
**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, 35 and 126 of the Constitution of
the Democratic Socialist Republic of Sri Lanka

1. **Centre for Policy Alternatives
(Guarantee) Limited**
No. 6/5, Layards Road
Colombo 00500

2. **Dr. Paikiasothy Saravanamuttu**
No. 3, Ascot Avenue
Colombo 00500

PETITIONER

SC FR Application No. 353/2018

Vs

1[A]. Honourable Attorney General
(in terms of the requirements of Article 35
of the Constitution)

1[B]. Honourable Attorney General
(in terms of Article 134(1) of the
Constitution read with Supreme Court
Rule 44(3))

Attorney General's Department
Hulftsdorp, Colombo 01200

2. **Mahinda Deshapriya**
Chairman – Election Commission

3. **N. J. Abeysekera P.C**
Member – Election Commission

4. **Professor S. Rathnajeewan H. Hoole**
Member – Election Commission

all of
Election Commission, Election Secretariat
Sarana Mawatha,
Rajagiriya

5. **Honourable Karu Jayasuriya**
Speaker of Parliament
Speaker's Resident
Sri Jayawardenapura Kotte

RESPONDENTS

On this 10th day of November 2018

**TO: HIS LORDSHIP THE CHIEF JUSTICE AND OTHER HONOURABLE
JUDGES OF THE SUPREME COURT OF THE DEMOCRATIC SOCIALIST
REPUBLIC OF SRI LANKA**

The Petition of the Petitioners abovenamed appearing by RAJ MOAHAN BALENDRA practicing in the name style and firm of

SINNADURAI SUNDARALINGAM & BALENDRA

and his Assistants Selvarajah Dushyanthan, Tharini Sevindi Salwathura and Salpahewage Ayesha Dilani Maheshika their Registered Attorneys state as follows:

The Petitioners

1. The 1st Petitioner is a body incorporated under the laws of Sri Lanka (and duly re-registered under the Companies Act No. 7 of 2007) and is made up of members, more than three – fourths of whom are citizens of Sri Lanka.
2. The primary objects of the 1st Petitioner are *inter alia* to make inputs into public policy-making and implementation process in constitutional, legislative and administrative spheres to ensure responsible and good governance, and to propose to the government and parliament and all other policy-making bodies and institutions, constructive policy alternatives aimed at strengthening and safeguarding democracy, pluralism, the rule of law, human rights and social justice.

*True copies of the Certificate of Incorporation and Memorandum and Articles of Association of the 1st Petitioner are annexed hereto marked **PI(A)** and **PI(B)** respectively and pleaded as part and parcel hereof.*

3. The 1st Petitioner is a constituent organisation of the Centre for Monitoring Election Violence (CMEV), an independent and non-partisan election monitoring organisation in Sri Lanka established in 1997 to monitor the incidence of election related violence and advocate for the right to franchise of the citizen of Sri Lanka.
4. The 2nd Petitioner is a citizen of Sri Lanka and the Executive-Director of the 1st Petitioner above-named. The 2nd Petitioner is a registered voter and has exercised his franchise consistently at elections, including the election to elect the Eight Parliament under the present Constitution in August 2015. The 2nd Petitioner has for over two decades advocated for the meaningful right to franchise and for free and fair elections in Sri Lanka.

*A copy of the National Identity Card of the 2nd Petitioner and a printout of a screenshot of the draft voter registration details obtained from the election commission website at, <http://eservices.elections.gov.lk/myVoterRegistrationDraft.aspx>. > are annexed hereto marked **P2(A)** and **P2(B)** respectively and pleaded as part and parcel hereof.*

5. The Petitioners make this Application in their own right and in the public interest, with the objective of safeguarding the rights and interests of the general public of Sri Lanka and securing due respect, regard for and adherence to the Rule of Law, the Constitution, which is the supreme law of the land, and with a view to protecting the fundamental rights required to be respected, secured and advanced as more fully set out, hereinafter.

The Respondents

6. The Petitioners state that:
- a. The 1[A] Respondent is the Honourable Attorney General in terms of proviso to Article 35(1) of the Constitution, as this application is made in respect of infringement of fundamental rights of the Petitioners and the citizens of Sri Lanka by the action(s) of the President acting in his official capacity, as hereinafter more fully set out.
 - b. The 1[B] Respondent is the Honourable Attorney General, made a party to this application as required by law, in terms of the contemplation and requirements of Supreme Court Rule 44(3) read with Article 134(1) of the Constitution.
 - c. The 2nd to 4th Respondents are the Chairman and members of the Election Commission of Sri Lanka, appointed and acting in terms of the Constitution, who have been made parties to this application for the purpose of giving effect to the reliefs sought and/or granted through this application.
 - d. The 5th Respondent is the Honourable Speaker of Parliament and is made a Respondent for the purpose of Notice of this application.

Background of the Application

7. The Petitioners state that pursuant to the adoption of the Second Republican Constitution (1978 Constitution), excessive, unchecked executive power conferred on the President was identified as a persistent problem that entailed derogation from the Rule of Law. The said problem was exacerbated by the Eighteenth (18th) Amendment to the Constitution, enacted in 2010.
8. The Petitioners state that successive governments were voted into office with the mandate of reducing the powers of the executive presidency, reflecting the need of the citizenry to have greater checks and balances over the exercise of powers by the Executive President.
9. The Petitioners say that H. E. President Maithripala Sirisena (represented in this application through Respondent 1[A]) was elected to office in January 2015, after an election campaign in which a major promise was to reduce the powers of the Executive Presidency. This promise has been publicly reiterated on several occasions by President Sirisena professing continued commitment to this key promise.

A copy of the relevant pages of the election manifesto of the now president is annexed hereto marked P3 and pleaded as part and parcel hereof.

The 19th Amendment to the Constitution and the President's duties towards the Constitution, Parliament and the People

10. The Petitioners state that the 19th Amendment to the Constitution was enacted on 15th May 2015 in this spirit of reducing the powers of the Executive Presidency, and political leadership towards its enactment was provided by President Sirisena.
11. The Petitioners further state that by the said 19th Amendment, significant changes to the manner and limits of the powers of the Executive President were constitutionally enshrined, setting in place more robust checks and balances *within* the executive as well as *between* the executive and legislature, through strengthening the constitutional position of the Prime Minister and the Cabinet of Ministers in relation to the President, on the one hand, and through strengthening the constitutional position of Parliament in relation to the executive as a whole, on the other.
12. The Petitioners state that Article 33(1)(a) of the Constitution stipulates that it is the duty of the President to ensure that the Constitution is respected and upheld.

13. The Petitioners further state that Article 33A, also introduced by the 19th Amendment of the Constitution expressly lays down that the President is responsible to Parliament for the due exercise, performance and discharge of his powers, duties and functions under the Constitution and any written law, including the law for the time being relating to Public Security.
14. The President has also made several speeches in which he has told the citizens of this country that the Executive Presidency in Sri Lanka leads to the violation of the rights of the citizen, and that he will carry out the mandate on which he was voted and reduce the powers of the President.

*Copies of the relevant pages of the Hansards containing two speeches made by the President in Parliament on or about the 27th April 2015 (at the second reading of the 19th Amendment to the Constitution) and 3rd December 2015 (during the Budget Debate) are annexed hereto marked **P4(A)** and **P4(B)** and pleaded as part and parcel hereof.*

Run up to the purported dissolution of Parliament

15. On or about 26th October 2018, the President (represented in this application through Respondent 1[A]) purported to remove Prime Minister Ranil Wickremesinghe from the Office of Prime Minister, on the basis of Article 42(4) of the Constitution, alleging that he had authority to do so in view of his being the appointing authority.

*A copy of letter dated 26th October 2018 as published in the media, sent by the President to Prime Minister Wickremesinghe is annexed hereto marked **P5** and pleaded part and parcel hereof.*

*Copies of Gazette Extraordinary No. 2094/43 dated Friday, 26th October 2018 purporting to remove Prime Minister Wickremesinghe and No. 2094/43A ex facie dated Friday, 26th October 2018 to dissolve the Cabinet of Ministers, (both obtained from <http://www.documents.gov.lk/>) are annexed hereto marked **P6(A)** and **P6(B)** respectively and pleaded part and parcel hereof.*

16. The Petitioners are aware that Prime Minister Wickremesinghe wrote to the President, pointing out inter alia that he was the constitutionally appointed Prime Minister of Sri Lanka and continues in that office.

*A copy of letter dated 26th October 2018 as circulated in the media sent to the President by Prime Minister Wickremesinghe is annexed hereto marked **P7** pleaded part and parcel hereof.*

17. The Petitioners further state that they are reliably informed and verily believe that the President had, prior to the sending of the purported letter marked **P5** to Prime Minister Wickremesinghe, purported to appoint Mr. Mahinda Rajapaksa, Member of Parliament as Prime Minister.

*A copy of Gazette Extraordinary No. 2094/44 dated Friday, 26th October 2018 (obtained from <http://www.documents.gov.lk/>) purporting to appoint the Mahinda Rajapaksa as Prime Minister is annexed hereto marked **P8** and pleaded part and parcel hereof.*

18. The Petitioners state that Prime Minister Wickremesinghe was appointed to the office in terms of Article 42(4) of the Constitution, as there was no evidence that he did not command the confidence of the Eighth Parliament.
19. The Petitioners state that Article 46(2) of the Constitution, provides *inter alia*, that: “the Prime Minister shall continue to hold office throughout the period during which the Cabinet of Ministers continues to function under the provisions of the Constitution, unless he resigns his office by a writing under his hand addressed to the President, or ceases to be a Member of Parliament.”
20. The Petitioners state that Prime Minister Wickremesinghe has neither resigned his office, nor ceased to be a Member of Parliament.

21. The Petitioners state that Article 48(1) of the Constitution provides *inter alia* that: “On the Prime Minister ceasing to hold office by death, resignation or otherwise, except during the period intervening between the dissolution of Parliament and the conclusion of the General Election, the Cabinet of Ministers shall, unless the President has in the exercise of his powers under Article 70, dissolved Parliament, stand dissolved and the President shall appoint a Prime Minister, Ministers of the Cabinet of Ministers, Ministers who are not members of the Cabinet of Ministers and Deputy Ministers in terms of Articles 42, 43, 44 and 45”
22. The Petitioners state that as such, Prime Minister Wickremesinghe has not ceased to hold office by death, resignation, or as otherwise provided in the Constitution.
23. The Petitioners further state that Article 48(2) of the Constitution provides that “If Parliament rejects the Statement of Government Policy or the Appropriation Bill or passes a vote of no-confidence in the Government, the Cabinet of Ministers shall stand dissolved, and the President shall, unless he has in the exercise of his powers under Article 70, dissolved Parliament, appoint a Prime Minister, Ministers of the Cabinet of Ministers, Ministers who are not members of the Cabinet of Ministers and Deputy Ministers in terms of Articles 42, 43, 44 and 45.”
24. The Petitioners state that the Eighth Parliament neither rejected the Statement of Government Policy nor the Appropriation Bill nor passed a vote-of no-confidence in the Government, and thus the Cabinet of Ministers did not stand dissolved, and thus and otherwise the Prime Minister did not lawfully cease to hold office.
25. For further disclosure the Petitioners further state that an attempt to pass a vote of no-confidence against the Government failed on or about 4th April 2018 and that no further attempt to engage the provisions of Article 48(2) has been made prior to the purported dismissal of Prime Minister Wickremesinghe..

A copy of the relevant pages of the Hansard of Wednesday, 04th April 2018, Volume 259 No.10 is annexed hereto marked P9 and pleaded part and parcel hereof.

26. The Petitioners state that as set out above, Prime Minister Wickremesinghe continues to remain the constitutionally appointed *de jure* Prime Minister of Sri Lanka.
27. The Petitioners state that on or about the very next day (i.e. 27th October 2018), the President purported to prorogue Parliament under Article 33(2)(c) till 16th November 2018.

A copy of Gazette Extraordinary No. 2094/45 dated Saturday, 27th October 2018 (obtained from <http://www.documents.gov.lk/>) proroguing Parliament is annexed hereto marked P10 and pleaded as part and parcel hereof.

28. The Petitioners state that subsequently, a letter was sent to the President by the 5th Respondent Speaker of Parliament, stating the following:

“I consider it my foremost duty to protect the rights and privileges of all Members of Parliament, especially in the context of the serious political — constitutional crisis which has arisen in the country. I have received a request to protect the rights and privileges of Ranil Wickremesinghe until any other person emerged from within Parliament as having secured the confidence of Parliament.”

“I consider the said request to be a democratic and fair request. I request you to consider the said request, as the leader of the Government, who has obtained a mandate to secure democracy and Good Governance.”

“In this context continuing the prorogation of Parliament until 16 November will have serious and undesirable consequences for our country, and I kindly request you to reconsider same.”

“I consider it duty to draw your attention to the convention that a prorogation should be done in consultation with the Speaker,”

A copy of letter dated 28th October 2018 as circulated in the media, sent to the President by the 5th Respondent Speaker is annexed hereto marked P11 and pleaded as part and parcel hereof.

Sinnadurai Sundaralingam & Balendra

Attorneys-at-Law & Notaries Public

#367 4/1 Dam Street, Colombo 01200

P: 011 25 444 00 E: lawyers@sblaw.lk

29. The Petitioners in a public statement raised concerns on the constitutionality and legality of events on 26th and 27th October 2018, with a request for the immediate reconvening of Parliament.

*A true copy of the public statement released on 29th October 2018 is annexed hereto marked **P12** and pleaded part and parcel hereof.*

30. The Petitioners further state that the President has purported to appoint several Ministers and State Ministers, since 29th October 2018.

31. The Petitioners state that on or about 30th October 2018, the 5th Respondent Speaker wrote again to the President stating that more than 125 Members of Parliament had requested for Parliament to be reconvened in order to test who has the majority in Parliament.

*A copy of letter dated 30th October 2018 as circulated in the media, sent to the President by the 5th Respondent Speaker is annexed hereto marked **P13** and pleaded as part and parcel hereof.*

32. The Petitioners state the 5th Respondent Speaker subsequently made a public statement highlighting events leading up to 5th November 2018 and his recognition of the status prior to proroguing Parliament. Relevant excerpts of the statement are as follows:

“I am of the opinion that the request submitted to me under the hand of 116 Members of Parliament of the United National Party, the Tamil National Alliance, the Janatha Vimukthi Peramuna and the Muslim Congress stating that the decision made by His Excellency the President was unconstitutional and undemocratic and as they are not in agreement with the said decision that the Parliament should be summoned forthwith and seek approval thereto is extremely reasonable.”

“When I met His Excellency the President on 01st of November, he conveyed to me that he would pay attention to the request made by me to summon Parliament and would brief me on the evening of that day itself.”

“Though it did not materialize, he contacted me over the phone the following day around 10.30 a.m. and informed me that the gazette notification proclaiming the summoning of Parliament on 07th November would be issued and during a meeting with the ambassadors of Japan, France, the U.S.A. and Afghanistan in the morning of the same day, His Excellency had reiterated that Parliament would be summoned on 5th November.”

“The Honourable Mahinda Rajapaksa, too, confirmed during a meeting with a group of university teachers that the Parliament would be summoned on 5th November.”

“If I am to follow the verbal assurance given by His Excellency the President, it is my duty as Speaker to summon Parliament by 7th November and restore stability in the country. I consider it as the duty of His Excellency the President too to extend his support to me towards this end.”

“At a time it has been brought to my attention by the majority that the lawful summoning of Parliament has been prevented and the rights of the Members of Parliament have been usurped, in the name of justice and fair play, I have to make my stance known to the world.”

“As the majority is of the opinion that all changes made in the Parliament are undemocratic and inconsistent with traditions of Parliament and as the majority of Parliament have requested that the status that existed before these changes were made shall be accepted, I wish to emphasize that I am compelled to accept the status that existed previously until such time that they and the new political alliance prove their majority in Parliament.”

*A copy of the said statement by the 5th Respondent Speaker dated 05th November 2018 circulated in the media, is annexed hereto marked **P14** and pleaded part and parcel hereof.*

Sinnadurai Sundaralingam & Balendra

Attorneys-at-Law & Notaries Public

#367 4/1 Dam Street, Colombo 01200

P: 011 25 444 00 E: lawyers@sblaw.lk

33. The Petitioners state that the President subsequently re-convened Parliament for 14th November 2018.

*A copy of Gazette Extraordinary No. 2095/50 dated Sunday, 04th November 2018 (obtained from <http://www.documents.gov.lk/>) re-convening Parliament is annexed hereto marked **P15** and pleaded part and parcel hereof.*

Constitutional procedure and requirements for the dissolution of Parliament

34. The Petitioners state that amongst other changes, the Nineteenth Amendment replaced Article 33 of the Constitution which now sets out all of the general duties, powers, and functions granted to the President. This includes, among others, the power to dissolve Parliament set out in Article 33(2)(c), as follows:

(2) In addition to the powers, duties and functions expressly conferred or imposed on, or assigned to the President by the Constitution or other written law, the President shall have the power -

(a)

(b).....

(c) to summon, prorogue and dissolve Parliament;

35. The Petitioners state that while the President has been given the power to dissolve Parliament, the manner in which that can be done has been set out in Article 70 of the Constitution.
36. Article 70(1) of the Constitution clearly mandates how the President may dissolve Parliament. Accordingly, Article 70(1) of the Constitution reads as follows:

(1) The President may by Proclamation, summon, prorogue and dissolve Parliament:

*Provided that **the President shall not dissolve Parliament until the expiration of a period of not less than four years and six months from the date appointed for its first meeting, unless Parliament requests the President to do so by a resolution passed by not less than two-thirds of the whole number of Members (including those not present), voting in its favour.***

37. The Petitioners state that accordingly:

- (a) The President does not have the power to unilaterally dissolve Parliament under Article 33 (2)(c) read with Article 70(1) of the Constitution before the expiration of four years and six months (4½ years) of its elected term; and
- (b) Until four years and six months (4½ years) of the first meeting of the elected Parliament has elapsed, Parliament may only be dissolved by the President, by a Proclamation to such effect, upon the passing in Parliament, of a resolution requesting same by not less than two-thirds (2/3rd) of the whole number of Members.

38. The Petitioners state that this restriction on the President's ability to dissolve Parliament until the relevant time period of four years and six months (4½ years) has passed was introduced by the 19th Amendment to the Constitution to remove the ability of the Executive President from stifling, obstructing or suppressing the continuation of the work of the legislature during the term for which the Parliament has been elected, for a period of four years and six months (4½ years). This check on the President's power enables the legislature to continue its functions as mandated by the electors without the undue threat of being dissolved at the will of one individual (or even a mere majority of Parliament) and assures continuity and certainty of tenure for the legislature function without undue obstruction or oppression by the Executive, a critical element to a functioning democracy.

Dissolution of Parliament by the President

39. The Petitioners state that on Friday, 9th November 2018, President Maithripala Sirisena issued a purported Proclamation dissolving the Eighth Parliament with effect from midnight of that day.

*A copy of Gazette Extraordinary No. 2096/70 dated Friday, 09th November 2018 (obtained from <http://www.documents.gov.lk/>) purporting to dissolve Parliament with effect from midnight of that day is annexed hereto marked **P16** and pleaded part and parcel hereof.*

40. The said Proclamation of the dissolution of the Eighth Parliament was made, without reconvening Parliament and without Parliament passing any resolution by two-thirds (2/3rd) or more of the whole number of Members requesting the President to dissolve the Eighth Parliament.
41. In fact, the Petitioners state that no such resolution was even taken up in the Eighth Parliament, and that the said Proclamation was issued, in a manner that did not enable the Eighth Parliament to consider whether or not to adopt such a resolution as mandated by Article 70 of the Constitution.
42. Thus and otherwise, by acting in such manner, H. E. President Maithripala Sirisena has acted in a manner that seeks to evade responsibility to the Eighth Parliament, for the due exercise, performance and discharge of his powers, duties and functions under the Constitution and written law in relation to actions that affect the functioning and continuance for the Constitutionally mandated elected term of the Eighth Parliament, as contemplated by the provisions of Article 33A of the Constitution.
43. The Petitioners state that accordingly, the purported fixing of 05th January 2019 for holding an election of Members of Parliament and specifying a purported period for nominations for such General Election as set out in the said Gazette Extraordinary No. 2096/70 dated Friday, 09th November 2018 (**P16**) are unconstitutional, illegal, null and void and/or of no force or effect in law.

Infringement of the Fundamental Rights of the Petitioners and Citizens of Sri Lanka

44. The Petitioners state that the conduct of President Sirisena to purportedly dissolve the Eighth Parliament by Gazette Extraordinary No. 2096/70 dated Friday, 09th November 2018 marked **P16** infringes fundamental rights guaranteed under Article 12(1) and Article 14(1)(a) of the Constitution.
45. The Petitioners further state that the second proviso to Article 35(1) only restricts Your Lordships' Court in the exercise of jurisdiction under Article 126 of the Constitution, from pronouncing upon the exercise of powers of the President under Article 33(2)(g) of the Constitution, which is the power 'to declare war and peace'. The exercise of all other powers, duties and functions of the Executive President are made amenable to the jurisdiction of Your Lordships' Court under Article 126 of the Constitution, which accordingly vests in Your Lordships' Court, a duty to pronounce upon any actions in the exercise of any other powers by the Executive President, including actions under and in terms of Articles 33 and 70.
46. The Petitioners make this application with the limited material available in the constraints of the circumstances of this application, considering the grave urgency of the matters canvassed through this application. In the circumstances, the Petitioners are advised to respectfully reserve the right to amend the Petition should such a need transpire, and to furnish such other and further material in proof of and/or relevant to matters set out herein, no sooner any such is received and/or made available to them. The Petitioners also respectfully reserve the right to add such other parties to this application as may transpire to be necessary.
47. The Petitioners are also advised and state that the said actions of H. E. President Maithripala Sirisena in purporting to change the Prime Minister and Cabinet of Ministers as well as to prorogue the Eighth Parliament as aforesaid are illegal and contravene the relevant provisions of the Constitution.

48. The Petitioners state that in all the relevant circumstances, the said actions of H. E. President Maithripala Sirisena (represented in this application through Respondent 1[A]) are unconstitutional, arbitrary, *mala fides* and evidently for collateral purposes.
49. The Petitioners state that they apprehend that unless Your Lordships' Court grants the several reliefs prayed for through this application, further such unconstitutional, arbitrary actions and wilful contravention of the provisions of the Constitution and the law would be resorted to by the current and/or future incumbents of the office of Executive President of Sri Lanka.
50. The Petitioners state that thus and otherwise, they and other Citizen of Sri Lanka would be victims of flagrant disregard for mandatory requirements of the Constitution and the law, unless the reliefs sought through this application are granted.
51. The Petitioners state that unless the interim reliefs prayed for through this application are granted forthwith until the hearing and final determination of this application, grave and irreparable loss, harm, damage and prejudice to the fundamental rights of the Petitioners and citizens of Sri Lanka would be caused.
52. The Petitioners state that any delay in the hearing and final determination of this application would be to the grave detriment of constitutionalism, rule of law and the right of the Petitioners and the Citizen of Sri Lanka to be governed constitutionally, legitimately and only by a legitimate government and respectfully urge that any steps by any party to delay the hearing and determination of this application forthwith be disallowed.
53. The Petitioners state that the aforesaid actions of the Executive President, H. E. Maithripala Sirisena constitute executive and/or administrative action within the contemplation of Article 126 of the Constitution.
54. The Petitioners have not previously invoked the jurisdiction of Your Lordships' Court in respect of this matter.
55. An affidavit of the 2nd Petitioner is appended hereto in support of the matters set out herein.

WHEREFORE the Petitioners respectfully pray that Your Lordships' Court be pleased to:

- (a) Grant the Petitioners leave to proceed with this Application;
- (b) Declare the purported dissolution of the Eighth Parliament by Gazette Extraordinary No. 2096/70 dated Friday, 09th November 2018 marked **P16** is *ultra vires* the Constitution, null and void and of no force or effect in law;
- (c) Make an Interim Order staying the operation of and/or giving effect to the purported dissolution of the Eighth Parliament and consequential decisions contained in Gazette Extraordinary No. 2096/70 dated Friday, 09th November 2018 marked **P16**, until the hearing and final determination of this application;
- (d) Make an Interim Order restraining the 2nd-4th Respondents and/or their servants, subordinates and agents from purporting to act in reliance of Gazette Extraordinary No. 2096/70 dated Friday, 09th November 2018 marked **P16**, until the hearing and final determination of this application;
- (e) Make an Interim Order preventing the Executive President (represented by Respondent 1A) from taking any steps on the basis that the Eighth Parliament has been dissolved without the passing in Parliament, of a resolution requesting same by not less than two-thirds (2/3rd) of the whole number of Members or the expiration of four years and six months (4^{1/2} years) from the date first appointed for the Eight Parliament to meet (i.e. **1st March 2020**), whichever occurs first;

Sinnadurai Sundaralingam & Balendra
Attorneys-at-Law & Notaries Public
#367 4/1 Dam Street, Colombo 01200
P: 011 25 444 00 E: lawyers@sblaw.lk

- (f) Declare that the purported dissolution of Parliament by Gazette Extraordinary No. 2096/70 dated Friday, 09th November 2018 marked **P16** and/or consequential steps stipulated as being fixed thereby infringe the fundamental rights of the Petitioners and citizens of Sri Lanka guaranteed under **Article 12(1)** of the Constitution;
- (g) Declare that the purported dissolution of Parliament by Gazette Extraordinary No. 2096/70 dated Friday, 09th November 2018 marked **P16** and/or consequential steps stipulated as being fixed thereby infringe the fundamental rights of the Petitioners and citizens of Sri Lanka guaranteed under **Article 14(1)(a)** of the Constitution;
- (h) Declare that the actions of the Executive President (represented by Respondent 1A) have infringed fundamental rights of the Petitioners and citizens of Sri Lanka guaranteed under **Article 12(1)** and/or **Article 14(1)(a)** of the Constitution;
- (i) Declare that the actions of the Executive President (represented by Respondent 1A) constitute continuing infringement of the fundamental rights of the Petitioners and citizens of Sri Lanka guaranteed under **Article 12(1)** and/or **Article 14(1)(a)** of the Constitution;
- (j) Declare that further infringement of the fundamental rights of the Petitioners and citizens of Sri Lanka guaranteed under **Article 12(1)** and/or **Article 14(1)(a)** of the Constitution is imminent;
- (k) Grant costs; and
- (l) Grant such further and other relief(s) as to Your Lordships' Court shall seem meet

Sgd. Sinnadurai Sundaralingam & Balendra

REGISTERED ATTORNEYS FOR THE PETITIONERS

DOCUMENTS ANNEXED TO THE PETITION

Documents marked "P1" to "P16"

Sgd. Sinnadurai Sundaralingam & Balendra

REGISTERED ATTORNEYS FOR THE PETITIONERS

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