

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

**CA (PHC) Appeal No.245/2004**

P.H.C. Badulla No.138/2002

R.M Janaka Jayawardana  
Nederwila place,  
Demodara wathuyaya,  
Demodara.

**Petitioner**

**Vs.**

Abenanda dias  
Director,  
Ministry of Plantation and Investigation Unit,  
No:55,  
Vokshol Weediya,  
Colombo 02.

**Respondent**

C.A.(PHC) Appeal No.245/2004- P.H.C. Badulla No.138/2002

Before : **SISIRA DE ABREW, J.** and  
**DEEPALI WIJESUNDERA, J.**

Counsel : Appellant is absent and unrepresented.

Decided on : 20.09.2012.

**Sisira de Abrew, J.**

Appellant is absent and unrepresented. This Court directed the appellant to pay brief fees on or before 15.05.2012. Registrar of this Court, in compliance with the said order, by his letter dated 26.03.2012, directed the appellant to pay brief fees on or before 15.05.2012 and to be present in this Court on 16.05.2012 . The said letter which has been sent to the address given by the 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 these circumstances we, acting under Rule 13(b) of the Supreme Court Rules, dismiss the appeal.

*Appeal dismissed.*

**JUDGE OF THE COURT OF APPEAL**

**Deepali Wijesundera, J.**

I agree.

**JUDGE OF THE COURT OF APPEAL**

/mds