

IN THE DISTRICT COURT OF COLOMBO

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

PLAINTIFF

Case No. 19849/MR

Vs.

Gamini Lakshman Peiris,  
of "Visumpaya", Staples Street,  
Colombo 2 and also of 37, Kirula  
Place, Colombo 5.

DEFENDANT

On this 3rd day of April 1998

The Objections of the Defendant above named appearing by James Henry Paul Ratnayeke and Uswatteliyanage Sudath Nilupul Prasansa Perera, Attorneys-at-Law of the Honourable Supreme Court of the Democratic Socialist Republic of Sri Lanka, carrying on business under the name, style and firm of **PAUL RATNAYEKE ASSOCIATES** and their assistants Ms. Punyakanthi Navaratne, Ms. Shalindri Jayasinghe, Ms. Indralogini Rajagopalan, Ms. Chandrani Suriyaarachchi, Mr. Kolitha Susantha Bandara Wijeratne, Ms. Amali Deepani Alawwa, Ms. Ruchira Anthony and Mr. Prasanna de Silva his Attorneys-at-Law states as follows:

1. The Defendant states that in law he is not obliged to answer the interrogatories for, inter alia, the reasons set out hereinafter.
2. The Defendant states that the filing of the interrogatories and the steps taken thereafter by the Plaintiff in connection with the same has been an abuse of the process of Court and/or with a view to delaying the determination of this action.
3. The Defendant states that the Plaint does not disclose a cause of action against this Defendant and thus in any event no interrogatories could have been served and/or the Defendant cannot be called upon to answer the same.
4. The Defendant states that the Plaintiff is guilty of laches and/or undue delay in making the application.
5. The Defendant further states that the interrogatories have not been put bona fide for the purposes of the purported action.
6. The Defendant states that the interrogatories are irrelevant.
7. The Defendant states that the said interrogatories are in law scandalous.
8. The Defendant states that in any event the interrogatories amount to "fishing".
9. The Defendant states that the matters inquired by the alleged interrogatories are not sufficiently material at this stage of the action.

10. The Defendant states that the interrogatories delivered are unreasonable and/or vexatious and/or of improper length.
11. The Defendant states that several of the interrogatories and the answers thereto are privileged.
12. The Defendant states that the set of interrogatories as a whole are prolix and/or oppressive and/or unnecessary.
13. In any event, the Defendant states that the interrogatories are not germane to the issues in this action.
14. In, inter alia, the aforesaid circumstances, the Defendant respectfully moves that the said interrogatories be struck off and/or the application of the Plaintiff that the same be answered be dismissed.

**WHEREFORE THE DEFENDANT PRAYS :**

- (a) that the set of interrogatories filed by the Plaintiff be struck off; and/or
- (b) that the Plaintiff's application that the said interrogatories be answered be dismissed;
- (c) for costs; and
- (d) for such other and further relief as to this Court shall seem meet.

Sgd. Paul Ratnayake Associates

**REGISTERED ATTORNEYS-AT-LAW FOR THE DEFENDANT**

**Settled by**

Mr. Harsha Amarasekera  
Attorney-at-Law

Mr. Romesh de Silva  
President's Counsel