

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

**C.A. Writ Application No. 380/2013**

Hewawasam Gamage Jayasundara  
Niggaha,  
Bulathsinghala.

**Petitioner**

**Vs.**

Irangani Weerasinghe  
Divisional Secretary,  
Divisional Secretariat,  
Bulathsinghala.

*And 3 Other*

**Respondents**

**C.A.Application No. 380/2013(Writ)**

**Before:** Anil Gooneratne, J

**Counsel:** Pasan Gunasena with H.Mendis for the Petitioner .  
Shantha Jayawardena for the 3<sup>rd</sup> respondent.  
A.H.M.D.Nawaz PC DSG for the 3<sup>rd</sup> and 4<sup>th</sup> Respondents.

**Argued &**

**Decided on:** 20.11.2013

\*\*\*

**Anil Gooneratne, J**

Heard counsel for petitioner in support of this application. According to the prayer to the petition (sub Para 'c') more particularly refers to a writ of certiorari to quash the decision of the 1<sup>st</sup> and 2<sup>nd</sup> respondents. On perusal of the document marked P16 this Court is of the view that P16 is not amenable to the writ jurisdiction of this Court. P16 is a request for a Survey, and not a decision. It contains certain particulars, but this is certainly not an enforceable decision of the 1<sup>st</sup> and 2<sup>nd</sup> respondents. This seems to be a step in the process which is required to be done as regards the property which is a state land. In fact P16 describes in Colum 07 as unauthorized possession. As such the petitioner does not have legally enforceable rights to seek the writ sought in this application.

Court is not inclined to grant notice in this application. Application dismissed. No costs.

**Judge of the Court of Appeal**

kpm/-