

Cricket Board restrained from functioning

by **V. Varathasuntharam**

Colombo District Judge A. W. Salam hearing the case against the Board of Control for Cricket yesterday issued an interim injunction restraining the President of the Board, Thilanga Sumathipala and 21 other members from carrying out their functions until the determination of the case.

Court issued the interim injunction as a sequel to an application made by the plaintiff Clifford Ratwatte through his counsel G. G. Arulpragasam.

The order stated:

"I have considered the written submissions of both parties. At the outset I reiterate what I had said in my earlier order.

I conclude that it is held prima facie that there was no reasonable election, there was intimidation at the election, and that the circumstances were not conducive for holding a fair election.

Any inconvenience that could be caused to the defendant Board of Cricket has ceased with the contract being already signed as stated in the documents tendered by the defendants themselves.

Considering the balance of probabilities it is the plaintiff who will suffer more than the defendants, for the State has undertaken upon itself the task of running the sports activities since the Minister of Sports is vested with the power to appoint members to the sports body.

It is usually said that the plaintiffs should come to court with clean hands. I would like to add that defendants too

should come to court with clean hands even on a lesser footing," the order concluded.

District Court Judge A. W. Salam, quipped that having read a recent book on cricket, he felt that the game of cricket was losing its lustre as a gentleman's game for the players now have to enter the fields with helmets and head guards.

Clifford Ratwatte is the plaintiff in the case. Twenty-two members of the Board of Control for Cricket are cited as defendants.

Thilanga Sumathipala, Abu Fuard, Anuruddha Polonnowita, Saliya Ahangama, Nuski Mohammed, Mahinda Deshapriya, Lawrence Amarasena, Carlton Bernard, A. R. M. Aroos, B. S. R. Jurampathy, M. B. Silva, G. F. H. N. Dias, D. J. Priyantha Algama, N. Premasiri, Dhammika Ranatunga, Prasanna Ranatunga, Trevor Rajaratnam, Lucien Merennage, Nishantha Ranatunga, Mohan de Silva, Hirantha Perera and Ranjan Madurasinghe, are the defendants in the case.

President's Counsel Romesh de Silva with Palitha Kumarasinghe, Harsha Amerasekera instructed by G. G. Arulpragasam appeared for the plaintiff.

President's Counsel L. C. Seneviratne, with S. L. Gunasekera, Ronald Perera, Hemaka de Alwis, B. Chandana Perera, Sudath Perera and Ruchira Antony instructed by Paul Ratnayake Associates appeared for the defendants.

Hiran de Alwis with Iyomi Perera appeared for the 4th defendant.

Further hearing was put off for September 8.