

IN THE CONSTITUTIONAL COURT OF SEYCHELLES

[**Corum:** D. KARUNAKARAN – PRESIDING JUDGE, B. RENAUD – JUDGE,
C. MCKEE, JUDGE]

CP 03/2014

[2014] SCCC 10

VIRAL DHANJEE

Petitioner

versus

JAMES ALIX MICHEL

1st Respondent

THE SPEAKER OF THE NATIONAL ASSEMBLY

2nd Respondent

THE ATTORNEY GENERAL REPRESENTING THE GOVERNMENT

3rd Respondent

THE ATTORNEY GENERAL

4th Respondent

Heard: 29th July 2014
Counsel: Mrs. Amesbury for petitioner
Mr. Govindent & Mr. Ananth for respondents
Delivered: 29th July 2014

RULING OF THE COURT

Ruling of the Court

[1] This ruling relates to the two applications namely;

MA208 of 2014 and MA209 of 2014 in which the applicants seeks an order for a stay of further proceedings in this matter as well as seeking leave to appeal against the ruling given by this court on the 15th of July 2014.

[2] We gave careful consideration to the submissions made by both counsel. First of all we wish to note that the Honourable Attorney General has not given any convincing reasons to change our mind in this respect in which we had already held that these two motions are not maintainable in law because of the procedural irregularity which cannot be condoned.

[3] Also we note, the applicants might be hurt when the petitions or applications are dismissed due to legal technicality. But in the long run, rule of law would be hurt still, if we allow some procedural irregularities to continue in the proceedings of the Constitutional matters.

[4] In the circumstances, we find these two applications are not maintainable in law, before this court. Hence, we set aside them accordingly.

Signed, dated and delivered at Ile du Port on 29th July 2014.

D Karunakaran
Presiding Judge

B Renaud
Judge of the Supreme Court

C Mckee
Judge of the Supreme Court