



PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

PROTECTION OF OCCUPANTS

A BILL

to prevent a landlord from ejecting persons from occupation of a premises; and to provide for matters connected therewith or incidental thereto

*Presented by the Minister of Justice and National Integration on
20th of January, 2026*

(Published in the Gazette on September 18, 2025)

Ordered by Parliament to be printed

[Bill No. 47]

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 44.00

Postage : Rs. 150.00



This Bill can be downloaded from www.documents.gov.lk

Protection of Occupants

L.D. – O. 64/2023

AN ACT TO PREVENT A LANDLORD FROM EJECTING PERSONS FROM OCCUPATION OF A PREMISES; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows: -

1. This Act may be cited as the Protection of Occupants Short title
Act, No. of 2026.

5 **2.** The provisions of this Act shall apply to a person who- Application
of the Act
(a) is in lawful occupation of a premises; and
(b) has been in undisturbed and uninterrupted
occupation of such premises for a period of more
than three months, prior to the eventualities
10 specified under section 3, 4 or 5,

in this Act referred to as the “occupant”.

PART I

SAFEGUARDS AFFORDED TO OCCUPANTS

3. The landlord of any premises, either by himself or
15 through any other person, shall not- Landlord not
to discontinue
amenities or
facilities
(a) discontinue or withhold any amenity or facility or
any essential supply or utility service previously
provided to the occupant; or
20 (b) refuse, withhold, fail to repair or maintain in
proper condition, or refuse to grant permission
to repair or maintain in proper condition, any
essential supply or utility service previously
provided to the occupant.

4. The landlord of any premises, or any other person authorised by the landlord shall not, either by himself or through any other person, directly or indirectly, damage, demolish or tamper with the premises, in order to induce or 5 compel an occupant to vacate the premises.

5. The landlord of any premises or any person authorised by the landlord shall not, either by himself or through any other person, eject or cause to eject the occupant from the premises or a part of the premises let by the landlord or by 10 any person authorised by the landlord in contravention of the terms and conditions of any lease agreement or tenancy agreement entered into between the landlord and the occupant in terms of the relevant written law, or a decree or an order of a competent court.

15

PART II

INSTITUTION OF AN ACTION FOR RELIEF

6. (1) Where the landlord of any premises (in this Act referred to as the “respondent”) either by himself or through any other person, directly or indirectly, commits any one or 20 more acts or omissions referred to in section 3, 4 or 5, the aggrieved occupant of such premises (in this Act referred to as the “petitioner”) may institute an action in the Court having jurisdiction within one month of the commission or omission of the act, by presenting a petition supported by an 25 affidavit setting out the grounds on which the action is based together with any other relevant material, seeking an order for one or more of the following reliefs:-

(a) to restore the amenities, facilities, essential supplies or utility services or to grant permission to repair and maintain such amenities, facilities, essential supplies or utility services in a proper condition;

(b) to prevent the respondent from using or threatening to use any force or violence, or from inflicting or threatening to inflict any harm, damage or loss upon or against the occupant of such premises;

- (c) to prevent the respondent from damaging, demolishing or tampering with the premises;
- (d) to restore the petitioner to vacant and undisturbed possession of the premises; or
- 5 (e) any other relief as may be determined by the Court.

10 (2) In addition to any order seeking relief specified in subsection (1), the petitioner may seek interim relief to maintain the *status quo* of the premises and to prevent the respondent from committing any wrongful act in contravention of the provisions of section 3, 4 or 5 or any such wrongful act that would render the final judgement in the action, nugatory.

15 7. (1) Upon an action being instituted under section 6, if the Court is satisfied on the evidence exhibited or adduced that the material facts of the petition are *prima facie* established, and is of the opinion that the petitioner is entitled to any one or more of the reliefs which he has prayed for, then the Court shall make-

20 (a) an order *nisi*, conditioned to take effect, in the event the respondent does not show cause against it, on a day specified by the order; or

(b) an interlocutory order specifying a day for the determination of the matter of the petition, and intimating that the respondent will be heard in opposition to the petition if he appears before the Court for that purpose on the day so specified.

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30 (2) The date referred to in paragraphs (a) and (b) of subsection (1) shall be a date not more than fourteen days from the date of delivery of the relevant order.

Hearing of
the petition
by the Court

(3) The provisions of Chapter XXIV of the Civil Procedure Code shall, *mutatis mutandis*, apply to any proceedings commenced under this section.

(4) (a) Any application for an order under this Act shall
 5 be heard and determined expeditiously, and the Court shall complete the hearing within three months from the date of the petition on being satisfied only of the content of the affidavit and the evidence exhibited or adduced with the petition.

10 (b) Where the respondent requests to be heard in opposition by way of a statement of objection, the Court shall complete the hearing not later than nine months from the date the court received the statement of objection.

8. Where the respondent appears before the Court or
 15 moves to be heard in opposition in terms of the provisions of section 7 and the Court determines that there is sufficient cause as to why the order *nisi* should not take effect, the Court may order the payment of such costs, reliefs and expenses claimed for by the respondent as justice may demand.

Orders made
in matters
heard
in opposition

20 9. (1) Where the Court makes an order *nisi* for the restoration of any amenities, facilities, essential supplies or utility services in any premises, the Court may make further order in the same order or in a subsequent order that if the respondent fails to comply with such order *nisi* within the 25 period specified in such respective order, such order *nisi* or subsequent order shall be executed in such manner as may be specified therein.

Failure to
comply with an
order to restore
amenities, &c.

(2) Where the respondent fails to comply with such order *nisi*, the said order shall be executed in such manner as 30 specified in such order *nisi* or subsequent order, *ex mero motu* or on application of the petitioner to grant the order *nisi* to be made final.

10. (1) Where the Court orders the restoration of the petitioner into vacant possession of the premises, the Court shall forthwith direct the Fiscal to restore the petitioner into vacant possession of the premises referred to in the order

5 by ejecting all those who are in occupation of the premises.

Restoration of the petitioner into vacant possession of the premises

(2) Where the Fiscal is resisted or obstructed by the respondent or any other person, in the execution of the final order restoring the petitioner into vacant possession of the premises, the Fiscal shall, within fourteen days of such

10 resistance or obstruction, report such resistance or obstruction to the Court in such form as specified in the Schedule to this Act, and the Court shall thereupon issue a notice against the person resisting or obstructing requiring him to show cause within fourteen days from the date of such notice as to why

15 he should not be dealt with for contempt of Court occasioned by such resistance or obstruction.

(3) (a) Where, after the petitioner is restored into vacant possession, the petitioner is hindered or ousted from the possession of the premises by the respondent or any other

20 person within a period of one year and one day from the date of possession of the premises, the petitioner may, at any time within one month from the date of such hindrance or ouster, make a complaint thereon to the Court by a petition in which the respondent or other person hindering or ousting

25 him shall be named respondents.

(b) The Court shall, upon receipt of a petition under paragraph (a), serve a copy of such petition on the parties named therein as respondents and require them to show cause within fourteen days from the date of such order as

30 to why they should not be dealt with for contempt of Court occasioned by such hindrance or ouster.

(4) On the hearing of such report made by the Fiscal or petition filed by the petitioner under subsection (2) or (3), if the Court is satisfied –

5 (a) that the resistance, obstruction, hindrance or ouster complained of was occasioned by the respondent to the original petition or by any other person at his instigation or on his behalf;

10 (b) that the resistance, obstruction, hindrance or ouster complained of was occasioned by a person other than the respondent to the original petition, and that the claim of such person to be in possession of the premises, whether on his own account or on account of some person other than the respondent to the original petition, is not in good faith; or

15 (c) that the claim made by the respondent or the person who occasioned the resistance, obstruction, hindrance or ouster, if any, has not been established,

20 the Court shall proceed to take action as set out in subsections (5),(6) and (7).

(5) The Court shall, pursuant to subsection (4)-

25 (a) direct the Fiscal to restore possession of the premises, to the petitioner forthwith; and

(b) punish the respondent or any other person who occasioned the resistance, obstruction, hindrance or ouster as referred to in paragraphs (a) and (b) of subsection (4) for contempt of court with a fine not exceeding rupees five hundred thousand or with an imprisonment for a term not exceeding one year or with both such fine and imprisonment:

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(6) In any case involving a false claim under paragraph (c) of subsection (4), the offender shall, on conviction, be liable to a fine not exceeding rupees five hundred thousand.

(7) In any proceedings under this section, the Court may
10 make an order as to the costs, and charges and expenses
incurred for the hearing and the issue of writ, as the Court
shall deem meet.

11. (1) The execution of any final order made by the Court shall not be stayed unless there is a specific stay order made by a competent higher court under section 12.

(2) An order for the stay of execution shall not be made by such higher court without notice to the petitioner in whose favour the Court made the final order.

12. Any person aggrieved by a final order made under Appeals 20 the provisions of this Act may prefer an appeal in terms of the provisions of subsection (1) of section 754 of the Civil Procedure Code.

13. In this Act, unless the context otherwise requires – Interpretation

25 “Civil Procedure Code” means, the Civil Procedure
Code (Chapter 101);

“Court” means, the District Court having jurisdiction;

30 “eject” in relation to the occupant of any premises, means to deprive, by using direct or indirect methods, such occupant of his right to use and occupy the whole or any part of such premises let by the landlord or by any person authorised by the landlord in contravention of the provisions of the lease agreement or tenancy agreement entered into between the landlord and the occupant;

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“essential supplies or utility services” includes supply of water, electricity, sewerage, cooking gas and lights including lights in passages and on staircases, lifts and conservancy or sanitary services;

“landlord” in relation to any premises, means the person entitled to receive the rent of the premises from an occupant, and includes an occupant who lets the premises or any part thereof to a subtenant, with the written consent of the original landlord;

“lessee” shall have the same meaning as in the Recovery of Possession of Premises Given on Lease Act, No. 1 of 2023;

“occupation” in relation to a premises or any part of a premises, means having entered into occupation of such premises as a lessee or tenant under a lease agreement or tenancy agreement with the landlord, continues to be in occupation with the consent of the landlord for a particular period of time; and

“possession” and “premises” shall have the same meaning as in the Recovery of Possession of Premises Given on Lease Act, No. 1 of 2023.

25 **14.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. Sinhala text to prevail in case of inconsistency.

SCHEDULE

[Section 10(2)]

FORM

REPORT TO COURT BY THE FISCAL OF RESISTANCE AND OBSTRUCTION

To the Judge of the District Court of

I,, the Fiscal of the District Court of, do hereby report to the court that on the day of 20**, (*name of the respondent and/ or other person who caused resistance and/ or obstruction*) of caused resistance and/or obstruction to me by (*describe the manner in which the resistance and/or obstruction was caused*), while executing the final order of the court made on the day of 20** to restore (*name of the petitioner*) into vacant possession of the premises referred to in the Schedule hereto.

The Schedule of the premises above referred to.

(*signed*)
(*Name of the Fiscal*)

On this day of 20**

