

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

**CA/Writ/58/2016**

Ovitigala Vithanage Indika Prabath Lakshan  
Abemulla Road,  
Yatiana,  
Agalawaththa

On Behalf of Ividu Iduwara (Minor)

**Petitioner**

**Vs.**

Hon. Attorney-General  
Attorney General's Department  
Colombo -12

And 07 others

**Respondents**

C.A.Writ No. 58/2016

BEFORE : VIJITH K. MALALGODA, PCJ (P/CA) &  
P.PADMAN SURASENA, J.

COUNSEL : Lakshan Dias for the petitioner.  
Chaya Sri Nammuni S.C. for the 1<sup>st</sup> to 5<sup>th</sup> and  
8<sup>th</sup> respondents.

SUPPORTED ON : 27<sup>th</sup> April, 2016

VIJITH K. MALALGODA, PCJ (P/CA)

Heard Counsel for the petitioner and the learned State Counsel representing the respondents in this matter.

This application refers to a school admission to the year 2016 of a child by the name Ivindu Induwara. According to the petitioner the child who had applied to be admitted to the school by the name of St. Mary's Vidyalaya, Matugama under the house hold category but comes within the religious groups where there is certain percentage has been allocated to the Christian students. However, we observe that the said school has a criteria to identify the applicant as a Christian and the said document has been produced marked P7. In the said document the applicant is advised to submit certain documents in order to satisfy that they belong to the particular religion. According to the submissions made before this

Court it was transpired that the petitioner has failed to submit certain documents specially, the documents which required under No. 5 and 6 along with the application. It is also revealed during the submissions before this Court that the petitioner's two elder children had been admitted to the same school and at that time the petitioner has not declared that he is a Christian and in fact the two children are presently studying Buddhism in the school even though there are facilities at school to study Christianity.

When considering the submissions made by both parties, we see no merit in this application and therefore we are not inclined to issue notices in this application. Notices are refused and the application is accordingly dismissed. No costs is ordered.

PRESIDENT OF THE COURT OF APPEAL

P. PADMAN SURASENA, J.

I agree.

JUDGE OF THE COURT OF APPEAL

Kwk/-