



**IN THE SUPREME COURT OF NAURU**  
**AT YAREN**

Misc. Cause No. 57 of 2015

**Between:**

Jamal Humidan Bavi  
Thamil Maran  
Rahim Valogerdizageh  
Jehad Darawasaha  
Kazim Alipoor  
Thileepan Sivayoganathan  
Awni Anachar  
Suthan Murugesu  
Sriharan Thevarasa  
Sibilraj Sriskantharaja

**Applicants**

**And:**

Secretary for Justice

**Respondent**

Counsel for the Applicants: Mr. V. Clodumar

**RULING OF LEAVE APPLICATION FOR JUDICIAL REVIEW**

This was an Ex-Parte Application for leave for Judicial Review to the Registrar pursuant to Order 38 Rule 1 of the Civil Procedure Rules 1972.

Mr. Clodumar filed an Originating Summons with the Ex-Parte Application and the Supporting Affidavit of Jehad Darawasaha, one of the Applicants. Mr. Clodumar is seeking a:

- (a) Writ of Certiorari bringing the decision of the Secretary for Justice into this Court to be quashed.
- (b) Writ of Mandamus directing the Secretary for Justice to re-determine the application according to law.
- (c) Writ of Prohibition restraining the Secretary for Justice, his employees, officers, delegates or agents from acting upon or giving effect to the decision.

This Court heard Counsel, Mr. Clodumar for the Applicant and considered the supporting affidavit in relation to the above matter on 5 June 2015. The Court also reviewed the supporting documents provided by Mr. Clodumar in which he has submitted that the Secretary for Justice

has not provided reasons for the refusal to grant a visa to the Applicants lawyer, Mr. Jason Williams on the 20 May 2015 pursuant to section 10(7) of the Immigration Act 2014.

Therefore, upon hearing Mr. Clodumar for the Applicants.

The following Orders are made:

1. Leave granted for Judicial Review.
2. Original Affidavit to be filed.
3. The Writ of Summons to be served on the Secretary for Justice and Border Control as Respondent.
4. Matter to be listed on Monday 8 June 2015 for mention.
5. Pursuant to Order 39, the Respondent has 5 days to Appeal the decision of the Registrar to a Judge.
6. There is no order as to costs.

Dated this 5<sup>th</sup> day of June 20



David Toganivalu  
Registrar  
Supreme Court of Nauru