

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

Writ Application No. CA 313/2006

A. Kodikara,
19A, Deal Place,
Colombo 03.

PETITIONER

Vs.

1. The Colombo Municipal Council,
Colombo 07.

2. Mrs. M. Badrani Jayawardane,
The Commissioner,
The Colombo Municipal Council,
Colombo 07.

3. Mr. K.D. Chitrapala,
The Treasurer,
The Colombo Municipal Council,
Colombo 07.

SUBSTITUTED RESPONDENTS

Before : **Deepali Wijesundera, J**

Counsel : Faiz Musthapha P.C. with Ashiq Hassin
for the Petitioner.

W. Dayaratne P.C. with R. Jayawardene
for the Respondents.

Argued &

Decided on : **05.06.2014**

Deepali Wijesundera, J

Counsel for the petitioner-respondent informs court that the matter has been settled. Terms of settlement are as follows:-

- The respondent Colombo Municipal Council agrees to cancel the tax of Rs.15, 164/- per quarter levied on premises bearing assessment No.793, Sirimawo Bandaranayake Mawatha, Colombo :14.
- The Colombo Municipal Council has already deleted the assessment No.793 from the assessment registered.
- The petitioner agrees to pay the rates levied on premises bearing assessment no.795, Sirimawo Bandaranayake Mawatha, Colombo: 14, at the rate of Rs.32,725/- per quarter until all the arrears there on up to 2011 are delivered.

- Thereafter Rs.47, 817/- per half quarter for years 2012 and Rs.48, 510/- from 2013 onwards per quarter.

However, the respondent will consider the appeal submitted with regard to the increased rates and accordingly the petitioner is withdrawing the application. Application is dismissed without costs.

Judge of the Court of Appeal

Na/-