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# Najib seeks to strike out suit

## APPLICATION FILED:

Legal action by Dr M and 2 others frivolous, says PM's counsel

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**P**RIME Minister Datuk Seri Najib Razak has sought to strike out a suit against him by former prime minister Tun Dr Mahathir Mohamad and two others on the grounds that it is frivolous and vexatious.

Najib's counsel, Wan Azmir Wan Majid, said his client filed the application two days ago.

He said this after the case management of the suit in the chambers of High Court senior assistant registrar Erry Shahrman Nor Aripin yesterday.

Under the law, a legal action is deemed frivolous and vexatious if it has no serious purpose or value and is intended to annoy or frustrate the defendant.

"The elements of tort of malfeasance (the basis of the suit) are not present in this (legal) action against the prime minister," said

Wan Azmir.

He said this was all he could reveal at the moment.

He said the striking-out application would be heard by High Court judge Datuk Rosnaini Saub on June 23.

Wan Azmir said his client also sought for the court to stay the entire suit, pending disposal of the striking-out bid.

Counsel Mohamed Haniff Khatri Abdulla, who acted for Dr Mahathir and the two co-plaintiffs, said the court had ordered Najib to file his defence by April 28.

On March 23, Dr Mahathir and the co-plaintiffs, namely former Batu Kawan Umno division vice-chairman Datuk Seri Khairuddin Abu Hassan and former Langkawi Wanita Umno member Anina Saadudin, had filed the suit against Najib, who is also Umno president and Barisan Nasional chairman.

The three plaintiffs are suing Najib over the alleged abuse of power to obstruct investigations into the 1Malaysia Development Bhd issue.

The matter involves the remittance of RM2.6 billion and RM42 million into Najib's personal accounts, among others.

Dr Mahathir, Khairuddin and Anina are seeking, among others, exemplary and aggravated damages of RM2.6 billion and RM42 million, respectively.

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