

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

In the matter of an application under
Article 140 of the Constitution for
Mandates in the nature of Writ of
Mandamus

1. T R Ratnasiri
23/4, Makola South
Makola
2. Nagananda Kodituwakku
99, Subadrarama Road
Nugegoda

Petitioners

Vs

CA (Writ) Application No: 65 /2015

1. D.J.De S. Balapatabendi
2. L.K Wimalachandra
3. Jayantha Wickramaratne
4. Dilrukshi Wickramasinghe
5. Luxman Wijetunga

All at Commission to Investigate Bribery or
Corruption
No 36 Malalasekera Mawatha,
Colombo 07,
Sri Lanka

6. Mohan Peiris
3-14D, Kinsey Road
Colombo 8
7. The Attorney General
The Attorney General's Department
Hulftsdorp
Colombo 12

Respondents

To: THE HONOURABLE PRESIDENT JUDGE AND THE OTHER JUDGES OF THE COURT OF APPEAL OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

On this 09th day of February, 2015

Whereas the supporting of this application for *Writ of Mandamus* against the Chairman of the Commission to Investigate Bribery or Corruption on the specified dates (06th, 09th and 10th of February 2015) was denied by the two Judges currently occupying the Writ Court, despite the urgent nature of this application and the public interest involved in the case

And whereas despite the fact that the purpose of filing of the Writ Application would be defeated unless the supporting of the Petition is permitted as expeditiously as possible, the Petitioners were instead directed to '*obtain fresh dates*'

And whereas the said two-judges occupying the Writ Court of the Court of Appeal, have both been appointed to the Court of Appeal from the Attorney General's Department by former President Rajapakse on the recommendations of the 6th Respondent, disregarding the severe criticism by the professional body of Practitioners of Law, the Bar Association

And whereas the whole purpose of challenging unlawful actions committed by the state institutions has become futile, due to these preposterous appointments, forcing some practitioners with integrity including the 2nd Petitioner in this case, suspending their practice in the Writ Court, and reporting the abuse the legal process by the said two Judges, to the Bar Association Sri Lanka and to the Commonwealth Secretariat in London, urging them to take meaningful action to restore the peoples Trust in the Justice system by the reinstatement of Rule of Law and Good Governance.

Two letters addressed to the Bar Association dated 22nd Oct 2014 and the Commonwealth Secretariat dated 31st Oct 2014 by the 2nd Petitioner marked P12 and P13 are attached hereto.

Petitioners respectfully request that this matter be not listed for support before a Bench comprising the said two Judges and be listed for support on one of the following days listed before a bench consisting of two other (preferably **career Judges**)

16th Monday February 2015

18th Wednesday February 2015

19th Thursday February 2015

Whereas the 4th Respondent has been transferred out from Office of the Director General of Commission to Investigate Bribery or Corruption with effect from 08th February 2015 an amended Caption (3 copies) Motion (3 copies) and documents marked **P12** and **P13** (3 copies each) are hereby tendered to Your Lordship's Court to be accepted and filed of record.

Copies of the above have been served on 1st and 7th Respondents by registered post and the Postal Article Receipt annexed hereto in proof thereof.


N. Kodituwakku

**Attorney-at-Law and the
2nd Petitioner in person**.....
Attorney-at-Law & Commissioner for Oaths
99, Subadrarama Rd, Nugegoda.