

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

**CA (PHC) Rev Application No: 52/2010**

WP/HCCA/Gph/Writ 01/2009

Warnakulasooriya Madonna M. Felicita Tissera  
No.81,  
East Palagathuraya,  
Kochchikade.

**Petitioner**

**Vs.**

1. Negombo Municipal Council,  
Negombo.
2. The Municipal Commissioner  
Municipal Council, Office of the Negombo,  
Municipal Council,  
Negombo.
3. Appuacharige Don Jayashantha
4. Appuacharige Don Jagath Indika Pushpakumara
5. Rathnesekera Kiripiti Acharilage Mary Lilian

All of at

No. 11611 0,  
East Palagathuraya,  
Kochchikade.

**Respondents**

**AND NOW BETWEEN**

Warnakulasooriya Madonna M. Felicita Tissera  
No. 81,  
East Palagathuraya,  
Kochchikade.

**Petitioner-Petitioner**

1. Negombo Municipal Council,  
Negombo.
2. The Municipal Commissioner  
Municipal Council, Office of the Negombo  
Municipal Council,  
Negombo.
3. Appuacharige Don Jayashantha,
4. Appuacharige Don Jagath Indika Pushpakumara,
5. Rathnesekera Kiripiti Acharilage Mary Lilian,

All of at  
No. 116/10,  
East Palagathuraya,  
Kochchikade.

**Respondent-Respondents**

Before : Sisira de Abrew, J. &  
K.T. Chitrasiri, J.

Counsel : Chula Bandara with Sudarshanie de Silva for the  
Appellant  
Anil Silva P.C. with D. Samarakoon for the 1<sup>st</sup> & 2<sup>nd</sup>  
Respondents  
P. Nanayakkara with T. Alahakoon for the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>  
Respondent Respondents

Argued &

Decided on : 02.07.2012

**Sisira de Abrew, J.**

Counsel for the Appellant, Chula Bandara submits that if the appeal bearing No. CA (PHC) 20/2010 is taken up, he will not pursue case No. CA(PHC) 52/2010 (this case). Since we have quashed the judgment of the learned High Court Judge dated 10.02.2010 in case No. CA (PHC) 20/2010, proceedings in this case are terminated.

**JUDGE OF THE COURT OF APPEAL**

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

I agree.

**JUDGE OF THE COURT OF APPEAL**

KL./-