

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

In the matter of Application under and in terms of Article 140 of the Constitution for mandates in the nature of Writs of Certiorari, Prohibition, and Mandamus.

Neshakumaran Vimalaraj
Somasundaram Street,
Kaluthavalai-4,
Kaluthavalai, Batticaloa.

Petitioner

Case No.CA/Writ/147/2023

Vs.

1. The Land Reform Commission,
475, Kaduwela Road,
Battaramulla.
2. Nilantha Wijesinghe,
Chairman, Land Reform Commission,
475, Kaduwela Road,
Battaramulla.
3. Harishke N. Samaranayaka,
Executive Director/Member,
Land Reform Commission,
475, Kaduwela Road,
Battaramulla.
4. P.Malathi,
Member, Land Reform Commission,
475, Kaduwela Road,
Battaramulla.
5. K.D. Bandula Jayasinghe,
Member, Land Reform Commission,
475, Kaduwela Road,
Battaramulla.
6. A.H.M.L. Aberathna,
Member,
Land Reform Commission,
475, Kaduwela Road,
Battaramulla.
7. S.A. Batagoda,
Member,
Land Reform Commission,
475, Kaduwela Road,
Battaramulla.

8. K.S. Wijayakeerthi,
Member,
Land Reform Commission,
475, Kaduwela Road,
Battaramulla.
9. Hemal Kasthuriarachchi,
Member,
Land Reform Commission,
475, Kaduwela Road,
Battaramulla.
10. Kusum Herath,
Board Secretary/Member, Land Reform
Commission,
475, Kaduwela Road,
Battaramulla.
11. Liyanage Pathmasiri,
Director General,
Land Reform Commission,
475, Kaduwela Road,
Battaramulla.
12. S.K. Liyanage,
Inquiry Officer,
Land Reform Commission,
475, Kaduwela Road,
Battaramulla.
13. Hon. Harin Fernando,
Ministry of Tourism and Lands,
"MihikathaMedura ",
Land Secretariat,
No.1200/6, Rajamalwatta Road,
Battaramulla.
14. W.A. Chulananda Perera,
Secretary, Ministry of Tourism and Lands,
"Mihikatha Medura"
Land Secretariat,
No.1200/6, Rajamalwatta Road,
Battaramulla.
15. Kumudu Dharmapriya,
Deputy Director - Land Ceiling,
Land Reform Commission,
475, Kaduwela Road,
Battaramulla.

RESPONDENTS

Before: **N. Bandula Karunarathna J. P/CA**

&

M. Ahsan R. Marikar J.

Counsel: Sanjeewa Jayawardena, PC with Rukshan Senadeera, AAL for the Petitioner instructed by P. Jayawickrama, AAL.
Sehan Zoysa, SC for the Respondent

Written Submissions: By the Petitioner – 03.05.2023
By the 1st – 12th and 15th Respondents – 28.04.2023

Supported on : 06.04.2023

Decided on : **28.06.2023.**

N. Bandula Karunarathna J. P/CA

Heard both counsel in regard to this application for an interim relief to be granted. After considering the written submissions and documents tendered by both parties, we are of the view that there is an important matter to be decided in this case. In the circumstances, this court is satisfied that there is a *prima facie* case to be looked into, by this court.

Accordingly, we direct the registrar of this court to issue notices on all the respondents. The application for an interim relief is also granted under prayer (i), (j), (k), (l), (m), (n), (o) and (p) of the petition dated 15.03.2023.

Registrar is further directed to serve a copy of the said interim order to all the respondents immediately via telephone, fax, email and courier service. The expenses of the communication should be borne by the petitioner.

Notice returnable on 04.08.2023.

President of the Court of Appeal

M. Ahsan R. Marikar J.

I agree.

Judge of the Court of Appeal