

DATE: 27<sup>th</sup> February 2010.

Gana Kiritharan,  
307 – 10 Stonehill Court,  
Scarborough, Ontario  
Tel: 416-820-8581

TO: The Honourable Justice Heather Smith  
Chief Justice of the Superior Court of Justice  
Osgoode Hall  
130 Queen Street West  
Toronto Ontario M5H 2N5

Honourable Justice Heather Smith,

Re: Claim of Serious Ethical Failures in Kiritharan vs TD Canada Trust (07 – CV – 341987PD 2)

I Gana Kiritharan one party in above mentioned Civil Case, filed in Toronto Court house of Ontario Civil Court (also victim in Toronto Police Services Fraud Complain # 2529262). Recently I forwarded a complaint letter to Ontario and Canadian Judicial Council regarding incidents happened during my Civil Case (also experience incurred during criminal complaint) which I claim as confusion in our law and serious ethical failure in our Judiciary which eventually lead above issue to present status, which I would claim as miscarriage of justice. I have been informed by Ontario Judicial Council that any complaint against Case Management Master should be forwarded to your Honor.

I am including copy of the letter received form Ontario Judicial Council and the letter and the document forwarded to Ontario Judicial Council with this letter.

As I mentioned in the other letters, though for the complaints 3, 4, 5 and 6, appeal may considered as more appropriate, I chose not to do so for following reasons.

- a. I do not have enough money to continue this civil proceeding.
- b. I found extremely difficult to obtain necessary legal advice. (Please find letter to Upper Canada Law Society.)
- c. Ontario Judiciary has necessarily or unnecessarily created a question that when there is evidence to suspect a commission of crime in a bank or by a bank; whether it is responsibility of criminal section or civil section to investigate and bring justice to the victims. I believe finding an answer for this question beyond my resources and responsibility. I am calling for a public enquiry to find answer to this question.

I would like to appeal your honor to take my complaints seriously and investigate and take necessary steps to remove any unethical barriers in our Judiciary so that accountability of our Judiciary is upheld and I will receive Justice even though it is delayed already.

Yours truly,



Gana Kiritharan.