

**IN THE HIGH COURT OF FIJI  
AT LAUTOKA  
CONSTITUTIONAL JURISDICTION**

**Constitutional Redress Application No. HBM 17 of 2017.**

**MATIASI NAKAIKAI**

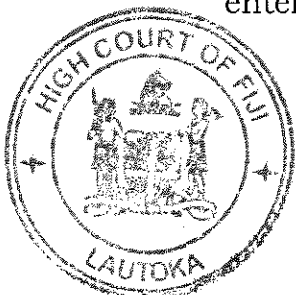
**v**

**ATTORNEY GENERAL OF FIJI**

Date of Ruling: 29 June 2017.

**RULING**

- [1] On the 19<sup>th</sup> July 2004 in the High Court at Lautoka the applicant was convicted of murder and sentenced to a term of imprisonment for life without a minimum term.
- [2] He now makes application for Constitutional redress, claiming that his rights to freedom and to fair administrative action have been breached in that he has not been taken before a Parole Board and the Mercy Commission who might determine his early release.
- [3] Unfortunately this application is out of time.
- [4] Section 3(2) of the High Court (Constitutional Redress) Rules 1998 states as follows:
- “(2) An application under paragraph (1)(*an application for redress*) must not be admitted or entertained after 30 days from the date when the matter at issue first arose. “
- [5] This application being nearly 13 years out of time, it will not be entertained and it is therefore dismissed.



**Paul K. Madigan**  
**Judge**