

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

In the matter of an application under and
in terms of Articles 17 & 126 of the
Constitution of the Republic

G.U.M. Kithsiri
No. 634/5,
Miriswatta Road,
Eswatta South,
Puwakpitiya.

PETITIONER

**SC FR Application
No: 342/2024**

-Vs-

1. CI A.K.D. Roshantha
Officer-In-Charge,
2. SI M.M.P. Mahawatta
Officer-in-Charge,
Traffic
3. K.N. Lakmal
Police Constable - 69958
4. S.R.P. Dinayadura

Police Constable - 84253

1st , 2nd , 3rd & 4th above all are of:

Police Station,
Kosgama.

5. Inspector General of Police

Police Headquarters,
Church Road,
Colombo 01.

6. Hon. The Attorney General

Attorney General's Department,
Hulftsdorp,
Colombo-12.

RESPONDENTS

BEFORE : **P. PADMAN SURASENA, CJ**
A.L. SHIRAN GOONERATNE, J
K.M.G.H. KULATUNGA, J

COUNSEL : Pramodya Kannangara with Rukshan Mendis
instructed by Rajitha Lakmal for the Petitioner.

G. L. Perera instructed by Jagath Nanayakkara
for the 1st - 4th Respondents.

Chrisanga Fernando, SC for the 6th Respondent.

ARGUED &

DECIDED ON : 05.05.2026

P. PADMAN SURASENA, CJ

Court heard the submissions of the learned counsel for the Petitioner, the submissions of the learned counsel for the 1st - 4th Respondents and the submissions of the learned State Counsel.

Learned Counsel for the 1st - 4th Respondents raised a Preliminary Objection against the maintainability of this case on the basis that the Petitioner has failed to file this case within the time limit provided for, in Article 126 (2) of the Constitution.

Having considered the submissions we proceed to uphold the Preliminary Objection and hold that the Petitioner has failed to file this case within the period specified in Article 126(2) of the Constitution. Accordingly, we direct that this Petition be dismissed without costs.

CHIEF JUSTICE

A. L. SHIRAN GOONERATNE, J

I agree

JUDGE OF THE SUPREME COURT

K. M. G. H. KULATUNGA, J

I agree

JUDGE OF THE SUPREME COURT

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