

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

CA Writ 196/2012

S.D. Gallage,
38/2D, Weerakkody Mawathe,
Dehiwala Road, Maharagama.

And Another

Petitioners

Vs.

1. Urban Development Authority,
Sethsiripaya, Battaramulla.

2. Chndrani Samarakoon,
Commissioner of Local Government (Western Province)
No.02, Cambridge Terrace, Colombo 07.

3. K. Tharanga Gamlath, Secretary (Acting),
Maharagama Urban Council,
Maharagama.

4. Champika Ranawaka,
Minister of Mega Polis and Western Development,
Suhurupaya, Subuthipura Para,
Battaramulla.

5. Dimuthu Manjula,
73F, Katuwawala Road. Boralessgamuva.

6. Hon. Attorney General,
Attorney General's Department,
Colombo 12.

7. Dr. Jagath Munasinghe, Chairman,
Urban Development Authority,
6th & 7th Floors, Sethsiripaya, Battaramulla.

Respondents

C.A: 196/ 2012(Writ)

BEFORE : A. H. M. D. Nawaz , J
E. A. G. R. Amarasekara , J

COUNSEL : Nagitha Wijesekara with Ayesha Ginige for the
Petitioners instructed by B. C. Balasooriya

S. M. S. Jayawardena with Sarani Jayawardena for
3rd Respondent instructed by Nadeeja S. Jayakody.

Romesh De Silva. President's Counsel for the 5th
Respondent.

DECIDED ON : 07.09.2017

A. H. M. D. Nawaz , J

An objection has been taken to the maintainability of this writ application to the effect that the prayer is quite vague in that it does not pinpoint a particular duty that is owned to the petitioner.

Mr. Nagitha Wijesekara after having consulted his client brings to the notice of Court that he would in the circumstances withdraw this application.

He also states to the Court that he be permitted to file a fresh application.

This Court will not make an order on the application to make a fresh application.

In view of the application made to withdraw this application this Court proceeds to dismiss this application.

The Application is dismissed.

JUDGE OF THE COURT OF APPEAL

E.A.G.R. AMARASEKARA, J.

I agree.

JUDGE OF THE COURT OF APPEAL

Y.D /-