

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

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

Case No.CA Writ/337/2023

1. R. M. M. Pushpakumara
No 11/7-B Vidiyalla Lane,
Rathwaththe Mawatha
Badulla.
2. W. D. Upasena
Uda Dompe Egcdapitiya Gedara
Hali Ela.
3. B. M. R. N. Basnayaka
No 50, Kokowatte Road
Badulla.
4. L D. Aruna Kumara
No 7/A Anuragama
Kapuliyadda.
5. D. M. S. Hemamala
Millagama, Hela Halape,
Ella.
6. R. M. Samarasekara
No 15/7 Sayanaya Road,
Sampana Watha, Badulla.
7. H. P. L. S. Kumara
No 21, Kumarasinghe Road
Badulla.
8. B. K. Paranawithana
No 56, Delota Road
Galaha.

9. K. M. S. B. Kulathunga
No 424, IbbanKatuwa,
Dambutta.
10. K. D. M. S. K. Wijewardane
No 67/1, Bandaranayaka Mawatha,
Wekada,
Panadura.
11. K. S. S. Nisanthi
No 123/2/1,
Abhimani Lindeyayagoda,
Bataata South,
Hungama.
12. H. G. N. Samantha Melahena
Kambussawala,
Beliatta.
13. Y. P. C. S. Abeywardena
No. 64 /A Kandy Road,
Ihala Imbulgoda.
14. G. L. N. N. Lankathilaka
Abanpola,
Malsiripura.
15. Y. P. J. Abeywardena
No 64/A, Nuwara Paara
Ihala Imbulgoda, Imbulgoda.
16. N. P. J. Premaratna
No 80, Pahalagama,
Weweldeniya.
17. Y. P. S. M. Abeywardena
No 34, Kandy Road,
Ihala Imbulgoda
Imbulgoda.
18. H. W. Lasantha Rohana
Lantern Restaurant,
Darmavijaya Mawatha,
Bandarawela.

19. W. M. S. Kanthi
No 620/40, Naraminiya,
Waragoda, Kelaniya.
20. L. H. Nandasiri
No 19/2, Samarasinghe Travel's,
Angunukolpalassa.
21. A P. S. N Kurnara
No 36A, Makkanigoda, Pasyala.
22. H. P. Somapala Kumarasinghepura,
Badulla.
23. K. S. Kumara
No 132, Mahiyangana Road, Thaldena
Walauuwa,
Badulla.
24. D K. De Silva Thenna,
Uwa, Thenna.
25. W. M. Pragnadasa
`Jayanthi` Marabedda Bandarawela.
26. J. M. G Jayaweera
'Anoja' Watagamuwa
Bandarawela.
27. P. S. Vijitha Kumara
No 321, Jayantha Weerasekara Mawatha,
Colombo 10.
28. B. A. C. P. Manjula Perera
No133/1, Pitipana South, Prasannapura,
Homagama.
29. Anthar Palath Pauthgalika Bus Sangamaya
No 62/2, Kandy Road Imbulgoda.

Petitioners

-Vs-

1. National Transport Commission
No. 241, Park Road,
Colombo 5.
2. Mr. Shashi Welgama.
Chairman National Transport Commission
of Sri Lanka
No. 241, Park Road, Colombo 5.
3. Mr. T. M. J. Bandara
Commission Member
National Transport Commission of Sri Lanka
No. 241, Park Road, Colombo 5.
4. Ms. N. V. N. D. Jayawardane
Commission Member
National Transport Commission of Sri Lanka
No. 241, Park Road, Colombo 5.
5. Ms. S. Jaladeepan
Commission Member
National Transport Commission of Sri Lanka
No. 241, Park Road, Colombo 5.
6. Mr. S. R. Godamune
Commission Member
National Transport Commission of Sri Lanka
No. 241, Park Road, Colombo 5.
7. Mr. M. V. M. D. B. Dhanushka
Commission Member
National Transport Commission of Sri Lanka
No. 241,
Park Road, Colombo 5.
8. Dr. Ranjith G Rubasinghe
Commission Member
National Transport Commission of Sri Lanka
No. 241,
Park Road, Colombo 5.
9. Mr. Amila Ranmandala
Commission Member

National Transport Commission of Sri Lanka
No. 241,
Park Road, Colombo 5.

10. Dr. Nilan Miranda
Director General
National Transport Commission of Sri Lanka,
No. 241, Park Road, Colombo 5.
11. Hon. (Dr). Bandula Gunawardana.
Minister of Transport and Highways and
Minister of Mass Media. 7th Floor,
Sethsiripaya Stage II, Battaramulla.
12. Mr. M.M.P.K. Mayadunne,
The Secretary, The Ministry of Transport
and Highways, 7th Floor,
Sethsiripaya Stage II, Battaramulla.
13. Hon. Dinesh Chandra Rupasinghe
Gunawardena
Hon. Prime Minister of Public
Administration, Home Affairs, Provincial
Councils and Local Government
Independence Square, Colombo 07.
14. Hon. Nimal Siripala de Silva
Minister of Ports, Shipping and Aviation
No 11, Chaithya Road, Colombo 01.
15. Hon. Pavithra Devi Vanniarachchi
Minister of Wildlife and Forest Resources
Conservation
No 1090,
Sri Jayawardenapura Mawatha, Rajagiriya.
16. Hon. Douglas Devananda
Minister of Fisheries
New Secretariat, Maligawatta Colombo 10.
17. Hon. Achchige Don Susil Premajayanth
Minister of Education
Isurupaya, Battaramulla.

18. Hon. Keheliya Rambukwelia
Minister of Health
No 385, Rev. Baddegama Wimalawansa
Thero Mawatha
Colombo 10.
19. Hon. Amaraweera Mahinda
Minister of Agriculture
No 80/5, Rajamalwatte Lane, Battaramulla.
20. Hon. Wijayadasa Rajapaksha
Minister of Justice, Prison Affairs and
Constitutional Reform
No 19, Sri Sangaraja Mawatha, Colombo 10.
21. Hon. Nalaka Jude Hareen Fernando
Minister of Tourism and Lands
No 1200, Rajamalwatta Road, Battaramulla.
22. Hon. Ramesh Pathirana
Minister of Plantation Industries Minister of
Industries
C-Wing ,11th Floor, Sethsiripaya,
Battaramulla.
23. Hon. Prasanna Ranatunga
Minister of Urban Development
17th Floor, Suhurupaya, Battaramulla.
24. Hon. M. U. M. All Sabry, PC
Minister of Foreign Affairs
Republic Building, Sir Baron Jayathilake
Mawatha, Colombo 01.
25. Hon Vidura Wikramanayaka
Minister of Buddhasasana Religious Cultural
Affairs
No 135, Sirimath Anagarika Dharmapala
Mawatha, Colombo 07.

26. Hon. Kanchana Wijesekara
Minister of Power and Energy
No 437, Colombo - Galle Main Road
Colombo 03.
27. Hon. Ahamed Zenulabdeen Nasser
Minister of Environment
No 416/C/1, Robert Gunawardana
Mawatha, Battaramulla.
28. Hon. Anuraddha Ranasinghe Arachchige
Roshan
Minister of Sports and Youth Affairs
Minister of Irrigation
No 09, Philip Gunawardana Mawatha,
Colombo 07.
29. Hon. Maligaspe Koralege Nalin Manusha
Nanayakkara
Minister of Labour and Foreign
Employment
6th Floor, Mehewara Piyasa, Narahampita,
Colombo 05.
30. Hon. Tiran Alles
Minister of Public Security
14th Floor, Suhurupaya, Battaramulla.
31. Hon. Kachchakaduge Nalin Ruwanjiwa
Fernando
Minister of Trade, Commerce and Food
Security
No 492, RA De Mel Mawatha, Colombo 03.
32. Hon. Jeevan Thondaman
Minister of Water Supply and Estate
Infrastructure Development
No 35, New Parliament Road, Battaramulla.
33. The Honourable Attorney General
No 159, Hulftsdorp
Colombo 12.

Respondents

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

M. Ahsan R. Marikar J.

Counsel: Rajeev Amarasooriya, AAL with Sumudu Nanayakkara, AAL and Dulanga Nanayakkara, AAL, Dulanga Nanayakkara AAL, and Subani Hewapathirana, AAL for the Petitioner.

Sehan Soyza, SSC with Madushka Kannangara, AAL for the Respondent

Written Submissions: By the Petitioners – Not filed

By the Respondent – Not filed

Supported on : 28.06.2023

Decided on : **30.06.2023.**

N. Bandula Karunarathna J. P/CA

Heard both counsel in regard to this application for an interim relief to be granted. After considering the 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, the 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 (j), (v) of the petition dated 20.06.2023.

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 28.08.2023.

President of the Court of Appeal

M. Ahsan R. Marikar J.

I agree.

Judge of the Court of Appeal