

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

CA (Writ) No.292/2015

1. Gnanapragasam Anton Nicolas,
Palayawaikkal, Usan, Mirusuwil.

2. Kanapathy Kathiravelu,
Welany, Sarawanay, Sellakatharagama,
Jaffna.

3. Saravanamuthu Kodeeshwaran,
No.160, Ramalingam Road, Jaffna.

4. Arulanantham Kajan,
No.91, Main Street, Jaffna.

5. Nagendran Sevanasan,
Achchuweli East, Achchuweli.

6. Seevarathnam Rankanath,
Kachchav North, Kodikamam.

7. Kanapathy Sathyakumar,
Convent Road, Jaffna.

8. Manikkam Udayasuriyan,
Kalawalay, Pillayar Kovil, Sandilipay

Petitioners

-Vs-

1. Mahinda Deshapriya,
Commissioner General of Elections,
Election Secretariate, Sarana Mawatha,
Rajagiriya.

2. N.Vedanayahan,
Returning Officer, Elections Office,
Jaffna.

And others

Respondents

C.A.No.292/2015 (Writ)

Before : Vijith K. Malalgoda P.C. J. (P/CA) &
H.C.J. Madawala, J.

Counsel : Dr. Jayatissa de Costa P.C. with Wijeratne
Hewageand Lahiru N. Silva for the
Petitioners.
N. Pulle D.S.G. for the Respondents.

Supported on : 21.07.2015

Vijith K.Malalgoda, P.C. J. (P/CA)

Heard both Counsel with regard to this application.

Learned Deputy Solicitor General representing the respondents submitted a copy of the Affirmation forms submitted by the petitioners before this Court to satisfy that the petitioners have not included their names in the Affirmation forms. Learned Deputy Solicitor General submits that the act of the returning officer is purely a ministerial act and there is no discretion on these issues rather than rejecting the nominations.

We are of the view that this is not a fit and proper case to issue notices on the respondents. Accordingly we make order dismissing this application .

PRESIDENT OF THE COURT OF APPEAL

H.C.J. Madawala,J.

I agree.

JUDGE OF THE COURT OF APPEAL

WC/-