

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

CA (Rev) Application No.900/2002

DC Avissawella Case No. 18702/P

Ranathun Achchige Don Dharmadasa
No.402/1,
Pelpola,
Tummodera.

Petitioner-Petitioner

Vs.

Yasapalitha Kaluthanthirige Mannana,
Ratnapura.

Substituted Plaintiff-Respondent

- 1a. Warnage Sunethra Fonseka
- 1b. Warnage Tissa Somakeerthi Fonseka
- 1c. Warnage Senerath Fonseka
- 1d. Warnage Chithra Ranjani Fonseka
- 1e. Warnage Amitha Nilanthi Fonseka

All of Pelpola,
Tummodera.

- 2a. Mallawa Arachchige Egonona
- 2b. Yasapalitha Kaluthanthirige
- 2c. Thushari Priyaharshani Kaluthanthirige

All of Mannana,
Ratnapura.

3. Pelpolage Don Chandra Sirimathi
Elamalawala,
Tummodera.
4. Rajapakse Liyanage Wimalawathie Alias Rajapakse Nona
5. Kaluthanthirige Marathelis
6. Kaluthanthirige Dharmadasa
7. Kaluthanthirige Patmasena

All of Pelpola,
Tummodera.
8. Kaluthanthirige Hemapala
Ajanthagama,
Kosgama.
9. Kaluthanthirige Wimalawathie
10. Vamage Tissa alias Fonsekage Tissa
11. Vamage Sarath alias Fonsekage Sarath
12. Kaluthanthirige Weerasena

All of Pelpola,
Tummodera.

Defendant -Respondents

C.A. (Rev.)Application No. 900/2002 - D.C. Awissawella No. 18702/P

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

Counsel : Shantha Karunadhara for the Petitioner.

Lal C. Kumarasinghe for Substituted Plaintiff-
Respondent and 1a -1e Defendant Respondents

Argued &
Decided on : 03.12.2012.

K.T. Chitrasiri, J.

Both counsel submit that the dispute in this case has now been settled among the parties.

They further submit that the parties, who are contesting the order made by the learned District Judge have placed their signatures to the document which contains the terms of settlement. Both counsel also submit that the parties are now prepared to accept the said terms of settlement contained in the said document dated 03.12.2012 which is being tendered to court today. A Plan marked 'X' is also tendered with the terms of settlement as part and parcel of the settlement.

The learned District Judge of Awissawella is directed to enter decree according to the terms of settlement tendered today in this court.

At this stage both counsel submit that they intend to have the decree to be entered, executed in terms of the settlement contained in the document that is being filed today. They also inform that they wish to obtain the assistance of the licensed surveyor, M.D. Jayalath Kumara, who has prepared the Plan marked 'X', at the time the decree is to be executed.

In the circumstances, both counsel submit that the proceedings of this court can now be terminated. Accordingly, proceedings of this court are terminated.

Proceedings are terminated.

JUDGE OF THE COURT OF APPEAL

/mds