

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

CA Writ Case No. 616/2011

Labour Dept. No. SID/P/8/2009

Tylos Tea (Private) Ltd
142/7,
Colombo Road,
Biyagama.

PETITIONER

Vs.

1. The Commissioner General of Labour Department
Labour Secretariat,
Narahenpita,
Colombo 05.

2. The Commissioner of Labour (EPF)
Labour Secretariat,
Narahenpita,
Colombo 05.

3. The Assistant Commissioner of Labour
District Labour Office,
No. 207,
Sri Bodi Road,
Gampaha.

And 04 others.

RESPONDENTS

C. A. Writ Appln. No. 616/2011

Before : S. Sriskandarajah, J (P/C.A)

Counsel : S. Sivarasa, P.C., with S. Kandeepan for the
Petitioner.

A.H.M.D. Nawaz, D.S.G., for 1st to 6th Respondents.

Argued &

Decided on : 09.11.2012

S. Sriskandarajah, J. (P/CA)

The petitioner in this application is seeking a Writ of Certiorari to quash the decision marked in P12 and final notification marked in P15 issued by the 3rd Respondent. The learned D.S.G. who is appearing for all the respondents informs court that the respondents have no objection for the issue of writ of certiorari to quash these two documents.

As the respondents have conceded that the said order made marked P12 was without giving a fair hearing to the petitioner

and the notification marked P15 is a consequential order of P12, this Court issues a Writ of Certiorari to quash the decision containing P12 and the notification marked P15. The learned D.S.G. has also informed Court that a fresh inquiry will be held in relation to the issues that were raised in this application by a different Inquiring Officer. The application for Writ of Certiorari is allowed without costs.

PRESIDENT OF THE COURT OF APPEAL

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