

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

C.A (HCA) 1/2019

In the matter of an application for mandates in the nature of writs of Habeas Corpus under and in terms of the Article 141 of the Constitution of Sri Lanka.

Shirmili Suriyadas

No: 232/3, Havelock Road,

Colombo 05.

Petitioner.

Vs.

Tikiri Bibile

44/6C, School Lane,

Nawala.

Respondent

1. Welvidanalage Don Joseph Sharuka Silva
2. Sarita Sharuni Silva both of
44/6 C, School Lane,
Nawala.

Corpuses/Corpora.

BEFORE

:

HON.JUSTICE K.K.WICKREMASINGHE

HON. JUSTICE DEVIKA ABEYRATNE.

COUNSEL : Eraj De Silva with S. Janagan instructed by Bushea Hashim for the Petitioner.

Kuwera De Zoysa PC with Mayomi Ranawaka instructed by Thilanka Gunathilaka for the Respondent.

Decided on : 08.06.2020.

HON. JUSTICE K.K. WICKREMASINGHE

Both parties are present.

Since the matter is settled, both parties have no objections and consents to handover the physical custody of the corpses who are in the custody of the Respondent to the grandfather of the said two corpses namely, D.H. Joseph Francis Silva of No: 16, Janapriya Mawatha, Ratmalana subject to access of the mother. Affidavit is also forwarded by the grandfather informing that he has agreed to facilitate further reasonable access to the mother of the two children upon mutual agreement between himself and the mother of the said two children. By signing this settlement parties have agreed to the facts mentioned in the affidavit and the settlement and state that they have no further claims or demands against each other.

Subject to the abovementioned facts the settlement and the affidavit already being filed in the file of docket, this case is withdrawn by the counsel for the Petitioner. Accordingly Habeas Corpus Application is dismissed without costs.

JUDGE OF THE COURT OF APPEAL.

HON. JUSTICE DEVIKA ABEYRATNE

I agree.

JUDGE OF THE COURT OF APPEAL.

Vkg/-