

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

CA Transfer 01/2016

1. Induruwa Bandarage Malani.
2. Ranasinghe Arachchige Sanjeewa.
3. Ranasinghe Arachchige Jayana Sanjeewani.
4. Ranasinghe Arachchige Chathuri Rangani.
5. Ranasinghe Arachchige Chamila Maduranga.

Defendant- Petitioners

Vs.

Nimal Siriwardhane
No: 25/14, De Alwis Road,
Mount Lavinia

Plaintiff - Respondent

C.A. 01/2016

An application for Transfer

Before : Vijith K. Malalgoda,PC J. (P/CA) &
P. Padman Surasena,J.

Counsel : Dushantha Kularathne for the Defendant-Petitioners
instructed by Nimal Rajapakshe.

Lasitha Kanuwana Arachchi with Gayan Fernando for the
Respondents instructed by M.A. M.L. Munasinghe

Decided on : 30.08.2016

Vijith K. Malalgoda,PC J. (P/CA)

This matter is fixed for inquiry today. The Defendant-Petitioner to the present application had come before this Court under Section 46 of the Judicature Act No. 02 of 1978 seeking an order to transfer the District Court of Mt. Lavinia Case No. 2818/2014/L to the District Court of Colombo. When the matter was taken up for inquiry before us, the counsel representing for both parties including the learned counsel for the Plaintiff-Respondent inform Court that they have no objections that this case being transferred from the District Court of Mt. Lavinia to any other Court outside Mt. Lavinia. As observed by this Court, the Plaintiff-Respondent is a senior practitioner from the District Court of Mt Lavinia. Since the Plaintiff-Respondent too has no objection for the case being transferred, we decide to make order under Section 46 of the

Judicature Act to transfer this case from the District Court of Mt. Lavinia to the District Court of Colombo to hear and for final determination. We therefore, make order transferring this case from the District Court of Mt. Lavinia to the District Court of Colombo.

Registrar is directed to communicate this order to the Registrar of the District Court of Mt. Lavinia and the Registrar of the District Court of Colombo forthwith.

PRSIDENT OF THE COURT OF APPEAL

P. Padman Surasena,J.

I agree

JUDGE OF THE COURT OF APPEAL

Cr/-