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29, 1966

29 OF 1966

IN THE PRIVY COUNCIL

ON APPEAL

FROM THE SUPREME COURT OF CEYLON

B E T W E E N :

ALFRED THANGARAJAH DURAYAPPAH
OF CHUNDIKULY,
MAYOR OF JAFFNA Appellant

AND

- 10 1. W. J. FERNANDO,
COMMISSIONER OF LOCAL GOVERNMENT,
COLOMBO.
2. N. NADESAN, EXECUTIVE ENGINEER,
P.W.D., JAFFNA.
3. S. C. MANICA VASAGAR, ASSISTANT
COMMISSIONER OF LOCAL GOVERNMENT,
JAFFNA.
4. MURUGEYSEN THIRUCHELVAM,
THE HONOURABLE THE MINISTER OF
LOCAL GOVERNMENT. Respondents

20 CASE FOR THE APPELLANT

Record

1. This is an Appeal from a Judgment of the Supreme Court of the Island of Ceylon (Sansoni C.J. and Siva Supramaniam J.) dated the 22nd day of September, 1966 dismissing with costs the Appellant's application for

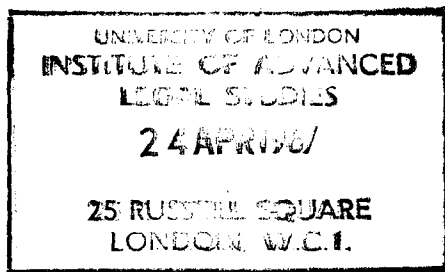
p.36

30 (a) Mandates in the nature of Writs of Certiorari and Quo Warranto so as to quash an Order of the 4th Respondent of the 29th May 1966 purporting to dissolve and supersede the Jaffna Municipal Council and so as to annul the appointment of the 1st, 2nd and 3rd Respondents as Special Commissioners of that Council.

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(b) An interim injunction restraining the 1st, 2nd and 3rd Respondents from having exercising and/or performing any of the rights, powers, functions or duties of the Council or of the Mayor.

(c) A declaration that the Appellant as the duly elected Mayor of the Council is entitled to act as such until the election of a new Mayor according to law.

(d) Costs.

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p.45

2. The 4th Respondent's said Order of the 29th May 1966 recited that it appeared to the 4th Respondent that the Jaffna Municipal Council was "not competent to perform the duties imposed upon it" and, in purported exercise of powers conferred by section 277(1) of the Municipal Councils Ordinance (chapter 252) as amended by Act No.12 of 1959, it purported to direct that the said Council should be immediately dissolved and superseded.

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p.46

The Governor-General by an Order dated the 30th May 1966 made in purported exercise of powers conferred by section 277(2)(a) of the said Municipal Councils Ordinance, purported to appoint the 1st, 2nd and 3rd Respondents Special Commissioners with all the rights, privileges, powers, duties and functions of the Jaffna Municipal Council and the Mayor thereof, the Order to come into operation immediately.

3. The issues arising in this Appeal are as follows : -

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(a) whether the 4th Respondent, in arriving at his decision that the Jaffna Municipal Council was not competent to perform its duties and in deciding that it should be dissolved and superseded on that ground, was bound to observe the principles of natural justice.

(b) whether the 4th Respondent failed to

observe the principles of natural justice insofar as inter alia

(i) he did not inform the members of the Council of the grounds on which he proposed to act

(ii) he did not give them any opportunity to be heard in their own defence or in answer to the matters complained of.

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(iii) he caused the 1st Respondent to carry out an enquiry into allegations against the Council without informing the members of the Council of such allegations or giving them an opportunity to answer or explain, and then acted upon the report made by the 1st Respondent as a result of such enquiry.

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(c) whether the power which the 4th Respondent claimed to be exercising when he made his Order of the 29th May 1966 was one which fell within the four corners of the powers given by the legislature. It is submitted that the evidence, and in particular the 4th Respondent's own affidavit, showed that he misconstrued the section and that there were no facts or circumstances existing which would have entitled him to invoke the powers which the section upon a proper construction conferred.

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(d) whether in making the Order of the 29th May 1966 the 4th Respondent acted in bad faith and in fraud of the law.

4. The following provisions of the Municipal Ordinance are relevant to this Appeal

"46. Every Municipal Council shall, within the Municipality, have the following duties:-

(a) to maintain and cleanse all public streets and open spaces vested in the

Record

Council or committed to its management;

- (b) to enforce the proper maintenance, cleanliness and repair of all private streets;
- (c) to supervise and provide for the growth and development of the Municipality by the planning and widening of streets, the reservation of open spaces, and the execution of public improvements; 10
- (d) to abate all nuisances;
- (e) to establish and maintain (subject to the extent of its resources) any public utility service which it is authorized to maintain under this Ordinance and which is required for the welfare, comfort or convenience of the public;
- (f) generally to promote the public health, welfare and convenience, and the development, sanitation and amenities of the Municipality." 20

"277. (1) If at any time, upon representation made or otherwise, it appears to the Minister¹ that a Municipal Council is not competent to perform, or persistently makes default in the performance of, any duty or duties imposed upon it, or persistently refuses or neglects to comply with any provision of law, the Minister¹ may, by Order published in the Gazette, direct that the Council shall be dissolved and superseded, and thereupon such Council shall, without prejudice to anything already done by it, be dissolved, and cease to have, exercise, perform and discharge any of the rights, privileges, powers, duties, and functions conferred or imposed upon it, or vested in it, by this Ordinance or any other written law. 30 40

(2) By any subsequent Order published in like manner -

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 LEGAL STUDIES
 24 APR 1967
 25 RUSSELL SQUARE
 LONDON, W.C.1.

10 (a) the Governor-General may appoint a Special Commissioner or Special Commissioners to have, exercise, perform and discharge such of the rights, privileges, powers, duties and functions conferred or imposed upon, or vested in, the Council or the Mayor by this Ordinance or other written law as may be set forth in such Order, or in any Order or Orders amending the same; or

(b) the Minister may direct that a new Municipal Council in accordance with the provisions of this Ordinance shall be constituted for the Municipality in place of the dissolved Council.

20 (3) Every Order made under this section shall contain such directions as may be necessary for the purpose of giving effect to the Order, and shall, on publication in the Gazette, have the force of law."

30 "280. If at any time it appears to the Minister that any Municipal Council is omitting to fulfil any duty or to carry out any work imposed upon it by this Ordinance or any other written law he may give notice to the Council that unless, within fifteen days, the Council shows cause to the contrary, he will appoint a special officer to inquire into and report to him the facts of the case, and to recommend what steps such officer thinks necessary for the purpose of fulfilling such duty or carrying out such work. Such inquiry shall be conducted, as far as may be practicable, in an open manner.

40 "281. On the receipt of the report of the officer appointed under section 280, or of any special officer appointed under section 142, the Minister may determine what duty or work shall be done or executed, and make an order requiring the Council, within a time to be specified in such order, to fulfil such

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duty or carry out such work.

"282. Where any Municipal Council fails to comply with any order made under section 281, within the time specified therein, the Minister may direct the Mayor or appoint any other person to fulfil such duty or carry out such work, and may fix the remuneration to be paid to such person, and may direct that such remuneration and the cost of such work shall be defrayed out of the Municipal Fund." 10

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p.10

5. The Appellant's said application to the Supreme Court was made by Petition dated the 20th June 1966 supported by an affidavit made by him on the 19th June 1966.

The Appellant deposed that he was elected a member of the Jaffna Municipal Council at the General Election held in December 1963 to represent Ward No.4 for a period of 3 years commencing on the 1st January 1964 and that he had been the Mayor of the Council since his election as such on the 31st March 1966. The Order of the 4th Respondent of the 29th May 1966 and of the Governor-General of the 30th May 1966 had been published in the Ceylon Government Gazette upon the respective dates which they bore and since the 4th June 1966 the 1st, 2nd and 3rd Respondents had purported to act as Special Commissioners. 20 30

It was submitted by the Appellant that the Order purporting to dissolve the Council was bad for inter alia the following reasons

(i) The 4th Respondent had not given any opportunity to the Appellant or the Council to answer or explain any of the charges or allegations made against them.

On the 27th May 1966 the 1st and 3rd Respondents had arrived at the Council offices and asked the Appellant for permission to see the Minute Books. This 40

he had given them. He had asked them whether there was any matter or allegation that required an explanation, but they had declined this offer and merely examined the Minute Books on their own, asking no questions of anyone.

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The 1st Respondent had returned to Colombo by car on the evening of the 28th May, presumably arriving in Colombo on the morning of the 29th and the Order purporting to dissolve the Council was made and published in the Gazette the same evening.

(ii) the 4th Respondent had misconstrued the words "not competent" appearing in the section.

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(iii) no circumstances existed entitling him to exercise the powers vested in him by section 277(1) of the Municipal Councils Ordinance.

(iv) in arriving at his decision and making the Order purporting to dissolve the Council he had been influenced by extraneous considerations and had acted mala fide.

The Appellant described political differences of long-standing between himself and the Federal Party, to which the 4th Respondent belongs. In particular, he deposed

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"5. (c) that the Hon. Minister who belongs to the Federal Party has obviously taken into consideration and has been guided and influenced by the fact that two previous Mayors of the said Council viz Messrs. S.C. Mahadeva and S. Nagarajah both of whom belonged to the said Federal Party could not continue in office as Mayor of the said Council by reason of certain acts of the opposition group in the said Council of which group I was and is a member;"

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p.12, l.38
- p.13, l.6

Record

p.16, 1.22 -
p.17, 1.37

"10. That on 31st March 1966 the Federal Party members boycotted the meeting held for the election of the Mayor and have ever since been threatening to have the Council dissolved and that was the reason for their not attending the meeting and they have staged walk outs in subsequent meetings of the Council.

"11. That in April 1966 when I met the Hon. Minister in his office and inquired from him whether there was any truth in the story spread in Jaffna by the Federal Party members in Council and their supporters outside about the threatened dissolution of the Council, the Hon. Minister denied the same and said that any complaints made will be referred to me and proper investigations made before any step is taken and assured me that he will not do anything behind my back." This assurance the 4th Respondent had in the event not honoured. 10
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"12. (a) that I humbly submit as a further proof of the animus of the Fourth Respondent against me the fact that the Fourth Respondent wrote to the Hon. the Minister of Health to transfer my wife who is the present School Medical officer Jaffna out of Jaffna. 30

(b) The Fourth Respondent told me about this transfer and the Minister of Health has effected the said transfer and I submit that the motive for the said transfer was to cause as much inconvenience and injustice to me. 40

"13. That though on behalf of the Council and in pursuance of a resolution passed by the Council (with the Federal Party members voting

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against) I invited the Hon. Minister to consent to and give me a suitable date for a reception to be accorded to him, he did not reply to the same nor acknowledge same.

10 "14. That I am a Proctor of this Court practising in Jaffna for the last 19 years and was Mayor of the Council from 1958-1960 and successfully contested the two Parliamentary elections held in March and July 1960 and defeated the Federal Party candidate each time and was and in persona non grata with the Federal Party and I respectfully submit that the motive under lying the dissolution of the Council was to undermine my political position and prestige ruin my chances of getting returned at the next Parliamentary election and that the Council has been dissolved for electing me as the Mayor."

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30 6. In answer to the Appellant's application the 4th Respondent filed an affidavit dated the 17th August 1966. In it he deposed that following upon representations made to him, orally and in writing, he requested the 1st Respondent "to examine the allegations made against the administration of the said Council [the Jaffna Municipal Council], to investigate the complaints and to report" to him. He produced the representations in writing that he had received, eight in number. One was undated, the others were dated respectively the 30th March 1966 (two), the 29th March 1966, the 17th March 1966, the 12th April 1966 (two) and the 7th April 1966.

p.29

p.31, 11.2-4

pp.54-74

These representations, it is submitted, make in the clearest possible terms, grave allegations of misconduct against the Appellant and the Council, expressly charging them with mal-administration, violation of the law, bribery, corruption, intimidation and thuggery.

p.54, 11.19-20

p.57, 11.3-4
11.22-3

p.59, 1.34
p.61, 1.17
11.43-7

p.65, 1.36
- p.66, 1.8

Record

- p.31, 1.9
p.75 7. The 4th Respondent went on to refer to and produce a copy of his letter to the Appellant dated the 20th May 1966 in which he informed him that "various allegations have been made in regard to the working of the Municipal Council, Jaffna" and that he (the 4th Respondent) had directed the 1st Respondent "to visit your Municipal Council, inquire into these matters and report immediately."
- p.31, 1.19 He said that in pursuance of this request 10
the 1st Respondent, after informing the Appellant, visited Jaffna and "carried out investigations on the 27th and the 28th of May 1966". The 1st Respondent reported personally to him on the 29th May 1966 and in writing later the same day and he produced a copy of the written report made to him by the 1st Respondent. He deposed that "upon the material so placed before me" by the 1st Respondent "it appeared to me that the Municipal Council of Jaffna was not competent to perform the duties imposed on it" and he ordered the Council to be dissolved and superseded. 20
- p.47
p.31. 11.31-
8 The 4th Respondent did not anywhere suggest that the Appellant or the Council had been informed of the nature of the allegations made against them or given any opportunity of meeting them, explaining the failure so to do in the following passage.
- p.31, 1.44 -
p.32, 1.5 "8. I would have, in the normal course, 30
even though I had no legal obligations so to do, given the said Council and its Mayor an opportunity to show cause against the action I proposed to take, But the urgency of the situation to the extent indicated in the report of the first respondent made me decide that I should take immediate action."
- p.32, 11.6-
30 The 4th Respondent concluded with an explanation of the incidents complained of in paragraph 12 and 13 of the Appellant's affidavit. 40

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8. The 1st Respondent's report in writing to the 4th Respondent (which he described as an "interim report") recites that "in pursuance of the Hon. Minister's order conveyed to me by your letter AB/B/466 of 24th April 1966" he visited Jaffna on the 27th May 1966 and "investigated the matters connected with the Hon. Minister's order on the 27th and 28th inst."

p.47, 1.34
p.47, 11.6-8

p.47, 11.9-
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10 Although there is a reference in the Report to "the fullest co-operation of the Mayor Mr. Alfred Duraiappah, the Municipal Commissioner, Mr. Hudson Selvarajah and other Municipal Staff" it would appear that all the Appellant or any other Municipal official was asked to do was to make the Minutes of the Council Meetings available for perusal. The Report itself is based wholly upon these Minutes, which were said to show "many instances where the Council's decisions savoured of irresponsibility, incompetence, misconduct and abuse of authority". It is nowhere suggested in the Report that any opportunity was ever given the Appellant or the Council to defend or explain the decisions for which they were thus condemned or indeed that their attention was ever directed at all to the matters of complaint.

p.47, 11.11-
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p.47, 11.19-
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These may be summarised as

30 (a) Complaints of the excessive use by the Council of procedures authorised by statute, as e.g. the power of delegation conferred by section 32 of the Municipal Councils Ordinance, the powers as to appointments conferred by section 40 (c) and (e) and the power to dispense with tenders by advertisement conferred by section 299(b). This appears as the principal head of complaint.

p.47, 1.39
p.48, 1.21
p.48, 1.36
p.49, 1.9
p.49, 1.20
p.50, 11.7,31
40,
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40 (b) Complaints (in 1 or 2 instances) of steps taken by the Council which he appears to regard as not authorised by the Statute e.g. the disbanding of existing standing Committees and (in the case of the Finance Committee) the election of a new one.

p.48, 1.6
p.51, 1.41

(c) A complaint that the Council was in

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- p.51, 1.31 debt, since "according to the information available" to the 1st Respondent "the deficit in the last year's budget was in the region of Rs.200,000 and this year it is already in the region of Rs.70,000/-".
- It is not claimed in the Report that the Council had failed or was failing to carry out its statutory duties.
- The 1st Respondent concluded his Report as follows :- 10
- p.52, 11.14-23 "I am alarmed at the trend of events and make haste to place this report in your hands so that immediate action may be taken to arrest further deterioration of conditions.
- The Municipal Council of Jaffna by its conduct has proved that it is not competent to perform the duties imposed upon it. I see no alternative to immediate dissolution." 20
- p.19 9. An affidavit was filed in the proceedings by the 1st Respondent also. In this he deposed that at the request of the 4th Respondent he
- p.19, 11.23-28 "visited the Jaffna Municipal Council office for the purpose of inquiring into various allegations of maladministration that had been made to the 4th Respondent in regard to the working of the said Municipal Council," and that he had given the Appellant notice of his visit by letter. 30
- p.53 He produced a copy of his letter of the 22nd May 1966 to the Appellant announcing his intention of visiting Jaffna on the 27th May "in connection with matters referred to in the Hon'ble Minister's letter No.AB/B/466 of 20.5.66 to you" and asking for the Appellant's presence and co-operation.
- p.53, 11.9-11
- However, he (like the 4th Respondent) omitted to produce the 4th Respondent's letter to him ordering the investigation, although it is clear from the reference in the beginning of the Report that there was such a letter, and he 40
- p.47, 1.7

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also was silent as to what he was told of the nature of the allegations and as to whether he was furnished with copies of any of the "representations in writing" which the 4th Respondent had received.

pp.54-74

10 The 1st Respondent said that he called at the Municipal Council office on the 27th May 1966 where the Appellant was present. He asked the Appellant to make available for his inspection "the relevant documents including the minutes of the Council since the 1st January 1964" and the Appellant gave instructions that these Minutes and any other documents that he might require should be made available to him. On the 27th and the 28th he examined "these minutes and other relevant material" with the assistance of various officers of the Council. He added

p.20, 1.33

20 "I did not call for the Petitioner's explanation in respect of any matter I had investigated and referred to in my report "4R10" as I gathered all the facts stated therein from the minutes of meetings of the said Council in which the Petitioner participated and from files or documents of the said Council the contents of which were known to the Petitioner."

p.21, 11.12-
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30 He left Jaffna for Colombo on the afternoon of the 28th and called on the 4th Respondent on the 29th, informing him of the facts he had gathered from his "examination of the official minutes of the Council and from other documents" which he had inspected at the Council's office and expressing "the opinion that the Council had virtually abdicated its powers and duties in favour of the Petitioner i.e. the Mayor. I brought to his notice many instances of decisions of the Council which savoured of irresponsibility, incompetence, misconduct and abuse of authority. 40 I further told him that the situation was alarming and called for immediate action on his part. Later that same evening I handed my report to him."

p.21, 11.21-
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He produced copies of the Minutes of four

Record

p.22, 1.8 Council meetings but of no other documents. He then went on to set out what he considered were "the illegal or undesirable acts of the said Council". These were broadly the same matters that were complained of in his Report to the 4th Respondents but included also some additional matters of a similar sort, some of which plainly related to a period before the present Council took office.

p.33 10. The Appellant replied to the affidavits of the 1st and 4th Respondents in a further affidavit dated the 31st August 1966. In this he admitted the receipt of the 4th Respondent's letter to him of the 20th May but deposed that he was not informed of the "various allegations" referred to therein. He confirmed that he had acceded to the 1st Respondent's request to have the Minutes of the Council made available to him, but denied that any application for any files or documents was made. No enquiry was made of him either by the 4th Respondent or by anyone else in respect of any matter. 10

p.75

With regard to the matters of complaint against the Council, certain of the allegations were false and, for the rest, the Council had acted in accordance with the law.

p.36 11. The Supreme Court heard the Appellant's application with another application which also challenged the validity of the Order purporting to dissolve and supersede the Jaffna Municipal Council, and on the 22nd September 1966, at the end of the argument, dismissed both applications. The reasons of the Court were given by Sansoni C.J. on the 29th September, Siva Supramaniam J. expressing his agreement. 30

pp.36-41

The Court, following its own decision in Sugathadasa v. Jayasinghe (1958) C.N.L.R. 457, and distinguishing Ridge v. Baldwin 1964 A.C. 40, held that section 277(1) of the Municipal Councils Ordinance does not impose any duty on the Minister to act judicially or quasi-judicially 40

10 before he exercises his power of summary dissolution, that he has no obligation to give a hearing to the Councillors and that he is the sole Judge as to whether the Council is not competent to perform its duties, provided that there is no misconstruction of the words "not competent" and there are sufficient circumstances from which this incompetence is apparent to him. In the present case the Court held that there had been no such misconstruction of the section, that there were sufficient circumstances to entitle the Minister to exercise his power and that in so doing he had not acted mala fide.

12. On the 7th October 1966 the Supreme Court granted the Appellant Conditional Leave to Appeal to Her Majesty in Council, holding that a question of great public importance was involved.

p.42

The Appellant was granted Final Leave to Appeal on the 15th October 1966.

p.43

20 13. The Appellant respectfully submits that the evidence of the 4th Respondent on the face of it shows that he misconstrued the words of the section under which he was purporting to act, and based his decision upon matters which, upon a correct construction were immaterial and extraneous. The words "not competent to perform . . . any duty or duties imposed upon it" refer to inability to perform the statutory duty or duties of a Municipal Council and necessarily involve
30 that there has been a failure to carry out one or more of such statutory duties. The evidence did not disclose or allege that there had been any failure to perform any statutory duty and was directed to entirely different matters. The 4th Respondent was not entitled under the sub-section to intervene merely because he disapproved of a particular policy and insofar as any breach of the law was charged, this was irrelevant, since the
40 4th Respondent did not purport to act under that part of the section which conferred powers upon him in the event of persistent refusal or neglect to comply with any provision of law.

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If, contrary to the Appellant's submission, the case of Sugathadasa v. Jayasinghe was correctly decided, it is distinguishable from the present case, because in that case there had been a failure by the Council to perform statutory duties.

14. It is further submitted that the Minister is not entitled to dissolve a Municipal Council under section 277(1) without first informing the Council what is the failure, or misconduct alleged against it and giving it an opportunity to be heard in answer to the allegations. The exercise by the Minister of the power conferred by the sub-section necessarily involves a finding that the members of the Council are in default, and, since the effect of an Order is to dismiss the Councillors from their elective offices, is a decision which affects adversely their rights and those of the electorate. This being so, it is submitted that the Minister is bound to observe the principles of natural justice in making his determination.

15. In the present case, it is submitted, the 4th Respondent has clearly failed to observe the principles of natural justice. Although the allegations against the Appellant and the Council are shown by the evidence to have been in fact allegations of the gravest misconduct, and although the 4th Respondent chose to hold an enquiry in order to elicit the facts, he gave the Appellant and the Council no opportunity to meet the allegations against them. On the contrary, he caused the 1st Respondent to conduct an inquiry from which the Appellant and the Council were in effect excluded, and then immediately adopted the conclusions arrived at by the 1st Respondent, although the limited nature of the investigation which had been undertaken was apparent from the Report itself. In the submission of the Appellant these circumstances show a breach of the principles of natural justice and also that there was no material upon which the 4th Respondent could fairly and properly have acted under the sub-section.

16. The Appellant respectfully submits that by reason of the matters in the preceding paragraphs referred to and by reason also of the mala fides of the 4th Respondent which the evidence shows, the said Order of the 29th May 1966 was bad and the purported dissolution of the Jaffna Municipal Council was invalid. It is further submitted that the subsequent Order of the 30th May 1966 of the Governor-General appointing the 1st, 2nd and 3rd Respondents as Special Commissioners is also bad, since upon a proper construction of the section, its validity depended and was conditional upon a prior valid dissolution of the Council.

17. The Appellant respectfully submits that this Appeal should be allowed, that the said Judgment of the Supreme Court of Ceylon dated the 22nd September 1966 should be set aside and that he should be given the relief prayed for in his Petition to the said Supreme Court, for the following amongst other

R E A S O N S

1. BECAUSE in making his Order purporting to dissolve and supersede the Jaffna Municipal Council the 4th Respondent was bound to observe the principles of natural justice.
2. BECAUSE in making his said Order the 4th Respondent acted in breach of the principles of natural justice.
3. BECAUSE the decision of the Supreme Court of Ceylon in Sugathadasa v. Jayasinghe (1958) 59 C.N.L.R. 457 is wrongly decided and is in any event distinguishable from the present case.
4. BECAUSE the 4th Respondent misconstrued the words of the section under which he purported to act, and was shown so to have done.

5. BECAUSE there were no facts or circumstances which warranted the exercise of the 4th Respondent of the power under which he purported to act.
6. BECAUSE the 4th Respondent, in arriving at his decision and making his Order purporting to dissolve and supersede the Council, took into consideration irrelevant and extraneous matters, which vitiated his determination.
7. BECAUSE the 4th Respondent acted mala fides and in fraudem legis.

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THOMAS O. KELLOCK

MONTAGUE SOLOMON

M.I. HAMAVI HANIFFA

C. MOTILAL-NEHRU

29 OF 1966

IN THE PRIVY COUNCIL

ON APPEAL FROM

THE SUPREME COURT OF CEYLON

B E T W E E N :

ALFRED THANGARAJAH
DURAYAPPAH OF CHUNDIKULY,
MAYOR OF JAFFNA
Appellant

AND

1. W. J. FERNANDO,
COMMISSIONER OF LOCAL
GOVERNMENT, COLOMBO.
2. N. NADESAN, EXECUTIVE
ENGINEER, P.W.D., JAFFNA.
3. S. C. MANICA VASAGAR,
ASSISTANT COMMISSIONER OF
LOCAL GOVERNMENT, JAFFNA.
4. MURUGEYSEN THIRUCHELVAM,
THE HONOURABLE THE MINISTER
OF LOCAL GOVERNMENT.
Respondents

CASE FOR THE APPELLANT

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90, Fenchurch Street,
LONDON, E.C.3.