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# Ex-army captain sues King, PM

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> **Tengku Zainal Abidin seeks damages over pay reduction issue in 1960s**

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**KUALA LUMPUR:** A former army captain, Tengku Zainal Abidin Tengku Yusoff (*pix*) has filed a civil suit against the Yang di-Pertuan Agong Tuanku Abdul Halil Tunku Badlishah, the prime

minister and the commander of the Malaysian Armed Forces in relation to the Malaysian Armed Forces' pay reduction in the 1960s.

Tengku Zainal, who was with the army between 1971 and 1982, also named the chief secretary and the government in the statement of claim which was filed in the Kuala Lumpur High Court yesterday.

He claimed a Royal Commission created in 1963 discriminated against the army by giving a false impression that the soldiers received better treatment.

Tengku Zainal also claimed "misfeasance of public office" and

breach of statutory duties.

He is seeking general, exemplary, aggravated and special damages, costs and other reliefs deemed fit by the court.

Meanwhile, legal experts say it is possible to sue the Yang di-Pertuan Agong only for acts committed in his personal capacity as a private individual and not while carrying out his official duties.

Lawyer Latheefa Koya said in general, no one can file a suit against the King in his capacity as the Yang di-Pertuan Agong because he enjoys sovereign immunity.

"There is a possibility that this

immunity can be taken off for certain personal matters and a couple of other issues," she said.

Another lawyer, Ravi Neeko, quoted Articles 180 and 183 of the Federal Constitution which state that no suit can be brought against any ruler unless it is in a Special Court and there must be consent from the Attorney-General's Chambers (AGC).

"If there is no consent from the AGC, then they cannot commence proceedings," he noted.

He said the King only has immunity in his official capacity and not his personal capacity.