

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

In the matter of an Application under and in terms
of Article 126 of the Constitution.

1. T.D. Mataraarachchi,
No. 3A, Mawatha II, Sevana,
Aruppola, Kandy
2. K.P. Geema Udara Wijerathna,
No. 40, "Sevana", Kanda Mawatha,
Ambalangoda
3. K.D.M. Senanayake,
Thalangalla, Malgalla,
Galle.
4. L.T.W. Rajapaksha,
279. "Sirimadura", Mahalwarawa,
Junction, Kottawa,
Pannipitiya
5. A.W.R.T. Ekanayake,
"Ranjeewa", Thinkida, Thaligama.
6. T.P.D.P. Kumara,
No. 5B/81, Namalthalawa,
Ampara.

Petitioners

SC FR No. 45/2015

Vs.

1. University Grants Commission,
No. 20, Ward Place,
Colombo 7.
2. The Chairman,
University Grants Commission,
No. 20, Ward Place,
Colombo 7.
3. Additional Secretary (Academic Affairs and
Admissions),
University Grants Commission,
No. 20, Ward Place,
Colombo 7.
4. Mr. W.M.N.J. Pushpakumara,
Commissioner General of Examinations,
Department of Examinations,

P.O.Box 1503,
Colombo.

5. Secretary,
Ministry of Higher Education,
No. 20, Ward Place,
Colombo 7.
6. The Registrar,
University of Colombo,
94, Cumarathunga Munidasa Mawatha,
Colombo 3.
7. The Registrar,
University of Peradeniya, Galaha Road,
Peradeniya.
8. The Registrar,
University of Sri Jayawardanepura,
Gangodawila,
Nugegoda.
9. The Registrar,
University of Kelaniya,
Dalugama,
Kelaniya.
10. The Registrar,
University of Moratuwa, Bandaranayaka
Mawatha, Katubedda, Moratuwa.
11. The Registrar,
University of Jaffna,
Puliyadi Lane,
Jaffna.
12. The Registrar,
University of Ruhuna,
Tangalle Road, Matara.
13. The Registrar,
Eastern University,
Batticaloa
14. The Registrar,
South Eastern University,
Oluvil.
15. The Registrar,
University of Rajarata,
Mihintale.

16. The Registrar,
University of Sabaragamuwa,
Belihuloya, Balangoda.
17. The Registrar,
North Western University,
Kulipitiya.
18. The Registrar,
University of Uva Wellassa,
Badulla.
19. Hon. Attorney General,
Attorney General's Department
Hulftsdorp, Colombo 12.

Respondents

BEFORE : K. Sripavan, C.J.
B.P. Aluwihare, P.C., J.
Anil Gooneratne, J.

COUNSEL Saliya Pieris with T. Nandani for the Petitioners.

Nerin Pulle , Deputy Solicitor General with S. Gnanaraj,
State Counsel for 1st , 2nd , 4th 5th 8th 9th 12th 13th 15th
16th and 19th Respondents.

WRITTEN SUBMISSIONS
FILED ON : 30.05.2016 by the Petitioners
01.06.2016 by the Attorney General

ARGUED ON : 04.05.2016

DECIDED ON : **20.07.2016**

K. SRIPAVAN, C.J.,

The Court granted leave to proceed on 06.05.2015 for the alleged violation of the
Petitioners' Fundamental Rights guaranteed by Article 12(1) of the Constitution.

The facts in this application are identical to the facts in S.C. F.R. Application 09/2015.

Accordingly, the Court makes order that the judgment delivered in S.C. F.R. Application 09/2015 shall apply to this case.

For the reasons stated in S.C. F.R. Application 09/2015, I hold that the Petitioners have failed to establish the violation of their fundamental rights guaranteed by Article 12(1) of the Constitution by the Respondents.

The application is therefore dismissed in all the circumstances without costs.

CHIEF JUSTICE.

B.P. ALUWIHARE, P.C.,J.

I agree.

JUDGE OF THE SUPREME COURT

ANIL GOONERATNE, J.

I agree.

JUDGE OF THE SUPREME COURT