

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

In the matter of an Application for Orders in the nature of Writs of Certiorari, Prohibition and Mandamus under Article 140 of the Constitution of the Democratic Socialist Republic of Sri Lanka.

**CA (Writ) Application No: 224/2016**

1. Garumuni Janaka Mahesh Mendis  
Ambagahawatta, Welipiti Modara, Ginthota.
2. Ekanayake Muditanselage Chaminda  
Chandra Kumara Ekanayake,  
Banawatte Imbulgoda.
3. Don Alexander Jayadewa Ranasinghe,  
Diyahitithanna, Uva Mawelagama.
4. Dissanayake Mudiyansele Sunil Dissanayake,  
Andurangalla, Bandarawela.
5. Ratnayake Mudiyansele Nawaratne Bandara,  
"Savidupaya", Padeniya Road, Kobeigane.
6. Rajakaruna Manamendra Naidelage Chaminda  
Manjula Wimalasena,  
"Monika Sevana", Galwaduwa,  
Digamathanna, Bandarawela.
7. Gurubabile Hungili Gedara Buddika Probadani  
Tilakaratne,  
Pahala Balagahayaya, Kanattewewa,  
Wariyapola.
8. Dissanayake Mudiyansele Dinisha,  
Kumara Mirahawatta, "Siri Nivasa",  
Mirahawatta, Bandarawela.
9. Dissanayake Mudiyansele Nandasena,  
"Amila", Sudusohonpola, Mirahawatta.
10. Mahallage Don Jagath Ranjan Perera,  
No. 151/04, Pitipana South, Homagama.

11. Herath Mudiyanseelage Chandrasena Kumari  
Herath,  
Pallegedara, Watappala.

**PETITIONERS**

Vs.

1. Sri Lanka Transport Board.
  2. Ramal Siriwardane,  
Chairman,  
Sri Lanka Transport Board.
  - 2A. Kingsley Ranawaka,  
Chairman,  
Sri Lanka Transport Board.
  3. P.D. Balasooriya,  
Chief Executive Officer,  
Sri Lanka Transport Board.
  4. Indika Kulathilake,  
Deputy General Manager  
(Administration),  
Sri Lanka Transport Board.
  5. P.P. Peiris,  
Chief Human Resources Manager,  
Sri Lanka Transport Board.
  - 5A. H.P.S. Walgampaya,  
Chief Human Resources Manager,  
Sri Lanka Transport Board.
- 1<sup>st</sup>, 2<sup>nd</sup>, 2A, 3<sup>rd</sup> – 5<sup>th</sup>, 5A Respondents at  
200, Kirula Road,  
Narahenpita, Colombo 5.
6. W.D. Wasantha,  
Chief Regional Manager (Ruhunu Region)  
Regional Office (Ruhuna),  
Sri Lanka Transport Board,  
Magalla, Galle.
  - 6A. R. A. P. Kumara,  
Chief Regional Manager (Ruhunu Region)

Regional Office (Ruhuna),  
Sri Lanka Transport Board,  
Magalla, Galle.

7. D.M.D. Dissanayake,  
Chief Regional Manager (Nuwara Eliya),  
Regional Office Nuwara Eliya,  
Sri Lanka Transport Board,  
Atabage, Dalpitiya.
8. Nihal Somaweera,  
Secretary,  
Ministry of Transport and Civil Aviation.
- 8A. P. S Widanage,  
Secretary,  
Ministry of Transport and Civil Aviation.
- 8B. H.M. Gamini Seneviratne,  
Secretary,  
Ministry of Passenger Transport  
Management.
9. Nimal Siripala De Silva,  
Minister of Transport and Civil Aviation  
  
8<sup>th</sup>, 8A and 9<sup>th</sup> Respondents at  
No. 01, D.R. Wijewardena Mawatha,  
Colombo 10.
- 9A. Mahinda Amaraweera,  
Minister of Passenger Transport  
Management,  
  
8B and 9A Respondents at 7<sup>th</sup> Floor, Stage  
II, Sethsiripaya, Battaramulla.
10. Amara Kithsiri Ramanayake,  
Sri Lanka Transport Board, Galle.
11. U.B. Upali Darmasiri Bandara,  
Sri Lanka Transport Board, Horawpathana.
12. Sunil Karunasena Seneviratne,  
Katharagama Depot,  
Sri Lanka Transport Board, Katharagama.

13. R.M. Sunil Jayaweera,  
Bandarawela Depot,  
Sri Lanka Transport Board, Bandarawela.
14. R.H.T. Priyanjala Ratnayake,  
Wariyapola Depot,  
Sri Lanka Transport Board, Wariyapola.
15. Srimathi Weerawanni,  
Keppetipola Depot,  
Sri Lanka Transport Board,  
Keppetipola.
16. J.K. Shanthlal Jayaweera,  
Kekirawa Depot,  
Sri Lanka Transport Board, Kekirawa.
17. D.M. Jayasekara,  
Badulla Depot,
18. L.H. Nandajeewa,  
Uva Regional Office,  
17<sup>th</sup> and 18<sup>th</sup> Respondents of Sri Lanka  
Transport Board, Badulla.
19. W.A.D. Wettasinghe,  
Regional Office (Sabaragamuwa)  
Sri Lanka Transport Board, Avissawella.
20. R.M.J. Menike,  
Hatton Depot,  
Sri Lanka Transport Board, Hatton.

### **RESPONDENTS**

**Before:** **Mahinda Samayawardhena, J**  
**Arjuna Obeyesekere, J**

**Counsel:** Saliya Peiris, P.C., with Thishya Weragodoa and Pulasthi  
Rupesinghe for the Petitioners

Lal Wijenayake with Ranjith Ranawaka for the 1<sup>st</sup> – 5<sup>th</sup>  
Respondents

Pasindu Silva with Kavindu Geeganage for the 6<sup>th</sup>, 7<sup>th</sup>, 14<sup>th</sup>,  
15<sup>th</sup>, 18<sup>th</sup> and 20<sup>th</sup> Respondents

Ms. Yuresha Fernando, Senior State Counsel for the 8<sup>th</sup> and 9<sup>th</sup> Respondents

**Argued on:** 30<sup>th</sup> June 2020

**Written Submissions:** Tendered on behalf of the Petitioners on 4<sup>th</sup> December 2019

Tendered on behalf of the 1<sup>st</sup> – 5<sup>th</sup> Respondents on 18<sup>th</sup> June 2020

Tendered on behalf of the 6<sup>th</sup>, 7<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup>, 18<sup>th</sup> and 20<sup>th</sup> Respondents on 26<sup>th</sup> November 2019

**Decided on:** 11<sup>th</sup> September 2020

**Arjuna Obeyesekere, J**

This matter was taken up for argument together with CA (Writ) Application No. 223/2016. All learned Counsel agreed that this Court can determine CA (Writ) Application No. 223/2016, and that all parties to this application will be bound by the judgment that would be made in CA (Writ) Application No. 223/2016.

By the judgment delivered today in CA (Writ) Application No. 223/2016, I have refused the relief prayed for by the Petitioners in the said application, and dismissed the said application, without costs. Hence, in view of the aforementioned agreement of the parties, this application must also stand dismissed, without costs.

**Judge of the Court of Appeal**

**Mahinda Samayawardhena, J**

I agree

**Judge of the Court of Appeal**