



Uvindu Kurukulasuriya  
Editor, Colombo Telegraph

I uploaded a factually correct Statement on your Website under perverse, false malicious Article on Nihal Sri Ameresekere yesterday around 4.00 pm and sent by attached e-mail around 5.30 pm. You have deliberately not uploaded same proving your intent to defame and injure his global reputation, acting in collusion with others named. You are nothing but a mercenary journalist terrorist extracting monies.

I also add the following Notes Nos. 12, 13, 14 and 15 from Briefing Note of Nihal Sri Ameresekere dated 5.2.2016 on Blog : [www.nihalsriameresekere-hiltonhotelcase.com](http://www.nihalsriameresekere-hiltonhotelcase.com)

12. Therefore it is amply evident that due to pressures exerted by the Japanese, I was urged by the Government to settle and withdraw my 2 Cases, with the Government solemnly promising to promptly pay my professional compensation, after I settled and withdrew my 2 Cases, which in fact was to be paid before I settled and withdrew my 2 Cases, simply to overcome the above Japanese threat before the Aid-Group Meeting in November 1996.
13. With HDL having accumulated US \$ 30 Mn., at that time due to injunctions obtained by me, had I not settled and withdrawn my 2 Cases, as had been urged by the Government, I could have easily continued my 2 Cases over several years, to be successfully proven, as I did before the Special Presidential Commission.
14. I would then have obtained the final reliefs which were that no payments, whatsoever, were due to the Japanese, thereby accumulating over US \$ 125Mn., or more, in HDL, and thereafter negotiating and paying the Japanese a much reduced amount to settle the Loans, and thereby cancelling the State Guarantees, and I could have become a main Stakeholder, among others, of HDL today, and not the Government!
15. The above was the correct business decision to have been made by me, which was well within my own sole power, but I heeded the desperate urgings of the Government, in the face of threat by the Japanese, *the biggest Aid provider to Sri Lanka at that time.*

**S.P. Sriskantha, LL.M. (U.K.)**  
**Attorney-at-Law,**  
**Solicitor [Eng. & Wales]**

9.4.2016

Uvindu Kurukulasuriya  
Editor, Colombo Telegraph  
New Malden, Surrey, KT3 .....  
United Kingdom.

I refer to my previous E-mails to you.

1. You had sent an E-mail to Mr. Nihal Sri Ameresekere posing several questions on a complex matter on 11.12.2015.
2. The very next day 12.12.2015 you had scandalized him by publishing a false and misleading baseless Article in the Colombo Telegraph, with deliberate intent to maliciously defame and cause damage, for reasons best known to you. You had also intermeddled and/or interfered with legally binding contractual agreements among other parties, prohibited by law.
3. On 15.12.2015 you published a further Article on the non-response to the above Article by Mr. Nihal Sri Ameresekere, again scandalizing him with intent to maliciously defame and cause damage.
4. On 16.12.2015 I posted the following as 'Comments' under both the above Articles, but they were rejected by you, an act of cowardice on your part.

"We as lawyers are shocked at your two Articles published and the comments by certain parties of sheer hooliganism condoned and encouraged by you.

Breaching banking secrecy is a criminal offence and possession of stolen bank documents is also a criminal offence, so too anyone who aides and abets or conspires therewith. You as publisher, who also claim such possession, is also liable under the law.

There is also the question of privity of contract, where no outside party could intermeddle or interfere with and/or aid and abet therewith, which you have condoned and encouraged. These are offences under the law.

Threats and intimidations of public servants are also punishable offences under the law and aiding and abetting therewith are also punishable offences, and you have condoned and encouraged the perpetration of the above offences.

The above violations of the law should be referred to Scotland Yard, the Serious Fraud Office and UK Tax Authorities for investigation and action.

We have been following the Hilton case from its inception in 1991 and have a deep understanding of the case. When the then Government was squeamish in confronting the perpetrators of a huge fraud in the Hilton Hotel project, Mr.NSA singlehandedly spending his own money exposed this fraud thus saving our country a sum in excess of Rs.87 Billion – I repeat, a sum in excess of Rs.87 Billion!

Mr.NSA, who has been involved in exposing many other frauds that were being perpetrated on the people of this country by the powers that be is fully justified being adequately compensated for his laudable efforts. Instead of criticising people of the rare caliber of Mr.NSA we should all get together and encourage him to expose the fraudsters who take cover under the cloak of politicians."

5. On the next day 17.12.2015 I addressed an E-mail to you of your such rejection, and sheepishly subsequently you inserted the above as 'Comments' under the above two Articles.
6. Having been involved in the relevant litigations from the very commencement, I having verified the facts and data with the documents, prepared and released to the media a comprehensive Statement titled "**Truth Overcomes Falsehoods**". This was also forwarded to you, but you chose to ignore the same, without publishing, thereby re-enforcing the foregoing malicious motive and intent on your part to defame and cause damage. The said Statement was published in another website.

7. Thereafter on 1.1.2016 a comprehensive 'Blog' – [www.nihalsriamersekere-hiltonhotelcase.com](http://www.nihalsriamersekere-hiltonhotelcase.com) was created and its Link was circulated to the media, giving the lie to your aforesaid false and malicious Articles. My attempts to insert the 'Blog' Link [www.nihalsriamersekere-hiltonhotelcase.com](http://www.nihalsriamersekere-hiltonhotelcase.com) on 2.2.2016 in both your above Articles were rejected by you, being unable to face the truth and realities.
8. Without any study of the facts and documents disclosed in the aforesaid 'Blog' [www.nihalsriamersekere-hiltonhotelcase.com](http://www.nihalsriamersekere-hiltonhotelcase.com) you have once again published on 7.4.2016 a further false and misleading Article to maliciously defame and damage, whilst interfering and inter-meddling with legally binding contractual agreements, prohibited by law.
9. I cite the following paragraphs from Mr. Nihal Sri Amersekere's Letter of 31.3.2016, the contents which are self-explanatory, which you have intriguingly chosen not to take cognizance of.
  - Professional compensation at Market Value at 2% on the write-off of 62% amounting as at **31.12.2015** to **Rs. 86,425.9 Mn.**, amounts to **Rs. 1,728.5 Mn.**, and the re-scheduling over a further period of 16 years the balance 38% unwritten-off Loans at Market Value of **Rs. 53,170 Mn.**, at reduced rate of interest at 5.25% p.a. (from 6% p.a.), at **1.5%** amounts to **Rs. 765.3 Mn.**, amounting in total to Market Value of professional compensation of **Rs. 2,493.8 Mn.**, as at **31.12.2015**.
  - The above is the market value for normal professional compensation, whereas in this instance it ought be more , this not being a normal instance, but one with complex heavy litigation and obstructions of which Mr. R. Paskaralingam is aware of.
  - **Amongst others, I had been a Promoter, Shareholder, Director and Chairman of HDL. The above matter of the Hilton Hotel was my own business concerning which I had entered into the above legally binding contractual agreements with the Government, and it was certainly not a public interest litigation as the above; whereas on the above instances and others, I had acted in the public interest incurring costs and efforts and at costs of professional time, sans any benefits from the State or any other or duty free car permits !**
10. It is indeed also intriguing that you are unaware that Mr. Nihal Sri Amersekere had successfully pursued several public interest actions, among other;
  - preventing a write-off of Rs. 200,000 million of State Revenue by the purported Tax Amnesty and other inimical acts to the rule of law,
  - exposed the 'secret budgetary allocation' of Rs. 80,000 million in the challenge to the Appropriation Bill 2008,
  - annulled the illegal and fraudulent privatization of Sri Lanka Insurance Corporation saving to the State at today's value around Rs. 90,000 million, including Lanka Hospitals,
  - annulled the illegal and fraudulent privatization of the oil bunkering monopoly of Colombo Port, including unlawful alienation of the Colombo Port Land saving over Rs. 20,000 million
  - prevented the loss of US \$ 190 million on the Oil Hedging Deals by the Citibank by timeously publishing a Book exposing the totality of facts, and
  - standing up to Indian Oil Company and writing-off Rs. 5000 million claimed as subsidies for LIOC, *et al.*

11. Mr. Nihal Sri Ameresekere's above endeavours had been at his own costs and efforts, with the loss of valuable professional time and earnings of professional income. In comparison what have the politicians done, having earned allowances and perks, including duty free luxury car imports, etc. Furthermore what have you done ? LSE ought to be apprised of the contents hereof.
12. I cite the following paragraph from Mr. Nihal Sri Ameresekere's Letter of 31.3.2016, the facts of which are personally known to me, including the name of the person and telephone number, which would be made known to the law enforcement authorities at the appropriate time. He dictated the Contemporaneous Note in my presence.

“38. On or about 30.12.2015 I was approached by a person I have known in the past to be a ‘wheeler dealer’ offering to intercede to have the above matter resolved. I promptly rebuked him stating that this was a legally binding contractual agreement, and that as a professional that I do not wish to lobby. I made a Contemporary Note and sent you a copy thereof, for the Hon. PM to be apprised if you deem fit. “

13. I also cite the following paragraph from Mr. Nihal Sri Ameresekere's Letter to the Government on 4.4.2016, contents of which are self-explanatory;

“In the interest of HDL I have also by my several recent Letters to you and the Auditor General brought to attention, that whilst I as a Director and Chairman of HDL did not draw any Allowance or use an Official Vehicle, the Chairman Tirukumar Nadesan appointed by President Mahinda Rajapakse in 2006 had drawn Rs. 400,000/- per month as Allowance, including an Official Luxury Vehicle for around Rs. 25 Mn. Furthermore that he had been a Director and substantial Shareholder of Lanka Hotels & Residencies (Pvt) Ltd., at 265, Galle Road, Colombo 3, incorporated on 5.12.2003 developing Sheraton Colombo Hotel, which would be in direct competition with the Hilton Hotel of HDL, and such conflict has not been disclosed, and thus he was disqualified from being Chairman of HDL. I have also brought to your notice that in the refurbishing program the old assets of HDL being replaced allegedly had been sold at questionable low prices to unknown persons, and for purchasing a Couch estimated at Rs. 20 Mn. I have also brought to your notice that the Annual Report of 2010 was completely misleading and false attempting to cover-up the aforesaid fraud proven in my legal actions and before the Special Presidential Commission. I trust as Competent Authority you would take warranted action in terms of the law. “

14. I have come to know that the Colombo Mayor M.J.M. Muzammil on Monday 4.4.2016 at the Colombo Municipal Council, in the afternoon, had intruded into a Meeting chaired by the Deputy Minister of Public Enterprises, Mr. Eran Wickramaratne M.P., a reputed Banker, C. Ramachandra, Professional Accountant, Competent Authority of Hotel Developers (Lanka) PLC and Ranel Wijesinghe, a professional Accountant and Consultant. M.J.M. Muzammil is alleged to have rebuked and scandalized these persons on the lines of the very same matters, that you have perversely published on 7.4.2016 as aforesaid to further scandalize Mr. Nihal Sri Ameresekere, and to intentionally cause damage and injury, and to interfere and/or inter-meddle with legally binding contractual agreements, among other parties prohibited by law. M.J.M. Muzammil had no right or status or be privy, to have so dealt with matters deliberated and decided upon by Cabinet, and to threaten educated professionals, including a Deputy Minister, which tantamount to the contempt of Parliament, and ought to be reported to the Speaker of Parliament.

Given the foregoing, it is not too difficult to draw inference, as to the persons who have instigated these Articles to be published by you, to wrongfully and unlawfully interfere and inter-meddle with legally binding contractual agreements between other parties, checked and finalized by 4 Attorney Generals of the country, and the consequence of which you are accountable and responsible for.

I trust that you will even belatedly take cognizance of the foregoing, and take prompt remedial action to mitigate the damages caused by the foregoing, for which action against you is under contemplation before appropriate fora. I trust that the aforesaid incomplete Address is the correct Postal Address (*subject to No. and Street and full Area Code*) at which you reside as per 192.com and one Rupika R. Gunawardene is also reported to be residing, as reported therein as per the Electoral Roll of 2013.

A handwritten signature in black ink, appearing to read 'S.P. Sriskantha', with a long horizontal stroke extending to the right and ending in a small flourish.

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8.4.2016