

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

CA No. 149/2003

W.G. M.M.C.B. Yatawaka  
Moonemale Estate,  
Kaluaggala,  
Hanwella.

**PETITIONER**

**Vs.**

1. M. S. Amarasekera  
Chairman,  
Urban Development Authority,  
'Sethsiripaya",  
Battaramulla.
2. J.M.L. Jayasekera  
Director General,  
Urban Development Authority,  
'Sethsiripaya",  
Battaramulla.
3. Mr. E.M.R.U.B. Dirakumbura  
Director - Lands,  
Urban Development Authority,  
'Sethsiripaya",  
Battaramulla.
4. The Hon. Rajitha Senaratne  
Minister of Lands,  
Govijana Mandiraya,  
Rajamalwatta Road,  
Battaramulla.

5. Mr. W.K.K. Kumarasiri,  
Secretary,  
Ministry of Lands.
6. Mr. P.H.C. Wimalasiri Perera,  
Divisional Secretary,  
Hanwella.
7. The Hon. M.H. Mohamed,  
Minister of Western Development,  
"Sethsiripaya",  
Battaramulla.
8. Mr. F. Amarasekera,  
Region  
The Secretary,  
Ministry of Western Region Development,  
"Sethsiripaya",  
Battaramulla.

**RESPONDENTS**

C.A. 149/2003 : An Application for Writs of Certiorari, Mandamus and Prohibition.

Before : Anil Gooneratne,J.

Counsel : M. Adamaly with Isara Gunawardena for the Petitioner.  
Nayomi Kahavita, S.C. for all the Respondents.

Decided on : 23.11.2012.

Anil Gooneratne,J.

Learned State Counsel supports the motion dated 16.11.2012 and emphasizes the fact that by gazette notification of 25.09.2012 marked 'X' and the relevant portion marked 'XA' by which the land in question which was earlier acquired by the state under Section 38(a) proviso order of the Lands Acquisitions Act, has now been revoked by gazette notification marked 'X'. It is annexed to the motion dated 16.11.2012.

In the circumstances, learned counsel for the Petitioner moves to withdraw this application. Application for withdrawal allowed. Application dismissed. No costs.

JUDGE OF THE COURT OF APPEAL

Cr/-