

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

**C.A. (PHC) No. 49/2008**

P.H.C. Puttalam Case No.RA 08/2007

S. Natchiappan

Kumarappan Chettiyar  
No: 247,  
Sea Street,  
Colombo 11.

**Appellant**

**Vs.**

S.S.A. Mohomed Roffic

S.S. Abdeen  
Madurankuli

**Respondent**

C.A. (PHC) No. 49/2008

P.H.C. Puttalam Case No.RA 08/2007

Before : K. T. Chitrasiri, J &  
W.M.M. Malinie Gunarathne, J.

Counsel : Appellant is absent and unrepresented.

Decided on : 05.09.2014.

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**K. T. Chitrasiri, J.**

When this matter was mentioned on 10.09.2013, it has been recorded that the notice sent to the 1<sup>st</sup> appellant had been returned with the endorsement that he is dead. Thereafter, on an application by the Counsel who appeared for the appellants, another notice also had been sent to the heirs of the appellant. The said letter also had been returned stating that he is dead. Today neither the appellants nor the heirs of the appellant are present in Court. After the 10<sup>th</sup> of September 2013, three days had been given to take steps for substitution. Not a single party is present before Court today. Accordingly, we make order abating the appeal. Appeal abated.

*Appeal abated.*

JUDGE OF THE COURT OF APPEAL

**W.M.M. Malinie Gunarathne, J.**

I agree.

JUDGE OF THE COURT OF APPEAL

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