**R. Sampanthan**

**Member of Parliament**

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27.09.2019

**His Excellency Maithripala Sirisena**

President Democratic Socialist Republic of Sri Lanka

Presidential Secretariat

Colombo-01.

Your Excellency,

 I write to you in regard to the incident that took place on 23rd September 2019 at the premises of the Neeraviyady Pillayar Temple at Chemmalai, Mullaitivu.

The facts briefly are as follows,

1. The Neeraviyady Pillayar Temple at Chemmalai Mullaitivu is an ancient Hindu temple which has existed for several centuries.
2. The people living in this area are exclusively Tamil people mostly Hindus.
3. After the War a Buddhist Monk attempted to take possession and control of a part of the Land and establish himself there.
4. This attempted take-over has been resisted by the Tamil Hindu people and this matter has been in dispute for some time.
5. This Buddhist Monk recently died in Colombo. Arrangements were being made to take his body from Colombo to Mullaitivu to be cremated within the premises of the said Neeraviyady Pillayar Temple. This was a deliberate act of aggression.
6. This matter was brought to the notice of the Courts at Mullaitivu and an order was made by Court on the 22nd September 2019, prohibiting the corpse of the Buddhist Monk being cremated within the Temple premises.
7. On 23rd of September after due inquiry a further order was made by the Court prohibiting the corpse being cremated within the premises of the Temple. In terms of the Court order the cremation was to take place at an alternative site nearby.
8. Despite the said Court order the corpse was cremated in close proximity to the “Theerthakerni”/Tank in the Temple premises containing Holy water for use by the Deity whereby the temple and the premises were desecrated Hindus do not even enter a Hindu Temple and its premises for at least a month after the death of a near relation.
9. The Police were present at the site and instead of assisting to implement the order of the Court were seen to be facilitating the actions of the persons who were attempting to cremate the corpse of the Monk within the temple premises.

I would submit that,

1. Those persons who violated the court order should be dealt with and appropriate action should be taken against them.
2. Action should be taken against the Police Officers who failed to implement the order made by the Court and who on the contrary were seen to be facilitating the actions of those persons who violated the Court order and cremated the corpse of the Buddhist Monk within the temple premises.

These actions indicate the failure of the Law enforcement process and also a violation of the order of the Court amounting to contempt of the Court.

 These matters need to be investigated.

 I would also state that a Culture of Impunity has been growing in the Country in recent times as a result of the Law not being enforced against alleged offenders. The required investigations have not been conducted and appropriate action has not been taken against such alleged offenders accused of grave violations of Humanitarian and Human Rights Laws. An executive pardon has been given to a person convicted of contempt of Court. A promotion has been given to an officer accused of violations of the Law without due investigations being conducted and appropriate action being taken in respect of such violations. I am not going into details now but your Excellency will understand the matters I am referring to.

 Failure to independently investigate what happened at Neeraviady Pillayar Temple will only confirm and further encourage this growing trend of impunity and cause immense harm to the Country and all its people both nationally and internationally.

 I would submit that the conduct of the Law enforcement agency the Police, should be investigated and that the persons who violated the orders made by the Court should be dealt with.

Thanking you.

Yours Sincerely

**R. Sampanthan M P**

Member of Parliament-Trincomalee District

Leader-Tamil National Alliance.