

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 and Mandamus under and in terms of Article 140 of the Constitution of the Democratic Socialist Republic of Sri Lanka.

Pradeep Hemantha Chrisanthas Ratnayake,
No.546/2A,
Alwis Perera Mawatha,
Katubedde, Moratuwa.

PETITIONER

CA/WRIT/Application No.0291/2023

Vs.

1. Sanath J. Ediriweera,
Chairman,
Public Services Commission.
2. Mrs. S.M. Mohamed,
Member of the Public Services Commission.
3. N.H.M. Chithrananda,
Member of the Public Services Commission.
4. Prof. N. Selvakkumaran,
Member of the Public Services Commission.
5. M.B.R. Pushpakumara,
Member of the Public Services Commission.
6. Dr. (Mrs.) A.D.N. De Zoysa,
Member of the Public Services Commission.
7. Mrs. R. Nadarajapillai,
Member of the Public Services Commission.
8. C. Pallegama,
Member of the Public Services Commission.
9. G.S.A. De Silva, PC
Member of the Public Services Commission.

All of at:
No.1200/9,
Rajamalwatte Road,
Battaramulla.

The 01st to 9th Respondents, being Members
of the Public Services Commission.

10. Thanuja Murugesan,
Acting Secretary,
Public Services Commission,
No.1200/9,
Rajamalwatte Road,
Battaramulla.
11. K. D. A. Ranjith Asoka,
Secretary,
Ministry of Public Administration, Home
Affairs, Provincial Councils and Local
Government,
Independence Square,
Colombo 7.
12. E.M.S.B. Ekanayake,
Secretary to the President,
Presidential Secretariat,
Galle Face Center Road,
Colombo 1.
13. Jagath Dias,
Director General of Pensions,
Maligawatta,
Colombo 10.
14. M.M.P.K. Mayadunne,
Former Secretary,
Ministry of Public Administration, Home
Affairs, Provincial Councils and Local
Government,
"Nila Piyasa"
Hector Kobbekaduwa Mawatha,
Colombo 7.
15. Hony. Attorney General,
Attorney General's Department,
Colombo 12.

RESPONDENTS

Before: **N. Bandula Karunarithna J. (P/CA)**

&

M. Ahsan R. Marikar J.

Counsel: Harsha Fernando with Chamith Senanayake Instructed by Jagath Talgaswaththa for the Petitioner.

Shiloma David, DSG, for the Respondents.

Written Submissions: By the Petitioner – Not filed.

By the Respondents – Not filed.

Supported on : 28.06.2023

Decided on : **07.07.2023.**

N. Bandula Karunarithna 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, 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 b, c, d and e of the petition dated 30.05.2023.

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.

Accordingly, we direct the registrar of this court to issue notices on all the respondents.

Notice returnable on 20.07.2023.

President of the Court of Appeal

M. Ahsan R. Marikar J.

I agree.

Judge of the Court of Appeal

