

**IN THE COURT OF APPEAL OF THE DEMOCRATIC SOCIALIST  
REPUBLIC OF SRI LANKA**

**CA PHC 25/2005**

PHC (Badulla) 155/2003

Rathnayaka Mudalige siri Parakrama Rathnayaka

“Sada Kalum”

Palle Panguwa,

Lunugala.

**Appellant**

**Vs.**

Rasagga Muththu Sami

No:05,

Park Watta,

Lunugala

**Respondent**

CA(PHC)25/2005

PHC(Badulla)155/2003

Before : Sisira de Abrew, J

K.T. Chitrasiri, J

Counsel : Appellant is absent and unrepresented.

Decided on : 27.09.2012

Sisira de Abrew, J

Appellant is absent and unrepresented. This court directed the appellant to pay brief fees on or before 26.09.2012. The Registrar of this Court, in compliance with the said order, by his letter dated 19.08.2012, directed the appellant to pay brief fees on or before 26.09.2012 and to be present in this Court on 27.09.2012. The said letter which has been sent to the address given by this appellant in his petition of appeal has not been returned by the relevant post office. The appellant has so far not paid brief fees. In the circumstances we, acting under Rule 13(b) of the Supreme Court Rules, dismiss the appeal.

*Appeal dismissed.*

**Judge of the Court of Appeal**

K. T. Chitrasiri, J

I agree.

**Judge of the Court of Appeal**

Na/-