

The Attorney General
Attorney General's Department
Hulftsdorp
Colombo 11

Your ref: CA/CA/527/2014 (DW)

12th Feb 2015

Court of Appeal Writ Application NO 434/2014



This refers to your letter dated 31st Dec 2014.

Your attention is hereby drawn to the reply dated 01st Jan 2015 sent in this regard and also to the following paragraphs in the Motion dated 02nd Jan 2015 filed in Court, which sets out, *inter alia*, the apparent intent of your letter.

"... Whereas the Attorney General has in the meanwhile informed the Petitioner through a letter dated 31st Dec 2014, 'hand-delivered' to the Petitioner on the same date at his office about the receipt the papers served on the Attorney General sans the Petition, which is not the normal practice and this strange behavior has aroused the suspicion of the Petitioner..."

"... Whereas since the filing of this Petition, the Petitioner believes that the public opinion on the Extant President has been evidently eroded and in this background the Petitioner contemplates that the Attorney General who performs his office under the Extant President would have been instructed to concede the Interim Relief prayed for in the Petition to suspend the holding of the Presidential Election scheduled for 08th Jan 2015 until the final determination of this Petition, effectively throwing a life-line to the Extant President to remain in Office for a considerable period, against the Will of the People that has been expressed by both in the electronic and print media since filling of this Petition..."


"... Whereas the minute made in the Record by the Registrar on 16th Dec 2014 clearly confirms that the Petitioner has duly filed the Petition together with the Affidavit, Motion and the marked Documents (P1 to P7) ..."

"... Whereas this unexplained circumstances under which the Original Petition went missing compelled the Petitioner to file another copy of the Petition, that effectively denied the Petitioner an opportunity to support the Petition on one of the dates (17th 18th or 19th December 2014) before the Court Vacation, as requested in the Motion filed in Court on 16th Dec 2014 ..."

"... Whereas with the proclamation issued by the Extant President dated 20th Nov 2014 in terms of Article 31 (3A) of the Constitution, declaring his intention to hold a Presidential Election and with that proclamation and in terms of Article 31 (4) (b) of the Constitution, the term of office of the Extant President will expire on the date on which the results of the Presidential election would be declared by the 1st Respondent ..."

"... And whereas in this background the Petitioner believes that the Petition filed in the national Interest could be defeated if preceded with it, the Petitioner withdraws the Petition, with due respect to the Will of the people and their Sovereignty that would determine their choice through the exercise of their franchise at the forthcoming Presidential Election ..."

I believe you are quite aware that the manner the State Attorney acted here is completely inappropriate and requests you to inform whether this letter was originated by the Attorney General's Department with your knowledge and consent.


N Kodituwakku - The Petitioner filed action in person

Attorney-at-Law & Commissioner for Oaths
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