

**Don Anthony v. Goonasekara et al, S. C. 222 of 1962-Application for a Writ of Certiorari (2/SC),
Decided on 02/10/1964**

*Certiorari-Bribery Tribunal-Unconstitutional appointment of members-Invalidity of entire proceedings
before such tribunal-Effect of the invalidity-Ceylon, (Constitution) Order in Council, s. 55.*

Sri Skanda Rajah, J., with Alles, J. agreeing.

Facts

the appellant who was convicted by a Bribery Tribunal and sentenced with a fine made an appeal alleging that the tribunal had no jurisdiction to sentence him.

Held

The petitioner was entitled to a writ of certiorari to have the entire proceedings including quashing his conviction on the ground that the members of the tribunal were unlawfully appointed which is inconsistent with the Ceylon(Constitution)Order in Council,s.55.

They had no jurisdiction to hear and determine the case against the petitioner.

Application allowed