

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

In the matter of an application for mandates in the nature of Writs of Certiorari, Prohibition and Mandamus in terms of Article 140 of the Constitution of the Republic of Sri Lanka.

Dr. (Mrs.) N. R. G. Liyanage  
Free Medical Centre,  
Municipal Council, Nuwara Eliya.

**Petitioner**

**Case No. CA (Writ) 260/2014**

**Vs.**

1. Jagath P. Wijeweera  
Director General of Customs
- 1A. K. A. Chulananda Perera  
Director General of Customs
- 1B. P. S. M. Charles  
Director General of Customs
2. M. Puviharam  
Additional Director General of Customs  
(Revenue and Services)
- 2A. D. A. I. Daranagama  
Additional Director General of Customs  
(Revenue and Services)
- 2B. K. D. Nicholas  
Additional Director General of Customs  
(Revenue and Services)
- 2C. U. Liyanage  
Additional Director General of Customs  
(Revenue and Services)

- 3. R. P. D. T. Seneviratne  
Additional Director General of Customs  
(Regional)
  - 3A. Lesley Gamini  
Additional Director General of Customs  
(Regional)
  - 3B. U. Liyanage  
Additional Director General of Customs  
(Regional)
  - 3C. K. A. Dharmasena  
Additional Director General of Customs  
(Regional)
  - 4. R. Rajendran  
Additional Director General of Customs  
(Corporate)
  - 5. Lesley Gamini  
Director of Customs (Legal)
  - 5A. P. S. Senaratne  
Director of Customs (Legal)
  - 6. K. Premanath  
Director of Customs (Declarations)
  - 6A. M. R. Rajmohan  
Director of Customs (Declarations)
  - 6B. P. R. Athukorala  
Director of Customs (Declarations)
- 1<sup>st</sup> to 6B Respondents are from –  
Customs Department,  
Customs House, No. 40, Main Street,  
Colombo 11.

7. Hon. Attorney General  
Attorney General's Department, Colombo 12.
8. Dr. P. B. Jayasundara  
Secretary to the Treasury & Secretary to the  
Ministry of Finance and Planning
- 8A. Dr. R. H. S. Samaratunga  
Secretary to the Treasury & Secretary to the  
Ministry of Finance
9. S. R. Attygalle  
Deputy Secretary to the Treasury
10. R. Semasinghe  
Director General,  
Department of Trade, Tariff and Investment  
Policy
- 10A. K. D. N. Ranjith Asoka  
Director General,  
Department of Trade, Tariff and Investment  
Policy
- 10B. K. A. Vimalenthirajah  
Director General,  
Department of Trade, Tariff and Investment  
Policy
- 8<sup>th</sup> to 10B Respondents from –  
Ministry of Finance and Planning,  
General Treasury,  
The Secretariat, Colombo 01.
11. Toyota Lanka (Private) Limited  
"Toyota Plaza",  
No. 37, Negombo Road, Wattala.

12. Hon. Ravi Karunanayake  
Minister of Finance

12A. Hon. Mangala Samaraweera  
Minister of Finance,  
Ministry of Finance,  
General Treasury,  
The Secretariat, Colombo 01.

**Respondents**

**Before:** Janak De Silva J.

N. Bandula Karunarathna J.

**Counsel:**

T. Deekiriwewa with L.M. Deekiriwewa, Dr. M.K. Herath and Dr. K. De Silva for the Petitioner

Dr. Charuka Ekanayaka SC for the 1<sup>st</sup> to 10<sup>th</sup> and 12<sup>th</sup> Respondents

Niluka Wickremasinghe for the 11<sup>th</sup> Respondent

**Argued On:** 27.08.2019

**Written Submissions Filed On:**

Petitioner on 15.08.2019, 30.09.2019 and 18.10.2019

1<sup>st</sup> to 10<sup>th</sup> and 12<sup>th</sup> Respondents on 09.08.2019 and 12.12.2019

**Decided On:** 22.06.2020

**Janak De Silva J.**

The issues in this application are similar to the issues in CA (Writ) 259/2014. Both were listed for argument on 27.08.2019 on which date CA (Writ) 259/2014 was taken up and parties made oral submissions.

Thereafter parties in this application agreed that they will be bound by the judgment given by Court in CA (Writ) 259/2014.

Today we delivered judgment in CA (Writ) 259/2014 where for the reasons stated therein the application was dismissed without costs.

Accordingly this application is also dismissed without costs.

Judge of the Court of Appeal

**N. Bandula Karunarathna J.**

I agree.

Judge of the Court of Appeal