

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

**Court of Appeal Case No : CA CC/14/2016**

Nagananda kodituwakku  
99,  
Subdrarama Road,  
Nugegoda.

**Petitioner**

**Vs.**

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

**Respondents**

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

CA Application No. CC/14/2016

Before : L.T.B. Dehideniya J (P/CA)

Shiran Goonaratne J

Decided on : 14/12/2017

L.T.B. Dehideniya J (P/CA)

The Petitioner instituted this action under the Article 105 (3) of the Constitution complaining that the 3<sup>rd</sup> Respondent has committed a contempt of court. The Petitioner's contention is that the 3<sup>rd</sup> Respondent in case Nos CA/Writ/158/2016 and CA/Writ/484/2015 has presented incorrect material to court and obtained interim relieves. The Petitioner's submission is that presenting incorrect facts to the Court amounts to contempt of court and he moves that the 3<sup>rd</sup> Respondent be punished.

We are of the view that the Attorney General, being the chief prosecutor, should be heard in this regard. Accordingly we direct the Registrar to issue notice on the Attorney General to appear as *Amicus Curie* and to express his opinion.

President of the Court of Appeal

**Shiran Gooneratne J.**

I agree.

Judge of the Court of Appeal