

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

In the matter of an application for revision in
terms of Article 138 of the constitution read with
Section 753 of the Civil Procedure Code and the
High Court of the Provinces Act No. 19 of 1990.

C.A. PHC.APN NO. 72/11
HCJ WRIT NO. 1413/10

1. Mr. Kandavanam Arumugam Satkunasah
2. And wife Bhavany Satlinarasah

Both of No.40,
Athyady New Road, Jaffna.

PETITIONERS-PETITIONERS

Vs

- ✓ 1. Jaffna Municipal Council
2. Mrs. Yogeswary Patkunasasa
Mayor of Jaffna
3. Mr. M.S. Saravanabava
Municipal Commissioner
All of Municipal Council, Jaffna.

RESPONDENTS-RESPONDENTS

C.A.(PHC) APN-Rev. No. 72/2011- H.C. Jaffna No. 1413/2010

Before : **K.T. CHITRASIRI, J. and
DEEPALI WIJESUNDERA, J.**

Counsel : M.A. Sumanthiran with W.J.
Arulanantham for
the Petitioners

U. Abdul Najeem for the 1st -3rd
Respondents

Argued &
Decided on : 26.04.2012.

K.T. Chitrasiri, J.

This revision application is filed seeking to set aside the judgment delivered by the Commissioner of High Court of Jaffna in Case No 1413/10. However, at this stage the parties agree that the Municipal Council of Jaffna is entitled to have the drainage channel maintained as shown in plan No 1946 of 24th March 2010 prepared by licensed surveyor V. Sivarasa. The petitioner also agree that the Municipal Council, Jaffna is entitled to remove any obstruction if found in the aforesaid drainage channel. Parties further agree that the petitioner is entitled to have a boundary wall constructed in the land of the 1st petitioner upon obtaining permission from the said Municipal Council.

In view of the aforesaid settlement, counsel for the petitioners moves to withdraw this application. Accordingly we terminate the proceedings allowing her to withdraw this application.

Proceedings are terminated.

JUDGE OF THE COURT OF APPEAL

Deepali Wijesundera, J.

I agree.

JUDGE OF THE COURT OF APPEAL

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