

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

**CA Appeal No. 660/98 (F)**

DC Rathnapura No. 11466/C

Anton Tennekoon Basnayake Nilime  
Maha Saman Devalaya,  
Rathnapura.

**Plaintiff Appellant**

Vs.

N.K Premasiri  
Assistant Government Agent and Acquiring Officer,  
Kachcheriya,  
Rathnapura.

And Others

**Defendant Respondents**

C.A. Appeal No. 660/98 (F) - D.C.Rathnapura No. 11466/C

Before : **K.T. CHITRASIRI, J.**

Counsel : Plaintiff-Appellant is absent and unrepresented.  
Upendara Yaggahawita A.S.A. for the 1<sup>st</sup>, 2<sup>nd</sup>  
and 3<sup>rd</sup> Defendant-Respondents

Argued &  
Decided on : 03.12.2012.

**K.T. Chitrasiri, J.**

The name of the plaintiff-appellant in this case is Anton Tennekoon, and his address is Basnayake Nilame, Maha Saman Devalaya, Rathnapura. It is brought to the notice of court that the said plaintiff-appellant is dead.

Accordingly the Registrar is directed to send the Original Record to the District Court of Rathnapura for the parties to take necessary steps. The learned District Judge may act according to Section 402 of the Civil Procedure Code, if no application is made to

substitute the heirs in place of the deceased plaintiff-appellant.  
Accordingly, proceedings of this court is terminated.

*Proceedings are terminated.*

**JUDGE OF THE COURT OF APPEAL**

/mds