

July 3 Decision On Umno's Bid To Strike Out Tian Chua's Statement Of Defence
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KUALA LUMPUR, June 12 (Bernama) -- The High Court will decide on July 3 whether to allow and application by UMNO to strike out the statement of defence by Parti Keadilan Rakyat vice-president Chua Tian Chang and two others in a suit over an article related to the February intrusion incident in Lahad Datu by terrorists from the southern Philippines.

Judge Rosilah Yop fixed the date in chambers after hearing submissions on the application by UMNO's counsel Datuk Mohd Hafarizam Harun while counsel William Leong acted for the defendants.

Mohd Hafarizam told reporters that on that day (July 3), the court would also deliver a landmark ruling on whether UMNO as a political party had locus standi to file a defamation suit against the defendants.

He said he submitted to court that UMNO could sue the defendants as the party had adhere to Section 9(c) of the Societies Act 1966 to initiate the legal action using the name of the party's public officer.

Mohd Hafarizam said the defendants argued that UMNO had no legal right to file the suit against them.

On March 15, UMNO executive secretary Datuk Ab Rauf Yusoh filed the suit against Chua Tian Chang known as Tian Chua, KeadilanDaily.com editor Fazallah Pit and the writer of the article, Aisha Geoffrey.

In his statement of claim, Ab Rauf alleged that Tian Chua had made disparaging remarks during an interview for the article "Insiden tembakan di Lahad Datu konspirasi terancang Umno" ("Lahad Datu Shooting A Planned Conspiracy By Umno Government") dated March 1 which was posted on KeadilanDaily.

He is seeking general, aggravated and exemplary damages, as well as a written apology from the defendants to be published in all newspapers, and other relief deemed fit by the court.

Tian Chua in his defence statement denied making statements which defamed Umno on the Lahad Datu intrusion.

He claimed that the statement was fair comment and made on an occasion of qualified privilege as a member of parliament and in the public interest.

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