

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

S.C. F.R. 404/09

In the matter of an application
under Article 126, read with Article
17, 3, 4 Chapter iii and vi of the
Constitution of the Democratic
Socialist Republic of Sri Lanka.

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

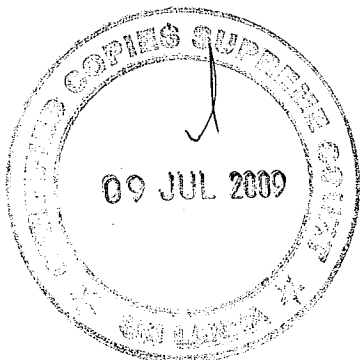
PETITIONER.

Vs.

1. Ceylon Petroleum Corporation,
109, Rotunda Tower,
Galle Road,
Colombo 3.

and 08 others.

RESPONDENTS.



01/6/09

Before: S. N. Silva, C.J.
Shiranee Tilakawardane, J.
Sripavan, J.

Nihal Sri Amarasekera - Petitioner - in person.

S. A. Parathalingam, PC, with Kushan
de Alwis, Hiran Jayasooriya and
N. Parathalingam for 7th Respondents.
Dr. Harsha Cabral PC with A. Illangathilake
for 8th Respondents.



List for Support Tomorrow (2-6-09) before
Hon. Tilakawardane, J., Hon. Ratnayake, J.
and Hon. Imam, J.

Sgd/.

I do hereby certify that the foregoing is a true copy
of the S.C. Journal Entry dated 01/6/09 filed of record
in S.C. Application (F/R) No. 404/09.



W. A. YONI S. PERERA
REGISTRAR 111
SUPREME COURT
SUPREME COURT.

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Compd. with: 



(R 193101)
21
09/07/2009

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

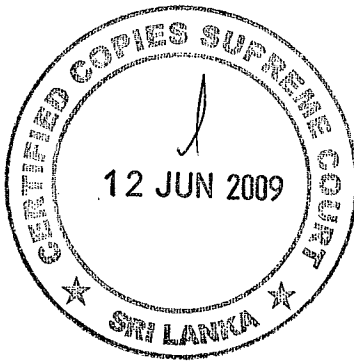
In the matter of an application under Articles 126 read with Articles 17, 3, 4, Chapters III and VI of the Constitution of the Democratic Socialist Republic of Sri Lanka

S.C. Application (F/R) No:404/09

Nihal Sri Amaresekere,
No:167/4, Vipulasena Mawatha,
Colombo 10.

Petitioner.

Vs:



1. Ceylon Petroleum Corporation,
109, Rotunda Tower,
Galle Road,
Colombo 3.

And 8 others.

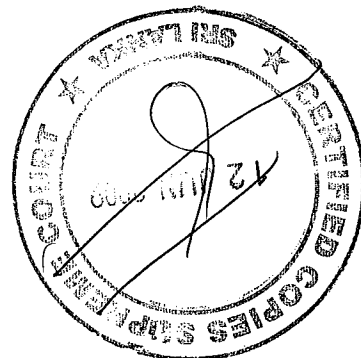
Respondents.

02.06.2009

Before : Shiranee Tilakawardane, J.

Ratnayake, J.

Imam, J.



Nihal Sri Amerasekera, Petitioner appears in person.

Arjuna Obeyasekera, S.S.C. for 1st, 2nd & 9th Respondents.

Sanjeewa Jayawardene with Shanaka Amarasinghe instructed by Julius and Creazy for 3rd Respondent.

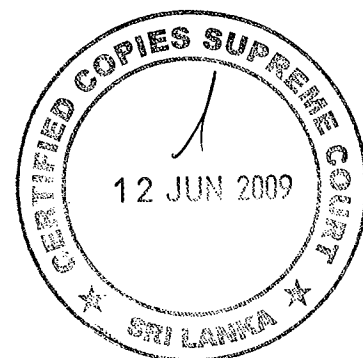
Faiz Musthapha, P.C. with Ms. Dilumi de Alwis instructed by Julius and Creazy for 5th Respondent.

Romesh de Silva, P.C. with Harsha Amarasekera and Shehan Gunawardane instructed by Julius and Creazy for 6th Respondent.

S.A. Parathalingam, P.C. with Kushan De Alwis, Hiran Jayasuriya and N. Parathalingam for 7th Respondent.

Dr. Harsha Cabral, P.C. with Buddhika Illangatilake for 8th Respondent.

This is the case in which interim relief has been sought and in terms of the rules all Counsel appearing for the several Respondents including the Attorney General seek time to file documents together with limited objections relevant to the interim relief that has been sought.



All Counsel will file their objections for the limited purpose of interim relief.

Petitioner has no objection.

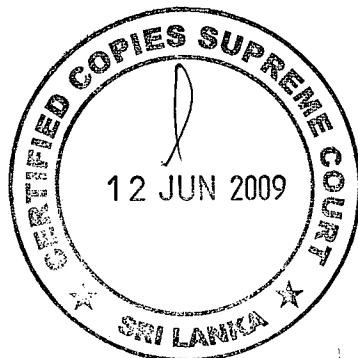
To be listed for support on 14.07.2009.

Sgd/-

I do hereby certify that the foregoing is a true copy of the Journal entry dated 02.06.2009 filed of record in S.C. Application (F/R) No:404/09.

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[Signature]
 W. A. PRIYANI S. PERERA
 REGISTRAR III
 CHIEF CLERK - COURTS BRANCH
 SUPREME COURT.
 Chief Clerk
 SUPREME COURT.



(F 964113)
 21 09/06/2009

IN THE SUPREME COURT OF THE DEMOCRATIC SOCIALIST

REPUBLIC OF SRI LANKA

S.C. (F/R) No. 404/09

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

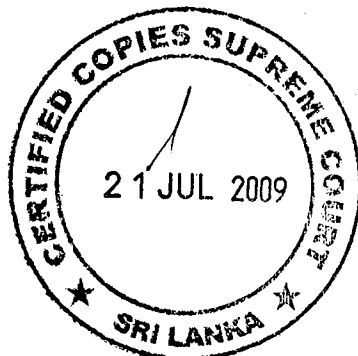
Nihal Sri Amarasekere,
167/4, Vipulasena Mawatha,
Colombo 10.

Petitioner

Vs.

1. Ceylon Petroleum Corporation,
No. 109,
Galle Road,
Colombo 3 and 8 others.

Respondents



14.7.2009.

BEFORE

: J.A.N. DE SILVA. C.J.

Ms. S. TILAKAWARDANE.J &

IMAM.J

Nihal Sri Amarasekera- petitioner appears in person.

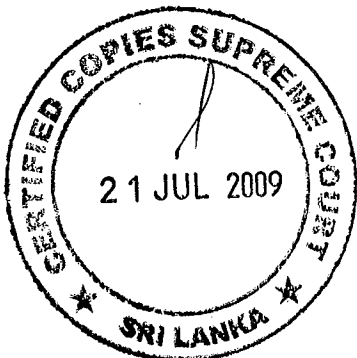
Mohan Peiris, P.C., A.G., with Janak de Silva, S.S.C., and Milinda Gunatilleke, S.S.C., for the 1st, 2nd and 9th respondents.

Sanjeewa Jayawardane with C. Alwis for the 3rd respondent.

Avindra Rodrigo with Zafry Sakkaf and Manoj Silva for the 4th respondent.

Faiz Musthapha, P.C., with Dilumi de Alwis instructed by Julius & Creasy for the 5th respondent.

Romesh de Silva, P.C., with Harsha Amarasekera and Shehan Gunawardane for the 6th respondent.



S.C. (F/R) No. 404/09

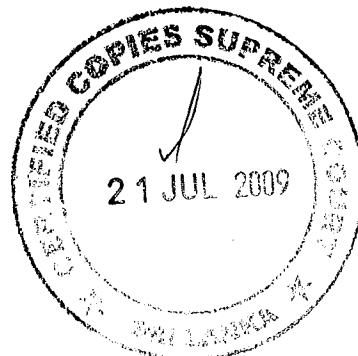
S.A. Parathalingam, P.C., with Kushan de Alwis, Hiran Jayasooriya and Nishkan Parathalingam for the 7th respondent.

Dr. Harsha Cabral with Buddhika Illangatilleke and Somanath Fernando instructed by Murugesu & Neelakandan for the 8th respondent.

All Counsel for the respondents object to the leave to proceed being granted in this case in limine.

The 8th respondent informs Court that he has set out his position in his affidavit and limited objections have been filed in Court.

Court observes that the petitioner has named certain individuals with regard to the transactions in paragraph (c) of the prayer to the petition. Court directs that statements of these individuals be recorded and forwarded to Court within two weeks from today.



S.C. (F/R) No. 404/09

Mr. Mohan Peiris, P.C., A.G., too informs Court that he vehemently objects to the leave to proceed being granted as he is defending the actions filed abroad vigorously and the arbitration.

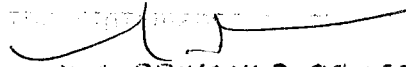
Mr. S.A. Parathalingam, P.C., informs Court that he intends taking a time bar objection and the recording of the statements on the direction of Court should not preclude him from taking this objection.

Mr. Nihal Sri Amarasekera states that he has filed a further action bearing No. S.C. (F/R) 481/09 and both these applications be taken together.

Mention on 13.10.2009.

sgd.

I do hereby certify that the foregoing is a true copy of the journal entry dated 14.7.2009 filed of record in S.C. (F/R) No. 404/2009.

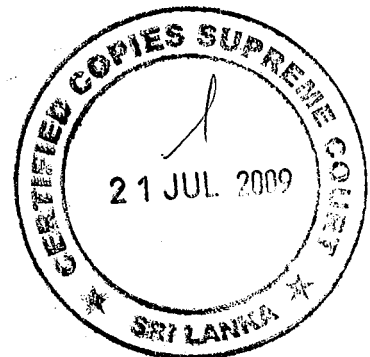

W. A. PRIYANI S. PERERA
REGISTRAR 111
SUPREME COURT.
~~CHIEF CLERK~~
Supreme Court

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(R 193437)
21/07/2009

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

In the matter of an Application under Article 126 read with Articles 17,3,4, Chapters III and VI of the Constitution of the Democratic Socialist Republic of Sri Lanka.

S.C. Application (F/R)
No:404/09

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

Petitioner.

Vs:

1. Ceylon Petroleum Corporation,
109, Rotunda Tower,
Galle Road,
Colombo 3.

And 8 others.

Respondents.



13.10.2009

Before : Tilakawardane, J.

Marsoof, J.

Sripavan, J.

Petitioner present in person.

Sanjeewa Jayawardane with Shanaka Amarasinghe instructed by
Julius & Creasy for 3rd Respondent.

Faiz Musthapha, P.,C. with Ms. Dilumi de Alwis instructed by Julius
& Creasy for 5th Respondent.

Romesh de Silva, P.C. with Harsha Ameresekara, and Shehan
Gunawardane for 6th Respondent instructed by Julius & Creasy for 6th
Respondent.

S.A. Parathalingam, P.C. with Kushan De Alwis, Hiran Jayasooriya &
Nishkan Porathalingam for 7th Respondent.

Dr. Harsha Cabral, P.C. with Buddhika Illangatilleke & Sominath
Fernando instructed by Murugesu & Neelakandan for 8th Respondent.

Mention on 19.11.2009 together with S.C.(FR) No:481/09.

Sgd/-

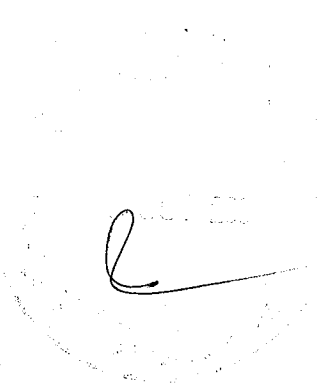
I do hereby certify that the foregoing is a true copy of the Journal entry dated
13.10.2009 filed of record in S.C. Application (F/R) No:404/09.

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aged
M. E. JACQUINA BELLAM
JUDGE, DISTRICT COURT II

196801
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22/10/09



12 JAN 2010

IN THE SUPREME COURT OF THE DEMOCRATIC SOCIALIST

REPUBLIC OF SRI LANKA

In the matter of an Application under Article 126, read with Articles 17,3,4 chapters III and VI of the Constitution of the Democratic Socialist Republic of Sri Lanka.

SC/FR 404/09

Nihal Sri Amersekera

167/4, Vipulasena Mawatha,

Colombo 10.

PETITIONER

Vs.

1. Ceylon Petroleum Corporation

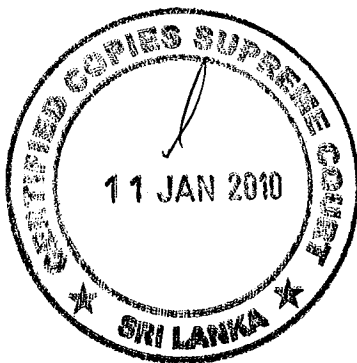
109, Rotunda Tower,

Galle Road,

Colombo 3.

And 08 others

RESPONDENTS



13/10/09

**BEFORE : S. TILAKAWARDANE, J
MARSOOF, J
SRIPAVA, J**

Petitioner appears in person.

Sanjeewa Jayawardane with Shanake Amarasinghe instructed by Julius and Creasy for 3rd Respondent.

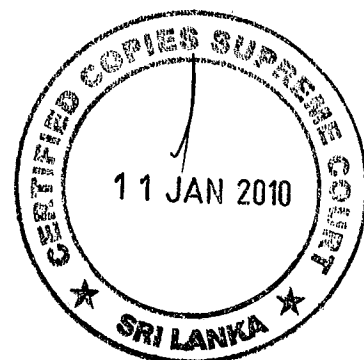
Faiz Musthapha, PC with Ms. Diluni de Alwis instructed by Julius and Creasy for 5th Respondent.

Romesh de Silva, PC with Harsha Amarasekera and Shehan Gunawardane instructed by Julius and Creasy for 6th respondent instructed by Julius and Creasy.

S.A. Parathalingam, PC with Kushan de Alwis, Hiran Jayasooriya and N. Parathalingam for 7th respondent.

Dr. Harsha Cabral, PC with Buddhika Illangatillake and Sominath Fernando instructed by Murugesu and Neelankandan for 8th respondent.

Mention on 19/11/09 together with 481/09.



19/11/2009

BEFORE : BANDARANAYAKE, J
K. SRIPAVAN, J
IMAM, J

Nihal Sri Amarasekera petitioner appears in person.

Mohan Peiris ,PC. AG with Janak de Silva, SSC and Milinda Gunatillake, SSC for 1st, 2nd and 9th Respondents.

S.A. Parathalingam, PC with Kushan De Alwis, Hiran Jayasuriya and N. Parathalingam for 7th Respondent.

Sanjeewa Jayawardane with Shanaka Amarasinghe 3rd Respondent.

Faiz Musthapha, PC with Dilumi de Alwis instructed by Julius and Creasy for 5th Respondent.

Romesh de Silva, PC with Harsha Amarasekera and Shahan Gunewardane instructed by Julius and Creasy for 6th respondent.

Avindra Rodrigo with Zakkaf 4th Respondent.

Dr. Harsha Cabral, PC with Buddika Ilangatilaka and S. Fernando for 8th respondent.




Petitioner appears in person. Petitioner informs Court that he has filed 02 motions dated 30.09.2009 and 07.10.2009. This matter is fixed for support to consider the motions filed on 30.09.2009 ^{and} ~~and~~ 07.10.2009 along with SC Application No. 481/2009.

Of consent, support on 11.02.2010.

This matter is to be taken up to consider the grant of leave to proceed on 22.03.2010.

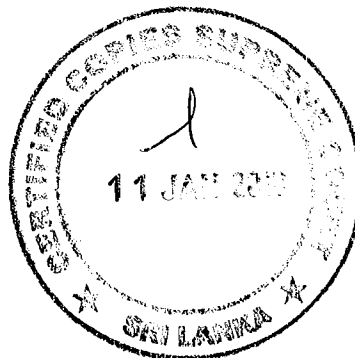
I do hereby certify that the foregoing is a true copy of the journal entries dated 13/10/2009 and 19/11/2009 in SC.FR No.404/09 filed of record in the Supreme Court.


W. A. PRIYANI S. PERERA
Supreme Court REGISTRAR 111
SUPREME COURT.

Typed by *A.S.*

Compared with *[Signature]*

($\frac{V}{21}$ 501268)
07/01/2010



02 MAR 2010

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

S.C. F.R. NO. 404/2009

**In the matter of an Application under Article
126 read with Articles 17, 3,4, Chapters III and
IV of the Constitution of the Democratic
Socialist Republic of Sri Lanka.**

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

PEETITIONER

Vs.

1. Ceylon Petroleum Corporation,
109, Rotunda Tower,
Galle Road,
Colombo 3.

And 08 others.

RESPONDENTS.

11/02/2010

BEFORE: S. Tilakawardane, J.
Amaratunga, J.
Imam, J.



Nihal Sri Samerasekera , Petitioner in person.

Avindra Rodrigo with Zafry Sakkaf for 4th respondent.

Dr. Harsha Cabral with Buddhika Illangatillake & Somanath Fernando for 8th respondent instructed by Murugesu & Neelakandan.

S. S. Parathalingam, PC with Kushan De Alwis, Hiran Jayasooriya & Nishkan Parathalingam for 7th respondent.

Faiz Musthapha, PC with Dilumi De Alwis instructed by ^{Julias} ~~Inian~~ & Creasy for the 5th respondent.

Romesh de Silva PC with Harsha Amarasekera & Shehan Gunawardane instructed by Julias & Creasy for 6th respondent.

Mohan Peiris, PC AG with Milinda Gunatillake, SSC for 1st, 2nd & 9th respondent.

Petitioner moves to substitute the 2nd & 8th respondent, in the caption & filed amended Petition.

No objections.

Application allowed.

Amended Petition has been submitted to the Registry and the Registrar is directed to include them into the briefs before the next date.

Parties also wish to record the fact that they will be taking up as a preliminary issue, the issue as to whether this application is time barred.



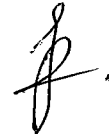
Matter has already been fixed for support on 22/3/10.

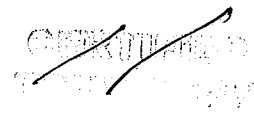
Support on 22/3/10.

Sgd/.


I do hereby certify that the foregoing is a true copy of the S.C. Journal Entry dated 11/2/2010 filed of record in S.C. Application (F/R) No. 404/09.

Typed By: 

Compd. With: 






J. JAREENA BELIAN
JUDICIAL REGISTRAR
SUPREME COURT

V 502692
21
23/2/10

IN THE SUPREME COURT OF THE DEMOCRATIC SOCIALIST

REPUBLIC OF SRI LANKA

In the matter of an Application under
Article 126, read with Articles 17,3,4
chapters III and VI of the Constitution
of the Democratic Socialist Republic
of Sri Lanka.

SC/FR 404/09

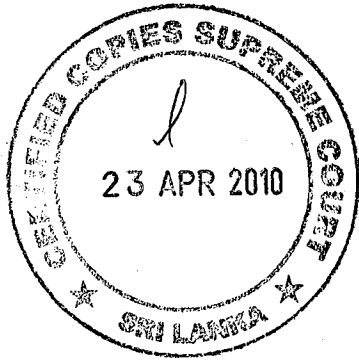
Nihal Sri Ameresekera
167/4, Vipulasena Mawatha,
Colombo 10.

PETITIONER

Vs.

1. Ceylon Petroleum Corporation
109, Rotunda Tower,
Galle Road,
Colombo 3.
And 08 others

RESPONDENTS



22/03/2010

**BEFORE : BANDARANAYAKE, J
EKANAYAKE, J**

Nihal Sri Amarasekera petitioner in person.

Sanjeewa Jayawardane with S. Amarasinghe for 3rd
Respondent.

Faiz Musthapha, PC with Ms. Diluni de Alwis for 5th
Respondent.

Romesh de Silva, PC with Harsha Amarasekera and S.
Gunawardane for 6th respondent.

S.A. Parathalingam, PC with Kushan D' Alwis, H. Jayasinghe
and N. Parathalingam for 7th respondent.

Dr. Harsha Cabral, PC with Buddhika Illangatillake for 8th
respondent.

An application is made by the Hon. Attorney General for the 1st, 2nd and 9th
respondents that this matter be re-fixed for support.

Of consent, support on 11/05/2010.

Sgd/-



I do hereby certify that the foregoing is a true copy of the journal entry dated 22.03.10 in SC.FR No.404/09 filed of record in the Supreme Court.



W. A. PRIYANI S. PERERA
Supreme Court REGISTRAR 111
SUPREME COURT

Typed by *A.S.A.*

Compared with *Original*

C/V
504044
19/04/2010

