

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

**CA (PHC) No.233/2005**

PHC. Kandy No.50/2003Rev

K.M Tissa Kulathunga  
Devi Road,  
Watapuluwa,  
Kandy.

**PETITIONER**

**Vs.**

Jayasekara M. Lakshman Jayasekara  
Urban Development Authority,  
Sethsiripaya,  
Sri Jayawardanapura.

The Hon. Attorney General  
Attorney General's Department  
Colombo 12.

**RESPONDENTS**

C.A. (PHC) No.233/2005

P.H.C. Kandy No.50/2003Rev.

BEFORE : ROHINI MARASINGHE, J. &  
DEEPALI WIJESUNDERA, J.

COUNSEL : Appellant is absent and unrepresented.

DECIDED ON : 18<sup>th</sup> February, 2013

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**ROHINI MARASINGHE, J.**

Appellant is absent and unrepresented. The appellant had been served with notice to pay brief fees on or before 28.01.2013 and to be present in Court on 29.01.2013. Appellant has not paid brief fees. For non-compliance of Rule 13(b) of the Supreme Court Rules the appeal is dismissed.

Registrar is directed to send the main case record to the relevant Provincial High Court.

**JUDGE OF THE COURT OF APPEAL**

**DEEPALI WIJESUNDERA, J.**

I agree.

**JUDGE OF THE COURT OF APPEAL**

Kwk/=