



Neutral Citation Number: [2022] EWHC 3294 (Admin)

Case No: CO/4104/2022

**IN THE HIGH COURT OF JUSTICE**  
**KING'S BENCH DIVISION**  
**ADMINISTRATIVE COURT**  
**SITTING IN LEEDS**

1 Oxford Row,  
Leeds LS1 3BG

Issued: 20<sup>th</sup> December 2022  
Handed down: 21<sup>st</sup> December 2022

**Before:**  
**MR JUSTICE FORDHAM**

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**Between:**

**THE KING (on the application of  
GNANATHEEPAN SUBRAMANIAM)  
- and -  
SECRETARY OF STATE FOR THE HOME  
DEPARTMENT**

**Claimant**

**Defendant**

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**Averroes Solicitors for the Claimant**  
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**Determination as to Venue**

I direct that no official shorthand note shall be taken of this Judgment and that copies of this version as handed down may be treated as authentic.

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**THE HON. MR JUSTICE FORDHAM**

**MR JUSTICE FORDHAM:**

1. This is a judicial determination on the papers, but where it is, in my judgment, appropriate to give reasons by way of a short judgment. This is a claim for judicial review in which a minded to transfer order (“MTTO”) was made on 24 November 2022. The Claimant’s team had filed his claim in London answering “yes” to this question in Form N461: “Have you issued this claim in the region with which the claim is most closely connected?” The MTTO is a mechanism to allow the parties to file representations “to indicate opposition to transfer”. It provides the partes 7 days to respond. If representations are made, a Judge then needs to consider the papers and make a ruling. The Claimant’s representations are that, although the Claimant is detained at HMP Doncaster (postcode DN5) so that “technically” the Administrative Court in Leeds (ACL) is the right venue: (a) if not released from detention is it likely that he will be transferred to an Immigration Removal Centre near Heathrow or Gatwick; (b) the Claimant’s solicitors (in EC2Y) and the Defendant’s solicitors (in SW1H) are in London.
2. The judicial review claim impugns the ongoing detention of the Claimant. He is detained at Doncaster. There is nothing “technical” about ACL being the regional Court with which the claim has the closest connection. N461 was wrongly completed. Not for the first time. The suggestion of transfer to an IRC is an unconvincing basis for London over Leeds. Although travel costs are a relevant factor, the fact that solicitors, and the Claimant’s Counsel (in EC4A), are in London cannot in principle drive the conclusion that the regional Court for the South East (ie. London) is appropriate. This is not the first Venue Determination to make that point. When I read the papers I find that the letter before claim was send to the Home Office regional Leeds email address (“LeedsAdminTeam”). The Defendant is not opposing transfer. This claim should have been filed in Leeds. The failure to do so stands to inject delay. The resistance of transfer interposes a judicial determination, which also stands to inject delay. The claim could and can promptly and properly be administered and determined in Leeds. As a general point – and having regard to the volume of claims issued, the capacity, resources and workload at the various Administrative Courts, it is in my judgment desirable to administer and determine this claim in the region which in my judgment it has its closest connection. For these reasons, I order the claim be transferred to Leeds.

20.12.22