

LLM 00216

**LEGAL ANALYSIS ON UNAUTHORISED
CONSTRUCTION IN LINE WITH URBAN
DEVELOPMENT AUTHORITY LAW IN SRI LANKA**

by



DAYANI MALKANTHI KIRIWATTUDUWA

The Dissertation submitted to

**GENERAL SIR JOHN KOTELAWALA DEFENCE
UNIVERSITY,
SRI LANKA**

*In partial fulfillment of the requirement for the award of the degree
of*

Master of Laws in Business Law

13th August 2024

ABSTRACT

Unauthorized construction can be seen everywhere in Sri Lanka in forms of shanties, shops, additions to existing buildings and even building more stories in multi storied buildings. These unauthorized construction are illegal and cause many planning, social, economic as well as safety issues and must be strictly regularized. Several statutes govern the law on unauthorized construction including Urban Development Authority Law No: 41 of 1978 as amended and as well as the Building and Development Regulations published under Extra Ordinary Gazette No. 2235/54 dated 08.07.2021. Nevertheless, the current legislation and regulations do not provide adequate provisions for combating the issue of unauthorized construction successfully and requires amendments. The Doctrinal Legal Research methodology has been used to explain why a particular provision of the law was framed and what changes are required to be addressed in the present scenario. Under that methodology, case laws and relevant statutes had been used as Primary data sources and Journal Articles and details from web sites had been used as Secondary data sources. By analyzing the current legal framework governing the unauthorized construction, it has been found that the current laws need to be updated and there are also ancillary social, political and enforcement mechanism to be strengthened in order to overcome the current issues. As there are no researches performed in Sri Lanka focusing specifically on this topic, it is intended that this research will be an addition to the body of knowledge on this topic and recommendations included herein would encourage amendment of existing laws by the relevant authorities.

Key words – Unauthorized Construction, Urban Development, buildings, enforcement