

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

In the matter of an application made under
and in terms of Article 138 of the
Constitution of the Democratic Socialist
Republic of Sri Lanka.

1. Samarakoon Mudiyansele Danawathi
Nithulgollawa,
Hurulu Nikawawa
Galen Bindunuwawa

1st Respondent-Petitioner-Petitioner

C.A.No. (PHC) APN 03/2020

H.C.Anuradhapura No.NCP/PHC/

APN/ RA/22/2019

Vs.

Rathnayake Mudiyansele Ranjith

No.35/27. Nithulgollawa,

Hurulu Nikawawa

Petitioner-Respondent-Respondent

1. Kiri Bandage Nimal Wijethilake

20Acres

Galen Bindunuwawa

2. Kiribandage Kalyani

No.35/27 B,

Nithugollawa,

Hurulu Nikawawa

Respondent-Petitioner -Respondent

1. Kirbandage Nimal Shantha

No.33/B3/01,

Siyana Uyana

Yakkala.

And 03 others

Respondent-Respondent-Respondent

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

Counsel : Upul Kumarapperuma with Sharleen
Fernando for the Petitioner.

Ranil Samarasooriya with Shashiranga
Sooriyapatabendi for the Petitioner-Respondent-
Respondent.

Argued and

Decided on : 30.01.2020.

Hon. Justice A.L. Shiran Gooneratne

Learned Counsel for the Petitioner was heard in support of
the application.


Counsel for the Petitioner moves to withdraw this application
with liberty to file a fresh application. Application for withdrawal is
permitted, reserving the right of the Petitioner to file a fresh
application. Application is dismissed without costs.



JUDGE OF THE COURT OF APPEAL

Hon. Justice Dr. Ruwan Fernando

I agree.



JUDGE OF THE COURT OF APPEAL

WC/-