

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

In the matter of an appeal under article
154(G) of the Constitution read with article
138 of the Constitution.

CA (PHC) Case No: 86/2003

Rathnapura HC Case
No: HCR/ APL: 43/99

Rathnapura MC Case
No: 26740 Maintenance

Thelge Mallika Nalani Pieris
Kamarangapitiya,
Pelmadulla.

APPLICANT

Vs.

Olugala Witharamalage Karunarathne,
Pagoda, Gilimale,

RESPONDENT

AND

1. Olugala Witharamalage Nandasiri
Pagoda, Gilimale
2. Uggalge Anura Senevirathne

Pagoda, Gilimale

INTERVENING RESPONDENTS

AND BETWEEN.

1. Olugala Witharamalage Nandasiri
(died on 28.12.2002
Pagoda, Gilimale

Substituted

- A. Demala Poruwa Kankanamalage
Heenmenike
Alupotha, Wewelwatta.
2. Uggalge Anura Senevirathne
Pagoda, Gilimale

**INTERVENING RESPONDENTS –
APPELLANTS**

VS

Theige Mallika Nalani Pieris
Kamarangapitiya,
Pelmadulla

APPLICANT RESPONDENT

Olugala Witharamalage Karunarathne,
Pagoda, Gilimale,

RESPONDENT

AND NOW BETWEEN

Vs.

1. Demala Poruwa Kankanamalage Heenmenike
Alupotha,
Wewelwatta.
2. Uggalge Anura Senevirathne
Pagoda,
Gilimale.

**INTERVENING RESPONDENTS-
APPELLANT-APPELLANTS**

Thelge Mallika Nalani Pieris
Kamarangapitiya,
Pelmadulla.

**APPLICANT RESPONDENT-
RESPONDENT**

Olugala Witharamalage Karunarathne,
Pagoda,
Gilimale.

RESPONDENT-RESPONDENT

C.A. (PHC)No. 86/2002 P.H.C.Ratnapura No.43/99

Before : **Rohini Marasinghe, J.**
 Deepali Wijesundera, J.

Counsel : Dharshana Kuruppua for the Intervient Respondent-
 Apellant-Appellant.
 C.Ariyaratne for the Applicant-Respondent- Respondent.

Decided on : 11.12.12

Rohini Marasinghe, J.

Parties have now settled the matter. Written terms of settlement of settlement signed by the Attorney-at-Law for the Intervening Respondents-Appellants-Appellants and the Attorney-at-Law for the Applicant-Respondent-Respondent is filed of record together with Plan marked "X1".

Registrar is directed to forward this order to the relevant High Court together with the terms of settlement. The learned High Court Judge is directed to enter decree on the basis of the terms of settlement.

In view of the terms of settlement Counsel for the Intervient Respondent-Appellant-Appellant moves to withdraw the appeal. The appeal is dismissed.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

Deepali Wijesundera, J.

I agree.

JUDGE OF THE COURT OF APPEAL

KLP/-