

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

In the matter of an appeal from the Judgment of the Court of Appeal under Article 128(2) of the Constitution of the Democratic Socialist Republic of Sri Lanka.

The Surveyors' Institute of Sri Lanka,  
Professional Centre,  
275/75, Bauddhaloka Mawatha,  
Colombo 07.

**PETITIONER**

**Vs.**

S.C. Appeal No. 86/2021  
SC(SPL)LA No.380/2019  
C.A.Writ Application No. 682/2011

1. The Surveyor General,  
Surveyor General's Department,  
Colombo 05.
2. The Secretary,  
Ministry of Lands and Land  
Development,  
Colombo.
3. Hon. Attorney General,  
Attorney General's Department,  
Colombo 12.

**RESPONDENTS**

4. The Government Surveyor's  
Association,  
No.10, Bambalapitiya Drive,  
Colombo 4.

5. Kandage Sanath Kumara  
Wijayawardena,  
Senior Superintendent of Surveys,  
Survey Department,  
Kirulapone Road,  
Narahenpita.

**INTERVENIENT -RESPONDENTS.**

**AND NOW BETWEEN**

The Surveyors' Institute of Sri Lanka,  
Professional Centre,  
275/75, Bauddhaloka Mawatha,  
Colombo 07.

**PETITIONER-APPELLANT**

**Vs.**

1. The Surveyor General,  
Surveyor General's Department,  
Colombo 05.
2. The Secretary,  
Ministry of Lands and Land  
Development,  
Colombo.
3. Hon. Attorney General,  
Attorney General's Department,  
Colombo 12.

**RESPONDENT-RESPONDENTS**

4. The Government Surveyor's  
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No.10, Bambalapitiya Drive,  
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Wijayawardena,  
Senior Superintendent of Surveys,  
Survey Department,  
Kirulapone Road,  
Narahenpita.

**INTERVENIENT-RESPONDENT-  
RESPONDENTS.**

**BEFORE** : JAYANTHA JAYASURIYA, PC, CJ.  
K. KUMUDINI WICKREMASINGHE, J.  
ACHALA WENGAPPULI, J.

**COUNSEL** : Faisz Musthapha P.C. with Thushani Machado  
for the Petitioner-Appellants in S.C. Appeal  
No. 85/2021

Dr. Romesh de Silva PC with Ruwantha Cooray  
and Thilini Vidanagamage instructed by Sanath  
Wijewardena for the Petitioner- Appellant in SC.  
Appeal No. 86/2021.

Sanjeewa Jayawardena, PC with Rajeev  
Amarasuriya instructed by Sanath Wijewardena  
for the Petitioner- Appellant in SC. Appeal No.  
87/2021.

Dr. K. Kanag Iswaran PC with Razik Zarook  
PC, Rohana Deshapriya and Chanakya Liyanage  
for the 11<sup>th</sup> Respondent in SC. Appeal No85/21  
and 4<sup>th</sup> Respondent in SC. Appeal No86/21 and  
for the 18<sup>th</sup> , 19<sup>th</sup> , 21<sup>st</sup> , 23<sup>rd</sup>, 25<sup>th</sup>, 27<sup>th</sup>, 28<sup>th</sup>, 30<sup>th</sup>,  
31<sup>st</sup>, 33<sup>rd</sup> - 36<sup>th</sup>, 39<sup>th</sup> - 42<sup>nd</sup>, 44<sup>th</sup>, 45<sup>th</sup>, 59<sup>th</sup>, 61<sup>st</sup>, 63<sup>rd</sup>  
- 65<sup>th</sup>. 68<sup>th</sup> Respondents in SC. Appeal No. 87/21.

Manohara Jayasinghe DSG for the Hon. Attorney  
General.

R.C. Gooneratne for the 70<sup>th</sup> Respondent-  
Respondent in SC Appeal No. 87/21.

**ARGUED ON** : 04.03.2024, 12.06.2024, 13.06.2024, 26.07.2024 and  
05. 08.2024.

**DECIDED ON** : 22<sup>nd</sup> November, 2024

**ACHALA WENGAPPULI, J.**

In view of the reasoning, the answers to the question of law and the orders of Court made in the consolidated judgment of S.C. Appeal No. 85/2021 pronounced in open Court today, the appeal of the Appellant in S.C. Appeal No.86/2021 is hereby allowed.

Parties will bear their costs.

**JUDGE OF THE SUPREME COURT**

**JAYANTHA JAYASURIYA, PC, CJ.**

I agree.

**CHIEF JUSTICE**

**K. KUMUDINI WICKREMASINGHE, J.**

I agree.

**JUDGE OF THE SUPREME COURT**