

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

Court of Appeal case no : CA WRIT 228 / 2017

Abesinghe Mudiyansele

Kulasuriya

No. 27, Karadagolla

Malsiripura

Petitioner

Vs.

Secretary

Ministry of Agriculture

No 80/ 5 I Govijana Mandiraya

Rajamalwatta Road

Sri Jayawardanapura

Kotte

Respondents

CA 228/2017

WRIT APPLICATION

Before : L.T. B. Dehideniya, J. (P/CA) &
A.L. Shiran Gooneratne, J.

Counsel : Pradeep Perera for the petitioner
Nayomi Kahawita, SC for Respondents

Decided on : 01.11.2017

L.T.B. Dehideniya, J. (P/CA)

Learned State Counsel submits that this could be settled and she submits that "as per the letter marked as P7 of the Commissioner General of Agrarian Commission, a request had been made to insert the name of the petitioner in place of one R.M. Thilakaratne in the list of names of the allocation of shops.

The shop subject to P7 is presently unlawfully occupied by said R.M. Thilakaratne and steps will have to be taken in order to regularize the occupancy of the said shop. It is respectfully submitted to your Lordship's Court that thereafter only steps can be taken to give effect to the letter marked as P7 of the Commissioner General of Agrarian Services".

Learned State Counsel further submits that the proceedings will be initiated as soon as possible.

Counsel for the petitioner agrees to terminate these proceedings reserving his right to institute fresh action if necessity arises.

Accordingly, proceedings are terminated reserving the right of the petitioner to institute fresh action if necessary.

PRESIDENT OF THE COURT OF APPEAL

A.L. Shiran Gooneratne, J.

I agree.

JUDGE OF THE COURT OF APPEAL

LA/-