

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

In the matter of an application for a mandate in
the nature of Writ of Certiorari and Prohibition
in terms of Article 140 of the Constitution

CA (Writ)

Application No: **148 /2012**

J. M. Lakshman Jayasekara

Director General,
National Physical Planning Department
5th Floor,
Sethsiti paya,
Battaramulla.

PETITIONER

1. **S.M.Gotabaya Jayarathne,**
Secretary,
Ministry of Construction, Engineering Services,
Housing & Common Amenities,
5th Floor C, Sethsiripaya,
Battaramulla.

1st RESPONDENT

- 1.A **P.H.L. Wimalasiri Perera**
Secretary,
Ministry of Construction, Engineering Services,
Housing & Common Amenities,
5th Floor C, Sethsiripaya,
Battaramulla
Present Secretary

ADDED 1A RESPONDENT

2. Vidyajothi Dr. Dayasiri Fernando,
Chairman,
3. Palitha Kumarasinghe P.C,
Member,
4. Mrs. Sirimavo A. Wijayaratne,
Member,

5. Ananda Seneviratne,
Member
6. N.H. Pathirana,
Member,
7. S. Thillanadarajah,
Member,
8. M.B.W. Ariyawansa,
Member,
9. M.A.Mohomed Nahiya,
Member,
10. P.M.L.C. Seneviratne
Secretary,
All of Public Services Commission,
177, Nawala Road,
Colombo 5.
11. Attorney General
Attorney General's department,
Colombo 12.
12. Hon. Prime Minister D. M. Jayaratne
Ministry of Buddha Sasana & Religious Affairs
13. Hon. Ratnasiri Wickramanayake
Ministry of Good Governance & Infrastructure
Facilities
14. Hon. D. E. W. Gunasekera
Ministry of Human Resources
15. Hon. Athauda Seneviratne
Ministry of Rural Affairs
16. Hon. P. Dayaratne
Ministry of Food Security

17. Hon. A. H. M. Fowzie
Ministry of Urban Affairs
18. Hon. S. B. Navinne
Ministry of Consumer Welfare
19. Hon. Piyasena Gamage
Ministry of National Resources
20. Hon. (Prof) Tissa Vitharana
Ministry of Scientific Affairs
21. Hon. (Dr) Sarath Amunugama
Ministry of International Monetary Cooperation
22. Hon. Milroy S Fernando
Ministry of Social Welfare
23. Hon. Nimal Siripala
Ministry of Irrigation & Water Resources
Management
24. Hon. Maithreepala Sirisena
Ministry of Health
25. Hon. Susil Premajyantha
Ministry of Petroleum Industries
26. Hon. Arumugam Thondaman
Ministry of Livestock and Rural Community
Development
27. Hon. Dinesh Gunawardena
Ministry of Water Supply & Drainage
28. Hon. Douglas Devananda
Ministry of Traditional Industries & Small
Enterprise Development
29. Hon. A. L. M. Athaullah
Ministry of Local Government & Provincial
Councils

30. Hon. Rishad Bathiyutheen
Ministry of Industry & Commerce
31. Hon. Champika Ranawaka
Ministry of Power & Energy
32. Hon. Wimal Weerawansa
Ministry of Construction, Engineering Services,
Housing & Common Amenities
33. Hon. Rauff Hakeem
Ministry of Justice
34. Hon. Basil Rajapaksa
Ministry of Economic Development
35. Hon. Vasudeva Nanayakkara
Ministry of National Languages and Social
Integration
36. Hon. S. B. Dissanayake
Ministry of Higher Education
37. Hon. (Prot) G.L. Peiris
Ministry of External Affairs
38. Hon. W. D. J. Seneviratne
Ministry of Public Administration & Home Affairs
39. Hon. Sumeda G Jayasena
Ministry of Parliamentary Affairs
40. Hon. Jeevan Kumaranatunga
Ministry of Postal Services
41. Hon. Pavithra Wanniarachchi
Ministry of Technology and Research
42. Hon. Anura Priyadarshana Yapa
Ministry of Environment

43. Hon. Tissa Karaliyadde
Ministry of Child Development and Women's
Affairs
44. Hon. Gamini Lokuge
Ministry of Labour and Labour Relations
45. Hon. Bandula Gunawardena
Ministry of Education
46. Hon. Mahinda Samarasinghe
Ministry of Plantations Industries
47. Hon. Rajitha Senaratne
Ministry of Fisheries and Aquatic Resource
Development
48. Hon. Janaka Bandara Tennakoon
Ministry of Land and Land Development
49. Hon. Felix Perera
Ministry of Social Services
50. Hon. C B Rathnayake
Ministry of Private Transport Services
51. Hon. Mahinda Yapa Abeywardena
Ministry of Agriculture
52. Hon. Keheliya RambukweBa
Ministry of Mass Media and Information
53. Hon. Kumara Welgama
Ministry of Transport
54. Hon. DuBas Alahapperuma
Ministry of Youth Affairs and Skills Development
55. Hon. Johnston Fernando
Ministry of Cooperatives and Internal Trade

56. Hon. Chandrasiri Gajadeera
Ministry of Rehabilitation and Prison Reforms
57. Hon. Salinda Dissanayake
Ministry of Indigenous Medicine
58. Hon. Reginold Cooray
Ministry of Minor Export Crop Promotion
59. Hon. Dilan Perera
Ministry of Foreign Employment Promotion and Welfare
60. Hon. Jagath Pushpakumara
Ministry of Coconut Development and Janatha State Development
61. Hon. T B Ekanayake
Ministry of Culture and the Arts
62. Hon. Mahinda Amaraweera
Ministry of Disaster Management
63. Hon. S M Chandrasena
Ministry of Agrarian Services and Wildlife
64. Hon. Gunaratne Weerakoon
Ministry of Resettlement
65. Hon. Mervin Silva
Ministry of Public Relations and Public Affairs
66. Hon. Mahindananada Aluthgamage
Ministry of Sports
67. Hon. Dayasritha Tissera
Ministry of State Resources and Enterprise Development
68. Hon. Ranjith Siyambalapitiya
Ministry of Telecommunication and Information Technology

69. Hon. Jagath Balasuriya
Ministry of National Heritage
70. Hon. Lakshman Seneviratne
Ministry of Productivity Promotion
71. Hon. Navin Dissanayake
Ministry of Public Management Reforms
72. Hon. Priyankara Jayaratna
Ministry of Civil Aviation
All of Office of the Cabinet of Ministers
Republic Building,
Sir Baron Jayathilaka Mawatha,
Colombo 01.

RESPONDENTS

CA Case No. 148/2012 Writ

Before : **S. Sriskandarajah, J. (P/CA)**
Sunil Rajapakshe, J.

Counsel : Nihal Jayawardena with S. Sinhage for the
Petitioner
Neil Unamboowa DSG for the 1st – 11th
Respondents

Decided on : 25.09.2012

S. Sriskandarajah, J. (P/CA)

Counsel for the petitioner and the respondent inform Court that the petitioner would respond to the letter marked P 5 to the 1A respondent on or before 12.10.2012. On this agreement counsel for the petitioner informs Court that he need not pursue the relief sought in the petition. In view of the new circular that was published by the Public Administration in relation to the age of retirement, counsel for the petitioner also informs Court that the petitioner is not pursuing this application. In view of this proceeding in this application is terminated.

PRESIDENT OF THE COURT OF APPEAL

Sunil Rajapakshe, J.

I agree.

JUDGE OF THE COURT OF APPEAL

KRL./-