

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

In the matter of an application under **Article 140** of the Constitution read with **Section 24** of the Commission to Investigate Allegations of Bribery or Corruption Act No 19 of 1994 for a Mandate in the nature of Writ of **Mandamus**

1. Nagananda Kodituwakku  
99, Subadrarama Road  
Nugegoda

**Petitioner**

**Vs**

**SC (Writs) No: /2016**

1. Commission to Investigate Allegations of Bribery or Corruption  
No 36 Malalasekera Mawatha,  
Colombo 07
2. T B Weerasuriya (Chairman) of the Commission
3. W Lal Ranjith Silva (Member) of the Commission
4. Chandranath Nevelle Guruge (Member) of the Commission
5. Dilrukshi Wickramasinge (Director General) of the Commission
6. K Sripavan  
The Chief Justice  
Supreme Court of Sri Lanka  
Colombo 12
7. Shirani Bandaranayake  
170, Lake Drive  
Colombo 8
8. Mohan Peiris  
3-14D, Kinsey Road  
Colombo 8
9. Sarath N Silva  
18/171, Muhandiram E D Dabare Mawatha  
Colombo 5

10. Vijith K Malalgoda  
President of the Court of Appeal  
Court of Appeal of Republic of Sri Lanka  
Colombo 12

11. Sanjaya Rajaratnam  
Addl. Solicitor General  
Attorney General's Department  
Colombo 12

12. Mahinda Rajapakse  
Member of Parliament  
Parliamentary Complex  
Parliament Approach Road  
Sri Jayewardenepura

13. The President  
The Bar Association  
153, Mihindhu Mawatha  
Colombo 12

14. The UN High Commissioner for Human Rights  
Palais des Nations  
CH-1211, Geneva 10  
Switzerland

**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 **28<sup>th</sup> March 2016**

Whereas this Writ Application (**SC/Writs/ /2016**) filed by the Petitioner, a Public Interest Litigation Activist, is supported with overwhelming evidence of Judicial Corruption, concerning **6<sup>th</sup> to 10<sup>th</sup>** Respondents who have abused People's judicial power to confer favours or benefits to themselves or to the Executive

And whereas such improper actions undermine people's judicial power, amount to betrayal of the trust and confidence placed in the said Respondents by the citizens of Sri Lanka

And whereas such unlawful actions fall within the Offence of Corruption as defined in the Section 70 of the Bribery Act, requiring the 1<sup>st</sup> Respondent to initiate a credible and independent investigation into this complaint in terms of Section 4 of the Act No 19 of 1994.

And whereas the Judicial Corruption complained herein with plausible evidence reveals that the said Respondents have compromised their integrity and thereby violated their Constitutional obligations to the citizens of this country whose immutable judicial power exercised by them on trust, causing an enormous damage to the due observance of the Doctrine of Separation of Powers, effectively nullifying the Rule of Law and Democratic Governance in the Republic of Sri Lanka and compelling the Government of Sri Lanka to concede to the International Community that the People of Sri Lanka have no trust and confidence in the Judiciary

Wherefore, the Petitioner with due respect requests the Hon' Chief Justice that considering the General and Public Importance attached to this case to appoint a Bench of 7 Judges of the Supreme Court in terms of Article 132 (3) (iii), to hear and determine this case sans the Hon' Chief Justice who is also a Respondent in this case and Justice Eva Wanasundara who had abused the office and refused to release the Determination Record (SC/SD/02/1988) referred to in the Petition on 14<sup>th</sup> Amendment Bill to the Petitioner

The Petitioner files herewith the Petition, the Affidavit, and the Documents marked from **P1** to **P47** and respectfully moves Your Lordships' Court to file same of the Record.

Notices addressed to all the Respondents along with this Motion, the Petition, the Affidavit, and the documents marked **P1** to **P47** are also produced herewith with duly addressed stamped envelopes to be served on the Respondents through the Registry and the Petitioner respectfully moves that this matter may be listed for support on one of the following days.

25<sup>th</sup> Monday, April 2016

27<sup>th</sup> Wednesday, April 2016

29<sup>th</sup> Friday, April 2016

N. Kodituwakku

  
Attorney-at-Law & Commissioner for Oaths  
99, Subadrarama Rd, Nugegoda.

**Nagananda Kodituwakku,**  
The Petitioner, the Public Interest Litigation Activist in Person