

**IN THE SUPREME COURT OF THE DEMOCRATIC SOCIALIST  
REPUBLIC OF SRI LANKA**

In the matter of an Application for Special  
Leave to Appeal in terms of Article 128(2) of  
the Constitution of Sri Lanka.

1. Jamaldeen Abdul Latheef,
2. Koya Mohideen Nizardeen,  
Nachchaduwa.

**DEFENDANT-APPELLANT-APPELLANTS**

S. C. Appeal No. 104/05

S. C. (SPL) L. A. No. 5/05

C. A. No. 908/94 (F)

D. C. Anuradhapura Case No. 12863/L

**-VS-**

1. Abdul Majeed Mohamed Mansoor,
2. Abdul Majeed Mohamed Nizar,  
Of No. 1, Dharga Road,  
Govijana Mandiraya,  
Nachchaduwa.

**PETITIONER-RESPONDENT-RESPONDENTS**

BEFORE : Hon. J.A.N. de Silva, C.J.,  
Hon. Saleem Marsoof, P.C., J., and  
Hon. P. A. Ratnayake, P.C., J.

COUNSEL : Faisz Musthapha, P.C., with N. M. Shaheed for the  
Defendant-Appellant-Appellants.

W. Dayaratne, P.C., with R. Jayawardane for the  
Petitioner-Respondent-Respondents.

ARGUED ON : 18.03.2009 and 30.07.2009

WRITTEN SUBMISSIONS: 1.09.2009 and 23.10.2009

DECIDED ON : 27.10.2010

**SALEEM MARSOOF, J.**

This appeal arises from an action for declaration of title filed in the District Court of Anuradhapura in December 1989 by the Petitioner-Respondent-Respondents (hereinafter referred to as "Respondents"), who claimed title to the four acre land named "Palugahakumbura" situated in Mahawela (Pahalabaage) in the Pandiyankulama village, in Nachcha Tulana of Ulagalla Korale in Hurulu Palata in Anuradhapura District in the North Central Province of Sri Lanka, more fully