

**Nizar wins suit against Utusan Malaysia
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By Jennifer Gomez**

The Kuala Lumpur High Court awarded former Perak menteri besar Mohammad Nizar Jamaluddin RM250,000 today as damages in his suit against Utusan Malaysia over the WWW1 car registration number issue.

Counsel Fitri Asmuni told The Malaysian Insider that Nizar was awarded general and exemplary damages after judge Rosnani Saub found the paper liable for defamation.

Fitri said that Nizar is in Australia and had been informed by text message of the verdict.

The lawyer added that in her decision, the judge found that the report was not a true publication but had been spun, adding that it was defamatory to Nizar.

She also ruled that Utusan's defence of justification, fair comment, qualified privilege and journalism, had failed.

Nizar had sued Utusan over their report on his tweets regarding the WWW1 registration number. In his statement of claim, Nizar had said that the defendant had implied that Nizar had tried to incite the people to hate the Sultan of Johor.

Nizar claimed the statement also meant that he had alleged that the Johor ruler had misused public funds to pay RM520,000 for the plate number.

"The judge noted that Nizar had not questioned where the Sultan got the money from, but had just said that it was a waste of money," Fitri said.

"However, Justice Rosnani did not award aggravated damages," Asmuni said.

The court also ordered Utusan Malaysia to pay RM30,000 in costs.

Meanwhile, in the case where Nizar had lost his suit against TV3, Fitri said that they would be filing the notice of appeal by tomorrow.

In April, Nizar lost his RM50 million defamation suit against TV3 over a tweet that the Sultan of Johor had allegedly used public funds to bid for a car registration number.

Judge Datin Yeoh Wee Siam said the private broadcasting station had succeeded in their defence based on justification (truth).

"On this ground alone, the plaintiff's (Nizar) claim ought to be dismissed," she said in her judgment.

This is the latest in a list of defamation cases that Utusan has lost or settled recently.

In February, the Court of Appeal upheld a High Court decision ordering Utusan to pay RM200,000 in general and aggravated damages to Penang Chief Minister Lim Guan Eng over a defamatory article.

Lim who is Bagan member of parliament and Air Putih assemblyman, had sued Utusan for defaming him in an article entitled, "Kebiadaban Guan Eng" published by the Bahasa Malaysia daily on Dec 20, 2011.

In January, Opposition leader Datuk Seri Anwar Ibrahim won a suit against Utusan after High Court judge VT Singham had found that the daily had defamed him in two articles.

In that judgment, the court ruled that the articles, which had implied that Anwar had intended to legalise homosexuality, was a gross mistaking of facts in complete disregard to the plaintiff's reputation.

The court also found that the news article was lacking in responsible journalism and that the defendants took high risk in publishing them on the front page, without verifying the truth. - July 4, 2013.

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