

FORM 269C1



IN THE COURT OF APPEAL, CIVIL DIVISION

REF: 2011/3260



TAMILS AGAINST GENOCIDE -v- SECRETARY OF STATE FOR THE HOME DEPARTMENT

**ORDER made by the Rt. Hon. Lord Justice Maurice Kay**

On consideration of the appellant's notice and accompanying documents, but without an oral hearing, in respect of an application for permission to appeal

**Decision: granted, refused, adjourned.** An order granting permission may limit the issues to be heard or be made subject to conditions.

STAY REFUSED  
PERMISSION REFUSED

**Reasons**

This application relates to a removal to Sri Lanka by charter flight in less than two hours' time. I have already refused two individual applications which, apart from anything else, seemed to me to lack underlying merit. That is the point of Mitting J's judgment, as described. It is the reason why the generic applications to him and to this Court fail.

**Information for or directions to the parties**

**Where permission has been granted, or the application adjourned**

- a) time estimate (excluding judgment)
- b) any expedition



Signed: *Maurice Kay*  
Date: 15 December 2011

**Notes**

- (1) Rule 52.3(6) provides that permission to appeal may be given only where –
  - a) the Court considers that the appeal would have a real prospect of success; or
  - b) there is some other compelling reason why the appeal should be heard.
- (2) Rule 52.3(4) and (5) provide that where the appeal court, without a hearing, refuses permission to appeal that decision may be reconsidered at a hearing, provided that the request for such a hearing is filed in writing within 7 days after service of the notice that permission has been refused. Note the requirement imposed on advocates by paragraph 4.14A of the Practice Direction.
- (3) Where permission to appeal has been granted, the appeal bundle must be served on the respondents within 7 days of receiving this order (see para. 6.2 of the Practice Direction to CPR Part 52). A letter of notification will be sent to the appellant or his solicitors as soon as practicable (see para. 6.3)

**DATED 15TH DECEMBER 2011  
IN THE COURT OF APPEAL**

**TAMILS AGAINST GENICIDE**

**- and -**

**SECRETARY OF STATE FOR THE HOME  
DEPARTMENT**

**ORDER**

Copies to:

Birnberg Peirce & Partners  
Dx 57059  
Camden Town  
Ref: AG

Treasury Solicitors  
Dx 123242  
Kingsway

Lower Court Ref: CO/12153/2011