

Privy Council Appeal No. 73 of 1913.

Sinniah Thanna Letchimey and others - *Appellants,*

v.

Sayna Suna Nawanna Ramanathan Chetty - *Respondents.*

FROM

THE SUPREME COURT OF THE ISLAND OF CEYLON.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF
THE PRIVY COUNCIL, DELIVERED THE 17TH JUNE 1914.

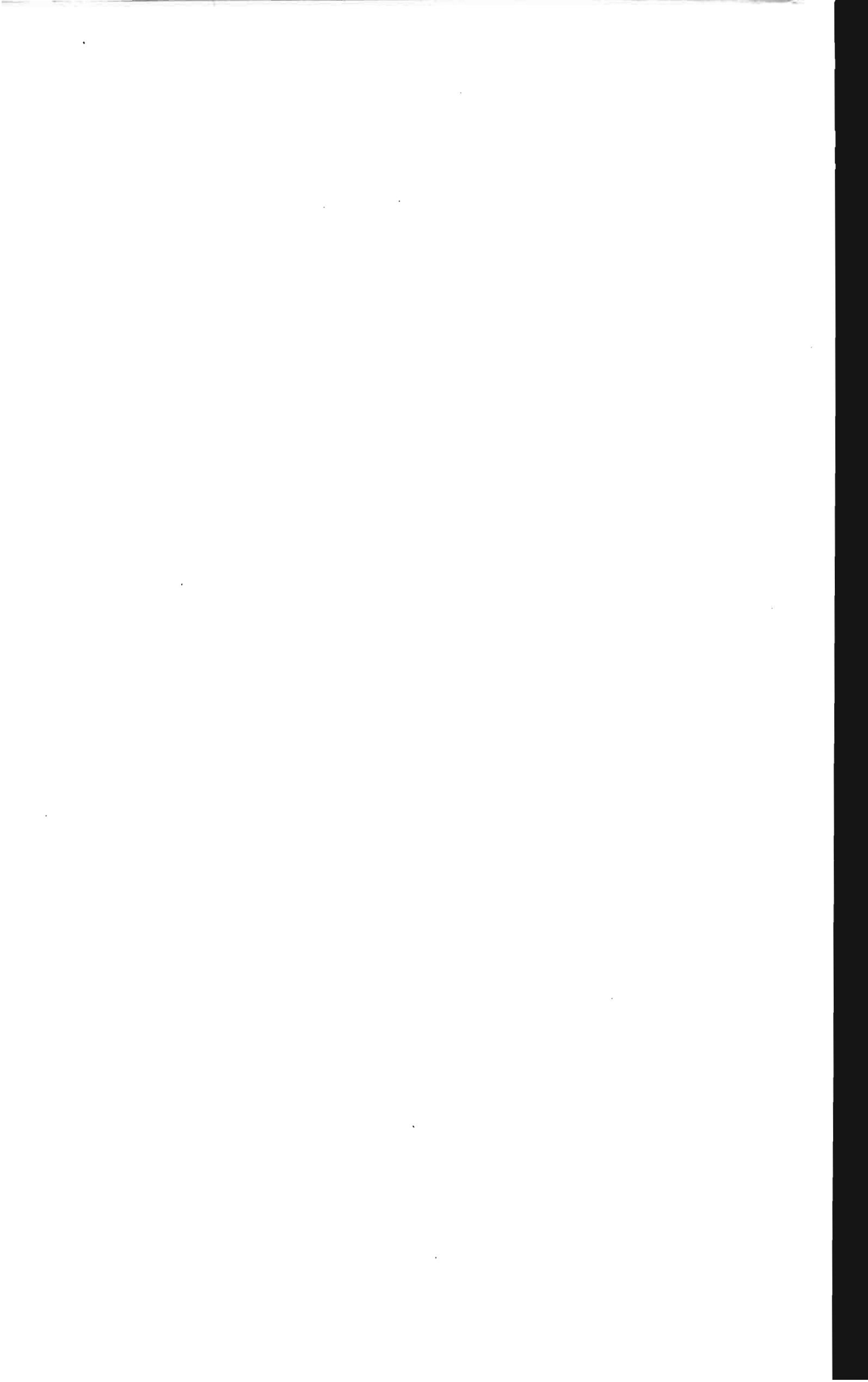
Present at the Hearing :

LORD DUNEDIN.	LORD SUMNER.
LORD ATKINSON.	SIR JOSHUA WILLIAMS.

[*Delivered by* LORD DUNEDIN.]

This appeal has been very fully and admirably argued by Mr. Lawrence. The question whether Rs. 40,000 were credited by the respondent to the account of the deceased Sinniah on the 3rd July 1906 is a question of fact, and if answered affirmatively it is conclusive of the case. The question has been answered affirmatively by both Courts. In these circumstances their Lordships could only interfere if it could be shown that there was no evidence to support the judgment. Their Lordships cannot come to that conclusion. There is the evidence of the books, and though, by the Ceylon Evidence Act, that is not *per se* enough, yet there is other evidence, notably as to payment of interest, which is corroborative of the state of facts evidenced by the entry.

Their Lordships therefore see no reason to disturb the conclusion at which the Court below unanimously came, and will humbly advise His Majesty to dismiss the Appeal with costs.



In the Privy Council.

SINNIAH THANNA LETCHIMEY
AND OTHERS

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SAYNA SUNA NAWANNA RAMA.
NATHAN CHETTY.

DELIVERED BY LORD DUNEDIN.

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