

MINORITY SHAREHOLDER WATCHDOG GROUP

BADAN PENGAWAS PEMEGANG SAHAM MINORITI BERHAD

(Incorporated in Malaysia – Company No. 524989-M)

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Former MMM director succeeds in appeal

PETALING JAYA: Former Malaysian Merchant Marine Bhd (MMM) executive director Datuk Ramesh Rajaratnam, whose defamation suit against the Minority Shareholder Watchdog Group (MSWG) was initially struck out by the High Court, has been successful in an appeal against that decision.

In an statement e-mailed to *StarBiz*, Ramesh said he had been informed by his lawyers that the Court of Appeal has unanimously allowed his appeal with costs and that the earlier decision made by the High Court was to be set aside.

Ramesh said he had been informed by his lawyers that the Court of Appeal had unanimously decided that the “learned Judicial

Commissioner had erred in holding that Order 18 Rule 19 (1) of the Rules of High Court applied,” that the Writ of Summons and Statement of Claim “are not obviously unsustainable” and that his (Ramesh’s) appeal is “allowed with costs in the cause”

“The High Court order dated April 14, 2010 is set aside and substituted with the order that the Writ of Summons and Statement of Claim be re-instated for trial at the High Court,” the e-mail said, adding that the matter had now been fixed on Dec 12 for case management in the High Court.

When contacted, MSWG chief executive officer Rita Benoy Bushon: “It is his (Ramesh’s) right to appeal and we will wait for the

court’s decision.”

To recap, Ramesh had on May 22, 2009 filed a defamation suit against MSWG, alleging MSWG had defamed him in relation to two letters written by MSWG which were addressed to the boards of directors of MMM and M3nergy Bhd via their respective company secretaries.

The defamation case involved the sale of MMM shares between M3nergy and Core Attributes (M) Sdn Bhd.

Ramesh alleged that the words contained in the said letters in their natural and ordinary meaning were defamatory to him.

He claimed for general damages of RM5mil and aggravated damages of RM10mil.