19.10.2012 **Hon. K. Sripavan, J**

AAL for the Petitioner of the Motion dated 18.10.2012 with :

1. Petition and Schedules "X", "Y" & "Z"
2. Documents
3. Affidavit
4. Special Affidavit in support of the facts contain in "X"

AAL further moves Your Lordship's Court be pleased that this Application be taken for Hearing on 16th, 19th & 20th November 2012, for a review and re-examination of Determination made on 24.10.2011 substitutes for Your Lordship's directions please.

DRSC
19.10.2012

Hon. Chief Justice

The Petitioner by Motion dated 18.10.2012 seeks to review and re-examine the Special Determination dated 24.10.2011 for terms of paragraph 9(h) of the Petition Hon. Speaker has certified the Bill on 11.11.2011. Upon certification being endorsed, the Bill becomes law and in terms of Article 80(3), the validity of such Act shall not be called in question thereafter upon any ground whatsoever.

This Article (Art 80 (3)) must be interpolated according to its true purpose and intent as disclosed by the phraseology in its natural signification.

If a party perceives "judicial bias & disqualification" against a member of the Bench, such party should have raised objections at the time the Bill was taken up for having. If so objections is taken at the forth stage, this party cannot thereafter complain of the matter disclosed as going rise to a real danger of bias. Any frivolous objection taken after a long period of time without a prior foundation would not only intercede the due administration of justice but also undermines the work of Court.

In view of the foregoing I do not see any legal basis to entertain the Motion dated 18.10.2012. The Motion may be rejected in limine.

Sgd. Sripavan, J

22.10.2012

Hon. Amratunga, J, Hon. Ratnayake, PC, J, Hon. Ekanayake, J.

I agree with the Objection of Hon. Sripavan, J. The Bill in questions was considered by this Court on 24.10.2011 and the certificate by the Hon. Speaker had taken place on 11.11.2011 in terms of Article 80(3) of the Constitution the validly of such an Act shall not be questioned on any ground whatsoever.

No Objection was raised on any one of the three Judges who heard the matter on 24.10.2011.

For the aforementioned reasons the Motion dated 08.10.2012 should be rejected in limine.

Pls. consider the said Motion and later your observations/concurrence.

Sgd. Chief Justice

23.10.2012

Hon. The Chief Justice

I agree with the observation of Your Ladyship and Hon. Sripavan, J, set out above since there is no Legal basis to entertain the Motion dated 18.10.2012, it should be rejected in limine. The Registrar of the Supreme Court should be directed not to entertain any further Motions/Applications/Petitions of in respect of this mater.

Sgd. Amaratunga, J

24.10.2012.

Hon. The Chief Justice

I agree with the observations and recommendations of Your Ladyship, Hon. Amaratunga, J, and Hon. Sripavan, J.

Sgd. P.A. Ratnayake, J

25.10.2012

Hon. The Chief Justice

I agree with the observations and directions enclosed in Your Ladyship Order 23/10/2012, Hon. Justice Amaratunga's Order dated 24/10/2012, Hon. Justice Sripavan's Order dated 22/10/2012 and Hon. Justice P.A. Ratnayake's Order dated 25/10/2012.

Sgd. Ekanayake, J

7.11.2012