

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

**CA/Writ/875/09**

The Superior Regular of the Society of Jesus in the  
Diocese of Trincomalee

**PETITIONER**

**Vs.**

1. A. B. Talagune  
53/7, Gregoroy's Road,  
Colombo 07.

2a. R.W.M.S.B.Rajapakse  
Board of Review of the Ceiling on Housing Property Law,  
No. 70/2/2, 2nd Floor, YMBA Building,  
D S Senanayake Mawatha, Colombo 08.

2b. J.M.S.Bandara,  
Board of Review of the Ceiling on Housing Property Law,  
No. 70/2/2, 2nd Floor, YMBA Building,  
D S Senanayake Mawatha, Colombo 08.

2c. Dr. M.S Jaldeen  
Member  
Board of Review of the Ceiling on Housing Property Law,  
No. 70/2/2, 2nd Floor, YMBA Building,  
D S Senanayake Mawatha, Colombo 08.

3. Commissioner of National Housing  
Sir Chittampalam A Gardiner Mawatha,  
Colombo 02.

4. Hon. Attorney General  
Attorney General Department  
Colombo 12.

**RESPONDENTS**

C.A. Writ Application No. 875/2009

Before : **DEEPALI WIJESUNDERA, J.**

Counsel : Palitha Kumarasinghe PC with Nuwan  
Rupasinghe for the Petitioner instructed  
by M/S Paul Ratnayake Associates.

A. Samaranayake S.S.C. for the  
Respondents

Decided on : 24.02.2014

**Deepali Wijesundera, J.**

Learned Senior State Counsel, Ms. A. Samaranayake for the A.G.  
informs court that she has no instructions and moves for a date.

Since the Senior State Counsel for the A.G. moves for a date,  
learned President's Counsel wishes to withdraw this application  
without any condition. Application for withdrawal is allowed.  
Accordingly Petition of the petitioner is dismissed without costs.

**JUDGE OF THE COURT OF APPEAL**

/mds