

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

C.A. No 963/98

D.C. Horana Case No. 4012/P

K.A.D. Yasapala
"Pathum",
Meepagala,
Gonapala.

Appellant

Vs.

Swarna Matarage
Gonapala Junction,
Thalagala.

Respondent

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

C.A. No 963/98

- **D.C. Horana Case No. 4012 /P**

BEFORE : K.T.CHITRASIRI, J.

COUNSEL : J.H. Wimalasena for the 2nd Defendant-Appellant.
A. M. J. Hemantha for the 1st Defendant-Respondent.
Plaintiff Respondent is absent and unrepresented.

ARGUED &
DECIDED ON : 19.02.2014

K. T. CHITRASIRI J.

Registrar of this Court has sent a notice under registered cover to the Plaintiff-Respondent informing him that this matter would be taken up for argument today. The said letter had been returned with the endorsement that the person to whom it was addressed to, is not found at the given address. The said notice had been sent to the address given in the petition of appeal as well as in the plaint. Hence, argument is taken up in his absence.

Heard Counsel for the Appellant in support of this appeal.

The grounds of appeal referred to in the petition of appeal is the legality of the adoption of the Plaintiff-Respondent. Learned District Judge has considered this question of adoption of the Plaintiff-Respondent referring to the

document marked 2V(1) namely the adoption order in respect of the Plaintiff-Respondent. Accordingly, the Learned District Judge has decided that the Plaintiff had been adopted in terms of the law. I do not see any error when he decided that the Plaintiff-Respondent was adopted legally, relying upon the said document marked 2V(1). Therefore the aforesaid grounds of appeal fails. At this stage learned Counsel also submits that he is not pursuing the said ground of appeal.

For the aforesaid reasons, this appeal is dismissed without costs.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

CN/-