

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

In the matter of an application for a mandate in the nature of Writs of Certiorari, under Article 140 of the constitution of the Democratic Socialist Republic of Sri Lanka.

CA. (Writ) Application No. 456/2023

Sarana Seva (Private) Limited,
No. 109, Avissavella Road,
Maharagama.

Petitioner

Vs.

1. Sri Lanka Bureau of Foreign Employment,
No. 234,
Denzil Kobbekaduwa Mawatha,
Koswatta,
Battaramulla.
2. D.D.P. Senanayake,
General Manager,
Sri Lanka Bureau of Foreign Employment,
No. 234,
Denzil Kobbekaduwa Mawatha,
Koswatta,
Battaramulla.
3. R.P.A. Wimalaweera,
Secretary,
Ministry of Labour and Foreign Employment,
6th floor, Mehewara Piyasa,
Narahenpita,
Colombo 05.

4. Hon. Manusha Nanayakkara,
Hon. Minister of Labour and
Foreign Employment,
Ministry of Labour and Foreign
Employment,
6th floor, Mehewara Piyasa,
Narahenpita,
Colombo 05.

5. Association of Licensed Foreign
Employment Agencies,
No. 102-1/1,
Borella Cross Road,
Colombo 08.

Respondents

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

&

M.C.B.S. Morais J.

Counsel: Sumedha Mahawanniarachchi with Binara Silva for the
Petitioner.

M. Amarasinghe, SSC for the 1st and 2nd Respondents.

Written Submissions: By the Petitioner – 08.08.2023.

By the Respondents –11.10.2023.

Supported on: 25.09.2023.

Decided On: **13.10.2023.**

M.C.B.S. Morais J

Heard both counsel in support and in opposition of this Application. Having considered 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.

As this court is satisfied that there is a *prima facie* case to be looked into, by this court, we direct the Registrar of this court to issue notices to all the respondents.

Though the petitioner seeks interim relief as per the prayer 'c' of the petition, preventing respondents from insisting on the compliance of the circular, that would not be considered now as it may amount to granting of the final relief. Therefore, interim relief is refused.

Notice returnable on 31.10.2023.

Judge of the Court of Appeal

N. Bandula Karunarathna J. (P/CA)

I agree

President of the Court of Appeal.