

Election petition against Kurup's victory
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PKR candidate for Pensiangan Danny Anthony Andipai whose nomination papers were rejected by the Returning Officer has filed an election petition to the Kota Kinabalu High Court to declare the election of BN candidate Joseph Kurup null and void and contrary to the laws. MCPX

Joe Kurup, Parti Bersatu Rakyat Sabah president (right) and appointed a deputy minister recently, was declared unopposed by Bubudan Ot Malaju, the returning officer, after the nomination papers of the PKR candidate and an Independent Saineh bin Usau were rejected.

Results of the 12th General Election were gazetted on April 8 and Danny Anthony filed his petition through his counsel Haji Ansari Abdullah in the Sabah capital yesterday.

Ansari who is also Sabah PKR state liaison chief emailed a copy of the election petition to Malaysiakini today. Kurup was cited as the first respondent and the RO as the second respondent.

According to the petition, Danny arrived at the Nabawan nomination centre at 9.35am on nomination day, Feb 24, and gave his personal details together with those of his proposer and seconder to the police counter outside the centre and then entered the nomination centre.

After he was given a piece of paper bearing number 10, he proceeded to pay the election deposit of RM10,000 and another RM5,000 deposit for election campaign for which receipts were duly issued.

At about 9.55 am, one of the election officers closed and locked the entrance to the nomination centre. The entrance to the nomination centre was only opened again by the election officer after half an hour to enable the public to lodge any objection, if any.

Papers accepted, then rejected

Danny was then asked by an election officer, Rose Sufi, to hand over his nomination papers to the RO and was shocked when he was informed he was late in delivering his nomination papers and refused to accept it.

This was in spite of the PKR candidate trying to explain that he was unable to hand over his nomination papers to the RO as he was occupied with another candidate but the RO was adamant in his refusal.

Danny contacted his lawyer Ansari who advised him to lodge a police report and as he was proceeding to lodge it, he was advised not to do so by an Assistant Returning Officer Osman Aganduk @ Fendi who said to the Returning Officer, 'Tuan boleh daftar, saya sudah call SPR' (You can register sir, I have called the Election Commission).'

After that the RO accepted the nomination papers as well as that of Saineh bin Usau and

displayed them for objection

The RO subsequently closed the period for objection at 11am and went on to accept Kurup's nomination as the parliamentary candidate for Pensiangan.

Danny was shocked when the RO announced that Kurup was returned unopposed and declared him (Kurup) as being duly elected as his and Saineh's nomination papers were rejected.

He was never informed of the reasons for the rejection of his papers.

On the advice of his lawyer, he lodged a police report on what transpired during the nomination.

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