

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

CA Writ 171/2012

G.D Siripala
13th Mile Post,
Tampalagamuwa.

Appellant

Vs.

L.D. Tennakoon
The Divisional Secretary,
Divisional Secretariat,
Tampalagamuwa.

And 04 others

Respondents

C.A. Writ Application No.171/2012

Before : **S.Sriskandarajah, J (P,C/A)**
Deepali Wijesundera, J.

Counsel : Razik Zarook P.C. with Rohana
Deshappriya for the Petitioner

Argued &

Decided on : 05th July,2012.

S.Sriskandarajah, J. (P,C/A)

The petitioner in this application is seeking a writ of certiorari to quash the document marked P16. The document marked P16 is a permit issued under the Land Development Ordinance and the said permit is now given to the 4th respondent. The petitioner claims that he is an unauthorized occupant of the said land to which the permit was issued and he claims that he has made an application, that the permit should be given to him. But there is no document or evidence to support that the Authorities are considering his application in favour of the petitioner and the petitioner has not submitted any evidence to show that the document marked P16 or the nomination of the 4th respondent is illegal in the given circumstances. The 4th respondent has already filed a District Court action to evict the petitioner as he is an unauthorized occupant and as the

authorities have not given any promise or undertaking to the petitioner in relation to this land, this Court is not inclined to issue notice.

Notice refused.

PRESIDENT OF THE COURT OF APPEAL

Deepali Wijesundera, J.

I agree.

JUDGE OF THE COURT OF APPEAL

Kwk/=