

## **Page 1**

**This is a true copy of the Information Book of the ..... Police Station.**

Information Book

Date: 2022/10/31

Time: 0900

Page: 424

Para: 03

Regarding obtaining maintenance from the husband

A complaint was made.

[The following is a transcription of the legible parts of the handwritten complaint summary]

My name is Kaluthara Wedage... Shashikala... In 2019, at my husband's house, his mother and father threw me out of the house. After that, I came to [my family's] house. I stayed there for a year... my husband's mother and father swore at me in filth... My husband is Ariyapperuma Ramanayakage Don Shashikamal... Since leaving my husband's house, he has only given me a sum of Rs. 20,000.00 to date. For this entire time, I have been spending on my children's expenses. When I make a call, my mother-in-law and father-in-law are hostile... I have two daughters... What I need is the required monthly amount for the maintenance of my two children.

... to be forwarded to the court.

I certify that the above extract is a true copy taken from the Information Book in my custody.

Officer-In-Charge

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## **Page 2**

[This page contains boilerplate certification text and signatures for the police extract.]

Date of Issue: 2022/11/20

I certify that the above extract is a true copy taken from the Information Book mentioned on the first page, which is in my custody.

Signed/-  
Officer-In-Charge

**In the District Court of Kaduwela.**

Case Number: DDV 4328/23

Nature: Divorce

Procedure: Regular

Value: Rs. 5,000/-

Kaluthara Wedage Nandira Shashikala Fonseka,  
259/1/D, Delgahawatta, Pore,  
Athurugiriya.

Plaintiff

**Versus**

Ariyapperuma Ramanayakage Don Shashikamal Senevirathne,  
No. 88/12, 3rd Baptist Mawatha,  
Duwa Road, Beddagana, Pitakotte.

Defendant

On this 20th day of January, 2023.

The above-named Plaintiff, appearing through her attorney-at-law Mr. Jayalath Hissella, presents her plaint and states as follows to the Honourable Court:

1. The Plaintiff states that this Honourable Court has the legal jurisdiction to hear and determine this case as the above-named Plaintiff resides within the jurisdiction of this court.
  2. The Plaintiff states that she registered her marriage with the Defendant on the twenty-fifth (25th) day of January, 2012, based on a love affair.  
To confirm the said marriage registration, a copy of the marriage certificate bearing No. 5008 dated 2012.01.25 is marked as P1 and submitted herewith, and it is prayed that it be accepted as a part of the plaint.
  3. The Plaintiff states that after getting married, their marital home was established at the house of the Defendant's parents.
  4. The Plaintiff states that from this marriage, two female children, Ariyapperuma Ramanayakage Dona Tharuli Dahaya Senevirathne, born on the eleventh of July, 2013, and Ariyapperuma Ramanayakage Dona Yethuli Mihinma Senevirathne, born on the eleventh of July, 2018, were born.
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## **Page 4**

To confirm this, the birth certificates of the two girls are marked as P2 and P3 respectively and are submitted herewith, and it is prayed that they be accepted as a part of the plaint.

5. The Plaintiff states that after the birth of the second daughter, she endured the physical and mental harassment/pressure from the Defendant and the mental harassment from the Defendant's mother for the sake of the future welfare of the two children, and lived the married life until 2020, and although they lived under the same roof, they lived separately in two rooms.
6. From March 2020, the Plaintiff and the Defendant lived their married life with the Plaintiff's parents, the Defendant abandoned the business he was engaged in due to the Covid pandemic situation, and the Defendant neglected his marital duties and the maintenance of the two children.
7. The Plaintiff further states that she and the two children have had to live to date with the help and support of her parents and her elder brother.
8. The Plaintiff states to the Honourable Court that on or around the 05th day of September, 2021, the Defendant permanently abandoned the Plaintiff and the two children and threatens her by telephone.
9. Accordingly, from on or around the 05th day of September, 2021, the Defendant has maliciously deserted the two children and the Plaintiff, and a cause of action has accrued to her to obtain a judgment to have the marriage between the Plaintiff and the Defendant divorced on the ground of the matrimonial fault of malicious desertion.
10. The Plaintiff states that she lodged a complaint regarding this family dispute at the Malabe Police Station, and although the relevant police officer called the Defendant's telephone and informed him to come to the police station to inquire into the complaint, the Defendant did not attend the inquiry into the said complaint on the specified date or on any other day.  
A true copy of the said complaint is marked as P4 and submitted herewith.
11. The Plaintiff values this case at Rs. 400,000/-.

Therefore, the Plaintiff prays from the Honourable Court:

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## **Page 5**

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- (a) That the marriage contracted between the Defendant and the Plaintiff be divorced and dissolved on the ground of the matrimonial fault of malicious desertion by the Defendant;
  - (b) That the legal and physical rights of the two female children born of this marriage,

Ariyapperuma Ramanayakage Dona Tharuli Dahaya Senevirathne born on the eleventh of July, 2013, and Ariyapperuma Ramanayakage Dona Yethuli Mihinma Senevirathne born on the eleventh of July, 2018, be granted to the Plaintiff;

(c) For a sum of Rs. 100,000/- monthly for the maintenance of the two children born of this marriage, Ariyapperuma Ramanayakage Dona Tharuli Dahaya Senevirathne and Ariyapperuma Ramanayakage Dona Yethuli Mihinma Senevirathne, until these two female children complete the age of eighteen (18);

(d) For the costs of the action, and

(e) For such other and further relief as to this Honourable Court shall seem meet.

**Documents attached to the Plaintiff**

1. My appointed proxy.
2. Marriage certificate No. 5008, marked as P1.
3. Birth certificate No. 8436, marked as P2.
4. Birth certificate No. 1289, marked as P3.
5. True copy of the police complaint, marked as P4.

Signed/-

Attorney-at-Law for the Plaintiff

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**Page 6**

Case Number: DDV 4328/23

Nature: Divorce

Procedure: Regular

Value: Rs: 5000/-

**Motion**

In the District Court of Kaduwela.

[Names and addresses of Plaintiff and Defendant]

On this ..... day of October, 2023.

The proxy of the defendant in the above-numbered case and the answer under Section 72 of the Civil Procedure Code stating that the case is not contested are submitted herewith, and I pray for an order that they be accepted and filed in the case record, and,

Having informed the Honourable Court of the settlement reached with the Plaintiff in this case whereby the Defendant will not be contesting the case, I respectfully pray for an order that this case be called in open court on the ..... day of ....., 2023, to establish the facts for the purpose of concluding the legal proceedings without a contest.

Signed/-  
Attorney-at-Law for the Defendant

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## **Page 7**

### **Answer under Section 72 of the Civil Procedure Code**

Case Number: DDV 4328/23

Nature: Divorce

Procedure: Regular

Value: Rs: 5000/-

In the District Court of Kaduwela.

[Names and addresses of Plaintiff and Defendant]

On this ..... day of October, 2023.

The above-named Defendant, appearing through his Attorney-at-Law Mrs. Nadeeka Seneviratne, presents his answer and states and prays as follows:

1. The Defendant states that he is aware of the case filed by the Plaintiff in the Kaduwela District Court and is aware of the facts in the plaint.
  2. The Defendant states that since he does not intend to live a married life with the Plaintiff, it is not necessary to participate in family counseling regarding this case, and that a long time has passed since he separated from the Plaintiff.
  3. The Defendant states that he does not contest the cause of action prayed for in the Plaintiff's plaint.
  4. The Defendant requests the right of access to the children and agrees to grant the permanent legal and physical custody of the children to the Plaintiff.
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## **Page 8**

5. He requests to be granted access to the children for two days a month, without prejudice to the children's health, safety, and education.
6. Furthermore, the Defendant requests the opportunity to speak with the children daily via a permanent telephone number to be provided by the Plaintiff.
7. The Defendant reserves the right to pray for the custody of the children through another custody case if the Plaintiff does not act for the welfare of the children.
8. Accordingly, he states that he does not object to the reliefs prayed for in prayers (a) and (b) of the Plaintiff and expresses his consent thereto.

Signed/-

Defendant

Signed/-

Attorney-at-Law for the Defendant