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18.03.2023

Mr. K. M. Mahinda Siriwardana,

Secretary to the Treasury,

Ministry of Finance,

The Secretariat,

Colombo 01.

Dear sir,

RE: SC FR 69/2023

I am instructed by my client Hon. Ranjith Maddumabandara, the General Secretary of the Samagi Jana Balawegaya, the Petitioner in the above case to inform you as follows:

As you are aware the above case was taken up for support on the 3rd March 2023 wherein you the 1st Respondent, were represented by Senior Additional Solicitor General Mr. Priyantha Nawanna PC before a bench of three Judges of the Supreme Court. After lengthy submissions of all counsel appearing for the Petitioner, the Election Commission and you as the Secretary to the Treasury, leave to proceed with the said application was granted and further it was ordered to grant and issue the interim orders as per prayers (i) & (j) of the Petition as referred to below:

- i) *“issue an interim order, restraining and/or preventing the 01st and/or 02nd (i.e. Honourable Minister of Defence, Finance, Economic Stabilization, National Policies, Technology, Investment Promotion, Women, Child Affairs and Social Empowerment represented by the Honourable Attorney-General) Respondents and their servants and agents and any other state functionary from withholding any funds allocated by the Activity Budget Estimates for the fiscal year of 2023 and/or the Budget for the year 2023 for the purpose of conducting Local Government Polls 2023 until the final determination of this Application, subject to such terms, if any, as to Your Lordships' Court sees fit;*
- j) *issue an interim order, restraining and/or preventing the 01st and/or 02nd (i.e. Honourable Minister of Defence, Finance, Economic Stabilization, National Policies, Technology, Investment Promotion, Women, Child Affairs and Social Empowerment represented by the Honourable Attorney-General) Respondents and their servants and agents and any other state functionary from withholding any funds allocated by the Activity Budget Estimates for the fiscal year of 2023 and/or the Budget for the year 2023 for the*

purpose of conducting Local Government Polls 2023, from the 08th Respondent, until the final determination of this Application, subject to such terms, if any"

As I am instructed, consequent to the said orders the Election Commission has written to you on the 07th March 2023 with reference to the said interim orders issued in SC FR 69/2023, urging you to release funds for the holding of the Local Government Elections on a staggered basis commencing from the 14th March 2023 by releasing Rs 100 Million as the first installment.

I am instructed that, You have replied the said letter on the same day and informed the Election Commission that you are unable to release funds for the said Local Government Elections, due to a Cabinet Decision that has been taken on the 13.02.2023, and you have further informed that you have sought the approval of the Hon. Minister of Finance for the release of funds. Thereby, you have failed to release the 1st installment of Rs 100 Million that was due on the 14th March 2023. You are also aware that the 2nd Respondent in the said case is the Hon. Attorney General representing the Hon. Minister of Finance and the interim orders as referred to above are applicable to the Hon. Minister of Finance as well.

As I am instructed, You have filed an Affidavit through your Attorneys in SC FR 69/2023 and submitted to Court of the details relating to the said Cabinet Decision and thereby your inability to release funds for the holding of the Local Government Elections. The Counsel appearing on your behalf was heard exhaustively on this matter. The Learned Judges of the Supreme Court having heard all the submissions of all the parties issued the interim orders as referred to above. The Counsel appearing on your behalf took notice of the orders that were made in Court.

Therefore, you are acting in manifest violation of the Orders of the Apex Court of the country and committed the offense of Contempt of the Supreme Court punishable under Article 105 of the Constitution of the Democratic Socialist Republic of Sri Lanka.

You are hereby notified that you will be charged for the offense of Contempt of Court.

All rights of the Petitioner are hereby reserved.

Yours Faithfully



Sampath Wijewardena
Attorney-at-Law

W.SITHARA SAMPATH WIJewardane

BSW, Dip.Fore.Medicine.

Attorney-at-Law & Notary Public

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No. 418/15, Welipara, Thalawathugoda.

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பதிவு அஞ்சல் பொருள் பற்றுச்சீட்டு
REGISTERED POSTAL ARTICLE RECEIPT

03/1
அனுப்புவதற்கு உடைய பெயரும்
முகவரியும்
Name & Address of Sender

Mr./Miss/Mrs. W. S. S. Wjewardena உடைய./முகவ./அஞ்சல்
திர./ திருமதி/ செல்வி 418/15 Welipara, TLG

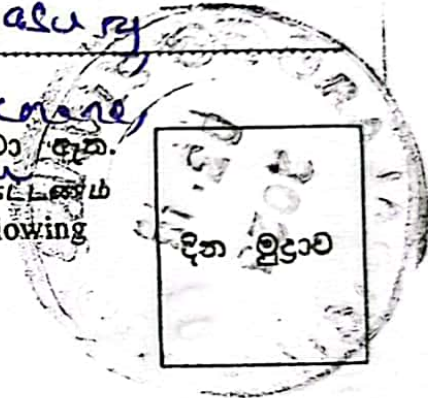
அனுப்புவதற்கு உடைய பெயரும்
முகவரியும்
Name & Address of Addressee

Mr./Miss/Mrs. K. M. M. Sirwardena உடைய./முகவ./அஞ்சல்
திர./ திருமதி/ செல்வி Sec to The Treasury

உடைய கட்டி உடைய
காப்புறுதி செய்யப்பட்ட
தொகை
Insured for

ரூ./ரூ./Rs. ரூ./ரூ./C.
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Ministry of Finance
The Secretary
இது விடயமாக இங்கே குறிப்பிடப்பட்டுள்ள கட்டணம்
செலுத்தப்பட்டுள்ளது. / Upon which the following
fees have been paid.



உடைய உடைய
காப்புறுதிக் கட்டணம்
Insurance Fee

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பி. ஓ. இ. இடம்
பதிவுக் கட்டணம்
Registration Fee

120/- -----

உடைய உடைய உடைய
பெற்றுக்கொள்ளும் அலுவலரின் கையொப்பம்.
Receiving Officer's Signature.

H057737 - 50,000 - (2022/10) P இடம் உடைய உடைய உடைய உடைய