

M'kini bid for new judge in PM's suit thrown out

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Malaysiakini today failed in its bid to seek a new judge to hear Prime Minister Najib Abdul Razak's defamation suit against the news portal.

Its judicial review application for Justice Kamaludin Md Said (photo) not to hear the case was dismissed with costs by the High Court in Kuala Lumpur.

Justice Asmabi Mohamad refused to grant leave (permission) for Malaysiakini to initiate the judicial review application for the change of judge.

The judge also ordered Malaysiakini to pay costs of RM5,000.

This follows Justice Asmabi allowing a preliminary objection raised by senior federal counsel Suzana Atan and Amarjeet Singh, representing the Chief judge of Malaya Zulkefli Ahmad Makinudin, who was named as a respondent.

Suzana and Amarjeet in their argument cited Section 20 of the Court of Judicature Act, under which the CJM can determine which judge will hear a case.

The news portal's application stated that since Justice Kamaludin had been transferred to the High Court in Seremban, another judge from High Court in Kuala Lumpur, which has judges specialising in civil law, should hear the case.

Furthermore, Mkini Dotcom Sdn Bhd, the operator of Malaysiakini contended, Justice Kamaludin had presided on the case only once, as the other case managements were done before the deputy registrar.

Najib along with Umno organising secretary Abdul Rauf Yusoh, filed the suit last year, following two articles published by Malaysiakini related to the Terengganu menteri besar imbroglio.

Besides the suit against Malaysiakini, Najib has also filed a suit against Harakah over his stepson and 1Malaysia Development Bhd fund, and against three opposition politicians - Tony Pua (Petaling Jaya Utara MP), Rafizi Ramli (Pandan MP) and Nga Kor Ming (Taiping MP).

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