

**Gov't, Tajudin fail to strike out lawsuits**  
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The government has failed to strike out Tajudin Ramli's RM500 million counter-claim in a legal suit involving national carrier Malaysia Airlines (MAS).

Tajudin's application to strike out MAS' claim against him was also dismissed in the Kuala Lumpur High Court today, according to his lawyer Lim Kian Leong

Justice Rosilah Yop, in her decision in chambers, ordered both applicants to pay costs, but did not assess the quantum.

Following this, the court will on Monday proceed with the MAS suit against Tajudin, in relation to massive losses sustained by the airline and resulting in the relocation of its cargo operations in Europe.

Lawyers Kumar Kanagasingam and SM Shanmugam appeared for MAS, while senior federal counsel Tengku Intan Suraya Tengku Ismail represented the government.

It is learnt that there is a possibility that, following today's development, former prime minister Dr Mahathir Mohamad, former finance minister Daim Zainuddin and former deputy prime minister and one-time finance minister Anwar Ibrahim may be subpoenaed to testify.

One suit that MAS filed in 2006 and which will be heard on Monday, involves the airline, MAS Golden Holidays Sdn Bhd and MAS Hotels & Boutiques Sdn Bhd.

This suit names Tajudin, his former company Naluri Corporation Bhd, Promet (Langkawi) Resorts Sdn Bhd, Kauthar Venture Capital Sdn Bhd and Pakatan Permai Sdn Bhd as defendants.

It claims Tajudin had intentionally breached his duties or obligations and committed breach of trust by having MAS procure various contracts for his own interests.

It alleged that Tajudin, as director and chairperson of MAS, had neglected advice given to the national carrier and did not take the reasonable steps incumbent upon an executive, resulting in MAS suffering losses.

MAS further alleged that Tajudin was guilty of unconscionable conduct when holding the senior positions in the airline and that he had used his influence to continue the VIP chartering service with the purchase of a Boeing 737 Business Jet for US\$31 million in 1997, despite MAS suffering losses.

The airline claimed that Tajudin had dishonestly concealed his interests in Cendanasari Insurance Brokers Sdn Bhd, in matters involving a parcel of land in Langkawi and a luxury yacht, Colombo Star.

Tajudin's defence, counter-claim

Tajudin has filed a RM500 million defence and counter-claim against MAS and the government, denying that he had breached his fiduciary duty or trust, or was fraudulent where his obligations were concerned.

He claimed that the MAS suit contains bare allegations, with no facts or circumstances to back them.

Tajudin denied all allegations of conspiracy and concealment, charging that these were brought on without any justification, were frivolous and vexatious and were an abuse of due process.

He claimed that MAS and the government, which owns a substantial stake in the airlines, had acted with malice and in bad faith in initiating the suit against him in order to cause injury, damage and embarrassment to him, his reputation and business.

He further said that the MAS report filed with the Malaysian Anti-Corruption Commission against him was defamatory.

In another suit, MAS - along with MAS Cargo Sdn Bhd - has named Tajudin, former MASKargo vice-president Ralph Manfred Gotz, former MAS director Wan Aishah Wan Hamid and a former consultant Uwe Juergen Beck as defendants.

This involves the RM174 million MAS lost in the Hahn operations and RM27 million that MAS was ordered to pay as an award made in an ICC arbitration case involving ACL Hahn Advanced Cargo Logistics GmbH in Germany.

Tajudin failed to strike out this suit today.

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