

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

In the matter of an application for Mandates in the nature of Writs of Certiorari, Prohibition and Mandamus under and in terms of Article 140 of the Constitution.

**CA/Writ/204/2023**

1. The Sri Lanka Rugby,  
No 33, Torrington Place,  
Colombo 07.
2. Mr. Rizly Illyas,  
The President, Sri Lanka Rugby,  
No 33, Torrington Place,  
Colombo 07.  
Drive enclave, Lake Drive,  
Colombo 8.
3. Mr. Lester Nalin De Silva,  
Deputy President, Sri Lanka Rugby,  
342/11, School Lane, Kalapaluwawa,  
Rajagiriya.
4. Mr. Hettiarachchige Udaya Desapriya  
Hettiarachchi,  
Vice President, Sri Lanka Rugby,  
51/A, Siripura Circular Road,  
Thalawatugoda.
5. Mr Mohamed Nizam Jamaldeen,  
Secretary, Sri Lanka Rugby,  
39 D Summit Flats, Mackenzie Road off  
Keppitipola Mawatha,  
Colombo 5.
6. Mr. Abdul Hassan Mohamed Riyaz,  
Treasurer, Sri Lanka Rugby,  
123/1 Anderson Road,  
Kalubowila.
7. Mr. Hassan Nauzeer Sinhawansa,  
Executive Director, Sri Lanka Rugby,  
2 B ,1 /1 De Silva Road,  
Kalubowila.

8. Mr. Samantha Vithangani Dharmapala,  
Council Member,  
Sri Lanka Rugby 38/3, Kalalgoda Road,  
Pannipitiya.
9. Mr. Disanayakage Kishan Mohan De Silva,  
Council Member,  
Sri Lanka Rugby No. 6B,  
5<sup>th</sup> Cross Street Borupana Road,  
Ratmalana.

**Petitioners**

**Vs**

1. Mr. Roshan Ranasinghe,  
Hon. Minister of Sports and Youth Affairs,  
No 9, Phillip Gunawardena Mawatha,  
Colombo 07.
2. Mr. K Mahesan,  
The Secretary,  
The Minister of Sports and Youth Affairs,  
No 9, Phillip Gunawardena Mawatha,  
Colombo 07.
3. Mr. Anuradha Muthumala,  
The Acting Director General,  
Department of Sports Development,  
No 9, Phillip Gunawardena Mawatha ,  
Colombo 07.

Members of the Stabilization Committee

4. Mr. Chula Dharmasena, Chairman
5. Mr. Shanaka Ranasinghe PC, Secretary
6. Mr. Thusitha Peris, Treasurer
7. Mr. D.D Dhamitha Vitharanage, Member
8. Mr. Kishan Musafar, Member
9. Mr. Savantha De Saram AAA. Member
10. Mr. Subash Jeyathilake, Member
11. Mr. Pradeep Basnayake, Member
12. Brigadier. Sunil Ranasinghe, Member

All of C/O The Ministry of Sports and Youth,  
Affairs No 09,  
Phillip Gunawardena Mawatha,  
Colombo 07.

**Respondents**

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

**&**

**M. Ahsan R. Marikar J.**

**Counsel:** Faisz Musthapha, PC with Keerthi Thilakarathna, AAL instructed by Sanjeeva Kaluarachchi, AAL for the Petitioner.

Faiszer Musthapha, PC with Pulasthi Rupasinghe, AAL for the Interventient Petitioner.

Uditha Egalahewa, PC with Amaranath Fernando, AAL , Niranjan Arulpragasam, AAL and Shenal Fernando, AAL instructed by Arulpragasam, AAL for the Respondent for the 4<sup>th</sup> -12<sup>th</sup> Respondents.

S. Dharmawardana, ASG, with Chaya Sri Nammuni, DSG and R. Aluvihare, SC for the 1<sup>st</sup> – 3<sup>rd</sup> Respondents

**Written Submissions:** By the Petitioners – 04.07.2023

By the 4<sup>th</sup> – 12<sup>th</sup> Respondent – 30.06.2023

By the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Respondents – 10.07.2023

**Supported on :** 23.05.2023, 30.05.2023 and 08.06.2023

**Decided on :** **14.07.2023.**

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

Heard all counsel in regard to this application for notices as well as 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.

We are of the view that at the same time, the Preliminary Objections could be considered after the Respondents file their Objections and the Petitioner files their Counter Objection, if necessary. When the arguments concluded, this court would be able to address all issues along with the Preliminary Objections and this application will be finally decided after considering all legal arguments raised by all parties.

Accordingly, we direct the registrar of this court to issue notices on all the respondents. We issue an interim order under prayer (d) of the petition dated 21.04.2023 until the final determination of this matter.

Registrar is further directed to serve a copy of the said interim order to the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> respondents immediately via telephone, fax, email and courier service. The expenses of the communication should be borne by the Petitioner.

On the next date if all parties agree this matter can be fixed for argument straight away, if the respondents do not wish to file further objections and if they are willing to rely on the limited objections which they have already filed. In that case this matter could be concluded within 3 months from today.

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**