

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

*In the matter of an application in terms of Article
140 of the Constitution of Sri Lanka for
mandates in the nature of Writs of Certiorari.*

CA/WRIT/521/2021

Marasinghe Pedige Samansiri
Senevirathne
Saraswathi Mawatha,
Koswadiya,
Mahwewa.

Petitioner

Vs.

1. Hon. Namal Rajapaksa
Minister of Sports,
No. 9,
Philip Gunawardana Mawatha,
Colombo 7.
- 1A. Hon. Roshan Ranasinghe
Minister of Sports,
No. 9,
Philip Gunawardana Mawatha,
Colombo 7.
2. Amal Edirisooriya
Director General,
Department of Sports Development,
No. 9,
Philip Gunawardana Mawatha,
Colombo 7.
3. Anuradha Wijekoon
Secretary, Ministry of Sports,
No. 9,
Philip Gunawardana Mawatha,
Colombo 7.

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

Respondents

Before : Sobhitha Rajakaruna J.
Dhammika Ganepola J.

Counsel : Murshid Maharooof with Githme Senanayake for the Petitioner.
Sumathi Dharamawardena PC, ASG for the 2nd Respondent.

Supported on : 18.10.2022

Decided on : 09.12.2022

Sobhitha Rajakaruna J.

The issues involved in this case are identical to that of in Application bearing No. CA/Writ/520/2021 and this Court delivering the order dated 09.12.2022 has already refused the said Application No. CA/Writ/520/2021.

In 1995, the Petitioner of the instant Application has toured to South Korea with the Sri Lanka Men's National Volleyball team as a player and evaded returning to Sri Lanka. As a result of such conduct, the Sri Lanka Volleyball Federation ('Federation') by letter dated 12.08.1998, marked 'P2', has suspended the Petitioner from taking part and/or getting involved in any activities of the Federation for a period of 10 years from the date of their return to Sri Lanka someday.

The said suspension was relaxed after by the Federation after some time.

By letter dated 25.04.2017, marked 'P10', the Petitioner was removed from the post of Assistant Coach on the basis that has acted in violation of Clause 4(s) of 'P8'.

The Appeal against 'P10' submitted by the Petitioner was rejected on the basis that the Appeal Committee was not empowered to examine the same in terms of the Sports Regulations as it had been lodged against a decision taken almost 4 years ago.

The Petitioner in the instant Application also challenges the same documents which were impugned in CA Writ 520/2021. Therefore, based on the reasons given in the order dated 09.12.2022 in CA Writ/520/2021, We proceed to refuse this Application as well.

Application is refused.

Judge of the Court of Appeal

Dhammika Ganepola J.

I agree.

Judge of the Court of Appeal