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

Court of Appeal Writ Application No.1045/2008

M.C.Colombo Case No.25316/5/8

Gangodawilage Sumanapala Perera, No.41 /1 A, (now 39/4) Waiter Gunasekera Mawatha, Nawala.

Petitioner

-Vs-

- Sri Jayawardenepura Kotte Municipal Council, Sri Jayawardenepura, Rajagiriya.
- The Mayor,
 Sri Jayawardenepura Kotte
 Municipal Council,
 Sri Jayawardenepura,
 Rajagiriya.
- Municipal Engineer,
 Sri Jayawardenepura Kotte
 Municipal Council,
 Sri Jayawardenepura,
 Rajagiriya.
- 4. Municipal Commissioner,
 Sri Jayawardenepura Kotte
 Municipal Council,
 Sri Jayawardenepura,
 Rajagiriya.

Respondents

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C.A. 1045/08

Writ Application

<u>Before</u>

Anil Gooneratne, J. &

H.N.J. Perera,J.

Counsel

Chandana Premathilaka with Gration Perera for the Petitioner.

Nevill Abeyrathne with Ajith Lal Kumara for the Respondents.

Argued &

Decided on

16.07.2013

document marked P8 and P10.

Anil Gooneratne, J.

Today learned Counsel for all the respondents informs this Court that this matter is settled as per letter dated 15.07.2013 addressed to the Registrar of this Court. The said letter is marked as 'X', same to be filed of record. The 3rd paragraph of letter 'X' refers to building plan bearing No: W2/CN/216/2004 and that the cancelation of the approval granted earlier has been withdrawn. This decision has been taken by the Planning Committee of the 1st respondent on 11/07/2013. It is recorded therein that the Municipal council is agreeable to withdraw the said letter. Learned Counsel for the respondent also submits to this court that flowing from X he would also agree to withdraw the

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Further in view of the above, learned counsel for the respondents informs

Court that he would instruct the 1st respondent counsel to withdraw the Magistrate Court Case of

Colombo No: 25316/5/8. The learned counsel for the petitioner is agreeable to the above terms of settlement.

In view of the above settlement, proceedings are terminated.

JUDGE OF THE COURT OF APPEAL

H.N.J. Perera,J.

I agree.

JUDGE OF THE COURT OF APPEAL

Jmr/-