

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

CA Writ 91/2013

1. Swarna Bhoomie Govi Sanvidanaya
(402/Di I/SD-8), 6-7,
(Swarna Bhoorni Farmer Organization),
Pulagaswewa,
Eppawala.

And others

Petitioners

Vs.

The Secretary,
Ministry of irrigation and Water Resources Management,
No;500,T.B. Jayah Mawatha,
Colombo 10.

And others

Respondents

CA Writ 91/2013

Before : Vijith K Malalgoda, PC, J (P/CA)

Counsel : D.H.Siriwardane for the 1-4 petitioners.

Dushan Nagashena for the 18-22 respondents.

Anusha Samaranayake for the State.

Decided on : 14.10.2015

Vijith K Malalgoda, PC, J (P/CA)

This matter is coming up to ascertain whether the petitioner and the Mahaweli Authority, the 10th respondent are agreeable for a settlement. Learned Senior State Counsel for the 10th respondent submits that the 10th respondent is agreeable to settle this matter on following three terms.

1. restore the spill level to the original level.
2. to mark the tank reservation around the Kalugaswewa.
3. to take steps to remove the unauthorized occupants located within the high flood level of the tank.

Counsel for the petitioner submits that he is agreeable to the above terms and he wishes to settle this matter. The learned Senior State Counsel further submits that the marking the tank reservation level will be done by the Survey General and matter can be settled on the above terms. The

learned Senior State Counsel further submits that with regard to the unauthorised occupants who are in the flood level including some of the respondents in this case will have to be removed based on this settlement. Since parties have agreed to settle this matter on the above terms of the settlement proceedings of this case are terminated.

Proceedings terminated.

PRESIDENT OF THE COURT OF APPEAL.

NR/-