

In the Court of Appeal of the Democratic Socialist Republic of Sri Lanka

C.A (PHC) 142/2002

P.H.C. Kurunegala No.63/2000
M.C.Kurunegala No.61728/Maintenance.

W.A. Ranasinghe
Palleyaya,
Dabarayaya.

RESPONDENT - RESPONDENT - APPELLANT

Vs.

D. Malinie Hemalatha
Palleyaya,
Dabarayaya.

APPELLANT - RESPONDENTS

C.A (PHC) 142/2002

P.H.C. Kurunegala No.63/2000

M.C.Kurunegala No.61728/Maintenance.

Before : K.T.Chitrasiri,J. &

Malinie Gunaratne,J.

Counsel : W.Dayaratne P.C.With Subash Gunathilake for the
Respondent-Respondent-Appellant.

Pulasthi Hewamanne for the Applicant-
Petitioner-Respondent.

Argued and

Decided on : 13/11/2014.

K.T.Chitrasiri,J.

Learned Counsel for the Respondent-Respondent-Appellant submits that this Court has no jurisdiction to entertain this appeal since the appellate power to challenge the decisions of the High Court made in terms of the provisions contained in the Maintenance Act No. 37 of 1999 is vested with the Supreme Court. The law referred to above is conceded by the learned Counsel for the respondent as well.

In terms of Section 14(2) of the Maintenance Act, the appeals filed to challenge the decision of a High Court Judge is to be preferred

to the Supreme Court. Therefore , having looked at Section 14 (2) of the Maintenance Act No. 37 of 1999, we decide that this Court has no jurisdiction to entertain this appeal. Therefore, this appeal is dismissed.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

W.M.M.Malinie Guneratne,J.

I agree.

JUDGE OF THE COURT OF APPEAL

WC/-