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| F I L E D | FEDERAL COURT | | D É P O S É |
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| | [Date] | | |
| | [Date] | | |
| [Agent Name] | | | |
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FEDERAL COURT

B E T W E E N:

First and Last Name

Applicant

- and -

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

TO THE RESPONDENT(S)

APPLICATION FOR LEAVE
and for JUDICIAL REVIEW
(WRIT OF MANDAMUS)

AN APPLICATION FOR LEAVE TO COMMENCE AN APPLICATION FOR JUDICIAL REVIEW UNDER S.22.1 (1) OF *THE CITIZENSHIP ACT*.

UNLESS A JUDGE OTHERWISE DIRECTS, THIS APPLICATION FOR LEAVE will be disposed of without personal appearance by the parties, in accordance with paragraph 22.1(2)(c) of the [Citizenship Act](#) as the case may be.

IF YOU WISH TO OPPOSE THIS APPLICATION FOR LEAVE, you or a solicitor authorized to practice in Canada and acting for you must immediately prepare a Notice of Appearance in Form IR-2 prescribed by the *Federal Court Immigration and Refugee Protection Rules*, serve it on the Tribunal and the Applicant's solicitor or, where the Applicant does not have a solicitor, serve it on the Applicant, and file it, with proof after service, at the Registry, within 10 days of service of this application for leave.

IF YOU FAIL TO DO SO, the Court may nevertheless dispose of the application for leave and, if leave is granted, the subsequent application for judicial review without further notice to you.

Note: Copies of the relevant Rules of Court, information on the local office of the Court and other necessary information may be obtained from any local office of the Federal Court or the Registry of the Trial Division in Ottawa, telephone: (613) 992-4238.

THE APPLICANT SEEKS LEAVE OF THE COURT TO COMMENCE AN APPLICATION FOR JUDICIAL REVIEW by way of which he seeks a *writ of mandamus* directing the Respondent to render a decision with respect to his pending application Canadian citizenship within 30 days of this Court's order.

The address and telephone number of the Tribunal is:

IRCC
Case Processing Centre - Sydney
P.O. Box 12000
Sydney NS B1P 7C2
Phone Number Unknown

The Application file number is:

[Application number]

The application for leave was prepared by:

[Full Name]
[Address]
[City], [Province], [Zip Code]
[Phone]

The applicant's electronic address for the service of documents is: [email]

RELIEF

The Applicant seeks the following relief:

1. An order in the nature of a writ of mandamus directing the Respondent to make a decision with respect to the Applicant's pending application for Canadian Citizenship within 30 days of this Court's order;
2. Such further and other relief as this Honorable Court deems just and necessary under the circumstances; and
3. An order awarding the Applicant costs on a solicitor-client basis.

GROUND S

A. Material Facts

1. The Applicant, [name] (referred to herein as “[name]” or the “Applicant”), is a [X]-years-old Canadian Permanent Resident and a national of [nationality] currently residing in [city], [province], Canada.

2. On [date], an application for Canadian Citizenship for [name] was submitted to Immigration and Refugees Citizenship Canada (“IRCC”).

3. The service average posted on IRCC’s website for this class application at the time of submission was [X] months, currently [X] months.

4. To date, [X] months have passed since the application was submitted.

5. [name] complied with all subsequent IRCC requests in a timely manner and is not aware of any outstanding issues with respect to the application.

6. [X] has requested that the Respondent finalize the processing of the application.

B. The Criteria for The Issuance of a Writ of Mandamus Are Met

C. The Respondent owes the Applicant a public legal duty to make a decision with respect to the application for citizenship, which has now been pending for [X] months when the service Average on such applications was [X] months, currently [X] months.

D. The Applicant has a clear right to the performance of the aforementioned duty, in that:

- a. The Applicant has satisfied all conditions precedent with the application for citizenship;
- b. The Applicant has made prior demands for performance of the duty;
- c. A reasonable time to comply with the demand has passed; and

- d. There has been an implied refusal by the Respondent through its unreasonable delay in deciding the application.
- E. Under the circumstances, there is no other adequate remedy available to the Applicant;
- F. The Order sought will have practical value and effect;
- G. There is no equitable bar to the relief sought;
- H. The balance of convenience favors granting a Writ of Mandamus;
- I. Section 44 of the *Federal Courts Act*, R.S.C. 1985, c. F-7, as amended; and
- J. Such further and other grounds as counsel shall advise and this Honorable Court may consider.

The Applicant has not received written reasons of the tribunal. Please initiate the Rule 9 process.

The Applicant proposes that the application for judicial review be heard at [City], in the English language, with materials to be filed in the English language.

DATED on [X]th Day of [Date]

This Application is filed by:

 [Full name]
 [Address]
 [City], [Province]
 [Zip Code]
 [Phone]
 [Email]

TO: THE REGISTRAR
Federal Court
180 Queen Street West
Suite 200
Toronto, ON M5V 3L6

AND TO: THE MINISTER OF CITIZENSHIP AND IMMIGRATION
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Ontario Regional Office
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SAMPLE DOCUMENT – FOR REFERENCE ONLY