam N. P.	—	(Sgd.) A. W. de Silva	(Intld.) A. W. S. Registrar of Lands.
DB 2834 30th June 1924	Solomon Johnson of Anuradhapura	Sooriyakumara Wannisinghe Loku Kumarihamy of Anuradhapura.	Discharge of the above registered mortgage bond No. 4903 of 11 April, 1924 attested by D. S. Arumugam, Notary Public.	Dated 26th June 1924	—	2/-	(Sgd.) A. W. de Silva	With land in folio 13
5858 11th November 1925	Valliappan Ramalingam of Anuradhapura (Plaintiff) vs. 1. Bulankulama Walawwa Loku Kumarihamy Weragama. 2. Tikiri Banda Bulankulama 3. P. Dharmapala Unnanse and 4. D. S. Arumugam all of Anuradhapura (Defendants)		Decree of Partition whereby it is ordered and decreed that the above be partitioned into 5 lots. Lot No. (1) to the Plaintiff Lot No. 2 to the 2nd Deft., subject to mortgage bond No. 222 dated 21-2-1921 of V. Ramasamy, N.P. Lot No. (3) to the 1st Deft., Lot No. (4) to the plaintiff, the 1st and 2nd Defts. to be possessed in common, the share of the 2nd Deft. being subject to the mortgage as aforesaid and Lot (5) to the 3rd Deft., subject to the conditions of the Decree.				Carried over to	Volume: Folio: 50

I, W. M. J. Weerasooriya, Registrar of Lands, Anuradhapura, do hereby certify that the foregoing is a true copy of the Registration entries made from Land Register A. Volume 51, Folio 12 of this office upto and including 9/5/62 and the same is granted on the application of K. Chandrasekaram Esquire, of Anuradhapura.

Land Registry,
Anuradhapura,
24-5-62.

(Sgd.) W. M. J. WEERASOORIYA,
Registrar of Lands.

Extracts from the Registration Entries in the Land Register at Anuradhapura Land Registry.

Application No.
148/6-10-61
A. 56/205, A. 91/67,
A. 122/134
P 26
Extracts from
the Registration
Entries in the
Land Register at
Anuradhapura
Land Registry

Division : A		Volume : 56	Folio :					
Folio : 205		Volume :	Folio :					
Brought forward from								
Name of Land : Siyambalagahawela								
Village or Town and Street : Bandarapuliyankulama								
Ithalawela Tulana, Kande Korale.								
Situation								
Pattu :		Korale : Nuwaragampalatha						
District : Anuradhapura		Province : North Central						
Boundaries :-								
N. Lot (1) called Mullagalakele and 1 F called Puliyankulama.								
E. Lot 1 F called Puliyankulama Mukalana.								
S.E. Lot 1 called Do.								
S. High Road to Ranbawa and Lot (1D) called Mullagalakele.								
W Lot 1 D called Mullagalakele.								
Extent : 41A-3R-8P (excluding of the Rail Road and reservation along the same passing through the land)								
Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
DB 1771 3rd September 1928	S. W. L. B. Bulankulama	S. W. P. B. Bulankulama	Transfer of an undivided one-fifth share of the above. Total consideration Rs. 6,000/-.	285 25th August 1928	D. W. Biyanwila Notary Public	---	(Sgd.) A. W. de Silva	With lands in folios 201 to 204 and 206 to 207
DB 178 19th January 1928	Bulankulama Walawwe Loku Kumarihamy Wera-gama of Bulankulama Walawwa in Anuradhapura	Seena Thana Appavooipillai of Anuradhapura	Mortgage of undivided one-fifth share of the above for Rs. 800/- with interest at 24% per annum.	951 2nd December 1927	V. Ramaswamy Notary Public	---	(Sgd.) D. L. P. Karawita	With lands in A 69/148
2894 November 27th 1928	Bulankulama Walawwe Loku Kumarihamy Wera-gama of Bulankulama	Visuvanathar Kanagaratnam of Puloly West, Point Pedro.	Mortgage of an undivided one-fifth share of the above for Rs. 1,500/- with interest at 15% per annum if paid annually at 12% per annum.	1928 November 15th, 1928	A. Sivacolundu Notary Public	---	(Sgd.) A. Manika-vasagar	With lands in A 74/61
2403 November 27th 1928	The address of the Mortgagee in the above registered bond No. 1928 of 15th November 1928 is Visuvanathar Kanagaratnam C/o. A. Sivacolundu, Proctor, Supreme Court, Anuradhapura.			Application dated 26th November 1928		-/60	(Sgd.) A. Manika-vasagar	With lands in 74/61
2405 November 27th, 1928	Pena Seena Thana Appavooipillai of Anuradhapura.	Bulankulama Walawwe Loku Kumarihamy Wera-gama of Bulankulama Walawwa.	Discharge of the Mortgage Bond No. 951 of 2-11-27 attested by V. Ramasamy, Notary Public and Registered above.	Discharge dated 15th November 1928		2/-	(Sgd.) A. Manika-vasagar	With lands in F. 81/197
							Carried over to	Volume A 91 Folio : 67

Division : A

Volume : 91

Folio : 67

Volume : 205

Folio :

Brought forward from : 56

205

Name of Land : Siyambalahawela

Village or Town and Street : Bandara Puliyankulama
Ihelsawela Tulana.

N. Lot 1D called Mullagahakele and 1 F called Puliyankulama Mukalana.

E. Lot 1F called Puliyankulama Mukalana.

S.E. Lot 1 called Do.

S. High Road to Rambewa and lot 1D called Mullagahakele.

W. Lot 1D called Mullagahakele.

10

Situation

Patta : Kande

Korale : Nuwaragampalata

District : Anuradhapura

Province : North Central

Extent : A41—R3—P8 (Exclusive of the Rail Road and reservation along the same passing through the land)

Boundaries : —

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
D.B. 1864 16th September 1981	Tikiri Banda Bulankulama of Bulankulama Walawwa at Bandara Bulankulama in Anuradhapura.	Vaithianathar Mylvaganam of Anuradhapura	Transfer of one undivided fifth share of the above. Consideration Rs. 1000/- for this and another.	1804 31st August 1981	A. Sivacolundu Notary Public	—	(Sgd.) G. S. A. de Silva	With another see folio 68 land Siyambalahawela
479 23rd March 1982	V. Canagaratnam by his Attorney, Puloly West in Point Pedro. <i>Plaintiff.</i> Vs. Bulankulama Walawwe Loku Kumarihamy of Bulankulama in Anuradhapura <i>Defendant.</i>	Visuvanathar Kanakaratanam of Puloly West.	Lispendens mortgage action affecting an undivided one-fifth share of the above.	D.C. 1765 Application dated 28rd March 1982	A. Sivacolundu Notary Public	5/-	(Sgd.) G. S. A. de Silva	With land in folio 68 land Siyambalahawela
1797 10th November 1988	Bulankulama Walawwe Loku Kumarihamy of Bulankulama	Visuvanathar Kanakaratanam of Puloly West.	Transfer of an undivided fifth share of the above. Consideration Rs. 1,500/- for this and another.	2190 16th October 1988	A. Sivacolundu Notary Public	—	(Sgd.) G. S. A. de Silva	With another see folio 68 land Siyambalahawela
884 15th July 1989	Vaithianathar Mylvaganam of Anuradhapura	1. Mailvaganam Sivaranalingam 2. Mailvaganam Nallanathan 3. Mailvaganam Ramanathan 4. Sellathurai Pancharatnam 5. Vadivelnathan 6. Sellathurai Kamalanathan 7. Sellathurai Seetha Lakshmi all of Anuradhapura.	Gift of undivided one-fifth of the above subject to the conditions set forth in the deed.	2560 12th June 1989	V. Ramasamy Notary Public	—	(Sgd.) N. D. W. Perera	Land: Siyambalahawela Value : Rs. 6,000/- for this and lands in A 104/10 and A 100/291
							Carried over to	Volume : A122 Folio : 134

Division : A Volume : 122

P 26
Extracts from
the Registration
Entries in the
Land Register
at Anuradhapura
Land Registry
—Continued.

Folio : 134									
For lots 1-3 see A204/170, 178									
For lots 5-12 see 204/174- 181									
For Lots 14-15 see A204/ 182 — 183									
For Lot No. 18 see A/131 257									
Vide D.B. No. 1754/ 12-6-59									
(Intld.).....									
R. L. 12. 6. 59									
T.P. No.									
Allot No. 6									
Asst. No.									
Name of Land : Siyambalagahawela		Village or Town and Street : Bandara Puliyankulama Ithalavela Tulana		Korale : Nuwaragam Palatha		Province : North Central			
Pattu : Kande		District : Anuradhapura							
Volume : A91		Folio : 67							
Brought forward from :									
Boundaries :—									
N. Lot 1D called Mullagahakele and 1F called Puliyankulama Mukalana.									
E. Lot 1F called Puliyankulama Mukalana.									
S.E. Lot 1 called Do.									
S. High Road to Rambewa and Lot 1D called Mullagahakele.									
W. Lot 1D called Mullagahakele.									
Extent : A41—R3—P8 (excluding of the Rail Road, a reservation along the same passing through land)									

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
383 26th February, 1941	V. Canagaratnam of Puloly West, Point Pedro. <i>Plaintiff.</i>		Action on a partition action affecting the above.	D.C. Case No. 2309 24th February, 1941	S. Sivacolundu Notary Public	10/-	(Sgd.) W. D. W. Perera	
	1. Sooriyakumara Wannisinghe Punchi Banda Bulankulama of Puliyankulama, Anuradhapura. 2. Weragama Kahande Walawwe Bulankulama Tikiri Kumarihamy of Nuwarawewa in Anuradhapura. 3. Punchi Banda Bulankulama of Bulankulama Walawwa in Bulankulama. 4. Malyaganam Sivaramalingam 5. Do. Nallanathan 6. Do. Ramanathan 7. Selvadurai Pancharatnam, Vaddivehathan 8. Selvadurai Kamalawathy 9. Do. Vaithianathan 10. Do. Sethia Lakshmi all of Sittampalam Road, Anuradhapura.						(Carried over to	Folio :

I. E. D. W. Gunasekara, Registrar of Lands of Anuradhapura District, do hereby certify that the foregoing is a true copy of the registration entries appearing in the Land Registers A 56/205, A 91/67 and A 122/134 of this office, upto and including the 1st September, 1961 and the same is granted on the application of Mr. T. Mylvaganam.

Land Registry,
Anuradhapura,
10th October, 1961.

(Sgd.) E. D. W. GUNASEKARA,
Registrar of Lands.

Volume : Folio :

Extracts from the Registration Entries in the Land Register at Anuradhapura Land Registry

Division : A Volume : 98 Folio : 202

Brought forward from Volume : Folio :

Name of Land : Ihawalawa, Pahalawela and Kakkamattawela.

Village or Town and Street : Bandara Bulankulama
in Anuradhapura Town.

T.P. No.
Lot No.
Asst. No.

Pattu : Korale :
District : Anuradhapura Province : North Central

Extent : 35A-0R-0P.

Boundaries:—

- N. Crown land, Pankuliya Tank and land belonging to the Bulankulama Family.
- E. Acrelands belonging to Bulankulama Family.
- S. Land belonging to Bulankulama Family and Crown land.
- W. Lands belonging to Bulankulama Family.

10

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
D.B. 1101 15th August 1932	Suriyakumara Banda Bulankulama Dissawa and wife. Weragama Kahandewalawuwe Bulankulama Tikiri Kumarihamy both of Nuwarawewa in Anuradhapura	Sooriyakumara Wannisinghe Medduma Banda Bulankulama of Bulankulama Walawuwe in Anuradhapura	Conveyance of an undivided two-fifth shares of the above in exchange for the lands registered in folio 205 and 206.	1246 28th July 1932	S. Nataraja Notary Public	R. 25/-	(Sgd.) G. S. A. de Silva	With lands in folios 208-206. Registration of this deed is suspended pending instructions from R. G. entry completed on 15-4-32. (Intld.) G. S. A. de S.
							Carried over to	Volume : A96 Folio : 156

Division : A Volume : 96

P 27
Extracts from
the Registration
Entries in the
Land Register at
Anuradhapura
Land Registry
—Continued.

Folio : 156 Volume : Folio : 202
Brought forward from : A 93

Name of Land : Ihalawela, Pahalawela and Kakkamattawela

Village or Town and Street : Bandara Bulankulama
Anuradhapura Town

T.P. No. Situation Pattu : Korale : Province : North Central
Lot No. District : Anuradhapura

Boundaries :—

N. Crown land Pankuliya and land belonging to Bulankulama Family.

E. Acrelands belonging to Bulankulama Family.

S. Land belonging to Bulankulama Family and Crown land.

W. Lands belonging to Bulankulama Family.

Extent : 85A—0R—0P.

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
947 15th July 1983	Sooriyakumara Wannisinghe Medduma Bandara Bulankulama of Bulankulama Walawwa.	Sooriyakumara Wannisinghe Alfred Medduma Bandara Bulankulama, Sooriyakumara Wannisinghe Richard Punchi Banda Bulankulama, Sooriyakumara Wannisinghe Henry Khande Walawwe Punchi Kumarihamy of Bulankulama Walawwa and Sooriyakumara Wannisinghe Bulankulama Somawathie Kumarihamy of Kapuwatta Walawwa in Matale District.	Transfer of undivided three fifths (3/5) Parts or Shares of the above Consideration Rs. 2,000/-	1882 15th June 1983	S. Nataraja Notary Public	—	(Sgd.) G. S. A. de Silva	
75 12th January 1985	Bulankulama Walawwe Weragama Loku Kumarihamy of Bulankulama.	Visuvanathar Kanakaratham of Puloly West, Point Pedro.	Transfer of undivided five acres out of an undivided fifth share of the above. Consideration Rs. 1,000/-.	2415 10th January 1985	A. Sivacolundu, N.P.	—	(Sgd.) G. S. A. de Silva	
215 30th January 1985	Bulankulama Walawwe Weragama Loku Kumarihamy of Bulankulama.	Dangamuwe Weragama Medduma Kumarihamy of Dangamuwe Walawwe in Wellimada.	Transfer of an undivided extent of two acres out of an undivided fifth share of the above. Consideration Rs. 1,000/- for this and another.	2416 10th January 1985	A. Sivacolundu, N.P.	—	(Sgd.) H. D. Digobort	With another. See A 91/68
							Carried over to	Volume : A119 Folio : 18

Division : A **Volume :** 119 **Folio :** 156
Folio : 18 **Volume :** **Folio :** 156
Brought forward from : A 96

Name of Land : Ihalawela, Pahalawela and Kakkamattawela
together forming one property.

Village or Town and Street : Bandara Bulankulama, Anuradhapura.

Situation

T.P. No......
Lot No......
Ass. No......

Pathu : **Korale :**
District : Anuradhapura **Province :** North Central

Boundaries :—
N. Crown Land Pankuliya tank and land belonging to Bulankulama Family.
E. Acreland belonging to Bulankulama Family.
S. Land belonging to Bulankulama Family and Crown land.
W. Land belonging to Bulankulama Family.

Extent : 85A—0R—0P. 10

Date of Registry (Day Book No. and Date)	Grants (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. stamp Duty	Signature of Registrar	REMARKS
727 24th April 1940	Pallekagama Dhammapala Therunnase of Lankarama in Anuradhapura <i>Plaintiff</i> <i>Vs.</i> (1) Visuvanathar Kanakaratanam of Puloly West. (2) Sooriyakumara Wannisinghe Alfred Medduma Banda Bulankulama. (3) —Do.—Richard Punchi Banda Bulankulama. (4) —Do.—Henry Bulankulama. (5) Weragama Kahande Walawe Punchi Kumarihamy. (6) Bulankulama Walawe Weragama Loku Kumarihamy. (7) Punchi Banda Bulankulama all of Bulankulama Walawe in Anuradhapura Town and District. (8) Sooriyakumara Wannisinghe Bulankulama Somawathie Kumarihamy of Kapuwatte Walawwa in Matale District. <i>Defendants.</i>		Action in partition Case No. 2268 in the District Court of Anuradhapura affecting the above.	Application dated 24th April, 1940	V. Ramasamy, N. P.	Rs. 10/-	(Sgd.) W. D. W. Perera	S. Land belonging to Bulankulama Family Land/XXXX 8B. F.V.P. 20
1778 26th May 1951	Sooriyakumara Wannisinghe Henry Bulankulama of Bulankulama	Weerasinghe Arachehige Misonona of Mahamankadawela	Transfer of six undivided shares out of twenty-five shares of undivided three-fifths. Total Consideration Rs. 1,200/-	4824 25th April 1951	K. Subramaniam, Notary Public	—	(Sgd.) E. Ratnayake Carried over to	Land/Ihalawela, Pahalawela and Kakkamattawela with lands in A 98/268 etc. Volume : A195 Folio : 176 80

I, E. D. W. Gunasekera, Registrar of Lands, Anuradhapura, do hereby certify that the foregoing is a true extract of registration entries appearing in Land Register Volumes A 93/202, A 96/156 and A 119/18 upto and including 26th May, 1951 and the same is **granted** on the application of Mr. K. Chandrasekaram of Anuradhapura.

Land and District Registry,
Anuradhapura.
6th March, 1962.

(Sgd.) E. D. W. GUNASEKERA,
Registrar of Lands

Extracts from the Registration Entries in the Land Register at Anuradhapura Land Registry

Application No. 85
4-5-62

P 28
Extracts from
the Registration
Entries in the
Land Register at
Anuradhapura
Land Registry

Division : A

Volume : 76

Folio : 100

Volume : Folio :

Brought forward from.....

Name of Land : Pahalawela (Defined portion of)

Village or Town and Street : Bandara Bulankulama in Anuradhapura Town

10

T. P. No. 1

Lot No. : 8 B
in B.S.B. 525

Asst. No. :

Specification No. 165
under Basawakkulama

Patta : Nuwaragam Palatha

Korale : Nuwaragam Palatha

Province : North Central

Boundaries :—

North by the land belonging to Mortgagor and others.

East — Do. — Bulankulama Dissawa.

South by Crown land and lot 481 belonging to Mrs. Weragama and another.

West by a portion of the said lot called Ihawalawa and Crown land.

Extent : 17A—1R—16P.

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
1614 8th September, 1927	Punchi Banda Bulankulama of Anuradhapura	Jayatilake Mudiyansele Herathhamy of Anuradhapura	Mortgage of an undivided 1/5 share of the above for Rs. 700/- with interest at the rate of 18% per annum.	2596 19th August 1927	S. D. Krisnaratna, Notary Public	—	(Sgd.) D. L. P. Karawita	—
124 15th January, 1930	Punchi Banda Bulankulama of Bulankulama Walawwa in Anuradhapura Town.	Punchi Hewage Nonis Appu of Anuradhapura Town	Mortgage of undivided one-fifth share of the above for Rs. 1,000/- with interest at 18% per annum.	2776 3rd December 1929	S. D. Krisnaratna, Notary Public	—	(Sgd.) G. Dissanayake	—
1650 17th September, 1930	P. H. Nonis Appu of Anuradhapura <i>Plaintiff</i> <i>Vs.</i> Punchi Banda Bulankulama of Bulankulama Walawwa in Anuradhapura Town. <i>Defendant.</i>		Decree of Court whereby it is ordered and decreed of consent that the defendant, do pay to the plaintiff the sum of Rs. 1,100/- being the amount of Principal, interest and costs due on mortgage bond No. 2776 registered above with interest on Rs. 1,000/- at 15% per annum from 31st July, 1930 to 12 August, 1930 and thence with interest at 9% per annum till payment in full and the costs of this action on or before the 12th November, 1930 and in default undivided one-fifth share (1/5) of the above to be sold and then proceeds applied towards the payments of the said amount until realization.	D.C. 1587 Anuradhapura	D. B. Seneviratne, District Judge.	Rs. 6/-	(Sgd.) G. Dissanayake	North by land belonging to Punchi Banda Bulankulama and others.
							Carried over to	Volume : A90 Folio : 107

I, W. J. M. Weerasuriya, Registrar of Lands, Anuradhapura, do hereby certify that the foregoing is a true copy of the registration entries made from Land Register A. Volume 76, Folio 100 of this office upto and including 9/5/62 and the same is granted on the application of K. Chandrasekaram, Esquires of Anuradhapura.

Land Registry,
Anuradhapura,
23/24-5-62

(Sgd.) W. J. M. WEERASURIYA,
Registrar of Lands.

Division : A Volume : 90

Folio : 107

Folio : 100

Boundaries :—

N by the land belonging to Mortgagor and others.

E do do Bulankulama Disawa.

S by Crown Land and Lot 431 belonging to Mrs. Weragama and another.

W by a portion of the said lot called Ihlawela and Crown Land.

T. P. No.

Lot. No 8B MBSPP
525 Specification
No. 165 under
Asst. No. Basawakulama

Korale : Nuwaragam Palatha
Province : North Central

Pattu :
District : Anuradhapura

Extent : A17-IR-16P

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
884 18th July 1931	Nagamuthapillai Weerapapillai Thambyah, Town Muhandiram and Fiscal Officer.	Punchi Hewage Kovis Appu	Transfer of an undivided one-fifth share on portion of the above. Consideration. Rs. 750/-.	1772 30th June, 1931	A. Sivacolundu, Notary Public	--	(Sgd.) G. S. A. de Silva	N. By land belonging to Punchi Banda Bulankulama and others. S. Crown land and lot 431 belonging to Mrs. Weragama and others. (Thambyah, Town Muhandiram and Fiscal officer was by order of the Anuradhapura District Court appointed Commissioner and authorised to sell the land and premises by public auction and to execute the conveyance in favour of the purchaser at such sale.
1613 16th October 1933	Jayatilake Mudiyansele Herathhamy of Anuradhapura.	Punchi Banda Bulankulama of Anuradhapura.		1943 9th September, 1933	V. Ramaswamy, Notary Public	--		The registration of this deed is suspended pending instruction from R. G.. Registration refused on order dated 3-3-34 (Vide N.I. No. 46 of 24-10-33) (Intld.) G. D. A. de S. Registrar of Lands. 6-3-34.
1638 16th October 1933	Punchi Hewage Nonis Appu of Anuradhapura.	Pallekagama Dharmapala Theerunnanse of Pandiyankadawala.	Transfer of an undivided fifth share of the above. Consideration Rs. 1,000/-	400 9th September, 1933	S. Velmurugu, Notary Public	--	(Sgd.) G. S. A. de Silva Carried over to	N. Land of Punchi Banda Bulankulama and others. Volume : Folio :

I, W. M. J. Weerasuriya, Registrar of Lands, Anuradhapura, do hereby certify that the foregoing is a true copy of the registration entries made from Land Register A Volume 90, folio 107 of this office upto and including 9-5-62 and the same is granted on the application of Mr. K. Chandrasekaram Esquire, Anuradhapura.

Land Registry,
Anuradhapura,
23/24-5-62.

(Sgd.) W. M. J. WEERASURIYA,
Registrar of Lands.

Extracts from the Registration Entries in the Land Register of Point Pedro Land Registry

Application No. 572/7-8-61
Jaffna A. 7/69

Division : A7		Northern Province		Jaffna District					
Folio : 69		Vadamarachchi Korale		Mappanakurichchi Village					
		Northern Pattuwa.							
		Name : Periyatheni — 85, 3/8, Lachchams V.C.							
		Do. — Garden I.							
		Boundaries :							
		East by Arumugam and others.							
		North and West by Street.							
		South by Lane, Vallippillai and others.							
		Extent :							
10 Regn. Plan No.		Description of property							
Title Plan No.									
Allotment No.									
Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concise and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS	
1887 7th November,	Chinnavar Valliyappan of Alvai.	Kanthar Vallipuram of Puloly West	Mortgage Bond for Rs. 181/- and interest at 16% per annum of an undivided 1/86 share of the above-named property with share of well.	No. 1796 27th February, 1884	I. Arumugam	Rs. 2/-	(Sgd.) C. Coomariah (S)	4 other properties are mortgaged by this deed, see Folio 65 to 68.	
1888 3rd September,	Velar Variyar, wife Vallipillai Varattai widow of Chinnattampiyar Variyar Alvapillai and wife Parupathi Pillai of Alvay.	Vettivelu Charavanamuttu of Puloly West	Mortgage bond for Rs. 180/- and interest at 16 per cent, per annum of an undivided 1/4 share of 1/3 share out of 1/6 share of the ground, garden, land, well, palmyrahs, young Palmyrahs, and coconut trees, and the whole of the roof of the house.	2520 13th February, 1886	I. Arumugam Notary	Rs. 2/-	(Sgd.) C. Coomariah	10 other properties are mortgaged by this deed. See folios 288, 65, 66, 67 and 68 and A. Vol. 9 Folio 5 to 9.	

I, S. T. Selvarajah, Registrar of Lands of Point Pedro, do hereby certify that the foregoing is a true copy of the registration entries appearing in the Land Register Jaffna, A Volume 7 Folio 69 of this office up to and including the 12th day of August, 1961 and the same is granted on the application of K. Kandappa Esqr., Puloly West, Point Pedro.

Land Registry,
Point Pedro,
28rd August, 1961.

(Sgd.) S. T. SELVARAJAH,
Registrar of Lands.

Extract from the Registration Entries in the Land Register at Point Pedro Land Registry

Folio : 284	A 39 Northern Province Vadamarachchi West Korale Kaddaiveli Pattuwa	Jaffna District Mappanakurichchi Village
Regn. Plan No.	Name : Periyatheni — 85 8/8 Lachchams V.C., —do— Thoddam 1 of this 1/3 share of the ground on the Southern side. Of this excluding 1/4th share on the Eastern side the remaining 3/4 share of the ground on the Western side with wells, palmyrah trees, young palmyrahs and huts.	
Title Plan No.	Boundaries : —	
Allotment No.	East by property of Velar Mootatampi, Valipillai, wife of Kantar Murukar. North by property of Arumukam Velupillai and Chetupillai wife of Ampalavar Kanthaiya, Vairanathar Arumukam, Kantar Velayutham and others. West by Lane. South by lane and property of Chinnapillai, wife of Murrkesar Arumukam, Chetupillai wife of Tampar Ampalavanar, Chitamparappillai Paramu and others.	

ALIENATIONS AND INCUMBRANCE

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
1902 21st August	Theivanai, daughter of Vayirava Nilappillai and Chempattai widow of Kantar Chitamparappillai of Alvai South.	Kantar Murukar of Alvai North.	Transfer of 2 1/2 Lachchams of the ground and share of the wells of the above property. Consideration Rs. 100/-.	9950 10th December, 1892	M. Kantappan, Notary	Re. 1/-	(Sgd.) M. Caralasingam	

I, S. T. Selvarajah, Registrar of Lands of Point Pedro, do hereby certify that the foregoing is a true copy of the registration entry appearing in the Land Registers Jaffna A. Volume 89 Folio, 284 of this office upto and including the 12th day of August, 1961, and the same is granted on the application of K. Kandappa Esq., Puloly West, Point Pedro.

Land Registry,
Point Pedro,
28rd August, 1961.

(Sgd.) S. T. SELVARAJAH,
Registrar of Lands.

Extracts from the Registration Entries in the Land Register at Point Pedro Land Registry

Division : A Volume : 154

Folio : 285

Volume :

Folio :

Brought forward from

Boundaries :—

Name of Land : Periyatheni

East—Property of Murukar Tinakaripillai and others.

Village or Town and Street : Mappanakurichchi

North—Property of Kantappiar Chuppiramaniam and others.

T. P. No.

Lot No.

Asst. No.

Situation

West—Property of Irasamma, wife of Kanthaiyar.

South—Property of Arumukam Vayitilingam and others.

Pattu : Kaddaiveli

Korale : Vadamarachchi

District : Jaffna

Province : Northern

Extent : 8 Lachehams V.C.

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
D.B. 16677 19th December 1924	Kanapathipillai Kumaraswamy and wife Muttupillai of Alvai North	Visuvanathar Kanakaratham of Chikkirol in North India	Mortgage of an undivided half share of the above for Rs. 1,500/- and interest at 10% p. a. to be paid annually and for the defaulting years at 12% per annum.	17602 11th December 1924	P. Sitamparappillai, Notary Public	—	(Sgd.) S. Veluppillai	With 2 other lands. Sec A. 88/250 and Folio 286
3307 27th February 1936	K. V. Nakalinkam of Puloly West Comm. in case No. 7212 D.C. Jaffna.	V. Kanakaratham of Puloly West	Transfer of undivided half share of the above with share of well on the West; way and water course. Cons. Rs. 1500/- for this and two others.	3325 4th February 1936	V. Senathirajasegaram, N. P.	—	(Sgd.) D. Walton	With 2 others See A. 193/41 etc.

I. T. Selvarajah, Registrar of Lands of Point Pedro, do hereby certify that the foregoing is a true copy of the registration entries appearing in the Land Register, Jaffna A. Vol. 154 Folio 285 of this office upto and including the 12th February, 1962 and the same is granted on the application of K. Kandappa Esqr., of Puloly West, Point Pedro.

Land Registry,
Point Pedro,
March 9th, 1962.

(Sgd.) T. SELVARAJAH,
Registrar of Lands.

Extracts from the Registration Entries in the Land Register at Point Pedro Land Registry

Application No. 141

27-2-62

Jaffna A. 185

11

Division : A		Volume : 185		Folio : 10				
Folio : 11		Volume :		Folio :				
		Brought forward from						
Name of Land : Periyatheni — Southern Portion		Village or Town and Street : Alvai Mappanakurichchely		Boundaries :—				
T. P. No.		Pattu : Kaddaiveli		E. Property belonging to Uyappukkaladdippillaiyar Kovil.				
Allot. No.		District : Jaffna		N. Property of Theivanaipillai, wife of Namasivayapillai and others.				
Asst. No.		Korale : Vadamarachchely		W. Property of Irasamma, wife of Kandiah and others.				
		Province : Northern		S. Property of Arumugam Vaitilingam and others.				
		Extent : 8 Lachchams V.C.						
Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
15115 20th October 1927	Vallipillai, widow of Murukar, Murukar Veluppillai, Murukar Tinakarapillai and Chinnachchi wife of Murukar Chinnatambi of Alvai North.	Chetupillai espoused wife of Kanthappa Kanapathipillai of Alvai North.	Transfer by Donor of an undivided half share of the above with share of well in the Western boundary and right of way and water course and 1/8 share of the well in the eastern side. Consideration Rs. 1,000/- for this and 2 others.	8206 11th September, 1927	K. Subramaniam Notary Public	—	(Sgd.) S. Velupillai	With 2 others in folio 12 and 13
1928 10th January DB. 396.	Kantappan Kanapathipillai and wife Chetupillai of Alvai South.	Chinnapillai daughter of Kanapathipillai and Paramu Chinnakkudiyar of Puloly East.	Mortgage of one undivided half share of the above for Rs. 400/- and interest at 10% per annum.	4614 22nd December, 1927	C. Thampinattu Notary Public	—	(Sgd.) S. Velupillai	Land—Periyatheni
23703 1st October 1942	Kantappan Kanapathipillai and wife Chetupillai of Alvai South.	Parupathipillai wife of M. Kanapathipillai of Alvai North	Transfer of undivided 5/32 share of the above. Consideration Rs. 425/-	5468 1st September 1942	C. Krishnapillai Notary Public	—	(Sgd.) N. Sathasivam	N. Heirs of A. Velupillai S. C. Irattinam and others.
3955 2nd March 1945.	Kandappan Kanapathipillai and wife Murukan Tinakarapillai and wife and Visuvanathar Kanagaratnam of Puloly West.	Chetupillai of Alvai South. Murukan Tinakarapillai and wife Parupathy of Alvai North and Visuvanathar Kanagaratnam of Puloly West.	Partition action affecting the above. For subsequent Transactions see Point Pedro A. 16/272.	2333/P. 19-2-45 D.C. Jaffna	K. Rajaratnam Proctor	Rs. 5/- Rs. 5/-	(Sgd.) M. Vanniavingham	Carried over to
								Volume : Folio :

I, T. Selvarajah, Registrar of Lands of Point Pedro, do hereby certify that the foregoing is a true copy of the registration entries appearing in the Land Register Jaffna. A Vol. 185 Folio 11 of this office upto and including the 12th February, 1962 and the same is granted on the application of K. Kandappa Esqr., of Puloly West, Point Pedro.

Land Registry,
Point Pedro,
March 9th, 1962.

(Sgd.) T. SELVARAJAH,
Registrar of Lands.

Extract from the Registration Entries in the Land Register at Point Pedro Land Registry

A 3.	Northern Province	Jaffna District	Point Pedro, Chinkapaththevanakurichey Village
Folio : 367	Vadamarachchi Korale		
	Point Pedro Pattuwa		
	<p><i>Name</i>: Nedunkulavelithenikadukadapaya—27 Lachehams V.C. Nedunkulavelithenikadukadapaya—20 Lachehams V.C. of these 7 1/2 Lachehams V.C. on the Western side, Pallankadukadapaya—8 3/4 Lachehams. Pallankadukadapaya—10 Lachehams. Of these 3 1/2 Lachehams.</p> <p><i>Boundaries</i>:— East—by Britto. North—by Road. West—by the land belonging to the temple called Vignesuparapillaiyar Kovil. South—by the land belonging to the temple called Vignesuparapillaiyar Kovil and Alvar and others.</p> <p><i>Pattu</i>: Point Pedro <i>District</i>: Jaffna</p>		
		<i>Korale</i> : Vadamarachchi	
		<i>Province</i> : Northern	
	Description of Property		

Regn. Plan No.

Title Plan No.

Allotment No.

Extent: 11 Lachehams with **Palmyrah trees**, young palmyrahs, coconut tree, hut and well.

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
1882 11th December,	Kayilayar Chuppiramani- yar of Point Pedro.	Punniyar Chithamparam of Point Pedro.	Mortgage Bond for Rs. 225/- and Profit at 15% per annum of the above-named property excluding the ground of the water course called vellavaikkal passing through the land from North to South being 1 1/2 Lachehams and the roof of the hut out of the remainder an undivided 1/4 share.	No. 771 6th March, 1878	M. Kanthappan	(See Folio 365)	(Sgd.) C. Coomariah	Two other properties are mortgaged by this deed. See folios 365 & 366

I, S. T. Selvarajah, Registrar of Lands of Point Pedro, do hereby certify that the foregoing is a true copy of the registration entry appearing in the Land Register, Jaffna A. Volume 3, Folio 367 of this office upto and including the 28th day of July, 1961 and the same is granted on the application of S. Nagalingamudaly Esqr., Proctor, Point Pedro.

Land Registry,
Point Pedro,
8th August, 1961.

(Sgd.) S. T. SELVARAJAH,
Registrar of Lands.

Extracts from the Registration Entries in the Land Registry at Point Pedro Land Registry.

Division : A **Volume : 331** **Folio : 118**

Brought forward from **Volume :** **Folio :**

Name of Land : Nedunkulavelitheni (Lot 2)

Situation { **Village or Town and Street :** Chinkapakutevan

T. P. No. **Pathu :** Point Pedro

Lot No. **District :** Jaffna

Asst. No. **Korale :** Vadamaradchi

Province : Northern

Boundaries :—

E. — Property of Britto Muttunayagam

N. — Property of Krishnapillai Mayilvaganam

W. — Watercourse

S. — Coconut estate belonging to Aladiyit Pillaiyar Temple.

Extent : 15 9/16 Kullies

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
25118 December 15th 1943	K. Nakanathar and wife Thangamma both of Puloly West	V. Kanakaratham of Puloly West	Transfer of undivided 1/28 share of the above. Considerations Rs. 1,400/- for this and another.	16646 4th November 1943	C. Krishnapillai Notary Public		(Sgd.) R. K. Arulam- palam	With another in folio 117
1034 28th February 1944	V. Kanagaratham of Puloly West Vs. A. Sangarapillai by his At- torney C. Krishnapillai of Point Pedro and wife Chite- nam (Ramachandran) M. Chelvathampi, V. Soma- sundaram, V. Gunanathan and S. Saravananattu of Puloly West. <i>Defendants.</i>		Action for partition of the above.	D.C. Jaffna Case No. 2080/P. 17th February 1944	V. K. Subramaniam <i>Proctor</i>	Rs. 5/- <hr/> 5/-	(Sgd.) R. K. Arulam- palam	Regn. suspended pending R.G.'s instructions. (Intld.)..... R.I. 28-2-44 Entry completed on 10-3-44 with land in folio 117.

I. T. Selvarajah, Registrar of Lands of Point Pedro do hereby certify that the foregoing is a true copy of the registration entries appearing in the Land Register Jaffna A. Vol. 331 Fol. 118 of this office upto and including the 12th February, 1962 and the same is granted on the application of K. Kandappa, Esqr., of Puloly West, Point Pedro.

Land Registry,
Point Pedro,
March 9, 1962.

(Sgd.) T. SELVARAJAH,
Registrar of Lands.

Extracts from the Registration Entries in the Land Register at Point Pedro Land Registry.

Division : A		Volume : 331		Folio :				
Folio :		Volume :		Brought forward from				
Name of Land : Nedunkulavelitheni (Lot 1)		Village or Town and Street : Chinkapakutevan		Situation				
T. P. No.		Pattu : Point Pedro		Korale : Vadamaradchi				
Lot No.		District : Jaffna		Province : Northern				
Asst. No.		Grantors		Nature and Particulars of Alienations and Incumbrances				
		(Names in full, and residence)		(To be concisely and clearly stated)				
Date of Registry (Day Book No. and Date)		Grantees		No. and Date of Deed				
		(Names in full, and residence)		Name of Notary, Judge, &c.				
				Regn. Stamp Duty				
				Signature of Registrar				
				REMARKS				
25118 December 15th 1943	Kumarsuwami Naganathar and wife, Thangamma both of Puloly West.	Visuvanathar Kanagaratnam of Puloly West	Transfer of undivided 5/28 share of the above. Consideration Rs. 1,400/- for this and another.	6646 4th November 1943	C. Krishnapillai Notary Public		(Sgd.) R. K. Arulampalam	With another in folio 118
4094 28th February 1944	Visuvanathar Kanagaratnam of Puloly West. Plaintiff Vs. Arumugam Sangarapillai by his Attorney C. Krishnapillai of Point Pedro and wife, Seethevan Chelvathamby, Ramachandran Maniccam Chelvathamby, Vinasithamby Somasundaram, Vinasithamby Gunaratnam and Sinnathamby Saravanamuttu of Puloly West. Defendants.		Action for partition of the above.	D.C. Jaffna Case No. 2080/P. 17th February. 1944	V. K. Subramaniam Proctor	Rs. 5/- 5/-	(Sgd.) R. K. Arulampalam	Registration suspended pending Registrar General's instructions. (Intld.) Registrar of Lands, 28-2-44. With land in folio 118—Entry completed 10-3-44.

Boundaries :—

East : Watercourse.

North : Road.

West : Property of Kathirithampy Sabapathy and others.

South : Property of Kathirithampy Sabapathy and others and Kamadchi wife of Kathirkamu and others.

Extent : 4 Lachchiams V.C. and 8/16 kulics.

I, T. Selvarajah, Registrar of Lands of Point Pedro do hereby certify that the foregoing is a true copy of the registration entries appearing in the land register Jaffna, A—Volume 331, Folio 117, of this office, upto and including the 12th February, 1962 and the same is granted on the application of K. Kandappa Esqr., Puloly West, Point Pedro.

Land Registry,
Point Pedro,
March 9th, 1962.(Sgd.) T. SELVARAJAH,
Registrar of Lands.

Extracts from the Registration Entries in the Register of Lands at Point Pedro Land Registry

A 11	Northern Province	Jaffna District	Verasundaramudalikurichy Village
	Vadamarachechi Koiale		
	Kaddaiveli Pattuwa		
Description of property			
See A 185	Name: Nun kaiyappulam—49 1/4 Lachchams, V.C. of this 5/7 share of the ground on the Southern side with well contained therein.		
81	Boundaries:—		
	East— by Kantan and others.		
	North — by Velappan and others.		
	West — by Village limit of Puloly		
	South — by Vayiravi and others.		
	Extent:		

ALIENATIONS AND INCUMBRANCE

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
1890 January, 21st	Pattini widow of Vayiravan Valli, Vayiravan Channamukam of Thunnalai.	Kanapathiar Nakappan of Alvai.	Agreement to Transfer an undivided half share of the abovenamed property belonging to the 2nd and third grantors. Consideration Rs.150/-.	6291 12th January 1887	M. Kantappa, Notary	Rs. 2/-	(Sgd.) C. Coomariah	21126
1891 June 29th	Vayiravan Valli and Vayiravan Channamukam of Thunnalai.	Kanapathiar Nakappan of Alvai.	Transfer of half share of the abovenamed property. Consideration Rs. 150/-.	2733 19th February 1891	C. Chadasivam, Notary	Rs. 2/-	(Sgd.) C. Coomariah	21126

According to Deed
Nunkaiyappulam 49 1/4 Lachchams V.C. of this 5/7 share of the ground on the Southern side with the well contained therein.

Boundaries

East by the property of Kathirkamar Eranpan, Putiyar Vellapan, Vallattai widow of Valliyar Kathirkamar, Kathirkamar Vayiravi and others.
North by the property of Iraman Velappan Chinnathampiyar Chuppar, Chinnathampiyar Vellapan, Chinnathampiyar Punniyar and others.

West by the village limit of Puloly.

South by the property of Valliyar Vayiravan Iraman Vellappan, Konarkantappan, Chinnathampiyar Vellappan and others.

For subsequent transaction
(See A. 208/89.)

Division : A

Volume : 208

Folio : 80	For previous transactions	Folio :	81	Boundaries :—
	Volume :			E. Property of Kantar Katiyesu & others.
				N. Property of Nakappan Paramu & others.
				W. Property of Mailvaganam Arulampalam.
				S. Property of Kantappan Tampaiya & others.
				Extent : 35 Lachchams V.C. 3 $\frac{1}{2}$ Kullies
T.P. No.	Name of Land : Nunkaiyappulam			
Lot No.	Village or Town and Street : Virasuntaramudalikurichchi.			
Asst. No.	Pattu : Kaddaiveli			
	Division : Jaffna			
	Korale : Vadamaradchi			
	Province : Northern			

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
7428 11th May 20. 1986	V. Chetunatapillai of Thunnalai North	Ponnamma wife of V. Paranchoti of Thunnalai North	Donor of undivided 5 Lms V. C. out of Undivided half ($\frac{1}{2}$) share of the above. Value Rs. 2500/- of this and 4 lands	5141 27th April 1980	S. Tambimuttu, N.P.	—	(Sgd.) S. Veluppillai	With 4 lands in Folio 88 etc.

I, S. T. Selvarajah, Registrar of Lands of Point Pedro do hereby certify that the foregoing is a true copy of the registration entries appearing in the Land Register Jaffna A Volume 11 folio 81 and A Volume 208 folio 80 of this office upto and including the 12th day of February, 1962 and the same is granted on the application of K. Kandappa Esq., Puloli West, Point Pedro.

Land Registry,
Point Pedro,
19th March, 1962.

(Sgd.) S. T. SELVARAJAH,
Registrar of Lands.

Extracts from the Registration Entries in the Land Register at Point Pedro Land Registry

Division : A		Volume : 307		Folio : 225				
Folio : 225		Volume :		Folio :				
Brought forward from								
Name of Land : Nunakaiyappulam								
Village or Town and Street : Virasuntaramutali Kurichchi.								
T.P. No.		Pattu : Kaddaiveli		Korale : Vadamarachchi				
Allot No.		District : Jaffna		Province : Northern				
Asst. No.		Extent : 35 5/28 Lachehams V.C.		Boundaries :—				
		East : Land of Murukar Vallipuram and others.		North : Land of V. Senathirajasekaram and others.				
		West : Land of the heirs of Sinnathamby Subramaniam.		South : Land of Kandappar Tambiah and others.				
Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	(Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
9221 17th June, 1941	Tamotarampillai Tanka-rasa and wife, Balaretnam of Tunnalai North. <i>Vs.</i> (1) Sethuratapillai Velup-pillai of Tunnalai North (2) Aruleswari, daughter of Paransothy of -do- Minor by her <i>Guardian ad litem</i> Vallipuram Paransothy of -do- (3) Vairavan Suppan of Puloly South (4) Vairavan Pasuvan of -do- (5) Taman Kanapati of -do- (6) Wife Valli of -do- (7) Tamu Virakattipillai of Alway South (8) Valliappar Veluppillai (9) Wife Nagamuttu of -do- (10) Suppan Velupillai of -do- (11) Viswanathar Kanakar-atnam of Puloly West (12) Tamar Chinnatampi of Puloly West (13) Vinasithamby Sena-thirajasekeram of Puloly South (14) K. Kanakasabai of Puloly East (15) Viyakesar Somasun-deram of -do- <i>Defendants.</i>		Action for Partition of the above.	D.C. Jaffna Case No. 1415/P 14th June, 1941	M. Esurapadham <i>Proctor</i>	Rs. 5/5	(Sgd.) D. Walton	The Registration is suspended. (Intld.) <i>Registrar of Lands,</i> 17-6-41. Entry completed on 25-6-41.
							Carried over to	Volume : Folio :

Extract from the Registration Entries in the Land Register at Point Pedro Land Registry.

A 6	Northern Province	Jaffna District	Vadamarachehi Korale	Alvay Virakkodiyakurichchi Village	Northern Pattuwa
Folio : 155					
Description of property					
<p>Name : Ampalantheni—32 1/4 Lachams V.C. of this 18 Kulies of ground with palmyrah trees, young palmyrahs, coconut trees, hut and well contained therein.</p> <p>Boundaries : — East-by-Launc. North-by Chinnappillai and others. West-by Arumukam and others. South-by Kantar and others.</p> <p>Extent :</p>					
10	Regn. Plan No.				
	Title Plan No.				
	Allotment No.				

ALIENATIONS AND INCUMBRANCE

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
1887 May 30th	Chittampalattar Katirittampi, wife Vallippillai and Muttuppillai, widow of Irimalinkar of Alvay.	Ampalavanar Kantaiya of Alvay.	Mortgage Bond for Rs. 30/- and interest at 1 3/8 per cent per mensem of the whole of the ground and hut, half share of the palmyrah trees, young palmyrahs and coconut trees and share of water of the well.	5984 8th August 1886	M. Kantappan, Notary	Re. 1/-	(Sgd.) C. Coomariah	3 other properties are mortgaged by this deed. See folios 156 to 158

30 I, S. T. Selvarajah, Registrar of Lands of Point Pedro, do hereby certify that the foregoing is a true copy of the registration entry appearing in the Land Register Jaffna A, Volume 6, Folio 155 of this office upto and including the 12th day of August, 1961 and the same is granted on the application of K. Kandappa, Esqr., Puloly West, Point Pedro.

Land Registry,
Point Pedro,
28th August, 1961.

(Sgd.) S. T. SELVARAJAH,
Registrar of Lands.

Extract from the Registration Entries in the Land Register at Point Pedro Land Registry.

A 41

Northern Province Jaffna District

Vadamarachehi Korale Virakkodiyakurichehi Village

Vadamarachehi Korale
Kaddaiveli Pattu

Folio : 28

Name : Ampalantheni

Boundaries :—

East by Lane.

North by the property of the Temple of Vignesuparappillaiyar.

West by Vayiravanathar and others.

South by Nakan and others.

Extent : 32 1/4 Lachchams V.C. of ground with palmyrah trees, well,
cultivated plantations and coconut trees.

Regn. Plan No.

Title Plan No.

Allotment No.

Description of property

ALIENATIONS AND INCUMBRANCE

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
1902 November 24	Chitampanathar Varittampiyar and wife Varattai of Alvay North.	Teivanaippillai daughter of Varittampiyar of Alvay North	Gift of 1/20th share of the above property with the whole of the young coconut trees and young palmyrahs raised by the grantors. Value Rs. 100/-.	No. 215 18th September 1876	I. Arumugam Notary	Re.1/-	(Sgd.) M. Caralasingam	

I, S. T. Selvarajah, Registrar of Lands of Point Pedro do hereby certify that the foregoing is a true copy of the registration entries appearing in the Land Register of Jaffna A. Volume 41 Folio 28, of this office upto and including the 12th day of August, 1961 and the same is granted on the application of K. Kandappa, Puloly West, Point Pedro.

Land Registry,
Point Pedro,
23rd August, 1961.

(Sgd.) S. T. SELVARAJAH,
Registrar of Lands.

Extracts from the Registration Entries in the Land Register at Point Pedro Land Registry

P 40
Extracts from
the Registration
Entries in the
Land Register
at Point Pedro
Land Registry

Division : A		Volume : SS		Folio :		Boundaries : —		Regn. Stamp Duty		REMARKS	
Folio : 250		Brought forward from :		Volume :		East : Road.		Name of Notary, Judge, &c.		Signature of Registrar	
T. P. No.		Name of Land : Ampalantheni		Korale : Vadamardchi West		North : Property of Vayiravinathar Vallipuram and others.		No. and Date of Deed		With 3 other lands see folios 251-253	
Lot No.		Village or Town and Street : Virakkodiyan		Province : Northern		West : Property of Tamar Vallipuram and others.		K. S. Sivakuru, Notary Public		(Sgd.) S. Velupillai	
Asst. No.		Pattu : Kaddaiveli		District : Jaffna		South : Property of Kayilayar Chuppar and others.		P. Sitamparapillai, Notary Public		(Sgd.) S. Velupillai	
Date of Registry (Day Book No. and Date)		Grantors (Names in full, and residence)		Grantees (Names in full, and residence)		Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)		No. 3867 14th July 1917		With 3 other lands see folios 251-253	
—		Kanapatipillai Kumaraswamy of Alvai North		K. Chinnattampiyar Muttar of Alvai North		Transfer by sale of one undivided 32 shares of the above with share of well. Consideration : Rs. 260/- for this and 3 others.		No. 17602 11th December 1924		1. With 2 other lands see A 285	
—		Kanapatipillai Kumaraswamy and wife Muttupillai of Alvai North		Visuvanathar Kanagaratnam of Chikkirai in North India.		Mortgage of an undivided 8th share of the above with the entire houses built by the grantors for Rs. 1,500/- and interest at 10% per annum to be paid annually and for the defaulting years interest at 12% per annum.		Case No. 7212 D.C. Jaffna of 16-1-35		2. Boundaries North..... by the 1st grantor and others W..... the grantors and another.	
—		Visuvanathar Kanagaratnam of Puloly West Plaintiff		Vs. Kanapatipillai Kumaraswamy—wife Muttupillai of Alvai North Defendant.		Seizure of one undivided 32 shares of the above for the recovery of Rs. 1,500/- with interest at 9% per annum from 16-1-35.		1/25		With 3 others see 252 etc. N. & W.—K. Kumarasa.....	
—		Murukesu Chinnivasakam of Puloly West and Kathirkammar		Kanapatipillai Kumaraswamy of Alvai North		Transfer of undivided 1/16th share of the above and share of well. Consideration : Rs. 400/- for this and 3 others.		4855 18th February 1920		With 3 others see folio N. & W.—Grantee	

I, T. Selvarajah, Registrar of Lands of Point Pedro, do hereby certify that the foregoing is a true copy of the registration entries appearing in the Land Register Jaffna A. Vol. 88 Fol. 250 of this office upto and including the 12th February, 1962 and the same is granted on the application of K. Kandappa Esqr., of Puloly West, Point Pedro—Land Register is damaged at places marked ellipses.

Extracts from the Registration Entries in the Land Register at Point Pedro Land Registry.

Jaffna A 123, A 193, & A 278

225 41 251

Division : A

Volume : 123

Folio : 225

Folio :

Brought forward from : A 88-254

See A-148

287 Name of Land : Ambalantheni

Village or Town and Street : Virakkodiyan

T. P. No.
Lot No.
Asst. No.

Pathu : Kaddaiveli

District : Jaffna

Korale : Vadamradchi West

Province : Northern

Boundaries :-

East : Road.

North : Property of Vayiravanathan Vallipuram and others.

West : Property of Chapapathypillai Chuppiramaniam and others.

South : Property of Kayilayar Chuppar and others.

Extent : 24 Lachchams V.C. and 10 Kulies.

Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
1951 21st December 1921	Katiritampi Nadarasapillai and wife Vallipillai and Kandappar Kanapattipillai of Alvai North	Kanapatipillai Kumarasamy of Alvai North	Transfer by sale of undivided 1/3 of 1/6 share of the above. Consideration Rs. 100/-.	4408 10th November 1921	K. Subramaniam, Notary Public		(Sgd.) S. Velupillai	N. & W.—Property of K. Kumara- samy and others.
1924 September 17th D.B. 11595	Kanapatipillai Kumara- samy of Alvai North	Kantaiya Irasarattinam of Straits F.M.S. and V.C. Velu- pillai of Alvai North	Mortgage of 1/3 of undivided 16th share of the above for Rs. 250/- and interest at 12% per annum payable yearly in default interest at 14% per annum.	No. 5487 7th August 1924	M. S. Kantaiya, Notary Public		(Sgd.) C. Saravanamuttu	With 3 other lands see A. 107 225 & 220 & A. 151 257 Boundaries same as in deed No. 4408 above registered.
1921 September 19th 11780	Katiripillai Nadarasa and wife Vallipillai, Kantappar Kanapathipillai and Muttu- pillai widow of Kantappar of Alvai North	Kanapatipillai Kumarasamy of Alvai North	Transfer by sale of one undivided 8th share of the above. Consider- ation Rs. 750/- which includes Rs. 635/- due on mortgage Bond No. 4731 of 22 May, 1922. K. Subramaniam, N.P.	No. 6233 25th August 1924	K. Subramaniam, Notary Public		(Sgd.) C. Saravanamuttu	North and West.—Land of Kanapati- pillai Kumarasamy and others.
1925 April 15th D.B. 4823	Kanapatipillai Kumara- samy of Alvai North	C. Periyatampi Murukuppillai of Alvai North	Mortgage of one undivided 8th share of the above for Rs. 300/- and interest at 15% per annum.	No. 5681 1st March 1925	M. S. Kantaiya, Notary Public		(Sgd.) S. Velupillai	Boundaries same as in deed No. 6233 above registered.
							Carried over to	Volume : A 193 Folio : 41

Folio : 41		Folio : 225						
Volume : Brought forward from : A 123		Volume : 225						
Name of Land : Ampalantheni		Name of Land : Ampalantheni						
Village or Town and Street : Virakkodiyan		Village or Town and Street : Virakkodiyan						
Situation		Situation						
Pattu : Kaddaiveli		Korale : Vadamaradchi						
District : Jaffna		Province : Northern						
T. P. No.		T. P. No.						
Lot No.		Lot No.						
Asth. No.		Asth. No.						
Boundaries :—		Boundaries :—						
East : Road.		East : Road.						
North : Property of V. Vallipuram and others.		North : Property of V. Vallipuram and others.						
West : Property of C. Chuppiramaniam and others.		West : Property of C. Chuppiramaniam and others.						
South : Property of K. Chuppar and others.		South : Property of K. Chuppar and others.						
Extent : 24 Lachehams V.C. and 10 Kulies.		Extent : 24 Lachehams V.C. and 10 Kulies.						
Date of Registry (No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
13687 14th September 1928	Kanapatipillai Kumaramy of Alvai North	Velayutar Chinnatampiar Chinnaiya of Alvai North	Transfer by sale of 2/3 of one undivided 16th share of the above. Consideration Rs. 200/- for this & 2 others.	7040 27th August 1928	M. S. Kantaiya, Notary Public		(Sgd.) S. Velupillai	With 2 others see A 98/46 and A 167/179—North and West—Property of the Grantor and others.
5815 11th April 1933	Kanapatipillai Kumaramy of Alvai North	C. Periyatampi Murukuppillai of Alvai North	Transfer by sale of one undivided 8th share of the above. Consideration Rs. 650/-	8933 23rd March 1933	M. S. Kantaiya, Notary Public		(Sgd.) K. Duraiappah	N: C. Namasivayam and others. W: K. Kumarasamy and others.
13405 22nd August 1933	Kanapatipillai Kumaramy of Alvai North	Chuntan Chinnan of Alvai North	Transfer of undivided 1/32 share of the above. Consideration Rs. 180/-	1823 9th August 1933	V. Senathirajasekaram, Notary Public		(Sgd.) C. Sarayana-muttu	N. & W.—Grantor and others. S. Kayilayar Chuppiramaniam and others.
14888 24th September 1935	Kanapatipillai Kumaramy of Alvai North	Kantaiya Irasaratnam of Alvai North	Transfer of 1/3 of undivided 1/16 share of the above. Consideration Rs. 500/- for this and 4 others.	9885 16th September 1935	M. S. Kantaiya, Notary Public		(Sgd.) K. Namasivayam	Boundaries same as in deed No. 1823 with 4 others in A256/168, 219/231-232, 286/185
3307 27th February 1936	K. Velautar Nakalinkam of Puloly West Commr. in Case No. 7212 D. C. Jaffna	Visuvanathar Kanakaratham of Puloly West	Transfer of undivided 1/8th share of the above with the whole of the house built by Kumaraswami and wife Muttupillai. Consideration Rs. 1,500/- for this and 2 others.	3325 4th February 1936	V. Senathirajasekaram, Notary Public		(Sgd.) D. Walton	With 2 others see A. 154/285 & 286 N: K. Kumarasamy and others. W: K. Kumarasamy wife Muttupillai and others. Volume : A. 273 Folio : 251.
					Carried over to			

Division : A Volume : 278

Folio : 251

Volume :

Folio :

Brought forward from : A 198

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Name of Land : Ampalantheni

Village or Town and Street : Virakkodiyan

T. P. No.
Allot No.
Asst. No.

Pattu : Kaddaiveli

Korale : Vadamaradchi

District : Jaffna

Province : Northern

Boundaries :

East : Road.

North : Property of V. Vallipuram and others.

West : Property of C. Chuppiramaniam and others.

South : Property of K. Chuppar and others.

Extent : 24 Lachchams V.C. and 10 Kulics.

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Date of Registry (Day Book No. and Date)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
4766 30th March, 1937	<p>Visuvanathar Kanakaratham of Puloly West</p> <p><i>Plaintiff</i></p> <p><i>Vs.</i></p> <p>(1) Ulakanatar Murukesapillai of Puloly West (2) Ampalavanar Mahesan (3) Maheswari daughter of Ampalavanar (2 & 3) Minors by their <i>guardian ad litem</i> Chellamma widow of Ampalavanar of Alvai North (4) Vallipuram Veluppillai of Alvai South (5) Wife Valliammai of Alvai South (6) Pandaram Kandavanam of Puloly West (7) Alvapillai Namasivayam (8) and wife Mutturatham both of Puloly West (9) Periyatampi Murukupillai of Alvai North (10) Kantaiya Irasaretnam of Alvai North (11) Velautar Chinnatampi of Puloly West (12) Vallipuram Manikkam of Puloly West (13) Tamar Paramu of Puttur East (14) Tamar Aiyathurai of Alvai South (15) Tamar Vanniyasingham of Puttur East (16) Tamar Tampaiya of Puttur East (17) Kashnatar (18) Chinnammah daughter of Tamar of Puttur East (17 and 18) minors by their <i>guardian ad litem</i> Vallimuttar Tamar of Puttur East (19) Mayiluvakanam Araseratham of Puloly West (20) Ponnuchami Natarajah of Puloly West (21) and wife Annapillai of Puloly West (22) Kanapatipillai Kumarasamy of Alvai North (23) Kanapatipillai Paramakuru of Alvai South (24) Kanapatipillai Katirampai of Alvai South (25) Kanapatipillai Tinakaripillai of Alvai South (26) Kanapatipillai Chelliah and (27) Kanapatipillai Chitamparapillai both of Alvai South</p> <p><i>Defendants.</i></p>	<p>Action for partition of the above.</p>	<p>Case No. 124/P D.C. Jaffna 18th March 1937</p>	<p>V. K. Subramaniam <i>Proctor</i></p>	<p>Rs. 5/- Rs. 5/-</p>	<p>(Sgd.) K. Namasivayam</p>	<p>N.—K. Kumarasamy and others. W.—K. Kumarasamy wife Muttupillai and others.</p>

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Extracts from the Registration Entries in the Land Register at Point Pedro Land Registry.

Jaffna A. 88

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Division : A		Volume : 88		Folio :		Boundaries :—		
Folio : 250		Volume :		Folio :		E. Road.		
See Folio 250		Brought forward from				N. Property of Vayiravanathan Vallipuram and others.		
Name of Land : Ampalantheni						W. Property of Chapapathipillai Chuppiramaniam and others.		
Village or Town and Street : Viakkodiyam						S. Property of Kaylayar Chuppar and others.		
T. P. No.		Pattin : Kaddaiveli		Korale : Vadamarachchi West				
Lot No.		District : Jaffna		Province : Northern		Extent : 24 Lachchams V.C. and 10 Kulies.		
Asst. No.								
10								
Date of Registry (Day Book No. and Date)	Grantors (Names in full, and residence)	Grantees (Names in full, and residence)	Nature and Particulars of Alienations and Incumbrances (To be concisely and clearly stated)	No. and Date of Deed	Name of Notary, Judge, &c.	Regn. Stamp Duty	Signature of Registrar	REMARKS
1917 August 13th D.B. 3813	Kanapathipillai Kumaraswamy of Alvai North	Murukesar Puloly West	Transfer by sale of one undivided 32 share of the above with share of well. Consideration Rs. 116/-.	3374 7th July 1917	K. S. Sivakuru, Notary Public	Rs. 2/-	(Sgd.) S. Velupillai	
1919 October 3rd D.B. 7264	Vayiravanatar Kanapathipillai of Alvay South and Vayirawanatar Vallipuram of Alvai North.	Kanapathipillai Kumaraswamy of Alvai North	Transfer by sale of 2/3 of undivided 16th share of the above. Consideration Rs. 200/- for this and 2 others.	3088 13th September 1919	K. Subramaniam, Notary Public	—	(Sgd.) S. Velupillai	With 2 other lands. See A 98/4617 North & West property of K. Kumaraswamy and others.
1919 11th November D.B. 9058	Vayiravanatar Kanapathipillai of Alvai South	Kanapathipillai Kumaraswamy of Alvai North	Transfer by sale of one undivided 16th share of the above. Consideration Rs. 300/-.	169 26th October 1919	K. Kanapathipillai, Notary Public	—	(Sgd.) S. Velupillai	Northern boundary K. Kumaraswamy and others.
1919 11th November D.B. 9059	K. Kumaraswamy and wife Muttupillai of Alvai North	K. Paramakuru of Alvai South	Mortgage of one undivided 16 share of the above for Rs. 500/- and interest at 12% per annum payable yearly in default interest at 15% per annum from the date of deed.	170 26th October 1919	K. Kanapathipillai, Notary Public	—	(Sgd.) S. Veupillai	With another land in A. 99/93 Northern boundary K. Kumaraswamy and others.
1921 30 August 22nd D.B. 9326	K. Paramakuru of Alvai South	Iladehumipillai widow of K. Vairamuttu and C. Velupillai of Alvai South	Mortgage of the mortgage No. 170 above registered affecting one undivided 16th share of the above for Rs. 800/- and interest at 12% per annum.	4149 30th July, 1921	K. Subramaniam, Notary Public	—	(Sgd.) S. Velupillai	With 2 other lands. See A. 99/93 and 110/257.
							Carried over to	Volume : A 123 Folio : 225.

I. T. Selvarajah, Registrar of Lands, Point Pedro, do hereby certify that the foregoing is a true copy of the registration entries appearing in Land Register Volume No. Jaffna A 88/254 of this office upto and including 22nd August, 1962, and the same is granted on the application of V. K. Subramaniam Esqr., Proctor and Notary of Puloly West.

Supreme Court of Ceylon,
No. 233 (Final) of 1968.

District Court of Point Pedro,
Case No. 6171.

In Her Majesty's Privy Council
on an Appeal from
The Supreme Court of Ceylon

BETWEEN

(Dead) VISWANATHAR KANAGARATNAM of Puloly West.

(Original Defendant)

VISWANATHAR KANAGARATNAM SUBRAMANIAM of Puloly West as Executor
of the Last Will and Testament of the late VISWANATHAR KANAGARATNAM of
Puloly West.

(SUBSTITUTED DEFENDANT - APPELLANT)

APPELLANT

AND

KANAGARATNAM KADIRGAMAN of Puloly West, Administrator of the Estate of
RASAMMAH in Testamentary Case No. 400 in the District Court of Point Pedro.

(PLAINTIFF - RESPONDENT)

RESPONDENT

RECORD
OF PROCEEDINGS
