

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

In the matter of an Application in Revision and for the exercise of
the inherent power and jurisdiction of the Supreme Court

T. R. Ratnasiri,
23/4, Makola South,
Makola.

S.C.F.R.No. 536/2010

PETITIONER

Vs.

1. **P.B. Jayasundara,**
Secretary to the Ministry of Finance and Planning, The
Secretariat Building,
Colombo 01.

2. **Sarath Jayathilake**
117/30 Ananda Rajakaruna Mawatha
Colombo 10

3. **Thilak Perera,**
Director of Customs,
40, Main Street
Colombo 11

4. **Director General of Customs**
Sri Lanka Customs Department
40, Main Street
Colombo 12

Sudharma Karunarathna (May 2010 - Jan 2012)
Now the Secretary, Ministry of Plantation Industries
55/75, Vauxhall Lane
Colombo 2

Neville Gunawardena (Jan 2012 - December 2012)

Now Director General Trade & Investment Policy

Ministry of Finance, General Treasury

Colombo 1

Jagath Wijeweera (Dec 2012 to date)

5. **Board of Investment of Sri Lanka,**
West Tower,
World Trade Centre, Echelon Square,
Colombo 01.
6. **Colombo Dockyard Ltd,**
P.O. Box 906, Port of Colombo,
Colombo 15.
7. **Mohan Peiris**
Former Attorney General
3-14D, Kynsey Road
Colombo 8
8. **Attorney General**
Attorney General's Department
Colombo 12

RESPONDENTS

And Now Between

T R Ratnasiri
23/4, Makola South,
Makola.

PETITIONER – PETITIONER

Vs

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General Secretariat
Colombo 1

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7. Mohan Peiris

Former Attorney General
3-14D, Kynsey Road
Colombo 8

8. Attorney General

Attorney General's Department
Colombo 12

RESPONDENTS –RESPONDENTS

**TO: THE HON CHIEF JUSTICE AND THE OTHER HON JUDGES OF THE SUPREME COURT OF THE
DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**

On this 14th day of February 2013

Whereas the question involved in the instant application, in that relates to gross misconduct and dishonesty of the 7th Respondent, who is now purporting to hold the Office of the Chief Justice, is of paramount public importance,

And whereas in these circumstances the Article 132 of the Constitution is now rendered unworkable and/or impracticable

I respectfully move that the Ruling on this application for Revision be referred to the five Judges of the Supreme Court other than the following

Mohan Peiris, the 7th Respondent, and holding the office of the **CJ**

Dep J, (withdrawn citing personal reasons)

Ratnayake J, (withdrawn citing personal reasons)

Hettige J, (reported to Dr Bandaranayake **CJ** for his abuse of office of the Supreme Court Judge and bias, by the Counsel for the Petitioner, yet taken part at the hearing of Petitioner's Fundamental Rights Application (SCFR/536/2010) on 01st February 2013, overruling objections raised by the Counsel for the Petitioner

Sripawan J (who had already expressed his opinion on the Customs Inquiry [(P/MISC/93/2000) concerning the subject matter concerning the 6th Respondent], by his letter dated 12th December 2001, a copy of which was produced to Sripawan J in open Court with the permission of the Court on 31st January 2013)

Wanasundara J (took part at the hearing on 01st February 2013)

I tender herewith the Petition and Affidavit and documents attached to the Petition, seeking Revision of the Order made in the SC FR Application 536/2010 on 01st February 2013 and respectfully moves Your Lordships' Court to accept same and grant the relief prayed for.

I also tender herewith the proxy and the revocation of the Proxy given to S V Kumara

The motion, Petition with the marked documents, and the affidavit have been served on all the Respondents and the registered postal article is annexed hereto.

I respectfully move that this matter be listed for support on any one of the following dates.

Thursday, the 21st of February 2013

Friday, the 22th of February 2013

Tuesday, the 26st February 2013

The Attorney-at-law for the Petitioner