

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

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

CA Writ Application No. 394/2018

Mohan Nihal Anura Samarasekare

Sirikandura Estate,

Pinkanda,

Dodanduwa.

Petitioner

Vs.

- 1 Mr. R.P.A. Wimalaweera,  
Commissioner General of Labour,  
Department of Labour,  
Colombo-05.
- 2 T.H.S.A. Silva,  
Senior Labour Officer,  
Labour Office,  
Ambalangoda.
- 3 K.P.M. Bandusiri Kariyawasam,  
Labour Officer,  
District Labour Officer, Galle

4 Piyal Withana Waidyasekeera Weerasinghe,  
No. 105, "Shanika",  
Giniwellagaha-West,  
Gonapinuwala.

5 Ms. Nirupa P. Manage,  
Assistant Commissioner of Labour,  
District Labour Office,  
Galle.

6 W.W. Punchihewa,  
Deputy Commissioner of Labour,  
Provincial Labour Office of the  
Southern Province,  
Lower Dickson Road,  
Galle.

Respondents

Before : M.T. Mohammed Laffar, J. &  
K.K.A.V. Swarnadhipathi, J.

Counsel : Chandana Wijesooriya with Wathsala Dulanjanie for the  
Petitioner

Maithri Amarasinghe, SC for all the Respondents except  
4<sup>th</sup> Respondent

Ms. S. Hewage for the 4<sup>th</sup> Respondent

Decided on : 16.02.2021

M.T. Mohammed Laffar, J.

It appears to this Court that, as per the proceedings dated  
26.07.2019, the application had been withdrawn by the learned counsel for

the Petitioner on the terms of settlement set out in the proceedings, and accordingly the application was dismissed without costs. Thereupon, the proceedings had been terminated by this Court.

In the circumstances, it is the considered view of this Court that, this matter has already been concluded and therefore the same cannot be taken up again.

The parties are entitled to comply with the terms of settlement entered on 26,07.2019.

JUDGE OF THE COURT OF APPEAL

K.K.A.V. Swarnadhipathi, J.

I agree

~~JUDGE~~ OF THE COURT OF APPEAL

Cr/-