

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

In the matter of an application for a mandate in the nature of Writ of Certiorari and Mandamus under and in terms of Article 140 of the Constitution of the Democratic Socialist Republic of Sri Lanka.

14 SEP 2011

3.00pm

M.A.Punyaratna
No.26/102/A/B(formerly No.39,) Ranajayagama
Housing Scheme, Waidya Road,
Dehiwela.

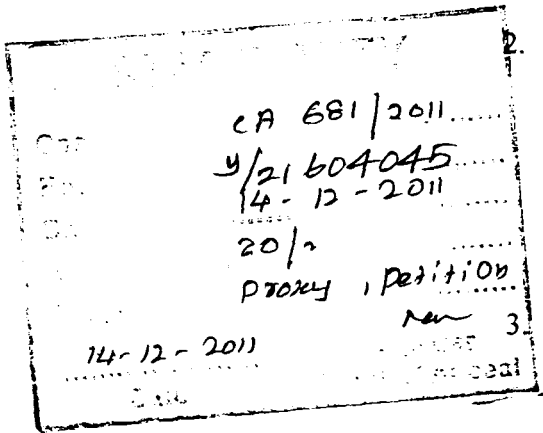
CA/WRIT 681/2011

PETITIONER

Vs-

1. National Housing Development Authority,
No.34, Sir Chittampalam Gardiner Mawatha,
Colombo 02.
2. Major General W.R.Wasantha Kumara
General Manager,
National Housing Development Authority,
No.34, Sir Chittampalam Gardiner Mawatha,
Colombo 02.
- L.S.Palansuriya
Former General Manager
National Housing Development Authority,
No.34, Sir Chittampalam Gardiner Mawatha,
Colombo 02.
4. A.W.D.Thushari Perera
No. 37, Waidya Road,
Dehiwela
5. M.A.Seelawathi,
No.37,Waidya Road,
Dehiwela.

RESPONDENTS



C.A.Writ No.681/2011

BEFORE : S.SRISKANDARAJAH, J. P/(C.A.) &
H.N.J.PERERA, J.

COUNSEL : Dhammika Jayanetti for Petitioner.

ARGUED &
DECIDED ON : 16.12.2011

S.SRISKANDARAJAH, J. P/(C.A.),

Heard counsel in support of this application.

Counsel for the petitioner in this application is seeking a writ of certiorari to quash the quit notice dated 09.06.2011 marked p19. The basis of the application to quash the said notice is that the National Housing Development Authority is taking steps to hand over the said premises to the 4th and 5th Respondents. The said premises belongs to National Housing Development Authority. The petitioner has not satisfied this court that he is in lawful possession of that premises. The petitioner does not have sufficient material to pursue this application and therefore this court refuses to issue notices.

PRESIDENT OF THE COURT OF APPEAL.

H.N.J.PERERA, J.

I agree.

JUDGE OF THE COURT OF APPEAL.

Rc/-