

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

*In the matter of an application in terms of
Article 126 read with Article 17 of the
Constitution of the Democratic Socialist
Republic of Sri Lanka.*

SC/FR/330/2018

1. Yapa Mudiyanseleage Laknath Chaminda
Bandara Yapa
No. 35/21C, Dharmashoka Mawatha,
Aruppala, Kandy.
2. Ihala Wellala Gunawardana Arachchilage
Upul Prashantha Gunawardene.
"Nilmini Thavalankaya", Ukuwela, Matale.
3. Tennakoon Mudiyanseleage Thulitha,
Sampath Tennakoon,
Arambawada, Gurudola, Matugama.
4. Herath Mudiyanseleage Egodawatte Manjula,
Bandara Herath,
No. 264, Kondadeniya, Katugasthota.
5. Weerasekara Mudiyanseleage Angurukumbura,
Walawwe Dammika Angurukumbura,
No. 95/1, Weediyawatta, Udugampola.
6. Mudalihewage Saliya Priyantha.
"Sirisevana", Badugama, Mathugama.
7. Senaka Indrajith Withanaarachchi
No. 46B, Ihala Yagoda. Gampaha.
8. Weerasekara Bamunu Mudiyanseleage
Bandula Weerasekara
"Namal" Musnawa, Bamunakotuwa.
9. Heva Wellalage Sujith Udayakumara,
No. 63B, Navasivatha,
Diwuldeniya.

10. Hagodahevage Sujeewa Kumara
No. 51/12A, Subasiri Mawatha,
Veluvanarama Road, Rawatawatta,
Moratuwa.
11. Madduma Ralalage Pradeep Nalin
Waduwardeniya.
IP Plats, D.S. Fonseka Road,
Thimbirigasyaya, Colombo 05.
12. Bamunusinghe Arachchige Don Nimal
Ranjith Kumara
No. 133/2, Kottawa Road, Mattegoda.
13. Samarawickrama Kodikarage Sarath
No. 1575.189, New City Housing Scheme,
4th Lane, Horahena Road, Kottawa,
Pannipitiya.
14. Malwathugoda Dissanayakage Chandana
Jayalakshman Dissanayake,
No. 183F, Madakotuwa Road, Walgammulla,
Veyangoda.
15. Sooriyamudiyanselage Ushantha Chaminda
Suriyakumara.
No. 108, Kuswala, Raddolugama.
16. Manikpurage Ranjith Minipura
No. 505/35, 2nd Lane, Hidallana, Ratnapura.
17. Kangara Mudiyansele Asele Bandara
Gunathilake,
No. 69/1, Puliyadda, Thalathuoya.
18. Ekanayakage Nihal Pushpakumara
Ekanayake.
No. 229/C/1, Kandegedara, Nadagamuva,
Kotugoda.
19. Thalwattehene Mohottalalage Dinesh
Bandara Thalwatta.
No. 10, Kapukanatta, Velagane, Maspotha.
20. Ekanayaka Mudiyansele Nalaka Lasantha
Bandara Ekanayaka.
No. 28B, Dedunupitiya,
Kandy.

21. Prasanna Nalaka Bandara Magedaragama,
No. 30/A/2, E.A. Paulas Mawatha,
Kandewatta, Galle.
22. Elmo Malcolm Pate.
No. 182/16A, Galaudahena, Adurapotha,
Kegalle.
23. Panagodage Mangala Panagoda,
"Sisila" Kolamadiyaya,
Bandaragama.
24. Hettiarachchige Don Thusitha Upashantha
Jayasekara.
No. 79-/8/2 Tannekumbura, Kandy.
25. Bulathsinalage Srinath Prasantha Perera
No. 98, Government Houses, Hekiththa,
Handala, Wattala.
26. Manimel Wadu Sujeewa Kumara
No. 34, Kanda Mawatha, Ambalangoda.
27. Thirimunige Thavinda Samarathunga,
No. 115 A, Morakele South, Ihala
Kottaramulla.
28. Labutuwa Vidanaralalage Samantha
Jayanath Bandara
No. 136/76, Prannaloka Mawatha, Kawdana
Road, Dehiwala.
29. Ilippili Arachchilage Arosha Jagath Bandara,
No. 118/12, De Mel Road,
Lakshapathiya,
Moratuwa.

PETITIONERS

Vs.

- 1) C. D. Wickramaratne,
Inspector General of Police
Police Headquarters,
Colombo 01.

- 2) P.H. Manatunga
Chairman, National Police Commission.
- 2A. K.W.E. Karalliyadde,
Chairman, National Police Commission.
- 2B. S.C.S. Fernando
Chairman, National Police Commission.
- 2C. Hon. Mr. E.W.M. Lalith Ekanayake
Chairman, National Police Commission,
- 3) Siri Hettige
Member, National Police Commission,
- 3A. Gamini Nawarathne
Member, National Police Commission,
- 3B. S. Liyanagama
Member, National Police Commission.
- 3C. Mrs. D.K.Renuka Ekanayake
Member, National Police Commission,
- 4) Savithri Wijesekara,
Member,
National Police Commission.
- 4A. A.S.P.S.P. Sanjeeewa,
Member,
National Police Commission.
- 4B. Mr. K. Karunaharan,
Member,
National Police Commission.
- 5) Mr. Y. L. M. Zawahir
Member,
National Police Commission.
- 5A. Mr. N.S.M. Samsudeen
Member,
National Police Commission.
- 5B. P.G.S. Gamini de Silva,
Member,
National Police Commission.

- 6) Mr. B.A. Jeyanathan,
Member,
National Police Commission.
- 6A. Ashoka Wijetilleka
Member,
National Police Commission.
- 6B. M.P.P. Perera
Member,
National Police Commission.
- 6C. D. Kapila Jayasuriya
Member,
National Police Commission.
- 7) Mr. Tilak Collure
Member,
National Police Commission.
- 7A. G. Wickramage
Member,
National Police Commission.
- 8) Mr. Frank de Silva,
Member,
National Police Commission.
- 8A. G. Jeyakumar,
Member,
National Police Commission.
- 8B. T.P. Paramaswaran,
Member,
National Police Commission.
- 9) D.M.S. Dissanayake,
Secretary,
National Police Commission.
- 9A. Nishantha A. Weerasinghe
Secretary,
National Police Commission.
- 9B. Thamara D. Perera.
Secretary,
National Police Commission.

All of at office of the National Police Commission.
Block 9, BMICH Premises,
Baudhaloka Mawatha,
Colombo 07.

10. Minister of Law and Order,
Public Administration and Management,
Floor 13, "Sethsiripaya", Stage II,
Battaramulla.
- 10A. Secretary
Minister of Public Security
"Suhurupaya",
Battaramulla.
11. Hon. Attorney General
Attorney General's Department,
Colombo 12.
12. R.A.D.S.P. Ranasinghe
Ministerial Security Division,
440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.
13. S.M.R.K.G. Bandara
Ministerial Security Division,
440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.
14. U.S. Liyanapathirana
Ministerial Security Division,
440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.
15. V. Amuthan
Prime Minister's Security Division
89, Jawatte Road, Colombo 05.
16. U.M. Chaminda Kumara,
Retired, Presidential Security Division IV,
Janadhipathi Mawatha, Colombo 01.
17. D.M. Pathmasiri
Ministerial Security Division,
440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.

18. W.A.D.N. Sanjeewa
Ministerial Security Division,
440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.
19. U.K.J.A. Shantha
Presidential Security Division
Janadhipathi Mawatha, Colombo 01.
20. J.A.C. Jayalath,
Presidential Security Division,
Janadhipathi Mawatha, Colombo 01.
21. N.A.N.D. Napagoda,
440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.
22. T.U.N. Pieris
Prime Minister's Security Division,
89, Jawatte Road, Colombo 05.
23. A.M.R. Polgolla,
Recruitment Division
"Vilasitha Nivasa" 375, Maya Avenue,
Havelock Town, Colombo 05.
24. H.M. Senarath Bandara
Prime Minister's Security Division,
89, Jawatte Road, Colombo 05.
25. E.P. Chamminda Edirisuriya
Vavuniya Division, Police Station, Vavuniya.

All of the Police Department
C/O Inspector General of Police,
Police Headquarters,
Colombo 01.

RESPONDENTS

26. Honorable Justice Jagath Balapatabendi,
Chairman,
Public Service Commission.
27. Mrs. Indrani Sugathadasa,
Member,

- Public Service Commission.
28. Mr. V. Shivagnanasothy
Member,
Public Service Commission.
 29. Dr. T.R.C. Ruberu
Member,
Public Service Commission.
 30. Mr. Ahamad Lebbe Mohammed Saleem,
Member,
Public Service Commission.
 31. Mr. Leelasena Liyanagama,
Member,
Public Service Commission.
 32. Mr. Dian Gomes,
Member,
Public Service Commission.
 33. Mr. Dilith Jayaweera
Member,
Public Service Commission.
 34. Mr. W. H. Piyadasa,
Member,
Public Service Commission.
 35. M.A.B.D. Senarath,
Secretary,
Public Service Commission.
 36. Suntharam Arumainayaham
Member,
Public Service Commission.

The 26th to 36th Respondents above named
all at:
The Public Service Commission,
No. 1200/9, Rajamalwatta Road,
Battaramulla.

ADDED – RESPONDENTS



In the matter of an application in terms of Article 126 read with Article 17 of the Constitution of the Democratic Socialist Republic of Sri Lanka.

1. I.M.T. Ranjith Delgoda (IP)
No. 308 B,
Delgoda.

SC/FR/332/2018

2. Nishantha Don Hettiarachchi (IP),
No.3/1, Warapitiya Road,,
Kirimatiya Junction, Pilawala,
Kundasale.
3. M. Ramzeen Packeer (IP),
T-4/4, Police Quarters,
Maligawatta.
4. H.M.M.A.B. Herath (IP),
16/23, Samudhrarama Mawatha,
Wadduwa.
5. H.A.U. Shantha Hapuarachchi (IP),
Samaragiri, Warakapana, Udamulla,
Mawanella.
6. M.W. Saman Alwis (IP)
6/3/C, 1st Lane, Gorakapitiya,
Piliyandala.
7. A.M.A. Amarasooriya (IP)
9A, Peelipothagama, Pinarawa,
Badulla.

PETITIONERS

Vs.

1. P.H. Manatunga
Chairman, National Police Commission.
- 1A. K.W.E. Karalliyadde,
Chairman, National Police Commission.
- 1B. S.C.S. Fernando
Chairman, National Police Commission.
- 1C. E.W.M. Lalith Ekanayake
Chairman, National Police Commission,
2. Siri Hettige
Member, National Police Commission,
- 2A. Gamini Nawarathne
Member, National Police Commission,
- 2B. S. Liyanagama
Member, National Police Commission.
- 2C. K. Karunaharan
Member, National Police Commission,
3. Savithri Wijesekara,
Member,
National Police Commission.
- 3A. A.S.P.S.P. Sanjeeewa,
Member,
National Police Commission.
- 3B. P.G.S. Gamini de Silva,
Member,
National Police Commission.
4. Mr. Y. L. M. Zawahir
Member,
National Police Commission.

4A. Mr. N.S.M. Samsudeen
Member,
National Police Commission.

4B. D.K. Renuka Ekanayake,
Member,
National Police Commission.

5. Mr. B.A. Jeyanathan,
Member,
National Police Commission.

5A. Ashoka Wijetilleka
Member,
National Police Commission.

5B. M.P.P. Perera
Member,
National Police Commission.

5C. D.K. Jayasuriya
Member,
National Police Commission.

6. Mr. Tilak Collure
Member,
National Police Commission.

6A. G. Wickramage
Member,
National Police Commission.

6B. A.A.M. Ilyas PC,
Member,
National Police Commission.

7. Mr. Frank de Silva,
Member,
National Police Commission.

7A. G. Jeyakumar,
Member,

National Police Commission.

7B. T.P. PAramaswaran,
Member,
National Police Commission.

8. D.M.S. Dissanayake,
Secretary,
National Police Commission.

8A. Nishantha A. Weerasinghe
Secretary,
National Police Commission.

8B. Thamara D. Perera.
Secretary,
National Police Commission.

All of at office of the national Police
Commission.
Block 9, BMICH Premises,
Baudhaloka Mawatha,
Colombo 07.

9. Pujith Jayasundara
Inspector General of Police,
Police Headquarters,
Colombo 01.

9A. C.D. Wickramaratne
Inspector General of Police
Police Headquarters,
Colombo 01.

9B. Deshabandu Tennakoon
Acting Inspector general of Police,
Police Headquarters, Colombo 01.

10. Hon. Ranjith Madduma Bandara
Minister of Law and Order,
Public Administration and Management,
Floor 13, "Sethsiripaya", Stage II,

Battaramulla.

- 10A. Hon. Sarath Weerasekara
Minister of Public Security
No. 385, Rev Baddegama Wimalawansa Thero
Mawatha, Colombo 10.
- 10B. Hon. Tiran Alles
Minister of Public Security
14th Floor. "Suhurupaya",
Battaramulla.
11. Pandula Weerasinghe
Superintendent of Police
Director – Human Resources, Management
Division, Police Headquarters, Colombo 01.
12. R.A.D.S.P. Ranasinghe
Ministerial Security Division,
440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.
13. S.M.R.K.G. Bandara
Ministerial Security Division,
440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.
14. U.S. Liyanapathirana
Ministerial Security Division,
440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.
15. V. Amuthan
Prime Minister's Security Division
89, Jawatte Road, Colombo 05.
16. U.M. Chaminda Kumara,
Retired, Presidential Security Division IV,
Janadhipathi Mawatha, Colombo 01.
17. D.M. Pathmasiri
Ministerial Security Division,

440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.

18. W.A.D.N. Sanjeewa
Ministerial Security Division,
440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.
19. U.K.J.A. Shantha
Presidential Security Division
Janadhipathi Mawatha, Colombo 01.
20. J.A.C. Jayalath,
Presidential Security Division,
Janadhipathi Mawatha, Colombo 01.
21. N.A.N.D. Napagoda,
440, Prof. Colvin R. De. Silva Mawatha,
Colombo 02.
22. T.U.N. Pieris
Prime Minister's Security Division,
89, Jawatte Road, Colombo 05.
23. A.M.R. Polgolla,
Recruitment Division
"Vilasitha Nivasa" 375, Maya Avenue,
Havelock Town, Colombo 05.
24. H.M. Senarath Bandara
Prime Minister's Security Division,
89, Jawatte Road, Colombo 05.
25. E.P. Chamminda Edirisuriya
Vavuniya Division, Police Station, Vavuniya.
26. Hon. Attorney General
Attorney General's Department
Colombo 12.

RESPONDENTS

27. Honorable Justice Jagath Balapatabendi,
(Retired) - Chairman,
Public Service Commission.
28. Mrs. Indrani Sugathadasa,
Member,
Public Service Commission.
29. Mr. V. Shivagnanasothy
Member,
Public Service Commission.
30. Dr. T.R.C. Ruberu
Member,
Public Service Commission.
31. Mr. Ahamad Lebbe Mohammed Saleem,
Member,
Public Service Commission.
32. Mr. Leelasena Liyanagama,
Member,
Public Service Commission.
33. Mr. Dian Gomes,
Member,
Public Service Commission.
34. Mr. Dilith Jayaweera
Member,
Public Service Commission.
35. Mr. W. H. Piyadasa,
Member,
Public Service Commission.

The 27th to 35th Respondents above
named
all at:

Public Service Commission,
No. 177, Nawala Road,
Narahenpita.

ADDED RESPONDENTS

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*In the matter of an application in terms of
Article 126 read with Article 17 of the
Constitution of the Democratic Socialist
Republic of Sri Lanka.*

SC/FR/334/2018

1. Pol Chandana Janak De Silva
No. 70, Sri Rahula Mawatha,
Katubedda,
Moratuwa.
2. Karannagoda Sooriyage Sithara,
Sanjaya Perera,
807, Galle Road, Molligoda,
Wadduwa.
3. Sagara Nilantha Karasingha Arachchi,
155, Pitipana North,
Homagama.
4. Paragaha Ange Amila Prabath Jayarathna,
59/6, Kent Rd, Dematagoda,
Colombo 09.
5. Galkatiye Gedara Subash Priyadarshana,
Near The Sanasa Bank, Marandagaha Mula,
Diulapitiya.
6. Lokuralalage Don Sidath Buddhika
Jaysekara,
191/A, Jayanthi Mawatha,
Himbutana.

7. Thennakoon Patabandegge Lakshitha
Sampath,
Green Hill Rd,
Diyathalawa.
8. Tharaka Nuwan Ananda Suduwella
38, Sethsiri Uyana, Nogoda,,
Dodangoda.
9. Panvila Gedara Ajith Chandrasiri
Ariyarathna,
35, Pulathisigama, Hingurakgoda,
10. Rathu Waduge Lakmal Lal Wijerathne,
1st Lane, Maveedalupotha,
Yanthampalawa,
Kurunagala.
11. Tennkoon Arachchilage Don Anjana Tharaka
Subodha,
56/2, Gedumana, Henegama.
12. Tharindu Darshana Dias Jayasundara,
Thaxala, Meepe,
Habaraduwa.
13. Ranga Moanoj Wanigathunga,
261/3, Ranawiru Nalaka Aluthge,
Mw, Kadanhena, Horana.
14. Seiyadu Shabdeen Mohomed Shajith
40/72, New Rathnapura Rd,,
Awissawella.
15. Wijerama Panthiaya Arachchige Sanath
Kumara,
41, Kurunduwatta, Issadeen Town,
Matara.
16. Manjula Priyandarshana Edirisinghe
78, Crown City, Tangalle South,

Gandara.

17. Laddu Dinesh Maduranga De Silva
32, Dewata Rd, Kandegoda,
Ambalangoda.
18. Lakshman Ravindranth Rajakaruna
Hindawewa Ganewatta Kurunagala.
19. Herath Mudiyansele Anuradha Bandara
Herath,
1/06, Police Quarters, Maradana.
20. Ekanayaka Bamunu Mudiyansele Saman
Ekanayaka,
123/33, Galagedara Rd,
Katugasthota.
21. Gajaweera Marathigga Moresle
Umesh Dilusha Morayas
68/B, Janaraja Mawatha, Uggalboda,
Kalutara North.
22. Kandage Ranga Kosala Perera
195/A, Maharakma Rd, Mawala,
Wadduwa.
23. Samarakoon Mudiyansele Lasantha Ranil
Bandara,
112/1A, Weerapadesa, 2nd Canel Rd,
Polonnaruwa.
24. Amunugama Gedara Ranaweera
Mudiyansele Dammika Bandara
39B, 1st Lane, Maithree Mw,
Watapuluwa, Kandy.
25. Disanayakage Amila Chinthaka Wijesinghe
Aruna Shanthi, Palapoluwa,
Yattogoda, Kegalle.
26. Siriwardanage Ajith Samantha Siriwardana

- 127/H, Battagala, Dambara,
Meewanapalana, Horana.
27. Dissanayake Mudiyanseelage Dhamitha
Chanaka Dissanayake,
2926/4, Stage 3, Anuradhapura.
28. Bamunu Achchi Pathirage Ravindra Premalal
80/A, Nursing Home Rd, Hatton.
29. Asela Indrajith Horawala Vithana
32/15, Sagara Mw, Panadura.
30. Hinidumage Prasad Chandimal De Silva,
Sausiri Uyana, Sadamulla, Batapola.
31. Wijesundara Mudiyanseelage Kumudu
Sugath
Bandara Wijesundara
52/2, Bokkawala Rd, Pujapitiya.
32. Maharage Asanga Rajitha Ranasinghe
74/1, Court Rd, Gampaha
33. Dahampath Mudiyanseelage
Gunathilaka Banda Dahampath,
37, Kendaliyadda, Jambugahapitiya.
34. Kaluthanthrige Dileepa Chaminda Perera
63/A, 3rd Lane, Aberathna Mw,
Boralasgamuwa.
35. Delana Adikari Mudiyanseelagr Sanjeewa
Bandaranayake,
Thummodara, Kuliypitiya.
36. Niroshan Nayanajith Abeykoon
G4, Wew Athura Rd, New Town,
Embilipitiya.
37. Mahinda Nishshanka Indunil Wijekoon
92/1/1/A, Halpita, Polgasowita.

38. Godagama Ralalge Sujeewa Kithsiri
Gunathilake
D 2, Palliporuwa, Hemmathagama.
39. Dangallage Gayan Kithsiri Dangalle
567/1/1, Police Quarters, Nagolla Rd,
Kegalle.
40. Kulathunga Wijekoon
Mudiyanselage Sudath Sudarshana Bandara
Doranuwa, Ruwanwella.
41. Uggallage Gayan Buddika
Kalyanarathna,
Ratna, Hangamuwa, Ratnapura
42. Widanage Chandana Priyantha Kumara
280/1, Bodimulla, Anukkane,
Kuliyapitiya.
43. Chamila Roshan Nishshanka,
63/A, Raigamthuduwa,
Bandaragama.
44. Mohottimudiyanselage Janaka Marasinhe
1/5, Police Flats, Maligawaththa.
45. Wedik Arachchige Indrajith Mohan De Silva
245/1, Boragoda Watta,
Minuwangoda.
46. Matiwala Janaka Shastri
41, Anagarika Darmapala Mawata,
Galle.
47. Angulugaha Gamage Nilantha,
Manjula Godevitharana
No. 38/1/1, Baddagana Road North,
Pitakotte.
48. Navurunnage Gayan Thushantha,

- No. 08, Senadhilankara Gama,
Mirihana, Kotte.
49. Meemanage Bandula Kamal Kumara Perera
No. 95/C, Kalalgoda, Pannipitiya.
50. Malaviarachchilage Wijitha Kumara
Malaviarachchi
No. 259/1G, Asiri Pedesa, 1 Patumage,
Arewwala Road,
Pannipitiya.
51. Saliya Prasith Mallikarachchi,
No. 869, Siyambalape Waththa,
Delgoda.
52. Ritigala Mudiyanseelage Indika
Damithapiya Hemakumara
No. I 2/1, Anderson Flat,
Narahenpita, Colombo 5.
53. Udumalagala Kudachchige Nilantha Kumara
No. 89/4, Gurukula Lane, Kelaniya
54. Gedara Kumbure Gedara Saman Kumara
Bandara,
No. 332/1, 1st Mile Post,
Maligathanna, Gurudeniya.
55. Adhikari Vitharamalaya Indika Chandralal
Gunawardana,
No. A. 56, Bendaluwa, Parakaduwa.
56. Kanaka Hewage Sampath Pathmalal,
No. 71/2, Major Priyantha,
Kolambage Mawatha, Thumbovila,
Piliyandala.
57. Tharanga Ruwan Kumara Ranawaka
Pathirana,
'Chandrawasa', Sundarapola Road,
Yanthampalawa, Kurunegala.

58. Subash Manjula Kahandawala
No. 248, Nagalagam Weediya,
Colombo 14.
59. Mudunkothgedara Buddhika
Darshana Rajapaksha
416 A, Dolahena Road, Batagama South,
Kandana.
60. Jayasinghe Anil Prasanna Jayasinghe
Imbulpitiyawatta, Thalawakale Road,
Nawalapitiya.
61. Kandwewatta Ralalage Rahula Dammika
Kandewatta,
Kedella, Udamakadawara, Hingula.
62. Ranasingha Arachchige Sudeera Sampath
Ranasingha,
187C, Poththapitiya, Manikdiwala.
63. Niroshan Kalutarakorala,
No. 14, Sath Sewana Mawatha,
Melegama, Wadduwa.
64. Tennakoon Herath Mudiyanseelage
Anura Tennakoon,
No. 70B, Pilawala, Gunnepana,
Kandy.
65. Ethugalage Niroshan Indika Dharmadasa
No. 269A, Neelammahara,
Boralessgamuwa.
66. Riyancy Virajith Kahatapitiya
128, Thammita, Makavita.
67. Herath Mudiyanseelage Kelum Priyantha
Herath,
No. 76, Rukmal Place, Uyandana,
Kurunegala.

68. Kekulandala Withanage Percy Lalith Kumara,
103/01, Police Quarters, Pothgul Vihara Mawatha, Rathnapura.
69. Yatigamma Diyawatte Pahala Gedara Ashoka Kumara,
Ariyawansa, B -1, D.S. Fonseka Rd, Bambalapitiya.
70. Walimuni Herath Mudiyansele Prasad Kapila Bandara Herath
97/Z/2, Bangala Waththa, Pugoda.
71. Samarakoon Mudiyansele Priyantha Bandara Samarakoon,
No. 262, Meddegama, Kiridiwela.
72. Marasingha Arachchige Asanka Anurudda Marasingha,
Poogalle, Kithalawa.
73. Muru Mudalige Nevil Priyantha "Samanvila", Kodikaragoda,
Morawaka.
74. Vidanarachchige Anura Deshapriya Susantha,
No. 74, Thalahagamvaduwa, Beliaththa Road, Walasmulla.
75. Hewawasam Godellage Nalaka Devapriya Jayaweera,
Ihala Danketiya, Batapola.
76. Amarakoon Disanayaka Wasantha "Suhada", Yalpathwela, Welimada.
77. Janak Chaminda Alawaththa, "Sri Jana", Gangoda, Midigama,
Weligama.

78. Ruwan Chandrika Weerakoon
Kudagama, Hureemaluwa,
Rambukkana.
79. Muhandiram Gedara Aruna Shanta Bandara
Officer In Charge, Police Station,
Welamboda.
80. Ethauda Arachchige Channa Savinda
Amarasekara,
Senani, Kalapugama, Moonthuduwa.
81. Rathgama Arachchige Champika
Wimalarathna
Weragoda, Beligala, Kegalle.
82. Nuwan Harshitha Tennakoon
No. 630/21/A, Mettaragama Rd,
Kottawa, Pannipitiya.
83. Ihala Namage Suneth Chandika
Priyadarshana,
391/5, Indrananda Mawatha,
Maspotha, Kurunegala.
84. Pasqual Mohottige Duminda Kumara
3/2/1, Woodward Mawatha, Galle.
85. Rajapaksa Mudiyanseelage Ranga Sameera
Rajapaksha,
No. 414/6, Gojaragama, Galgamuwe.
86. Wijesingha Rajapaksha Arachchilage
Chandrasirilal.
Mugurankadawala, Pallama.
87. Herathbandalage Sumith Chandana Kumara
No. 305/07, Sooriya Paluwa,
Kadawatha.
88. Perum Muththalage Heral Roshan

Wimalasinghe,
73/C/01, Welagana, Divulapitiya.

89. Athapattu Hewawasam Prasad Chaminda
Liyanage
No. 372. Jaya Mawatha.
Andiambalama.
90. Jayasinghe Arachchilage Sampath
Krishantha Jayasinghe
Midelladeniya Watta, 1st Lane,
Halpandeniya, Yatigaloluwa,
Polgahawela.

PETITIONERS

Vs.

1. Mr. Pujith Jayasundara
Inspector General of Police,
Colombo 01.
- 1A. Mr. C.D. Wickramaratne,
Inspector General of Police (acting)
Police Head Quarters,
Colombo 01.
- 1B. Mr. Deshabandu Thennakoon,
Inspector General of Police (acting)
Police Head Quarters,
Colombo 01.
2. Mr. P. H. Manatunga,
Chairman,
National Police Commission.
- 2A. Mr. S. C. S. Fernando,
Chairman,
National Police Commission.
- 2B. Mr. E. W. M. Lalith Ekanayake
Chairman,

National Police Commission.

3. Prof. S .T. Hettige
Member,
National Police Commission.

3A. Mr. T. P. Paramaswaran,
Member,
National Police Commission

3B. Mrs. D.K. Renuka Ekanayake,
Member,
National Police Commission.

4. Mrs. Savithri Wijesekere
Member,
National Police Commission.

4A. Mr. G. Wickramage,
Member,
National Police Commission.

4B. Mr. K. Karunaharan,
Member,
National Police Commission.

5. Mr. B.A. Jeyanathan,
Member,
National Police Commission.

5A. Mr. M.P.P. Perera
Member,
National Police Commission.

5B. Mr. P. G. S. Gamini de Silva
Member,
National Police Commission.

6. Mr. Y. L. M. Zawahir
Member,
National Police Commission.

- 6A. Mr. S. Liyanagama
Member,
National Police Commission.
- 6B. Mr. Dilshan. Kapila Jayasuriya,
Member,
National Police Commission.
7. Mr. Tilak Collure
Member,
National Police Commission.
- 7A. Mr. A.S.P.S.P. Sanjeewa,
Member,
National Police Commission.
- 7B. Mr. A. A. M. Illiyas,
Member,
National Police Commission.
8. Mr. Frank De Silva,
Member,
National Police Commission.
- 8A. Mr. N.S.M. Samsudeen
Member,
National Police Commission.
9. Mr. D. M. Saman Dissanayake
Secretary,
National Police Commission.
- 9A. Mrs. Samantha Mihindukula,
Secretary,
National Police Commission.
- 9B. Mrs. Thamara D. Perera,
Secretary,
National Police Commission.

All of 2nd to 9th Respondents,
BMICH Premises, Block 9,

Colombo 07.

10. R.A.D.S.P. Ranasinghe

11. S.M.T.K.G. Bandara

12. U.S. Liyanapathirana

13. V. Amudan

14. U.M. Chaminda Kumara

15. D.M. Pathmasiri

16. W.A.D.N. Sanjeewa

17. U.K.J.A. Shantha

18. J.A.C. Jayalath

19. N.A.N.D. Nasagoda

20. T.U.N. Peiris

21. A.M.R. Polgolla

22. H.M. Senarathbandara

23. E.P. Chaminda Edirisooriya.

All Care of
Personal Division,
Police Head Quarters,
Colombo 01.

24. Hon. Attorney General
Attorney General's Department,
Colombo 12.

RESPONDENTS

25. Honorable Justice Jagath Balapatabendi,
Chairman,
Public Service Commission.
26. Mrs. Indrani Sugathadasa,
Member,
Public Service Commission.
27. Mr. V. Shivagnanasothy
Member,
Public Service Commission.
28. Dr. T.R.C. Ruberu
Member,
Public Service Commission.
29. Mr. Ahamod Lebbe Mohammed Saleem,
Member,
Public Service Commission.
30. Mr. Leelasena Liyanagama,
Member,
Public Service Commission.
31. Mr. Dayan Gomes,
Member,
Public Service Commission.
32. Mr. Dilith Jayaweera
Member,
Public Service Commission.
33. Mr. W. H. Piyadasa,
Member,
Public Service Commission.
34. Mr. M.A.B. Daya Senarath,
Member,
Public Service Commission.

The 25th to 34th Added-Respondents are
of
Public Service Commission,
No. 1200/9, Rajamalwatta Road,
Battaramulla.

ADDED RESPONDENTS

35. Jayasinghe Prabhad Chandana Nishantha
No. 50, Near the water supply,
New Town,
Embilipitiya.

INTERVENIENT PETITIONER - RESPONDENT

BEFORE : **P. PADMAN SURASENA, J¹**
MAHINDA SAMAYAWARDHENA, J
M. SAMPATH K. B. WIJERATNE, J

COUNSEL : Harsha Fernando, PC, for the Petitioners in
SC/FR/330/2018.

Ashiq Hassim with Ms. Aneeraz Samahon instructed by K.
Kaneshayogan for the Petitioners in SC/FR/332/2018.

Saliya Pieris, PC, for the Petitioners in SC/FR/334/2018.

Shantha Jayawardena with Niranjana Arulpragasam
instructed by G.G. Arulpragasam for the 12th-24th
Intervenient Petitioners in SC/FR/330/2018 &
SC/FR/332/2018, and for the 10th-22nd Intervenient
Petitioner in SC/FR/334/2018.

¹ As His Lordship was then

Upul Kumarapperuma, PC, with Ms. Shalini Weeraratne and Ms. Duvini Godagama instructed by Ms. Darshika Nayomi for the 35th Intervient Petitioner-Respondent in SC/FR/334/2018.

Rajitha Perera, DSG, for the Respondents.

ARGUED ON: 20-02-2025

DECIDED ON: : 14-05-2026

P. PADMAN SURASENA, CJ

At the commencement of the argument, all parties agreed to conduct a composite hearing of all connected cases. Hence, this judgment must apply to the cases bearing numbers SC/FR/330/2018, SC/FR/332/2018 and SC/FR/334/2018.

The 1st Respondent (the then Inspector General of Police) by RTM No. 655 dated 23-05-2018, called for applications from officers holding the rank of Inspector of Police to be promoted to the rank of Chief Inspector of Police. The Petitioners have produced this RTM No. 655 dated 23-05-2018 marked **P4** in SC/FR/330/2018; **P4** in SC/FR/332/2018; and **P5** in SC/FR/334/2018.

According to the said notice, the officers other than from the Special Task Force and the Support Services who had the following four qualifications were eligible to apply. The said four qualifications are as follows:

- i. The applicant should be an officer holding the rank of Inspector of Police
- ii. The applicant should have been confirmed in the rank of Inspector of Police
- iii. The applicant must have had three years satisfactory service as at 01-10-2017

- iv. The applicant must have completed eight years active service in the rank of Inspector of Police by 01-10-2017.

The 10 Petitioners who were then holding the rank of Inspector of Police in Sri Lanka Police, responding to the notice (RTM No. 655 dated 23-05-2018), had applied for the afore-said promotions.

Similarly, the fourteen Inspectors of Police whose names are mentioned in the RTM 855 dated 27-09-2018 along with many other Inspectors of Police, had also applied as per the said notice for this promotion.

The Petitioners have also produced the marking scheme titled "MARKING SCHEME FOR PROMOTION TO THE RANK OF CHIEF INSPECTOR UNDER THE MERIT + SENIORITY PROMOTION SCHEME - 2017 (EXCLUDING STF & SUPPORT SERVICES)". The Petitioners have marked the said marking scheme as **P5** in SC/FR/332/2018 and **P7** SC/FR/334/2018.

Thereafter, the Director Human Resources Management acting on behalf of the Inspector General of Police by RTM No. 335 dated 10-08-2018 called 120 applicants for the interviews which was to be held on 15-08-2018 and 17-08-2018. The Petitioners have produced this RTM No. 335 dated 10-08-2018 marked **P7** in SC/FR/332/2018.

By this time, the Petitioners had previously filed the case bearing No. SC/FR/168/2010 in this Court. Thus, the Petitioners presumably being aggrieved by RTM No. 335 dated 10-08-2018, had obtained a stay order from this Court in the case bearing No. SC/FR/168/2010 . The Petitioners have produced this stay order dated 06-08-2018 marked **P6** in SC/FR/330/2018.

Pursuant to the said stay order, the 1st Respondent has issued RTM 436 suspending the said promotion proceedings as per the RTM No. 655 dated 23-05-2018. The

Petitioners have produced the said RTM 436 dated 13-08-2018 marked **P8** in SC/FR/332/2018; and marked **P10** in SC/FR/334/2018.

According to the Petitioners, during the period the afore-said stay order was in force, the 1st Respondent by RTM 855 dated 27-09-2018 has announced that the National Police Commission has approved the promotions of the fourteen Inspectors of Police whose names are mentioned in the said RTM 855, to the rank of Chief Inspector of Police on supernumerary basis with effect from 02-10-2017. The Petitioners have produced the said RTM 855 dated 27-09-2018 marked **P7** in SC/FR/330/2018; marked **P10** in SC/FR/332/2018; and marked **P11** in SC/FR/334/2018.

The Petitioners in their Petitions have stated that they are not aware of the basis on which the National Police Commission has promoted the said fourteen Inspectors of Police as per the said RTM 855. The Petitioners in their Petition have also stated that the promotions of the said fourteen Inspectors of Police as per the said RTM 855 has been carried out contrary to the afore-mentioned marking scheme.

It is on the above basis that the Petitioners have challenged the promotions to the rank of Chief Inspector of Police, granted to those fourteen Inspectors of Police as per the said RTM 855.

The Petitioners in their Petitions have identified those fourteen Inspectors of Police who were promoted to the rank of Chief Inspector of Police as per the said RTM 855. In SC/FR/330/2018 they are named as 12th to 25th Respondents; in SC/FR/332/2018 as 12th to 25th Respondents; and in SC/FR/334/2018 as 10th to 23rd Respondents.

Let me at this juncture digress for a moment from the case advanced on behalf of the Petitioners to the actual sequence of events which had led the 1st Respondent to announce by RTM 855 dated 27-09-2018 that the National Police Commission has approved the promotions of the fourteen Inspectors of Police whose names are mentioned in the said RTM 855, to the rank of Chief Inspector of Police on supernumerary basis.

The Petitioners as well as the Respondents whose promotions the Petitioners have sought to challenge in these Applications are officers who had initially joined the Sri Lanka Reserve Police Force as Sub Inspectors of Police.

The Respondents whose promotions the Petitioners have sought to challenge in these Applications, having fulfilled the required merits were thereafter absorbed into Regular Police Force as Sub Inspectors of Police. These Respondents are persons who have initially joined as Sub Inspectors of Sri Lanka Reserve Police in 1989 and 1990. After they were absorbed into Regular Police Force, they continued to engage in various duties as Sub Inspectors of Police of Sri Lanka Regular Police. Although the Petitioners have not clearly set out the basis on which they were absorbed into Regular Police Force it may be that the Petitioners also were persons who were absorbed into Regular Police Force on merit. Be that as it may, one thing is clear: that is the fact that the Respondents whose promotions the Petitioners have sought to challenge in these Applications had been absorbed into Sri Lanka Police Regular Force on merit by 13-05-2002.² (In the same paragraph these Respondents have stated that to the best of their knowledge the Petitioners are also persons who were absorbed into Regular Cadre during the same period.

However, those who failed to secure their absorption into Regular Cadre on merits as they failed to meet the required standard on merits remained in the Sri Lanka Reserve Police Force and continued to work as Reserve Sub Inspectors of Police. As the promotion process within Sri Lanka Reserve Police Force was comparatively easier and less competitive than Sri Lanka Police Regular Force, those who failed to secure their absorption into Regular Cadre on merits received promotions as Reserve Inspectors of Police somewhere in 1998 and Reserve Chief Inspectors of Police somewhere in 2002.

The fortune for those who failed to secure their absorption into Regular Cadre on merits came in 2006 when the Cabinet of Ministers decided to abolish Sri Lanka

² Paragraph 14 of their Statement of Objections of the 12th to 24th Respondents, dated 02-02-2021 filed in SC FR 330/2018.

Reserve Police Force with effect from 01-02-2006 and absorb all the officers in Sri Lanka Reserve Police Force into the same ranks in Sri Lanka Police Regular Force. This led to a situation where those who failed to secure their absorption into Regular Cadre on merits during the period in which the Petitioners secure their absorption into Regular Cadre on merits, being placed in the seniority list of officers in Sri Lanka Police Regular Force very much above those who made it on merit by 13-05-2002 and became Sub Inspectors of Police Regular Force. Thus, those who secured their absorption into Regular Cadre on merits by 13-05-2002, continued to be Sub Inspectors of Police Regular Force even at the time those who failed to secure their absorption into Regular Cadre on merits at that time overnight becoming Inspectors of Police and Chief Inspectors of Police with effect from 01-02-2006; this was with the decision of the Cabinet of Ministers to abolish Sri Lanka Reserve Police Force.

Thereafter, complaining this injustice those Respondents started agitating their grievances before various fora including the Human Rights Commission, this Court, Inspector General of Police and the National Police Commission. Having considered their appeals in this regard, the National Police Commission had decided to promote these Respondents to the ranks of Chief Inspector of Police on a supernumerary basis with effect from 02-10-2017. It was that decision which the RTM 855 dated 27-09-2018 had notified to the others.

There is no evidence that the Petitioners had agitated their grievances if they had belonged to the same category and had the same grievance as that of the Respondents. The case the petitioners advanced is that the promotions of those Respondents were carried out contrary to the process of calling for applications from officers holding the rank of Inspector of Police to be promoted to the rank of Chief Inspector of Police by RTM No. 655 (**P4**) dated 23-05-2018 initiated by the Inspector General of Police. Furthermore, the position of the Petitioners is that they are not aware of the basis the 1st Respondent has promoted 12th to 25th Respondents. They merely pray that the promotions granted to the 10th to 25th Respondents to the rank of Chief Inspector of Police be quashed on the basis that they are outside the process initiated by the Inspector General of Police as per RTM No. 655 (**P4**) dated 23-05-

2018. I am unable to agree with the Petitioners that the act of granting promotions to the 10th to 25th Respondents to the rank of Chief Inspector of Police at this instance by the National Police Commission as an arbitrary act without any justification. Indeed, the National Police Commission has acted at this instance to remedy an injustice caused to these Respondents. Since the Petitioners have not proved that they too had belonged to the same category or they had the same grievance as that of the Respondents or they had agitated a similar grievance as that of those Respondents, I am unable to hold that the Petitioners are similarly circumstanced as these Respondents. If they are by any chance, then they have slept over their rights. Therefore, I have to conclude that the Petitioners are not entitled to succeed with their Applications.

I direct that all the cases bearing numbers SC/FR/330/2018, SC/FR/332/2018 and SC/FR/334/2018 must stand dismissed without costs.

CHIEF JUSTICE

MAHINDA SAMAYAWARDHENA, J.

I agree.

JUDGE OF THE SUPREME COURT

M. SAMPATH K.B. WIJERATNE, J.

I agree.

JUDGE OF THE SUPREME COURT