

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

CA (PHC) 39/2004

1. H.A. Nihal
D 05,
Wahalkada.

Appellant

Vs.

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

Respondent

C.A. (PHC) No. 39/2004

P.H.C.Anuradhapura Case No. 07/2001

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

Counsel : Appellant is absent and unrepresented.

Anoopa de Silva, S.S.C., with Himali Jayanetti, S.C.
for A.G.

Argued &
Decided on : 05.09.2014.

K. T. Chitrasiri, J.

The letter dated 24.07.2014 sent by the Registrar of this Court to the appellant under registered cover had been returned with the endorsement that there is no such person at the given address. This notice had been sent to the address given in the petition of appeal. However, learned State Counsel informs Court that this is an appeal filed to challenge a decision made by the Provincial High Court Judge in Anuradhapura where he has exercised appellate power. In terms of the decision in Wickremasekera Vs. O.I.C. Police Station Ampara (2004 (1) SLR 257) this Court has no jurisdiction to entertain such appeals. Accordingly, this appeal is dismissed.

Appeal dismissed.

JUDGE OF THE COURT OF APPEAL

W.M.M. Malinie Gunarathne, J.

I agree.

JUDGE OF THE COURT OF APPEAL

AKN