

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

**Case No. CA 933/98(F)**  
DC Mt. Lavinia 307/96 RE

Miss. Wickramage Kusum Perera  
411/20, Galle Road (Bambalapitiya Road)  
Bambalapitiya  
Colombo - 04.

**PLAINTIFF**

**Vs.**

Alagiri Arumugam (Deceased)  
No. 411/17, Galle Road (Bambalapitiya Road)  
Bambalapitiya  
Colombo - 04.

**DEFENDANT**

**AND NOW BETWEEN**

Miss. Wickramage Kusum Perera  
411/20, Galle Road (Bambalapitiya Road)  
Bambalapitiya  
Colombo- 04.

**PLAINTIFF-APPELANT**

**Vs.**

Rumugam Nalliah Senthilnadan  
No.411/17, Galle Road ( Bambalapitiya Road)  
Bambalapitiya  
Colombo - 04.

*Presently of*

No.11/B-32, National Housing Scheme  
Raddholugama.

**SUBSTITUTED DEFENDANT-RESPONDENT**

**Case No. CA 933/98(F)**

**DC Mt. Lavinia 307/96 RE**

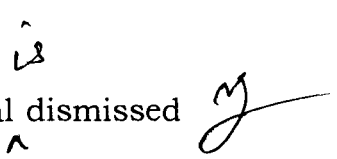
**BEFORE** : K.T. Chitrasiri, J.

**COUNSEL** : Appellant is absent.  
R. Navodagam for the Plaintiff-Appellant.  
Substituted-Defendant-Respondent namely  
Arumugam Nalliah Senthilnathan is present in  
Court.

**DECIDED ON** : 15.02.2013

**K.T. CHITRASIRI, J.**

The substituted-defendant-respondent namely Arumugam Nalliah Senthilnathan informs Court that he is not in occupation of the premises in suit. Counsel for the appellant submits that the premises in suit is now under the control of the plaintiff-appellant. In view of the above, Counsel moves to withdraw this appeal.

Application for withdrawal is allowed. Accordingly, appeal dismissed without costs. 

*Appeal dismissed.*

**JUDGE OF THE COURT OF APPEAL**

KL/-