

Accordingly, there appear to be a difference of the Northern and Southern boundaries. The Northern boundary in the Surveyor plan is given as the Southern boundary in the permit and the Southern boundary in the Surveyor plan is given as the Northern boundary in the permit. Prior to the permit 'P1' being issued to the Plaintiff-Respondent, he was issued an annual permit in respect of the same land under the Land Development Ordinance. In that permit the boundaries given are the same as in the Survey plan. This permit has been produced marked 'P2' at the District Court. The District Land Officer who gave evidence at pages 6 and 7 of the proceedings of 28.04.2004 in reexamination states that the permits produced marked as 'P1' and 'P2' have been issued in respect of the same land. He states as follows:-

"නැවත ප්‍රශ්න:- නවම අවලංගු කරලා නැහැ. බලපත්‍ර දෙකම එකම ලෙජර් අංකයක් යටතේ තිබුත් කරපු බලපත්‍ර දෙකක්.

අධිකරණය:- ප්‍ර:- ලෙජරය බලා කියන්න බලපත්‍ර දෙක තිබුත් කරලා තිබෙන්නේ එකම ඉඩමකටද?

උ:- එකඳවල අංක 58371

මායිම:- උතුරට: 100 පාර

නැගෙනහිරට: අතුරු පාර

දකුණට: ඩේවිඩ් පදිංචි ඉඩම

බස්නාහිරට: පියදාසගේ අනවසර ඉඩම

ප්‍ර: ඒ ඉඩමට අදාළ බලපත්‍ර කීයක් තිබුත් කරල තිබෙනවද?

උ: එකයි. එල් එල් 58371

උනවසර ඉඩමක් නමා, නියමානුකූල කිරීම සඳහා බලපත්‍රය දීම තිබෙනවා"

In the circumstances mentioned above, it is clear that a mistake has been made in respect of the Northern and Southern boundaries in the permit 'P1' in that the Southern boundary is given as the Northern boundary and the Northern boundary is given as the Southern boundary. Accordingly in my view this mistake should not affect the identity of the corpus in this case.