

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

CA (PHC) 125/2008

HC Galle Revision No:536/2005

MC Baddegama Case No:94643

1. Sheela Hapugoda
Ellakanda Junction
Baddegama.

6. Lalitha Nanayakkara
Kadaporugoda
Ihala Lelwala
Wanduramba.

Respondent-Petitioner-Appellants

Vs

1. Ariyadasa Wickrema Seneviratne
(deceased)
Weihena Watta, Weihena.

2. Janaka Asanka Wickrema
Seneviratne
Weihena Watta, Weihena.

3. Public Trustee

4. Karunapala Nanayakkara
Elakanda

Respondent-Respondent-Respondents

5. Officer In Charge
Police Station
Wanduramba.

Plaintiff-Respondent-Respondent

BEFORE : **A.W.A. SALAM, J (P/CA) &
SUNIL RAJAPAKSHA, J.**

COUNSEL : Isuru Somadasa for the 1st and 6th respondent-
petitioner-appellants and Kapila Liyanagamage for
the 2nd and 3rd respondent-respondent-respondents.

ARGUED ON: 21.11.2013

DECIDED ON: 07.07.2014

A.W.A. SALAM, J (P/CA)

This appeal arises on the judgment of the learned High Court Judge dated 08.09.2012, by which the revision application filed by the 1st and 6th respondent-petitioner-appellants against the determination of the learned Magistrate under Section 68 of the Primary Court Procedure Act, had been dismissed.

The learned Magistrate by his determination has granted possession to the party who was in possession two months immediately preceding the date of the report filed under Section 66. The learned High Court Judge has affirmed the determination of the Magistrate for this reason. As such, I see no reasons to interfere with the impugned judgment. Accordingly, the appeal stands dismissed. There shall be no costs.

PRESIDENT OF THE COURT OF APPEAL

SUNIL RAJAPAKSHA, J.

I agree.

JUDGE OF THE COURT OF APPEAL

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