

1966 Present : Abeyesundere, J., and G. P. A. Silva, J.

CEYLON MINERAL WATERS, LTD., Petitioner, and
DISTRICT JUDGE, ANURADHAPURA, and
3 others, Respondents

*S. C. 457/65—Application for Writs of
Certiorari and Prohibition*

Certiorari—Prohibition—Applications made prematurely—Effect.

An application for Writs of *Certiorari* and Prohibition should not be made prematurely.

APPPLICATION for Writs of *Certiorari* and Prohibition.

E. R. S. R. Coomaraswamy, with *Nimal Jayawardene* and *Anil Obeyesekera*, for the Petitioner.

S. D. Jayawardene, for the 4th Respondent.

March 4, 1966. ABEYESUNDERE, J.—

The application made by the petitioner for Writs of *Certiorari* and Prohibition is premature. At the present moment there is no order of the District Court of Anuradhapura to be reviewed by this court and so there is no reason to issue a writ of *certiorari*. As there is no evidence to show that the District Court of Anuradhapura is about to determine the claim made to the motor car seized in execution of the decree of that Court, no writ of prohibition can be issued. We therefore dismiss the petition. The dismissal of this petition should not be considered as a bar to the petitioner, if so advised, filing a new petition in appropriate circumstances.

G. P. A. SILVA, J.—I agree.

Application dismissed.
