

1967 Present : H. N. G. Fernando, C.J., Tambiah, J., and  
Siva Supramaniam, J.

S. KANAGASABAI, Petitioner, and F. CONRAD PERERA and 3  
others, Respondents

*S. C. 195/65—Application for Writs of Certiorari and Prohibition*

*Debt Conciliation Ordinance (Cap. 81)—Appointment of Debt Conciliation Board—  
Validity.*

In so far as the Debt Conciliation Board duly exercises its lawful powers, the Board does not hold judicial office and, therefore, does not require to be appointed by the Judicial Service Commission.

**A**PPPLICATION for writs of *Certiorari* and Prohibition.

*C. Thiagalingam, Q.C., with T. Parathalingam and K. Sivananthan,*  
for the Petitioner.

*Mervyn Fernando, Crown Counsel,* for the 1st, 2nd and 3rd Respondents.

*P. Somatillekam,* for the 4th Respondent.

August 28, 1967. H. N. G. FERNANDO, C.J.—

The main point the Counsel for the petitioner has argued in this case was that the Debt Conciliation Board which functions under the Ordinance, (Chapter 81), exercises judicial powers and that, therefore, the Board as presently constituted should have been appointed by the

Judicial Service Commission. We do not find that the Ordinance entrusts to the Board any power to make judicial determination or judicial orders. In so far as the Debt Conciliation Board duly exercises its lawful powers, the Board does not hold judicial office.

The application is dismissed with costs fixed at Rs. 500/- payable to the 4th Respondent.

TAMBIAH, J.—I agree.

SIVA SUPRAMANIAM, J.—I agree.

*Application dismissed.*

