

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

**C.A. (PHC) No. 167/2010**  
P.H.C. Balapitiya No. 732/2007

P.V.P. Senaka Gunasena  
No.150/10,  
Aluthgama Road,  
Alpitiya.

**Appellant**

**Vs.**

Secretary,  
Alpitiya Divisional Secretary,  
Alpitiya.

**Respondents**

C.A. (PHC) No. 167/2010

P.H.C. Balapitiya No. 732/2007

BEFORE : A.W.A.SALAM, J. &

SUNIL RAJAPAKSHE, J.

COUSNEL : D.M.G. Dissanayake with M.D.J. Bandara for  
Respondent-petitioner-appellant

Nalini Arumapperuma for Petitioner-  
respondent.

DECIDED ON : 31<sup>st</sup> July, 2013.

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**A.W.A.SALAM, J.**

This appeal has been preferred against the judgment of the High Court pronounced in the exercise of appellate jurisdiction over an order made by the Magistrate. As such, this Court has no jurisdiction to entertain this appeal. Following the ratio decidendi in the case of Wickramasekera Vs. O.I.C. Police Station, Ampara reported in 2004 1 SLR 257, we proceed to dismiss the appeal for want of jurisdiction.

JUDGE OF THE COURT OF APPEAL

**SUNIL RAJAPAKSHE, J.**

I agree.

JUDGE OF THE COURT OF APPEAL

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