

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 writ of Certiorari and writ of Mandamus under and in terms of article 140 of the Constitution.

C.A.WRIT NO.479/22

Ruhunu Putha Apperals (Private) Ltd
138, Stanley Thilakaratne Mawatha,
Nugegoda.

Petitioner

Vs

1. K. D Bandula Jayasinghe
Land Commisioner General
Land Commisioner General's
Department
"Mihikatha Madura", Land
Secretriat,
1200/6, Rajamalwaththa Road,
Battaramulla.
2. H.P Sumanasekara
District Secretariat of Hambantota,
1st Floor, Magam Ruhunupura
Administrative Complex,
Siriboopura,
Hambanthota.
3. I.L Wickramanayake,
Divisional Secretariat of
Lunugamwehera,
New Town,
Lunugamwehera.
4. Vijitha Mayadunna
Deputy Land Commissioner of
Deberawewa,
Land Commisioner
General's Department.
Deberewawa.

5. Hon. Attorney General
Attorney General Department
Colombo 12.

Respondents

Before : **Hon. N. Bandula Karunarathna, J. (P/CA)**
Hon. M. Ahsan R. Marikar, J.

Counsel : C. Galappathige with L.Galappathige instructed by Eksith
Maduwela for the Petitioner
S. Wimalasena DSG for the Respondents

Argued on : 29.05.2023

Decided on : 26.06.2023

M. Ahsan R. Marikar, J.

Mr. C. Galappaththuge AAL, heard in support of the application for notice and interim relief. Mr. S. Wimalasena DSG, objected for this application for any interim relief being granted and issuing of notice.

Heard both counsels in regard to this application for notices and an interim relief prayed for in prayer 'c' of the petition to be granted. After considering the facts, documents and oral submissions made by both counsels pertinent to this application, 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 'c' of the petition dated 12.12.2022.

The Registrar is further directed to serve a copy of the said interim order to all the Respondents.

Judge of the Court of Appeal

N. Bandula Karunarathna, J. (P/CA)

I agree

President of the Court of Appeal