

CASES
DECIDED BY
THE SUPREME COURT OF CEYLON,
THE COURT OF VICE-ADMIRALTY
IN THE ISLAND,
AND
HER MAJESTY THE QUEEN IN
HER PRIVY COUNCIL
ON APPEAL FROM THE
SUPREME COURT OF THE ISLAND.

UDUMA LEBBE *et al* v. SEYADU ALI *et al*.

D. C., Kurunégala, 857.

Civil Procedure Code, ss. 481 and 582—Appointment of next friend under s. 481—Certificate of curatorship under s. 582—Necessity for inquiry as to value of minor's property upon application for appointment of next friend.

A person who has been regularly appointed as next friend under section 481 of the Civil Procedure Code has a right to sue without a certificate of curatorship under section 582.

Per BROWNE, J.—A certificate of curatorship is necessary only for actions instituted (or defended) by a curator in his own name *qua* curator, and is not necessary for actions instituted (or defended) by a minor by his next friend or guardian *ad litem*.

In regard to the proviso of section 582, when application is made for the appointment of next friend or guardian, it is not necessary to inquire into the value of the minor's property. Such inquiry is necessary only when it is sought to appoint a curator generally, or for the limited purpose contemplated by that section.