

DECLARATION

Faculty of Graduate Studies

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**CHALLENGES IN PUBLIC INTEREST LITIGATION WITH
SPECIAL REFERENCE TO SRI LANKA: LESSONS FROM
INDIA**

In Partial Fulfillment of the Requirements of the Degree of Master of Laws in Public Law

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ABSTRACT

One of the primary goals of the law is to achieve justice. Individual and public rights may be violated by the government, administrative authorities' actions. If individual rights are violated, every person can present themselves before judicial institutions and seek justice. If the rights of a group of people are violated, public-interest litigation is one of the main avenues to protect rights and obtain justice. Public interest litigation is a court case or petition filed to protect, defend, or enforce the public interest. Public-interest litigation has many distinctive features but also has many challenges and misuses. The main objective of this study is to examine the legal framework for public interest in Sri Lanka and India. And also attempt to identify the challenges to Public Interest Litigation in Sri Lanka. This study aims to suggest some recommendations for PIL to avoid those Challenges in Sri Lanka from the lessons of India. This is a doctrinal research, where the researcher uses both primary and secondary sources of data such as statutes, case laws, text books, journal articles, conference proceedings, etc. It is utilized these sources to interpret key provisions of legislative acts and other legal sources while using the researcher's own preferences and perceptions to provide a fair and justifiable study result. The researcher chose International and Comparative Research Methodology to make a comparative analysis between Sri Lanka and India. India has the highest use of PIL, and Indian courts have issued guidelines to ensure its proper use. So, India has a forward-thinking approach to PIL. Sri Lanka has to face some challenges related to PIL. This research concludes with significant recommendations for public interest litigation to overcome challenges in public interest litigation in Sri Lanka from the lessons learned in India.

KEY WORDS: Public Interest Litigation, Sri Lanka, India, Challenges