

In the Court of Appeal of the Democratic  
Socialist Republic of Sri Lanka

CA APPEAL No: 1050/96F

DC Kalutara: 4193/M

Yakkob Lebbe Mohamed Samsudeen,  
128, Mihiripanna Road, Dharga Town

**Plaintiff-Appellant**

Vs

M C M Farook and another,  
128, Mihiripanna Road, Dharga Town

**Defendant Respondents**

Before: A W A Salam J

Parties absent and unrepresented.

Decided on: 02.02.2011.

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A W Abdus Salam, J

This appeal arises from the judgment dated 26 August 1996. By the said impugned judgment, the learned district judge dismissed the plaintiff's action inter alia on the ground that the plaintiff-appellant is not entitled to a declaration that he is the owner of the entirety of the subject matter set out in the schedule to the plaint. As it transferred in the evidence of the plaintiff-appellant the property in question is not owned by the

plaintiff alone. This being the main reason that led to the dismissal of the plaintiff's action, I do not see any ground to interfere with the said judgment. Accordingly, this appeal stands dismissed. There shall be no costs.

Judge of the Court of Appeal