IN THE COURT OF APPEAL OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

In the matter of an Application under Article 140 of the Constitution for a mandate in the nature of Writs of Certiorari and Mandamus.

Hettiarachchi Wajira Christobel Senanayake,
"Sirisanda",
Kappetiyagoda South,
Galle/Nagoda.

PETITIONER

Vs.

Court of Appeal Case No:
CA/WRIT/38/2021

1. W.W. Punchihewa,
   Assistant Commissioner of Labour,
   District Labour Office,
   Galle.

2. B.K. Prabath Chandrakeerthi,
   Commissioner General of Labour,
   Labour Secretariat,
   Colombo 05.

3. M.G. Sumithra Vijayangani,
   C/O Assistant Commissioner of Labour,
   District Labour Office,
   Galle.

4. Chandima Jayamali,
   C/O Assistant Commissioner of Labour,
   District Labour Office,
   Galle.

5. N.W.H.K. Kamani Gayani,
   C/O Assistant Commissioner of Labour,
   District Labour Office,
   Galle.

6. Kanthi Lokuliyana,
   C/O Assistant Commissioner of Labour,
   District Labour Office,
   Galle.

7. E.G.N. Thakshila,
   C/O Assistant Commissioner of Labour,
   District Labour Office,
   Galle.

8. P.M. Damayanthi,
   C/O Assistant Commissioner of Labour,
   District Labour Office,
   Galle.

9. N.D. Nandawathi,
   C/O Assistant Commissioner of Labour,
   District Labour Office,
   Galle.

10. U.G. Priyangika,
    C/O Assistant Commissioner of Labour,
    District Labour Office,
    Galle.

11. K.W. Premadasa,
    C/O Assistant Commissioner of Labour,
    District Labour Office,
    Galle.

12. N.D. Samantha Neil Kumara,
Senior Labour Officer,
Labour Office,
Galle.

RESPONDENTS

Before:	Mayadunne Corea, J Mahen Gopallawa, J
Counsel:	Shantha Jayawardhana with Hiranya Damunupola for the Petitioner. P. Witharana, S.C., for the Respondents.
Argued on:	14.07.2025
Written Submissions:	For the Petitioner on 29.08.2025 For the 1st, 2nd and 12th Respondents on 27.10.2025
Decided on:	30.10.2025

Mayadunne Corea J

The Petitioner, *inter alia*, sought the following reliefs:

"*(c) Grant and issue an order in the nature of a Writ of Certiorari quashing the certificate dated 2020.08.19 issued by the 1st Respondent marked P12(a)*

(d) Grant and issue an order in the nature of a Writ of Certiorari quashing the proceedings in the Baddegama Magistrate's Court case no. 7504

(e) Grant and issue an order in the nature of a Writ of Certiorari quashing P15

(f) Grant and issue an order in the nature of a Writ of Mandamus directing the 1st, 2nd and 12th Respondents or any one of them to hold an inquiry affording the Petitioner a fair hearing in respect of complaints if any made by the 3rd to 11th Respondents"

The facts of the case briefly are as follows. The Petitioner is engaged in the business of granite crushing and runs a metal quarry. The Petitioner states that he retains the services of a sole employee, one Jeevan Kumara, who is properly remunerated and paid all the statutory dues including EPF and ETF payments. In November 2020, the Petitioner had received summons from the Magistrate's Court of Baddegama pertaining to case no. 7504 instituted by the 1st Respondent under the Employee Provident Fund Act, No. 15 of 1958 as amended (hereinafter referred to as the 'EPF Act'). The 1st Respondent had filed a certificate under section 38(2) of the EPF Act dated 19.08.2020 stating that the Petitioner had employed 3rd to 11th Respondents at a land called "Wanapoluhena" (of which the Petitioner's wife owns an undivided share) and that the Petitioner had failed to pay EPF to the 3rd to 11th Respondents for the period from January 2013 to November 2018. However, the Petitioner states that he had never employed the 3rd to 11th Respondents at the aforementioned land nor at his metal crusher or metal quarry. Hence, this Writ Application.

The Petitioner's contention

The Petitioner challenges the acts of the Respondents on the following grounds:

- The Petitioner had not employed the 3rd to 11th Respondents.
- The Petitioner is not involved in the administration of the land called "Wanapoluhena".
- No inquiry was held by the 1st and 2nd Respondents in respect of the complaints made by the 3rd to 11th Respondents.
- The Petitioner was not afforded a hearing prior to the issuance of the certificate under section 38(2) of the EPF Act. Thereby depriving the Petitioner of a fair hearing.

The Respondents' contention

The Respondents raised the following objections:

- The Petitioner is guilty of laches.
- The Petitioner has suppressed or misrepresented facts.

Analysis

After the conclusion of arguments, both Counsel moved that they may be permitted to file written submissions. The said application was allowed by this Court. When this case was mentioned on 29.08.2025, both Counsel submitted that they will be filing their respective written submissions at the registry on that day. Accordingly, the judgement was adjourned to 30.10.2025. I find that the learned Counsel for the Petitioner had filed written submissions on 29.08.2025. There were no written submissions filed by the State Counsel until 28.10.2025 and I find a written submission had been filed well past the date given for written submissions on 27.10.2025 which is just three days before the pronouncement of the judgement. It is also pertinent to note that the arguments in this case were concluded on 14.07.2025 and I find with the written submissions two new documents marked as R1 and R2 annexed. I also find the said documents are dated 30.07.2025 which means that the said documents have been written even after the conclusion of the arguments. Hence, the said documents were not before the Court at the time of argument and the Petitioner would not be in a position to answer the said documents. This Court does not consider this a healthy practice and accordingly, decides not to consider the said documents.

After a careful analysis of the argument made by all parties, in my view, the Petitioner's whole case is based on two main grounds. They are that in coming to the impugned decision:

- the rules of natural justice have been violated and
- no fair hearing has been afforded to the Petitioner.

Let me now consider the argument of the Petitioner and the Respondents' response to the said contentions.

Fact finding inquiry of the labour officer

As per the submissions, the parties are not at variance of the existence of the tea estate called "Wanapoluhena". The Petitioner claims that the said estate originally belonged to his wife's father and after a painstaking narration of how the title devolved, concedes that an undivided 1/8th share of the said land belongs to his wife. It is his contention that the said land is now neglected as there were several litigations between the Divisional Secretary of the area and Petitioner.

To substantiate this position, he has attached a copy of the Petition of CA/Writ 249/13 marked P13 and the judgement of this Court marked P14. In the said judgement the Court of Appeal has analysed the dispute that has arisen between the Petitioner and the State pertaining to the land called "Wanapoluhena". In view of the said documents the Petitioner invites this Court to take into consideration that the said tea estate was neglected as a result of these litigations and was not properly utilized. Further, drawing attention to the judgement of the Court of Appeal, the learned Counsel for the Petitioner contended that there had been numerous occasions of varied kinds of harassment meted to the Petitioner by State officers as reflected by the litigations mentioned above and the findings of the Courts thereon. Be it as it may, now I will consider the submissions of the learned Counsel for the Petitioner.

It is the Counsel's submission that the Petitioner is operating a metal quarry in a different location in the area called Suduwelipothagoda Kanda, Yatalamatta in the name of "Sirisanda Gal Wadapola". Further he submits that the metal quarry he operates is in Kappetiyagoda, Galle/Nagoda. To establish this fact, he has tendered the certificates of the two business names marked as P8 and P9. It is important to note that as per P8 and P9 under column 9 where the residence of the partners of the firm is given, the residence of the Petitioner is given as "Sirisanda" Kapitiyagoda, G/Nagoda. As per the said two forms it appears the said two businesses are partnerships of the Petitioner and his wife. It is his contention that he is not involved in the tea cultivation in the estate called Wanapoluhena.

However, it is alleged that the Petitioner has received summons to appear before the Magistrates' Court of Beddegama on 20.11.2020. On a charge of failure to pay EPF to the employees. The said summons is marked as P11 and the certificate issued by the 1st Respondents under section 38(2) of the EPF Act is marked as P12 and the proceedings are marked as P12(a).

On a perusal of both documents, it appears that on 20.12.2020 the Petitioner has been represented in Court. It is also important at this stage to note that the Respondents have tendered Schedule 1 of the certificate, which contains eight names of employees, their employment period, their total earnings, the contribution by the employer and employees and the total due. The Petitioner's main contention is that none of these employees, except for a K. W. Premadasa, were under his employment. It was also his contention that Premadasa was not an employee at the tea estate but worked as a domestic help. He contends that before filing this application before the learned Magistrate, the Commissioner of Labour has not conducted any inquiries or taken any statement from the Petitioner or given any opportunity for the Petitioner to be heard.

If this fact is so, it has resulted in a position where the Petitioner is now deprived of even denying the employment of the alleged employees. Nevertheless, he is now faced with a case where he is asked to pay EPF for eight employees whom he does not know. This would be answered later in this judgement.

Keeping the said fact as it may, let me now consider the response of the Respondents.

The response of the Respondents

It appears that a labour officer from Elpitiya had visited the Wanapoluhena estate. The report of the labour officer is marked as 1R1. In the said report the labour officer has named the estate he had made inquiries to be Wanapoluhena Watta/Kalu Ralahamige Hena. The learned State Counsel appearing for the Respondents was not in a position to clarify whether Wanapoluhena Watte and Kalu Ralhamige Hena is one and the same or two different estates. I observe that even the Petitioner has not identified the estate called Wanapoluhena Watta with another called Kalu Ralahamyge Hena. It is also pertinent to note that the Petitioner too has failed to explain whether it is two estates or the same estate.

Coming back to the document 1R1, it is observed the labour officer in the said form under paragraph 5 where the name of the employer and the address is required to be filled has written a name and an address, which has been scribbled and cut and thereafter the Petitioner's name and an address replaced with. The address given is "කජ්පිටියාගොඩ, දකුණ, ගා/නාගොඩ" and the name given as Vajira Christobel Senanayake along with a telephone number. None of the Counsels made submissions addressing whether the telephone number belongs to the Petitioner or not. As per the labour officer, the employees were paid daily wages and under the second part it is stated that one K. W. Premadasa has represented the employer (his designation is given as "පාලක"). The said inspection had been carried out on 23.11.2018.

It is observed by Court that Clause 16 of the document marked as 1R1, deals with salaries, allowances etc. In front of the said clause there is a handwritten note on the report to state that documents should be inspected. Further, under the heading "Employees' Provident Fund" in the report, clause 17 states "new". There is an endorsement to state that it is a new institution. As per the said document it is evident the labour officer had not come to a conclusion pertaining the salaries and allowances but has decided to come to a conclusion subsequent to an inspection of the documents.

Further, the most important aspect of this report is in Part V (page 11) of the report, where the labour officer states that he has not met the employer and strangely under clause 2, the labour officer states that he has interviewed two employees. The first employee's name is given as K. W. Premadasa and the second name is given as Y.A. Priyangika. Most importantly, this Court observes that under Part II clause 11(iii) of this report the labour officer had identified K. W. Premadasa as the employer's representative and provided his designation as the controller ("පාලක"). In the said context, how Part V of the report identifies the said Premadasa as an employee is not clear. Upon inquiry by Court from the State Counsel to the question whether a single person can make his representation to be the agent of the employer and at the same time can be the agent of the employee went unanswered. The learned State Counsel failed to give an explanation to this question posed by the Court.

However, it is also stated in the report P11 that the labour officer has advised the employees about their rights under the EPF Act, salaries etc. The Court was not informed as to whether the labour officers request to call for the documents on payments, employees provident fund payments, holidays offered etc. was given effect to.

However, thereafter, the inquiring officer has obtained statements from the employees as reflected in the summary sheet marked as 1R2 to which are attached the statements marked as 1R3, the business in the said sheet is identified as Wanapola Hena/Kalu Ralahamyge Idama and most importantly the name of the employer is given as Wajira Senanayake and the address is given as near the police, Nagoda.

This Court has examined the statements of the employees and in all the statements provide that they are daily workers and they are paid for plucking tea at the rate of Rs.26 per kilogram of tea plucked and most importantly, they have stated that none of them signed an attendance book. Thereafter, the senior labour officer had decided to hold an inquiry and dispatched a letter dated 07.01.2019 marked as 1R4. The said letter is addressed to the Petitioner's address Kapapitiyagoda South, Nagoda, whereby the senior labour officer had required the employer to submit documents. There was no evidence produced to demonstrate that this letter has reached the employer. However, there is a handwritten note on the letter which states to send it to the above address again and requests the employer to be present on 03.04.2019 with the documents for an inquiry. The Court observes that in the summary sheet (1R2), the labour officer had obtained the statements of the employees the employer's given address is not the address which is visible in 1R4. The Respondents failed to give any explanation as to whether they had inquired about the employer from the address disclosed in the

summary sheet and if so, what the result was. The Respondents have failed to explain why 1R4 was dispatched to an address which is not the address reflected in 1R2.

Coming back to the letter marked as 1R4, the Court observes that there is a scribbled note at the bottom right-hand side of the letter stating "නැවත ඉහල ලිපිනයට", which means the said letter had not reached the person it was addressed to. Further, that there are instructions to send the letter back once again. This letter is dated 07.01.2019. The learned State Counsel was not in a position to explain this note but it seems that this letter has not reached the employer.

Subsequently, a second letter dated 15.03.2019, which is marked as 1R5 was addressed to the Petitioner. The registered post article of the letter and a copy of the postal documents register have been tendered to this Court marked as 1R5(a) and 1R5(b).

I also observe that on 04.04.2019, a notice under section 31(1) of the EPF Act has been dispatched to the Petitioner to the address Kapitiyagoda, Nagoda, Galle, which was marked as 1R6 and the registered post receipt and the copy of the postal documents register has been marked as 1R6a and 1R6b. It was the contention of the Respondents that none of these letters have been returned.

As there was no response from the Petitioner on 15.10.2019, the labour officer has recommended to institute a case against the employer. The said handwritten recommendation is marked as 1R8. Thereafter, on 02.10.2019 a further notice had been sent to the Petitioner to the address Wanapaluhena Watta, Waduvelivitiya, North Kahaduwa. The said letter is marked as 1R7. It appears that the labour officers themselves have not been certain of the address of the employer as they have sent 1R7 to a different address. The said letter is addressed to the Petitioner and the address given is Wanapaluhena Watte Wadu Walipitya North, Kahaduwa.

Subsequently, another letter had been sent dated 26.05.2020 marked as 1R10 where the computation of the amount in arrears of the EPF, the fine, the total and the time period it was due had been informed to the employer. This again, had been addressed to the Petitioner with the address Wanapaluhena Waththa, Kaluralahamige Hena, Wadu Uthura, Kahaduwa. This Court observes that this is yet another address the Department of Labour had sent a letter to the Petitioner. In the said letter a handwritten note states that the letter had not been accepted by the occupants of the address. Thereafter, again on 03.07.2020 another letter was sent to the same address which is marked as 1R11.

The registered post articles had been marked as 1R11(a) and the extract of the postal register marked as 1R11(b).

This Court also observes that the Respondents have tendered the D-Report marked as 1R9, where the computation of monies due to the employees are calculated in the said report the name of the estate has been given as Kalu Ralahamige Hena and the address as Waduwelipitiya North, Kahaduwa. Though the said report contains a space for the owner's name and the owner's signature, it appears that the owner's name is not reflected nor is there a signature on the letter. The learned Counsel for the Petitioner submits that none of the documents have reached them as their address is not reflected in any of these documents. This Court observes that as per the Petition, the Petitioner's address is given as "Sirisanda Kappetiyagoda South, Galle/Nagoda". It appears that none of the initial reports calling the Petitioner for an inquiry to the Commissioner's office have been addressed to this particular address.

It is also pertinent to observe that the labour officer who originally submitted his report marked as 1R1 at the commencement has named K.W. Premadasa as an agent of the employer. However, in all the documents including the annexures filed with the certificate in the Magistrates' Court, his name is listed as an employee. The learned State Counsel has failed to address this Court on this vital discrepancy. It is also pertinent to observe how the labour officer obtained the information which he attached in Schedule 1 with the certificate in the absence of any books tendered by the employer which would have reflected the total earnings of each employee and the exact period of their work. The Court makes this observation especially after considering the statements of the employees marked as 1R3(i-v) as in all the statements the purported employees have admitted that they do not sign an employee's book. In the absence of such, it is doubtful how the labour officer who compiled his report pertaining to the employment income arrived at figure reflected. Thus, it is apparent that none of the correspondence or the notices have been dispatched to the correct address of the Petitioner. This Court is at a loss to understand why the inquiring officer who obtained the statements of the purported employees and the purported representative of the employer could not obtain the correct address of the employer. In my view this creates a serious doubt as to the accuracy of the findings of the inquiring officer.

Should the Petitioner be given a hearing?

The Petitioner's main complaint to this Court is that before the Commissioner arrived at the decision to prosecute him, he had not been given a fair hearing and thereby procedure adopted in the inquiry is in violation of rules of natural justice. In my view,

both these issues can be answered together, as deprivation of a fair hearing amounts to a violation of rules of natural justice. In answering the said question, I find that the EPF Act does not contemplate that a hearing be given to the Petitioner. However, an identical question arose in ***Splendour Media (Pvt.) Limited v. The Commissioner General of Labour and others*** **CA/Writ 102/17 decided on 01.11.2019**. In the said Writ Application, among other grounds, one of the main grounds alleged was that the Petitioner was not given a fair hearing thereby, violating rules of natural justice. In delivering the decision the Court observed that if the rights of the individuals are affected by a decision, then a fair hearing ought to be given. Quoting ***Lalith Deshapriya v. Captain Weerakoon and others*** **2004 2 SLR 314 at page 319** where it was held:

> *"Even more serious is the violation of the two cardinal principles of natural justice embodied in the maxims 'audi alteram partem' and 'nemo judex in causa sua potest'. The first of these principles postulates a fair hearing before the rights of a citizen are affected by a quasi judicial or administrative decision. In this context, it is now recognised that 'qui aliquid statuerit parte in audita altera acquum licet discerit, haud acquum fecerit' - which means that he who determines any matter without hearing both sides, though he may have decided right, has not done justice. According to the jurisprudence built around the 'audi alteram partem' principal, there should not only be a hearing of both sides, but the hearing should be more than a pretence. The procedure followed should be fair and conducive to the achievement of justice. In* ***Board of Education v Rice*** *Lord Loreburn, L. C. in his famo us dictum laid down that a tribunal was under duty to "act in good faith, and fairly listen to both sides for that is a duty lying upon everyone who decides anything."* ***In De Verteuil v Knaggs*** *it was laid down as follows:*
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> *'In general, the requirements of natural justice are first, that the person accused should know the nature of the accusation made; secondly, that he should be given an opportunity to state his case; and thirdly, that the tribunal should act in good faith.'"*

Further, in ***Chulasubadra v The University of Colombo and others*** **[1986] 2 SLR 288 at 303** it was held:

> *"the obligation to give the person charged a fair chance to exculpate himself or fair opportunity to controvert the charge may oblige the tribunal not only to inform that person of the hearsay evidence, but also give the accused a sufficient opportunity to deal with that evidence."*

The Court of Appeal judgement extensively dealt with the concept of fair hearing and quoting ***Ranjith Flavian Wijerathne v. Ashoka Sarath Amarasinghe*** **SC (Appeal) No.40/3012 decided on 12.11.2015** held:

> *"Principles of natural justice are applicable to every tribunal or body of persons vested with authority to adjudicate upon matters involving rights of individuals. It is likewise applicable to the exercise of judicial powers too. Every judicial and quasi - judicial act is subject to the procedure required by natural justice. The breach of anyone of the said rules would violate the principles of natural justice. In the case of* ***Ridge v. Baldwin (1964) A.c. 40*** *Lord Denning held that a breach of the principles of natural justice renders the decision voidable and not null and void ab initio.*
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> *An administrative official or tribunal exercising a quasi - judicial power is bound to comply with the principles of natural justice. i.e. to comply with the rules of audi altera partem and nemo judex in causa sua. A quasi-judicial decision may involve finding of facts and it affects the rights of a person. Sometimes such decisions involve matters of law and facts or even purely matters of law.*
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> *In* ***Russell v. Duke of Norfolk and Others (1949) 1 All E.R. 109*** *Tucker LJ. observed that one essential requirement in regard to the exercise of judicial and quasi - judicial powers is that the person concerned should have a reasonable opportunity of presenting his case.*
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> *I am of the opinion that where the power is conferred in an administrative body or tribunal which exercises power in making decisions which affect the rights of persons, such body or tribunal should act according to the principles of natural justice except in cases where such right is excluded, either by express words or by necessary implication, by the legislature."*

The Court of Appeal concluding its judgement formulating guide lines to be followed held:

> *"Applying the aforementioned judicial dicta, it is the view of this Court that whenever a complaint is received that an employer has not complied with its obligations contained in the EPF Act, the Department of Labour must:*
>
> *(a) inform the employer of the nature of the complaint of non-compliance made against it, and where available, make available copies of the complaint to the employer;*

(b) afford the employer an opportunity to respond and clarify matters relating to such complaint;

(c) afford the employee an opportunity of responding to the position of the employer.

This Court is of the view that the above process would enable the Officers of the Department of Labour to arrive at a decision which is reasonable by both parties."

I observe in the instant case the guidelines formulated in the above judgment have not been followed. The instant case before me is unique on its own facts. In my view, the Commissioner of Labour before instituting action should have taken appropriate measures to ascertain the identity of the employer. I make this observation after considering the pleadings of the Petitioner in this case where he denies employing any of the employees whose names are in the attachment to the certificate filed before the learned Magistrate. It is the contention of the Petitioner that other than one employee, namely, K. W. Premadasa, none of the others were in his employment. Another glaring error I find is that in the original report marked 1R1, the labour officer interviews Premadasa as the representative of the employer. However, strangely in the same report in another part he interviews the same Premadasa as an employee and based on his interview with the said Premadasa he prepares the documents marked as 1R9 and comes to the conclusion on the working hours, the salary, etc. This matter should have been clarified by the learned State Counsel for the Respondents. Even upon inquiry from the Court the learned State Counsel was not in a position to clarify the same. In this context I am of the view that, depriving the Petitioner of a fair hearing is fatal to this application and there is a serious violation of rules of natural justice, which casts a doubt on the findings of the inquiring officer and renders a final decision null and void.

In the case of ***O'Reilly and others v. Mackman and others*** **(1983) 2 AC 237**, Lord Diplock held:

"that the right of a man to be given a fair opportunity of hearing what is alleged against him and of presenting his own case is so fundamental to any civilized legal system that it is to be presumed that Parliament intended that a failure to observe it should render null and void any decision reached in breach of this requirement."

In considering the documents marked by the Petitioner and the Respondents, it is apparent that the Respondents have heavily relied on the inquiring officer's report which recommends the Petitioner to be charged under the EPF Act. In my view, the

inquiring officer's report is erroneous as he has interviewed one person in the capacity of a representative of the employer and also as an employee. Further, in the said report the said officer had called for certain documents to be inspected to come to a final finding. However, the notices to produce the said documents had been sent to several addresses in the name of the Petitioner which clearly demonstrates that the labour officer who dispatched the letters were unsure of the address of the Petitioner. Further, when some of the letters were not returned there are endorsements to state to resend the letters to the same address. This clearly demonstrates that the Respondents were unaware of the exact address to communicate with the Petitioner. The inquiring officers who came to the conclusion as to who the employer of the workers was by interviewing the employees could have easily ascertained the correct address of the employer. His inability to extract the address of the employer casts a doubt on the findings of his own report. This Court makes the above dicta on the basis that if an employee doesn't know the address of his employer who is also in the same area, then the information that they give has much to be desired.

Conclusion

Accordingly, in my view, though the EPF Act does not stipulate a hearing to be given to the Petitioner except under section 28, an inquiring officer should have abided by the rules of natural justice and given a hearing after ascertaining the correct address of the employer. This could have aided him in preparing the D-Report marked 1R9 in a more accurate way. The said D-Report provides for the employer's name with his address which in this instance has not been filed by the inquiring officer.

After considering all the facts of this case and the submissions made, and in considering the recent jurisprudence developed in this instance, I am of the view that the Petitioner had not been afforded a fair hearing and thereby the Respondents had violated the rules of natural justice.

Accordingly, this Court proceeds to issue a Writ of *Certiorari* quashing the certificate marked as P12(a) dated 19.08.2020 and all the actions and steps taken consequent thereto. Since I have answered prayer (c) in favour of the Petitioner, there is no necessity to answer prayer (d).

In my view prayer (e) has to fail as the Petitioner is seeking to quash a letter issued by the labour officer to the Petitioner which does not contain any decision. As the Petitioner himself has claimed in prayer (f) that he is willing to stand an inquiry before the 12th Respondent, I issue a Writ of *Mandamus* as prayed for in prayer (f) directing the 1st, 2nd and 12th Respondents or any one of them to hold an inquiry affording the Petitioner a fair hearing in respect of complaints made by the 3rd to 11th Respondents, according to law.

The parties to bear their own cost.

Judge of the Court of Appeal

Mahen Gopallawa, J

I agree

Judge of the Court of Appeal