

Hon. Ranil Wickremesinghe
Prime Minister of Sri Lanka

Dear Ranil,

I thought this matter was important and urgent enough to be brought to your kind attention, even in the midst of your election campaign re- the Hedging Deals investigation and prosecution.

1. I made a very exhaustive and comprehensive Complaint, *vis-à-vis*, the Hedging Deals to the FCID.
2. The Standard Chartered Bank's Claim before the UK High Court and the Deutsch Bank's Claim before ICSID, totaling **US \$ 240 Mn.**, were both lost due to the conduct and actions of Attorney General Mohan Peiris, **causing loss to the State i.e. Public Funds.**
3. Even though the UK High Court Judgment in the Standard Charged Bank Case was produced before the Arbitral Tribunal of 3 Arbitrators in Singapore in the Citibank Claim amounting to US \$ 192 Mn., under the London International Court of Arbitration, was dismissed being determined to be transactions **totally flawed.** *I verily believe that this happened, as a consequence of the Book I published, which was timeously made available at that time.*
4. I had within 30 days of certain incidents instituted 2 Actions on 25.5.2009 and 25.6.2009, respectively, before the Supreme Court to have the above matters adjudicated upon by the Supreme Court of Sri Lanka, as the most appropriate forum, as per advice, with authorities, I received.
5. Attorney General Mohan Peiris **strenuously** opposed my actions, as had been time barred, when they were not. He was appearing I believe, both as **amicus** and as Counsel for CPC, in whose objections **he had admitted that these Hedging deals were illegal and fraudulent.** (I attach the copy of the Supreme Court proceedings of 14.7.2009).
6. Then Petroleum Minister Susil Premajayantha assured me that he would instruct Attorney General Mohan Peiris to support my Applications. As to who had given Attorney General Mohan Peiris instructions to do otherwise is a mystery, **which both have to answer.**
7. Even before granting Leave, then Chief Justice Asoka de Silva P.C., and the other 2 Judges directed that Statements be submitted by persons I had named in one of my Petitions. These Statements disclosed that the CPC Chairman and other Public Servants involved had been compromised by these Banks with foreign trips, including CPC Minister A.H.M. Fawzie. (I attach pages 9 and 10 of the CPC Chairman's Affidavit, which is shockingly revealing).
8. Attorney General Mohan Peiris assured the Supreme Court, **more than on one occasion** that he would succeed in defending the above foreign litigations, and that there was no necessity for me to have them adjudicated before the Supreme Court of Sri Lanka and that he would recover the costs as well. **The total costs in the above foreign litigations, I believe has exceed Rs. 750 Mn. I**

9. Even when my Cases came up for support finally on 11.5.2010, Attorney General Mohan Peiris repeatedly opposed granting of Leave to me as purporting me to be time barred, when I was not and he assured the Supreme Court of successfully winning the foreign litigations. I pointed out him that I was on the offensive, whilst he was on the defensive.
10. The Supreme Court curiously adjourned for half an hour, and upon resuming sittings, the presiding Judge late N.G. Amaratunga nervously dictated the attached Order stating that I ought to have filed my Applications within one month of 27.1.2009. (I attach copy of the identical Judgment in both Cases). I understand that the grant of Leave is a Bench Order, and this adjournment was unique !
11. The previous Applications, including by Ravi K, had been terminated by the Supreme Court on 27.1.2009 on a dispute on the Petrol Prices between the Government and the Supreme Court. I was not a party to these Applications. In any case, the incidents which gave rise to the causes of action I litigated on never existed one month of 27.1.2009, but in May and June 2009 !
12. I attach my subsequent Letter dated 24.6.2010, which I addressed to Attorney General Mohan Peiris stating that I would hold him responsible and accountable for any adverse consequences to the public and the country. He did not dispute or deny the facts I had stated.
13. I have reason to suspect that during the half hour recess, the Supreme Court Judges could have been spoken to, not to grant me Leave.
14. I justified in my Complaint to the FCID of such suspicion, given the fact that the Supreme Court had issued a dissenting Judgment, excluding two vital pages by converting the computer print to a bigger font and attaching the last original Signature page with the correct smaller font, clearly showing the break and no continuity from the penultimate page to the final page.
15. I complained of the above to the Registrar of the Supreme Court and received a certified copy of the full correct Judgment, whereas the previous manipulated cannibalized Judgment was also a certified copy ! One cannot expect such manipulation in the highest judiciary !
16. The Attorney General's Department has advised FCID not to record a statement from Attorney General Mohan Peiris. No one being above the law, such cannot be the case.
17. I believe even the Chief Justice K. Sripavan, who was a Judge on both the above Benches, should be questioned to explain, as to how a Judgment of the Supreme Court came to be so manipulated and cannibalized ? Also on the issue of the grave misdirection questionably made in preventing adjudication of the Cases before the Supreme Court of Sri Lanka causing colossal loss to Public Funds. Judges of the Supreme Court are not mere school children !
18. As you are aware in foreign countries Judges too are held accountable under the law and are not immune from being probed.

Sincerely,


Nihal

27.7.2015

cc: Ravi K