

# S. Sivaneindiren

DEPUTY MANAGING PARTNER



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## PROFILE

Siva obtained his law degree from the University of London and was called to the Malaysian Bar in 1991. His legal career began with CTS and he is currently the firm's Deputy Managing Partner.

Recognised as a leading advocate, Siva is a ranked litigator for Dispute Resolution in Chambers Asia Pacific 2026. He regularly acts for prominent clients in complex corporate and commercial litigation matters, as well as shareholders' disputes. He also has notable experience in the areas of employment disputes, banking and finance litigation and corporate restructuring and insolvency matters. A seasoned litigator, he regularly appears in the High Court for hearings and trials and in the Court of Appeal and Federal Court for high value appeals. He has represented clients in international and domestic arbitration proceedings and in disciplinary proceedings conducted by various professional bodies.

Siva has been a faculty trainer in the Bar Council's Advocacy Training Court (ATC) since 2012. He has represented the Malaysian Bar in several high-profile matters, including:

- the Royal Commission on the Inquiry into the death of Teoh Beng Hock;
- the judicial review of the decision of the Attorney General of Malaysia to exonerate a former Prime Minister of Malaysia; and
- the judicial review challenging the decision of the Attorney General of Malaysia to grant Ahmad Zahid Hamidi a discharge not amounting to an acquittal (DNAA).

Siva is also a contributor to the first edition of the Malaysian White Book.

## WORK HIGHLIGHTS

### ADMINISTRATIVE & PUBLIC LAW

- › Represented the Malaysian Bar in the Royal Commission on the Inquiry into the death of Teoh Beng Hock.
- › Represented the Malaysian Bar in the judicial review challenging the decision of the Attorney General of Malaysia to grant Ahmad Zahid Hamidi a discharge not amounting to an acquittal (DNAA), where the Court of Appeal granted the Malaysian Bar leave to commence judicial review proceedings (*see: Bar Malaysia v Peguam Negara Malaysia & Anor [2025] 11 MLJ 671 (HC)*).
- › Represented the Malaysian Bar in the judicial review of the decision of the Attorney General of Malaysia to exonerate a former Prime Minister of Malaysia.

## QUALIFICATIONS

### Advocate and Solicitor

High Court in Malaya

1991

### Certificate in Legal Practice

1990

### LLB (Hons)

University of London

1989

## PRACTICE AREAS

- Administrative & Public Law
- Appeals
- Arbitration
- Banking & Finance Litigation
- Civil & Commercial Litigation
- Corporate Litigation & Shareholders' Disputes
- Employment Law & Industrial Relations
- Restructuring, Insolvency & Bankruptcy
- Wills, Probate & Estate Planning

## RECOGNITION



Ranked in Dispute Resolution by Chambers Asia Pacific Guide 2026

## WORK HIGHLIGHTS

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- › Acted for the State Finance Officer of the State of Pahang at the High Court, Court of Appeal and Federal Court in successfully opposing a judicial review application for an extension of time and leave to apply for an order of mandamus (*see: Seruan Gemilang Makmur Sdn Bhd v. Pegawai Kewangan Negeri Pahang [2016] 2 MLRA 597*).

## ADVISORY

- › Advising a multinational fast-food franchise corporation on the franchise disputes in Malaysia.

## ARBITRATION

- › Represented a German automation and engineering multinational company in arbitration proceedings at the Singapore International Arbitration Centre (SIAC) concerning a breach of a joint venture agreement.
- › Represented the owner of an offshore vessel in a dispute arising from the fabrication of components for a Floating Production, Storage and Offloading (FPSO) vessel in an arbitration proceeding.

## APPEALS

- › Acted as co-lead counsel for Kingtime International Ltd in a patent infringement appeal involving issues of res judicata and estoppel, where the Court of Appeal allowed Kingtime's appeal and restored its patent infringement claim against Petronas Carigali Sdn Bhd. Petronas Carigali's application for leave to appeal to the Federal Court was subsequently dismissed (*see: Kingtime International Ltd v Petronas Carigali Sdn Bhd and another appeal [2025] MLJU 3743 (COA)*).
- › Acted as lead counsel in a Court of Appeal matter which upheld the principle that a liquidator lacks the statutory power to grant retrospective sanctions for a contributory to bring legal proceedings on behalf of the wound-up company.
- › Acted as lead counsel in a successful appeal to secure leave to adduce fresh evidence where the Court of Appeal held that there were exceptions to the reasonable diligence rule (*see: Rockwills Trustee Bhd (disaman sebagai Wasi harta pusaka Si Mati, Michael Joseph Monteiro) & Ors v Code Brilliant Sdn Bhd (Dalam Penerimaan dan Likuidasi) & Anor [2025] MLJU 1382*).
- › Acted as lead counsel in a Federal Court matter on landmark questions of law regarding the right of a non-party to intervene to set aside an order for sale and the legality of a lien-holder's caveat (*see: Hong Leong Bank Bhd (formerly known as Hong Leong Finance Bhd) v Staghorn Sdn Bhd & Other appeals [2008] 2 MLJ 622*).

## CIVIL & COMMERCIAL LITIGATION

- › Acted for a public listed company in a landmark Federal Court case which established that Section 7 of the Bankers' Books (Evidence) Act 1949 ("BBEA") allows direct inspection of banking records without the procedural constraints of Order 24 of the Rules of Court 2012. The decision further clarified the statutory definition of "banker's books" under the BBEA (*see: Protasco Bhd v Tey Por Yee & Anor and other appeals [2021] 6 MLJ 1*).
- › Acted for a director of a company in obtaining a committal order against the other directors and account manager of the company for breaching an inspection order granted pursuant to Section 245 of the Companies Act, 2016. (*see: Datuk Beh Kim Ling & Anor v NEP Holdings (Malaysia) Bhd [2024] 1 CLJ 517*). This decision was upheld by the Court of Appeal.
- › Acted for a public listed company in resisting an application to strike out its claim for breaches of statutory and fiduciary duties, fraud and conspiracy to defraud in relation to the recovery of USD27million (*see: Protasco Bhd v Pt Anglo Slavic Utama & Ors [2020] MLJU 1413*).
- › Successfully defended a public listed company, its subsidiary and its director at the High Court and Court of Appeal against a claim premised on breaches of trust, fiduciary and statutory duties and contract, negligent misstatement and the tort of conspiracy to injure (*see: Seow Hoon Hin v Hartalega Holdings Bhd & Ors [2019] 5 MLJ 421*).
- › Acted for a public listed company in a Court of Appeal matter concerning a stay of court proceedings granted to non-parties to an arbitration agreement (*see: Protasco Bhd v Tey Por Yee and another appeal [2018] MLJU 993*).
- › Successfully defended a financial institution against a claim premised on the tort of negligence (*see: Sugi Sinar Sdn Bhd v Bank Muamalat Malaysia Berhad; Small Medium Enterprise Development Bank Malaysia Berhad (Third Party) [2017] MLRHU 37*).
- › Acted for a public listed company, in a High Court derivative action concerning minority-shareholder allegations of breach of fiduciary duties and recovery of RM10 million said to have been wrongfully diverted from the company (*see: Kingdom Seekers Ventures Sdn Bhd v Dato' Sri Chong Ket Pen & Ors [2015] MLJU 390*).

## WORK HIGHLIGHTS

- › Represented a property development company in obtaining an interim injunction against the Kuala Lumpur City Council, to prevent the repossession of the Plaza Rakyat Project pending the resolution of disputes through arbitration (see: *Plaza Rakyat Sdn Bhd v Datuk Bandar Kuala Lumpur [2011] MLJU 677*).
- › Acted for a financial institution in a software contractual dispute.
- › Acted for the appellant in a landmark Federal Court case where the court considered whether an order made by the Court of Appeal under Section 44 of the Courts of Judicature Act 1964 ("CJA") is appealable under Section 96(a) of the CJA (see: *Metramac Corp Sdn Bhd (formerly known as Syarikat Teratai KG Sdn Bhd) v Fawziah Holdings Sdn Bhd [2006] 4 MLJ 113*).
- › Acted for the State Government of Pahang and the Director of Forestry for the State of Pahang in proceedings involving contractual disputes arising from a logging concession agreement.

## CORPORATE LITIGATION & SHAREHOLDERS' DISPUTES

- › Acted for a public listed company in a minority oppression proceeding where the High Court granted a winding-up order against the defendant (see: *V S Industry Bhd v Lim Chang Huat & Ors [2025] MLJU 449*).
- › Defended the directors of a company at the High Court, Court of Appeal and Federal Court against a creditor's claim for fraudulent trading under Section 540(1) of the Companies Act, 2016.
- › Acted for the director of a holding company who commenced a High Court action against the company for the inspection of its records. The High Court affirmed a director's statutory right to inspect and copy the company records and established that this right extends to the records of its subsidiary companies. This decision was upheld by the Court of Appeal (see: *Datuk Beh Kim Ling & Anor v NEP Holdings (M) Bhd [2022] MLJU 1679 (HC)*).
- › Successfully represented the shareholder of Papparich Group Sdn Bhd at the High Court and Court of Appeal in a claim for breach of an oral share acquisition agreement (see: *Chen Khai Voon v Lim Beng Guan [2021] MLJU 2778 (HC)*).

## WILLS, PROBATE & ESTATE PLANNING

- › Acting as lead counsel for the attesting solicitor in a highly contested probate dispute concerning the Estate of the late Madam Lim Siew Kim.

## WHAT OTHERS SAY

*"S Sivaneindiren's dedication to going above and beyond in assisting clients regardless of the complexity of the issue, truly distinguishes him."*

— CHAMBERS ASIA PACIFIC 2026

*"He is very knowledgeable and is able to communicate and strategise well."*

— CHAMBERS ASIA PACIFIC 2026

*"The lawyers, particularly S Sivaneindiren and Nasema Jalaludheen, are very passionate, capable and knowledgeable. They conduct extensive research and communicate well with their clients."*

— THE LEGAL 500 ASIA PACIFIC 2026

*"S Sivaneindiren is an experienced litigator who handles a variety of corporate disputes in Malaysia. He is skilled in a range of disputes such as contractual, employment and bankruptcy issues."*

— CHAMBERS ASIA PACIFIC 2025

*"Sivaneindiren has a gift for putting things across in an easy-to-understand way. He's completely hands-on, leading the cases from the top but also getting stuck into matters."*

— CHAMBERS ASIA PACIFIC 2025

*"Mr Siva is friendly and professional. He is easy to communicate with and makes an effort to ensure clients are well advised."*

— CLIENT FEEDBACK

*"He has good analytical thinking and strategy and also has vast experience in various area of law."*

— CLIENT FEEDBACK