



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

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Details of Filing

File Number: M92/2024
File Title: Plaintiff M19A/2024 & Ors v. Minister for Immigration, Citizenship and Social Security
Registry: Melbourne
Document filed: Form 27B - Appellants' chronology
Filing party: Appellants
Date filed: 31 Jan 2025

Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

**IN THE HIGH COURT OF AUSTRALIA
MELBOURNE REGISTRY**

ON APPEAL FROM THE HONOURABLE JUSTICE GORDON

BETWEEN:

Plaintiff M19A/2024
First Applicant and Appellant

Plaintiff M19B/2024
Second Applicant and Appellant

Plaintiff M19C/2024
Third Applicant and Appellant
by their litigation guardian Plaintiff M19B/2024

Plaintiff M19D/2024
Fourth Applicant and Appellant
by their litigation guardian Plaintiff M19B/2024

Plaintiff M19E/2024
Fifth Applicant and Appellant
by their litigation guardian Plaintiff M19B/2024

and

**MINISTER FOR IMMIGRATION, CITIZENSHIP AND
MULTICULTURAL AFFAIRS**
Respondent

APPELLANT'S CHRONOLOGY

PART I: CERTIFICATION

This chronology is in a form suitable for publication on the internet.

PART II: CHRONOLOGY

Date	Event	Reference
2010	The First, Second and Third Appellants arrived in Australia.	CAB 332 [6]
27 September 2011	The First, Second and Third Appellants were granted permanent Protection (Class XA) (subclass 866) visas.	CAB 332 [6]
2014	The Fourth Appellant was born in Australia to the First and Second Appellants, as an Australian citizen by birth.	CAB 334 [13]
2018	The Department of Home Affairs internally referred the First Appellant’s visa for consideration for cancellation under s 116(1AA) of the <i>Migration Act 1958</i> (Cth).	CAB 333 [7]
May 2019	The First, Second, Third and Fourth Appellants moved from South Australia to Victoria.	CAB 333 [8]
30 October 2019	A Notice of Intention to Consider Cancellation (NOICC) was sent by a delegate of the Department of Home Affairs to the First Appellant by registered post to his previous address in South Australia (South Australia address).	CAB 333 [9], 121
13 November 2019	The registered post envelope containing the NOICC was received back by the Department of Home Affairs, bearing a “Return to Sender” sticker with the option “Refused” circled.	CAB 333 [9]- [10], 133
19 December 2019	A delegate of the Respondent decided to cancel the First Appellant’s visa under s	CAB 7-21, 333 [11], 345 [52]

	<p>116(1AA) of the Act (Cancellation Decision).</p> <p>The Second and Third Appellants' visas were consequentially cancelled by operation of s 140 of the Act.</p>	
19 December 2019	Notification of the Cancellation Decision was sent by the Department to the First Appellant by registered post to the South Australia address.	CAB 333 [11]
15 January 2020	The time for applying to the Administrative Appeals Tribunal for merits review of the Cancellation decision expired.	CAB 334 [12]
June 2021	The First and Second Appellants discovered that their visas had been cancelled.	CAB 334 [13]
2022	The Fifth Appellant was born in Australia to the First and Second Appellants, without a visa.	CAB 334 [13]
27 February 2024	The Appellants filed an application for a constitutional or other writ, seeking judicial review of the Cancellation Decision.	N/A
26 July 2024	Acting Chief Justice Gordon made orders extending time for the making of the application for a constitution or other writ to 27 February 2024.	N/A
31 July 2024	The Appellants filed an amended application for a constitutional or other writ.	CAB 22
18 October 2024	Justice Gordon dismissed the Appellants' amended application for a constitutional or other writ: <i>Plaintiff M19A/2024 & Ors v</i>	CAB 330

	<i>Minister for Immigration, Citizenship and Multicultural Affairs [2024] HCASJ 39.</i>	
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Dated: 31 January 2025



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