

TABLE OF CONTENTS

Chapter 1	Page
1.1 What is Public Nuisance	1-2
1.2 Issues on Interpretation	3-6
1.3 Constitutional Provisions in Sri Lanka	7
1.4 Definition of Public Nuisance	8
Chapter 2	
2.1 Public Nuisance - The Code of Criminal Procedure Act, No. 15 of 1979	9-10
2.2 Commencement of Proceedings before the Magistrates Court	10-13
Chapter 3	
3.1 Section 98 (1) (a), "Unlawful Obstruction or Nuisance"	14-18
3.2 Public Place	19-20
3.3 Section 98 (1) (b) "Trade or Occupation"	20-21
3.4 Trades and Occupations regulated by Local Authorities	21-23
3.5 "Injurious to Public Health"	23-29
3.6 Section 98 (1) (c)	30-35
3.7 Section 98 (1) (d)	35-37
3.8 Section 98 (1) (e)	37-38
Chapter 4	
4.1 Conditional Order	39-43
4.2 Service of Notification of the Order	44-47
4.3 Steps to be taken after the serving of Conditional Order or Notice	47-51
4.4 Procedure in case of appearance	51-59
4.5 Procedure on Order being made Absolute	59-60
Chapter 5	
5.1 Local Inspection of the scene	61-62
5.2 Provisions of the Evidence Ordinance regarding Inspections	62-65

5.3 Pendency of civil action	65
5.4 Can the magistrate Inquire and determine title ?	65
5.5 Conditional order should not be vague	66
5.6 Consequences of disobedience	67
5.7 Injunction pending inquiry	71-72
 Chapter 6	
6.1 Some defences in respect of Public Nuisance	74-94
6.2 Defences - R.F. Dias "Treaties on the Ceylon Criminal Procedure"	95-96
 Chapter 7	
7.1 Local Authorities and Public Nuisance Law	97-101
7.2 Interpretation Ordinance and the law of Public Nuisance	101-103
7.3 Police and the law of Public Nuisance	104-106
7.4 Impact of Emergency Regulations on Public Nuisance	106-107
7.5 Provisions of the Indian Code of Criminal Procedure	108-113
7.6 Police Ordinance (excerpts)	114-117
 Appendix	
Important Case Law Reports	118-119
Nuisances Ordinance No. 15 of 1862	