

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

Writ Application No: 183/13

1. Kadawalage Mary Partricia Perera
No.119/39,
Jayasinghe Mawatha,
Rilaula, Kandana.
2. Jeevani Prasadika Udugampola
No.119/39, Jayasinghe Mawatha,
Rilaula, Kandana.

Petitioners

-Vs-

1. Municipal Council Badulla
2. Municipal Commissioner, Badulla
3. D.D.A.D.Wickramaratne
Wicks Children School,
Mahiyangana Road,
Puwathgodamulla,
Badulla.
4. V. Manoharan
198, Bazaar Street,
Badulla.
5. Attorney General
Attorney General's Department,
Hulftsdorp, Colombo-12.

Respondents

C.A. Writ Appln. No. 183/2013

Before : **S. Sriskandarajah, J. (P/CA)**
Counsel : S. Kumarasinghe for the Petitioner.
Argued &
Decided on : 18.07.2013.

S. Sriskandarajah, J (P/CA)

The learned Counsel for the Petitioner in this application is seeking a Writ of Certiorari to quash the document marked P6 dated 21.07.2009 by which the 2nd respondent has communicated the cancellation of trade license bearing No. 9283 dated 12.01.2009 issued to the late husband of the 1st petitioner. It appears that when the late husband was alive the said communication was communicated by the 2nd respondent to the Petitioner's husband but he had not challenged the said decision in this Court or in any other forum. It is the submission of the Counsel that he was seeking administrative relief to get the matter resolved. But it cannot be an excuse for the delay of filing this application from 2009 – 2013 the delay of 04 years. Further the license was issued to the husband of the 1st petitioner and hence the petitioner has no right to challenge the cancellation of the said license instead the 1st petitioner can seek a fresh

license if she has a right for the said business. In these circumstances the petitioner has not satisfied this court that there is a prima facie case for this Court to issue notice and therefore this Court refuses to issue notice.

PRESIDENT OF THE COURT OF APPEAL

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