

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

In the matter of an Application in terms of Articles 17 and 126 read with Article 35 of the Constitution of the Democratic Socialist Republic of Sri Lanka.

SC. FR. No. 351/2018

Rajavarothiam Sampanthan

176, Customs Road,

Trincomalee

Petitioner

Vs.

1. Honourable Attorney General,
Attorney General's Department,
Colombo 01200.
And others

Respondents

13/11/2018

Before : NALIN PERERA, CJ.
PRIYANTHA JAYAWARDENA, PC. J. &,
PRASANNA JAYAWARDENA, PC. J.

K. Kanag-Isvaran, PC. with M.A. Sumanthiran, PC., Ermiza Tegal, Niran Ankatell, Jnanita Arulanantham and J. Crosette - Thambiah instructed by Mohan Balendra for the Petitioner.

Sanjeewa Jayawardena, PC. with Rukshan Senadhhera for the Intervient-Petitioner, Prof. G.L. Pieris.

M.U.M. Ali Sabry, PC. with Naamiq Nafath and Ramzi Bacha instructed by Athula De Silva for Intervient-Petitioner.



Samantha Ratwatte, PC. With Roshan de Rafayal instructed by N. Wijesinghe for the Intervenant-Petitioner, Vijitha Herath.

Kushan D' Alwis, PC. with Kanchana Ratwatte, Chamath Fernando and Gamini Yapa for the Intervenant-Petitioner, Dr. P.U. Indrawansa.

Shavindra Fernando, PC. with Ruchindra Fernando and Chanithi Athauda for the Intervenant-Petitioner, R. Harishchandra.

Manohara de Silva, PC. for the Intervenant-Petitioner, Udaya Gammanpila.

Chrismal Warnasuriya with Ms. Kumudu Hapuarachchi instructed by Priyantha Herath for the Intervenant-Petitioner.

Gamini Marapana, PC. for the Intervenant-Petitioner.

Gomin Dayasiri for the Intervenant-Petitioner.

Canishka Witharana for the Intervenant-Petitioner.

Hejaaz Hizbullah for the 4th Respondent.

Jayantha Jayasuriya, PC. A.G., with Dappula De Livera, PC. SG., Sanjay Rajaratnam, PC. SASG., Mrs. Indika Demuni de Silva, PC.ASG., Mrs. Farzana Jameel, PC. ASG. and Nerin Pulle, DSG. Instructed by Sepalika Tiranagama, SASA. for the Hon. Attorney General's Department.

The Court has considered the submissions made on behalf of the Petitioners in SC. FR. 351/2018, SC. FR. 352/2018, SC. FR. 353/2018, SC. FR. 354/2018, SC. FR. 355/2018, SC. FR. 356/2018, SC. FR. 358/2018, SC. FR. 359/2018, SC. FR. 360/2018 and SC. FR. 361/2018.

The Court has allowed the application for intervention made by Prof. G.L. Peiris, Mr. U.P. Gammanpila, Mr. W.J.S.S. De Silva, Mr. M.A.C.S. Jayasumana and Mr. P. Dolawatte.

The Court has considered the submissions made by the Hon. Attorney General and submissions made on behalf of the Intervenant-Petitioners.

The Petitioners in all aforesaid applications are granted leave in terms of Article 12(1) of the Constitution.

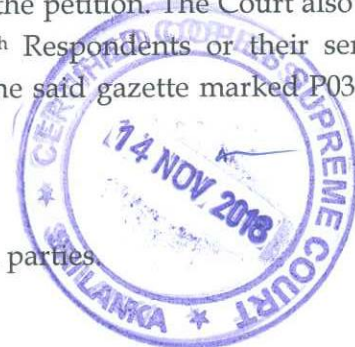
The Court issues the following interim orders operative until 7th December 2018.

- 1) **SC. FR. 351/2018** - an interim order staying the operation of gazette extraordinary No. 2096/70 dated 9th Nov 2018 marked P1 with the petition.



- 2) **SC. FR. 352/2018** - an interim order staying the operation of gazette extraordinary No. 2096/70 dated 9th Nov 2018 marked P14 with the petition.
- 3) **SC. FR. 353/2018** - an interim order staying the operation of gazette extraordinary No. 2096/70 dated 9th Nov 2018 marked P16. The Court also issues an interim order restraining the 2nd to 4th Respondents and or their servants, subordinates and agents from acting in terms of the said gazette marked P16 dated 9.11.2018 with the petition.
- 4) **SC. R. 354/2018** - an interim order staying the operation of gazette extraordinary No. 2096/70 dated 9th Nov 2018 marked P14 with the petition.
- 5) **SC. FR. 355/2018** - an interim order staying the operation of gazette extraordinary No. 2096/70 dated 9th Nov 2018 marked P14 with the petition. The Court also issues an interim order restraining the 2nd , 3rd and 4th Respondents and or their servants, subordinates and agents from acting in terms of the said gazette marked P14 dated 9.11.2018 with the petition.
- 6) **SC. FR. 356/2018** - an interim order staying the operation of gazette extraordinary No. 2096/70 dated 9th Nov 2018 marked P11 with the petition. The Court also issues an interim order restraining the 1st to 3rd Respondents and or their servants, subordinates and agents from acting in terms of the said gazette marked P11 dated 9.11.2018 with the petition.
- 7) **SC. FR. 358/2018** - an interim order staying the operation of gazette extraordinary No. 2096/70 dated 9th Nov 2018 marked P10 with the petition. The Court also issues an interim order restraining the 2nd to 4th Respondents and or their servants, subordinates and agents from acting in terms of the said gazette marked P10 dated 9.11.2018 with the petition.
- 8) **SC. FR. 359/2018** - an interim order staying the operation of gazette extraordinary No. 2096/70 dated 9th Nov 2018 marked P6 with the petition.
- 9) **SC. FR. 360/2018** - an interim order staying the operation of gazette extraordinary No. 2096/70 dated 9th Nov 2018 marked P1A with the petition.
- 10) **SC. FR. 361/2018** - an interim order staying the operation of gazette extraordinary No. 2096/70 dated 9th Nov 2018 marked P03 with the petition. The Court also issues an interim order restraining the 2nd , 3rd and 4th Respondents or their servants, subordinates and agents from acting in terms of the said gazette marked P03 dated 9.11.2018 with the petition.

Objections on or before 19.11.2018 with notice to all parties



Counter Affidavits if any, on or before 26.11.2018.

Written submissions on or before 30.11.2018.

Hearing on 4th, 5th and 6th December 2018.

Registrar is directed to issue certified copies of the today's order on payment of usual charges.

Sgd.

I do hereby certify that the foregoing is a true copy of the journal entry dated 13.11.2018 filed of record in SC. FR. 351/2018.

Typed by:.....

Compared with:.....

S/24 869867
19/11/2018



FOR CHIEF CLERK (Courts Branch)
SUPREME COURT