

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

CA Writ 108/2012

R.W. Karunarathna
Rathnaweera Stores and Groceries,
Suriyawewa Town,
Suriyawewa.

Appellant

Vs.

N.K.R. Pathiran
Divisional Secretary,
Divisional Secretariat Office,
Suriyawewa.

And 02 others

Respondents

C.A Writ Application No: 108/2012.

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

Counsel : W.Dayarathne P.C with R.Jayawardena and
D.Dayarathna for the Petitioner .
Ashan Fernando SC for the Respondent.

Argued &
Decided on : 13.06.2012.

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

Learned President's counsel who is appearing for the Petitioner informs court that the Petitioner has got a valid permit marked P1 to the land in issue. He further submits that the quit notice marked P11 dated 27.07.2011 was issued to the Petitioner's sister-in-law and the schedule of the said quit notice includes the Petitioner's land that is described in P1. The Learned State Counsel informs court that if the Petitioner's land is also included in the said quit notice either the quit notice will be amended to exclude the land disputed in P1 or a quit notice will also be issued to the Petitioner. In view of the undertaking given by the Learned Counsel for the State. Counsel for

the Petitioner moves to withdraw this application with liberty to file a fresh application if necessary.

PRESIDENT OF COURT OF APPEAL

Deepali Wijesundera.

I agree.

JUDGE OF THE COURT OF APPEAL

Vkg/-