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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

අංක 2318/13 - 2023 පෙබරවාරි මස 06 වැනි සඳුදා - 2023.02.06
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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.-B 5/2013(II)

LOCAL AUTHORITIES ELECTIONS ORDINANCE (CHAPTER 262)

WHEREAS an Election Petition has been presented to the Uva Provincial High Court in Monaragala by the petitioner Wanasingha Mudiyanseelage Sunil ShanthaWanasingha making Dissanayake MudiyanseelageTharanga Harshaka Priya Prasad Dissanayake and others as respondents in terms of section 82R of the Local Authorities Election Ordinance (Chapter 262) ;

AND WHEREAS the report made by the Election Judge in terms of section 82X of the said Ordinance in respect of the said Election Petition bearing Number 01/2018 has been transmitted to the Honourable President in terms of Section 82AC of the said Ordinance;

NOW THEREFORE in terms of section 82AE of that Ordinance it has been directed by the Honourable President that a copy of the report of the Election Judge be published in the *Gazette* and a copy of such report is published hereunder.

By Order of the Honourable President,

E. M. S. B. EKANAYAKE,
Secretary to the President.

Presidential Secretariat,
Colombo 01,
February 6, 2023.



In the Uva Provincial High Court of Monaragala

In the presence of the Additional High Court Judge, R.S.A. Dissanayake

Case Number - Election Petition 01/2018

Date : 13.09.2021

Report of the Election Judge in terms of section 82X of the Local Authorities Elections Ordinance (Chapter 262)

The determination of the trial of the election petition which was presented to the Provincial High Court in Monaragala under the aforesaid case number was given on 13.09.2021.

The Report of the Election Judge in respect of the facts disclosed and proved in that trial is presented as follows:-

The reasons for the order given by me upon the conclusion of the trial have been described in such order in detail. A copy of that order has been attached to this report. Accordingly, this report is presented by summarizing the facts proven and unproven in that trial as follows:-

The proven and unproven facts in respect of the corrupt or illegal practices alleged to have been committed by Dissanayake Mudiyanseelage Tharanga Harshaka Priya Prasad Dissanayake who had secured the highest preferences in the election held on 10.02.2018 in respect of Maduruketiya electoral area for Monaragala Pradeshiya Sabha as follows :-

- (a) It has not been proved at the trial that this candidate, Dissanayake Mudiyanseelage Tharanga Harshaka Priya Prasad Dissanayake or his representative has provided, cash, material and equipment to the voluntary organizations and new domestic electricity connections to certain houses as specified in paragraphs 12(i) (ii) of the election petition.
- (b) It has not been proved at the trial that the alleged offences, providing cash to Maduruketiya Ekamuthu Funeral Aid Society and providing material support to Oil Farm Ranamayura Sports Club and Kalugala Funeral Aid Society as specified in paragraph 13 of the election petition have been committed by the candidate Dissanayake Mudiyanseelage Tharanga Harshaka Priya Prasad Dissanayake or his representative.
- (c) It has been proved that the offence of offering bribes by providing new water connections to certain houses in Maduruketiya electoral area on or around 28.11.2017 as specified in paragraph 12(iii) of the election petition, has been committed by Siriyarathne Anura Shantha Kumara bearing national identity card number 812811401V, a representative of the candidate Dissanayake Mudiyanseelage Tharanga Harshaka Priya Prasad Dissanayake with the knowledge and consent of such candidate.

R. S. A. DISSANAYAKE,
Election Judge.

Additional High Court Judge,
Monaragala,
13th September 2021.

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