

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

CA (PHC) 128/2009

PHC Kalmunai Case No. 05/2008

A.A. Mohaidan
No: 08,
Akkaraipaththu.

Appellant

Vs.

M.M. Shabdeen
Principal,
Ah/As.Siraj M. Vidyalaya,
Akkaraipaththu.

U.M.Hasheem
Zonal Director of Education
Akkaraipaththu.

Add.Pro.Director of Education
Dept. of Education,
Eastern Province,
Trincomalee.

Pro.Director of Education
Dept. of Education,
Eastern Province,
Trincomalee.

Secretary,
Ministry of Culture & Education,
Trincomalee.

Hon. Attorney General
Attorney General's Department,
Colombo 12.

Respondents

BEFORE : Rohini Marasinghe, J.
Deepali Wijesundera, J.
COUNSEL : M.I.M. Iynullah for the Petitioner-Respondent.
DECIDED ON :20.02.2013.

Rohini Marasinghe, J.

This is an appeal filed by the State against the judgment of the High Court judge dated 29.07.2009.

The facts of the Petition are briefly as follows.

Petitioner had made an application to the High Court of Kalmunai seeking a writ of certiorari to quash orders contain in documents marked as P3 and P3A. However, now the Court is informed that the Petitioner had retired from service. In those circumstances the State inform that they do not intend to pursue this appeal. Therefore, Counsel for the State moves to withdraw this appeal. Application for withdrawal is allowed. Registrar is directed to inform the relevant Court the appeal has been dismissed.

JUDGE OF THE COURT OF APPEAL.

Deepali Wijesundera, J.

I agree.

JUDGE OF THE COURT OF APPEAL.

NR/-