



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

NATIONAL HOUSING (AMENDMENT)
ACT, No. 49 OF 1981

[Certified on 24th July, 1981]

Printed on the Orders of Government

Published as a Supplement to Part II of the **Gazette of the Democratic
Socialist Republic of Sri Lanka** of July 31, 1981

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE CJVT. PUBLICATIONS BUREAU, COLOMBO

Price : 35 cents

Postage : 50 cents

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L. D.—O. 75/80

AN ACT TO AMEND THE NATIONAL HOUSING ACT.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the National Housing (Amendment) Act, No. 49 of 1981.

Short
title.

2. Section 33 of the National Housing Act (hereinafter referred to as the "principal enactment") is hereby amended by the repeal of subsection (1) of that section and by the substitution therefor of the following subsection :—

Amendment
of
section 33 of
Chapter 401.

"(1) In any case where the occupier of any house to which this Part applies fails to comply with the provisions of subsection (1) of section 32, it shall be lawful for the landlord to file, in the District Court of the district in which the house is situated, an application praying for the recovery of possession of the house, and for the ejectment from the land or premises on which the house is situated of the occupier, his dependants and every other person occupying such land or premises or portion thereof. Every such application shall be supported by an affidavit setting forth the time and manner of the termination of the occupation of the occupier."

3. Section 36 of the principal enactment is hereby repealed and the following section substituted therefor :—

Replacement
of
section
36 of the
principal
enactment.

"Appeals

36. Any person who is dissatisfied with any final judgment, or any order having the effect of a final judgment, pronounced or made by the District Court under this Part may, before the expiry of a period of fourteen days (exclusive of Sundays and public holidays) from the date of such judgment or order, appeal to the Court of Appeal against such judgment or order; and the provisions of any other written law relating to appeals to the Court of Appeal from judgments or orders of District Courts shall apply in the case of any appeal preferred under the preceding provisions of this section."

*National Housing (Amendment)
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Retrospective
effect.

4. The amendments made to the principal enactment by sections 2 and 3 of this Act shall be deemed to have come into force on July 2, 1979.

Validity
of
applications
&c. before
Magistrate's
Court
between
July 2,
1979, and
date of
commence-
ment
of this
Act.

5. (1) No application made to, or final judgment, or order having the effect of a final judgment, pronounced or made by, a Magistrate's Court under Part V of the principal enactment during the period commencing on July 2, 1979, and ending on the day immediately preceding the date of commencement of this Act, shall be deemed to be, or to have been, invalid by reason only of the fact that such application was made to, or final judgment, or order having the effect of a final judgment, was pronounced or made by, a Magistrate's Court.

(2) With effect from the date of commencement of this Act, every application made to a Magistrate's Court under Part V of the principal enactment and pending in such Court on the day immediately preceding the date of commencement of this Act, shall stand removed to the District Court of the district in which the division of such Magistrate's Court is situated.

(3) Every final judgment, or order having the effect of a final judgment, pronounced or made by a Magistrate's Court under Part V of the principal enactment during the period commencing on July 2, 1979, and ending on the day immediately preceding the date of commencement of this Act shall be deemed for all purposes to be, and to have been, a final judgment, or order having the effect of a final judgment, pronounced or made by a District Court under Part V of the principal enactment, as amended by this Act, and may be executed or given effect to accordingly.

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