

**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, Mandamus and
Prohibition under and in terms of Article 140 of the
Constitution of the Democratic Socialist Republic
of Sri Lanka.*

1. Rathnayake Mudiyanseelage Dayarathne,
No. 174, Galkulama,
Kottukachchiya.
2. A. H. M. Dinesh Madushanka Herath
Mawathagama,
Mahauswewa.
3. K. G. Ranjan K. Senevirathne
General Secretary,
'Sarvajana Balya'
No. 11,
Park Avenue,
Colombo 08.

Case No: -

CA/WRT/220/25
CA/WRT/294/25
CA/WRT/295/25
CA/WRT/284/25
CA/WRT/283/25
CA/WRT/301/25
CA/WRT/302/25
CA/WRT/254/25
CA/WRT/256/25
CA/WRT/257/25
CA/WRT/263/25
CA/WRT/264/25
CA/WRT/265/25
CA/WRT/262/25
CA/WRT/266/25
CA/WRT/250/25
CA/WRT/289/25

PETITIONERS

Vs.

S. L. R. Jayanbayeka
Returning Officer,
Anamaduwa Pradeshiya Sabha,
Puttalam.

& others

RESPONDENTS

Before: **M. T. MOHAMMED LAFFAR, J (President C/A)- Acting.**
K. P. FERNANDO, J.

Counsel: Ali Sabry, PC with Shehani Alwis for the Petitioners.

S. Soyza SSS for the State.

Supported on: 02.04.2025

Decided on: 02.04.2025

MOHAMMED LAFFAR, J. (President of The Court of Appeal- Acting)

This order shall apply to all the aforementioned cases due to their similar nature.

These matters pertain to the upcoming Local Authorities Elections scheduled for 06.05.2025 where the nominations were rejected by the Returning Officers, which are now being challenged by the Petitioners, in the above captioned cases, on the basis that the copies of the birth certificate of the candidates are not tendered along with the nomination.

We have heard the learned counsel for the Petitioners in support of these applications, as well as the learned Senior State Counsel appearing for the Respondents.

Admittedly the candidates have submitted original birth certificates along with the nominations. At this juncture, the learned State Counsel for the Respondents informed the Court that, in terms of Section 11A read with Section 57 of the Births and Deaths Registration Act No. 40 of 1975 (as amended), the submission of the original birth certificate constitutes compliance with:

1. The provisions of the Local Authorities Elections Ordinance,
2. The guidelines issued by the Election Commissioner, and
3. The relevant provisions of the Births and Deaths Registration Ordinance.

Furthermore, the learned State Counsel conceded that the rejection of nominations solely on the basis that candidates submitted original birth certificates, rather than copies, does not constitute valid grounds for rejection.

In light of the above, the decisions of the Respondents rejecting the Petitioners' nominations in the aforesaid applications are hereby quashed. Accordingly, the

Respondents are directed to accept the nominations submitted by the Petitioners as valid.

Application allowed. Parties shall bear their own costs. Proceedings are terminated.

President of the Court of Appeal (Actg)

K. P. Fernando, J

I agree.

Judge of the Court of Appeal