

Privy Council Appeal No. 104 of 1928.

Margaret Elizabeth Brito and another - - - - *Appellants*

v.

Cyril Christopher Ariyanayagam Brito Muttunayagam and another - *Respondents*

FROM

THE SUPREME COURT OF CEYLON.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF THE
PRIVY COUNCIL, DELIVERED THE 17TH OCTOBER, 1930.

Present at the Hearing :

VISCOUNT DUNEDIN.

LORD ATKIN.

LORD RUSSELL OF KILLOWEN.

[*Delivered by* VISCOUNT DUNEDIN.]

In view of the concurrent finding of fact with which their Lordships cannot here interfere, they are of opinion that there is no room for the application of the doctrine of compensation, and their Lordships will, therefore, humbly advise His Majesty to dismiss the appeal, with costs. The respondents will also have the costs of the Appeal No. 1 of 1921.

These costs will be a charge upon the land in dispute.

In the Privy Council.

MARGARET ELIZABETH BRITO AND ANOTHER

2.

CYRIL CHRISTOPHER ARIYANAYAGAM BRITO
MUTTUNAYAGAM AND ANOTHER.

DELIVERED BY VISCOUNT DUNEDIN.

Printed by
Harrison & Sons, Ltd., St. Martin's Lane, W.C.2.
1930.