

REGISTERED POST

22nd September 2009

Hon. Milinda Moragoda M.P.
Former Minister of Economic Reform
3/2, Allen Methiniyarama Road
Colombo 5.

Dear Sir,

SC (FR) Application No. 209/2007

We write as instructed on behalf of our Client, Mr. Vasudeva Nanayakkara, Attorney-at-Law and Advisor to His Excellency the President, and who is the Petitioner in the Supreme Court FR Application No. 209/2007.

We do hereby put you on notice of the contents in the attached Letter dated 1.9.2009 addressed to the Editor, Sunday Leader, with copy to the Publisher thereof, and Directors, John Keells Holdings PLC.

You, having been the directly responsible Minister, named as the 5th Respondent in the above Case, could not and did not file an Affidavit, having been unable to defend and/or justify the conduct and actions *vis-à-vis* the transactions put in issue in the above Case, which were annulled as wrongful, unlawful and illegal, and carried out without lawful authority.

Our Client verily believes, that acting in concert with those other affected Parties, including Public Officers, who were under your purview, control and direction, or otherwise, you have been directly and/or indirectly instrumental in instigating and/or causing and/or aiding and abetting the publication of the News Reports dealt with in our said Letter dated 1.9.2009.

Yours faithfully,

Abdeen Associates

Attorneys-at-Law

Sanjewa Kaluarachchi

Attorney-at-Law

Telephone 2530480, 0777708534

**No.130/4, Kelanimulla
Angoda**

Abdeen Associates
Attorneys-at-Law
No:218, Hulfsdorp Street,
Colombo 12.

26th October 2009.

Dear Sirs,

SC(FR) Application 209/2007

Your letter dated 22nd September 2009, addressed to my client, the Hon. Milinda Moragoda, M.P., Minister of Justice, has been handed over to me with instructions to reply thereto.

Your reference to your client as "Advisor to His Excellency the President" is misplaced and certainly improper in as much as the letter in question emanates from you on his behalf in his capacity as a litigant. His position as a Presidential Advisor does not render him a privileged suitor or add any weight to the unwarranted allegations contained in the said letter. It would appear that this reference is calculated to vest the letter with a veneer of the credibility which to your client's knowledge it is bereft of.

My client is at a loss to understand the relevance of serving on my client the purported notice of the contents of the letter addressed to the Editor "Sunday Leader".

My client denies that he has been instrumental in, or privy to, the publication of the news report. My client has reason to believe that your letter is an attempt on the part of your client to create a defence for himself in regard to the allegations in the news report in question and a calculated attempt to tarnish my client's reputation. I have to draw your attention to the fact that the Supreme Court in the proceedings initiated by Dr.P.B.Jayasundara in the above case observed that your client's conduct savoured of the persecution of Dr. Jayasundara. You would note that the Supreme Court in its order, observed that the process of the Courts should not be used for the persecution of individuals.

The allegations against my client in respect of the above application are without foundation and pure conjecture on the part of your client. In the circumstances, please advise your client to take note particularly of the observations of the Supreme Court and desist from forwarding such meaningless and vituperative letters.

Yours faithfully,



c. c. Hon. Milinda Moragoda M.P., Minister of Justice.