

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

Hapuarachchige Dushantha

Hapuarachchi

2nd Respondent-Petitioner-Appellant

C.A.(PHC) No.233/2015.

PHC Rathnapura HCR/RA124/08

Vs.

1. Muththettu Kanaththage Padmini
Kataliyampalla, Kahangama.

2.Kanthi Dissanayake
Kataliyampalla, Kahangama

**Intervient-Petitioner-Respondent
Respondent.**

CA (PHC) 233/2015

PHC Rathnapura HCR/RA124/08

Before : Hon. Justice A.L Shiran Gooneratne
Hon. Justice Dr. Ruwan Fernando

Counsel : Lakshman Wickremaratne with Thilini
Wickremasekera for the 2nd Petitioner-
Appellant.

Thisya Weragoda with Prathapa Welikumbura and
Sanjaya Marambe for the Intervenant 1st and 2nd
Respondents.

Decided on : 22.01.2020.

Hon. Justice A.L. Shiran Gooneratne

Learned Counsel for the 2nd Respondent – Petitioner-
Appellant and the Intervenant- Petitioner - Respondent were
heard.

In the course of his submission, the learned Counsel for the Appellant contends that the impugned order made by the learned High Court Judge dated 25/11/2015, is in line with the findings of order dated 21/1/2002, by the learned Magistrate. It is also contended that at present, the Appellant is in possession of the Land described in the schedule to the 1st information filed in terms of Section 66 (1) of the Primary Courts Procedure Act No. 44 of 1979 (as amended).

In the circumstances the Learned Counsel for the Appellant moves to withdraw this application. Application for withdrawal is permitted. Accordingly Petition is dismissed without costs.


JUDGE OF THE COURT OF APPEAL

Hon. Justice Dr. Ruwan Fernando

I agree.


JUDGE OF THE COURT OF APPEAL

WC/-