

PERMANENT
REFERENCE
NOT TO BE
REMOVED
FROM THE
LIBRARY

THE ROLE OF THE WRIT OF MANDAMUS
IN THE ADMINISTRATIVE LAW OF
SRI LANKA



A DISSERTATION SUBMITTED
FOR THE DEGREE OF MASTER OF LAWS
OF THE UNIVERSITY OF COLOMBO,
SRI LANKA

UCLIB



384374

BY

NAGANATHAN SELVAKKUMARAN

384374

FACULTY OF LAW

NOVEMBER 1982.



ABSTRACT

Administrative Law deals with the general principles which govern the exercise of powers and the performance of duties by public authorities and bodies. The present study examines the role played by the writ of mandamus in the field of Administrative Law in Sri Lanka. Although the writ is primarily concerned with the inaction of public authorities, the courts have widened its scope to cover the field of illegal actions of the authorities as well. Consequently, it contributes to the maintenance of the Rule of Law.

Chapter I of this study traces the history of the introduction of this writ into Sri Lanka. The nature of the writ is dealt with in the next chapter wherein a comparison of this writ with certain other prerogative writs is also undertaken.

In Chapters III and IV are discussed the conditions precedent to the issue of this writ: the conditions which are considered absolute are examined in Chapter III, while the conditions which are thought to be discretionary bars are taken up in the next chapter. All these conditions have received more detailed treatment than the other aspects of the writ, for these are the very foundations upon which rests the issue of the writ.

Chapter V deals with the grounds on which the writ may issue. While in Chapter VI is examined the purposes for which this writ is generally sought, the next chapter analyses the categories of public authorities that are not amenable to the writ.

In the concluding Chapter, I have endeavoured to indicate the usefulness and limitations of this writ and to offer suggestions for further improvement.