

C.A. (PHC) No.130/2003

PHC Chilaw No. 17/2002

BEFORE : K.T.CHITRASIRI, J. &
MALINIE GUNARATNE, J.

COUNSEL : K. S. Ratnavale with M. Sasangan for the
appellant.
Anoop de Silva SSC for the respondent.

ARGUED AND

DECIDED ON : 18th July, 2014.

K.T.CHITRASIRI, J.

Learned Senior State Counsel submits that in view of the decision in Wickramasekera Vs. O.I.C. Ampara, (2004 1SLR 257) the appellant could not have filed this appeal exercising ~~the~~ appellate powers. Learned Counsel for the appellant concedes that it is the law now prevails after the judgment referred to above. Accordingly, this appeal is misconceived since the appellant should have filed ^{an} ~~the~~ appeal addressed to the Supreme Court. Therefore, the appeal is dismissed without costs.

JUDGE OF THE COURT OF APPEAL

MALINIE GUNARATNE, J.

I agree.

JUDGE OF THE COURT OF APPEAL

Kwk/=