

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

**CA (Writ) Application No. 278/15**

Bangamage Pragnaratne Sampath,  
Gamunu Place,  
Akuressa.

**Petitioner**

**-Vs-**

Chandraprema Gamage,  
Commissioner General of Buddhist Affairs,

Dillip Kumara Wickramaarachchi,  
Divisional Secretary,  
Devinuwara.

Hon. Karu Jayasuriya,

Secretary  
Ministry of Buddha Sasana and Religious Affairs

Hon. Attorney General,  
Attorney General's Department,  
Colombo 12.

**Respondents**

C.A. (Writ ) Application No. 278/2015

BEFORE : **Vijith K. Malalgoda, P.C.J. (P/CA) &  
H.C.J. Madawala,J.**

COUNSEL : Palith Kumarasinghe P.C. with Tharaka  
Jayasekara and Harith de Mel for the  
Petitioners  
Priyantha Nawana D.S.G. for the Respondents

ARGUED &

DECIDED ON : 29.07.2015.

**Vijith K. Malalgoda,PC.J.(P/CA)**

This matter is coming up today to ascertain the position with regard to the appointment of Provisional Trustee in terms of Section 17 of the Buddhist Temporalities Ordinance.

Learned D.S.G. appearing for the respondents submits that the main event of Devalaya i.e. the Asala Festival is in progress at the moment and therefore all the rituals pertaining to the Asala Festival have been completed as scheduled. Thereafter he submits that other administrative matters to be sort out and therefore the respondents are agreeable to appoint Mr. Gunasekera former Basnayaka Nilame as the

Provisional Trustee with effect from 12<sup>th</sup> August until the conclusion of the election.

It is further submitted that with regard to the holding of elections the decision has already taken to have the meeting on 25<sup>th</sup> August. Therefore question of Writ of Mandamus want arise. With the present undertaking Writ of Certiorari will also not arise.

Learned President's Counsel for the petitioner submits that, since the relief prayed by the petitioner had been administratively granted, he does not wish to proceed with this application. Accordingly proceedings are terminated.

*Proceedings terminated.*

PRESIDENT OF THE COURT OF APPEAL

**H.C.J. Wadawala, J.**

I agree.

JUDGE OF THE COURT OF APPEAL.

/mds