

**IN THE COURT OF APPEAL OF THE DEMOCRATIC**  
**SOCIALIST REPUBLIC OF SRI LANKA**

Satharasighege Dona Leelawathie,  
Parakaduwa,  
Bendaluwa.

Plaintiff

C.A. No. 981 / 2000 F

D.C. Avissawella No. 411 / P

**Vs.**

M. P. Pinsethu.  
Parakaduwa,  
Meneripitiya.  
And 18 Others

Defendants

**AND NOW BETWEEN**

Satharasighege Dona Leelawathie,  
Parakaduwa,  
Bendaluwa.

Plaintiff Appellant

**Vs**

M. P. Pinsethu.  
Parakaduwa,  
Meneripitiya.  
And 18 Others

Defendant Respondents

BEFORE : UPALY ABEYRATHNE, J.  
COUNSEL : Appellant - absent and unrepresented  
Respondents - absent and unrepresented  
DECIDED ON : 27.01.2012

UPALY ABEYRATHNE, J.

The Plaintiff Appellant (hereinafter referred to as the Appellant instituted the said action against the Defendant Respondents (hereinafter referred to as the Respondents) in the District Court of Avissawella seeking for a partition of the land described in the schedule to the plaint.

The Defendant Respondents prayed for a partition as set out in their statements of claim. The case proceeded to trial on 43 issues. The learned District Judge, after trial, dismissed the Appellant's action with costs. Being aggrieved by the said judgment of the learned District Judge dated 28.11.2000 the appellant preferred the instant appeal to this court.

The Appellant in his petition of appeal has stated that the said judgment is contrary to law and against the weight of evidence adduced in the case.

I have carefully considered the impugned judgment of the learned District Judge. It seems to me that the learned trial judge has come to a conclusion after going through the evidence led before court.

When I consider the said circumstances I am of the view that the learned District Judge has come to a right conclusion.

In the said circumstances I see no reason to interfere with the judgement of the learned District Judge dated 28.11.2000. Therefore I dismiss the appeal of the Appellant with costs.

*Appeal dismissed.*

Judge of the Court of Appeal