

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

In the matter of an application under section
10 of the Civil Procedure Code for the
transfer an action.

Wanninayaka Mudiyanseleage Dissanayaka
"Sigiri" Kandededara
Nikaweratiya

Case No :- 8739/Land
Case NO:

Plaintiff

Vs

1. Selema Lebbe Mohammadu Fowzoon
Dambulla Road, Ibbagamuwa.

Defendant

2. Mohamed Faruk Mohamed Feroze
No. 68, Galagedara Hotel
Puttalam Road, Nikaweratiya.

Added Defendant

AND NOW BETWEEN

Wanninayaka Mudiyanseleage Dissanayaka
"Sigiri" Kandededara
Nikaweratiya

Plaintiff Petitioner

Vs :-

1. Selema Lebbe Mohammadu Fowzoon
Dambulla Road, Ibbagamuwa.

Defendant Respondent

2. Mohamed Faruk Mohamed Feroze
No. 68, Galagedara Hotel
Puttalam Road, Nikaweratiya.

Added Defendant Respondent

C.A. 88/2012 (Transfer)

D.C. Nikaweratiya Case No. 8739/L

Before : Ranjith Silva, J. (Acting P/C.A)

Counsel : C. J. Fernando for the Petitioner.

Argued &
Decided on : 09.05.2012.

Ranjith Silva, J.

In this matter Counsel for the Petitioner is seeking to have this case transferred to the District Court of Maho which is the closest Court to Nikaweratiya. The Counsel, also draws my attention to 'P2' wherein the District Judge of Nikaweratiya made observations that both parties consent to have this case transferred and that both parties have not expressed any objections since the court house at Maho is the closest to the Nikaweratiya District Court. There cannot be any inconvenience to the parties and the parties have not expressed so in the District Court. Accordingly I make order transferring this case to the District Court of Maho and the District Judge of Nikaweratiya is directed to send the main case record to the District Court of Maho as soon as practicable.

ACTING PRESIDENT OF THE COURT OF APPEAL

AKN