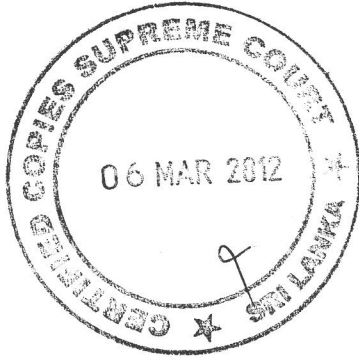


**IN THE SUPREME COURT OF THE DEMOCRATIC SOCIALIST
REPUBLIC OF SRI LANKA**



In the matter of an application under Article 126, read with Articles 17,3,105 and Chapters III and VI of the Constitution of the Democratic Socialist Republic of Sri Lanka, together with an application under Article 132, read with Articles 118 and 123 of the Constitution.

Nihal Sri Ameresekare
167/4, Vipulasena Mawatha,
Colombo 10.

Petitioner

SC. FR. No. 534/2011

Vs.

1. Hon. Attorney General, as representing the Minister of Finance, Mahinda Rajapakse, in terms of Article 35 of the Constitution
Attorney General's Department
Colombo 12.
2. Basil Rajapaksa, M. P.
Minister of Economic Development
Ministry of Economic Development
No. 464 A, T. B. Jayah Mawatha
Colombo 10.

3. P. B. Jayasundera
Secretary, Ministry of Finance &
Secretary to the Treasury and Secretary
Ministry of Economic Development
The Secretarial
Colombo 1.

4. G L. Peiris, M. P.
Minister of External Affairs
Ministry of External Affairs
Republic Building
Colombo 7.



5. C. R. de Silva, P. C.
Former Hon. Attorney General
C 83, Gregory's Avenue
Colombo 7.

6. Mohan Peiris, P.C
Former Hon. Attorney General,
and now Advisor to the Cabinet of
Ministers
3/14 D, Kynsey Road,
Colombo 8.

7. Rauf Hakeem, M.P
Minister of Justice
Superior Courts Complex
Colombo 12.

8. Suhada Gamalath
Secretary, Ministry of Justice
Superior Courts Complex
Colombo 12.
9. Chamal Rajapaksa, M.P.
Hon. Speaker of the Parliament
Sri Jayewardenepura
Kotte.
10. Hon. Attorney General,
in terms of Article 134 of the Constitution
Attorney General's Department
Colombo 12.



Respondents

BEFORE : **AMARATUNGA, J**
SURESH CHANDRA, J
HETTIGE, PC. J

COUNSEL : Nihal Sri Amarasekara appears in person
Janak De Silva, DSG with Nerin Pulle, SSC
for the 1st, 3rd -10th Respondents.
D.S.Wijesinghe, PC with Priyantha
Jayawardena for the 2nd Respondent.

ARGUED &
DECIDED ON : 09th February 2012

AMARATUNGA, J



We have heard the Petitioner who appeared in person and the learned Deputy Solicitor General who appeared for the 1st, 3rd to 10th Respondents and the Learned President's Counsel who appears for the 2nd Respondent. After considering the submission made by all parties, we uphold the preliminary objection raised by the Learned Deputy Solicitor General that in view of the decisions in SC.FR. 516/2011, 535/2011 and 536/2011, this Bench has no power to accept this petition or to deal with it. Accordingly the preliminary objection is upheld and the Petition is dismissed *in limine*.

All papers submitted by the Petitioner in supporting this application to assist the Bench is returned to the Petitioner and those papers shall not form a part of record in this case.

The record consists only of the Petition and the amended petition filed by the Petitioner and no other material is to be considered as a part of the record.

Sgd/-JUDGE OF THE SUPREME COURT

SURESH CHANDRA, J

I agree



Sgd/-JUDGE OF THE SUPREME COURT


HETTIGE, PC. J

I agree

Sgd/-JUDGE OF THE SUPREME COURT

I do hereby certify that the foregoing is a true copy of the judgment dated 09.02.2012 filed of record in SC. FR. No. 534/2011

Typed by : 
Comp. with : 
1/ 724806
2012.03.05


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