

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

C.A. (PHC) No. 58/2006

PHC Anuradhapura No. Writ 06/2005

Deeptha Kumara Uyanwatte
Deeptha Motors,
Anuradapuraya.

Ashoka Alawatte
Divisional Secretariat,
Nuwaragampalatha Central,
Pandulagama,
Anuradapuraya.

Appellants

Vs.

Provincial Land Commissioner
Provincial Land Commissioner's Department
Anuradapura,
North Central Province.

Respondent

C.A. (PHC) No. 58/2006

PHC Anuradhapura No. Writ 06/2005

BEFORE : A. W. A. SALAM, J. &
SUNIL RAJAPAKSHE, J.

COUNSEL : Appellant absent and unrepresented.
Suranga Wimalasena SC for the respondent.

DECIDED ON : 14th November, 2013.

A.W. A. SALAM, J.

Learned State Counsel is heard on the respondent.

This is an appeal preferred against the judgment of the learned High Court Judge delivered in the exercise of the original jurisdiction under Article 154(P)(3) of the Constitution. The appellant has sought a writ of mandamus in respect of a State land governed by Land Development Ordinance. The learned High Court Judge has refused to issue the writ inter alia that the subject matter constitutes a land belonging to the State. In the circumstances we do not see any reason

to vary the findings and the judgment of the learned High Court Judge and therefore dismiss this appeal. There shall be no costs.

JUDGE OF THE COURT OF APPEAL

SUNIL RAJAPAKSHE, J.

I agree.

JUDGE OF THE COURT OF APPEAL

Kwk/=