

11, 1968

No. 35 of 1965

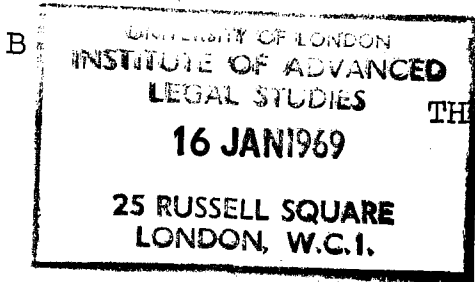
A IN THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL  
ON APPEAL  
FROM THE FEDERAL COURT OF MALAYSIA  
HOLDEN AT SINGAPORE (APPELLATE JURISDICTION)

B E T W E E N:

M. VASUDEVAN PILLAI and  
M. KUTTAPPAN NAIR Appellants

- and -

THE CITY COUNCIL OF SINGAPORE  
Respondents



CASE FOR THE RESPONDENTS

- C 1. This is an Appeal from the Judgments and Order of the Federal Court of Malaysia holden at Singapore dated the 22nd February 1965 dismissing with costs the Appeal of the Appellants from the Judgment of the High Court in Singapore dated the 22nd November 1963 and entered the 4th December 1963 dismissing with costs (except the costs of the 12th September 1963) the claim of the Appellants, the Plaintiffs in the action.
- D 2. The Appellants, who were employed by the Respondents as daily rated unskilled labourers,
- Record  
pp 108-120  
p. 121  
p 97

Record

pp 139-140

p 171

were dismissed for misconduct by a written notice dated 27th May 1957. An appeal brought by the Appellants against their dismissal was heard by the Establishments Sub-Committee of the Respondents and was dismissed by letter dated 17th July 1957. It was not in dispute that the Appellants had refused an order to clean some boiler ducting at the Pasir Panjang Power Station at Singapore where they were employed and had then refused an order to report to the Respondents' Labour Office. The Appellants' reason for refusing to clean the boiler ducting was that this was skilled work which was not within the terms of their employment. There are concurrent findings of fact by the Courts below that the work was unskilled and within the scope of their employment. In these circumstances the sole question open to the Appellants on this Appeal is whether, having regard to the disciplinary procedure which the Respondents in fact followed or which they ought to have followed, the Respondents were entitled to dismiss the Appellants. The Appellants alleged at the trial that under the terms of their employment the Respondents were required to carry out a

A  
B  
C  
D  
E

A quasi-judicial inquiry before they could lawfully  
dismiss the Appellants and that the inquiry  
which they in fact carried out in this case was  
improper and involved a breach of the rules of  
natural justice in that certain statements were  
received and recorded without the Appellants  
B being made aware of their nature and in their  
absence and that no clear indication was given  
to the Appellants of the basis of the complaints  
against them.

3. The Appellants commenced The Present Suit  
by a writ issued on 4th December 1957 and claiming p 1.  
C declarations that their dismissal was wrongful  
and that they were in the employment of the  
Respondents and salary from 27th May 1957 to date  
of judgment and damages for wrongful dismissal.

4. By their Statement of Claim dated 27th p 4.  
February 1958 the Appellants claimed in

D Paragraph 1 that they were employed by the  
Respondents on the terms of rules framed under  
the Municipal Ordinance and of various  
agreements made from time to time between the  
Respondents and the Electrical Workers Union.  
For the rest they alleged that their duties  
E an unskilled labourers consisted of sweeping  
the drains and other work outside the

Record

Respondents' Pasir Panjang Power Station, that the Respondents had ordered them to work as boiler cleaners inside the said Power Station and that the Appellants had refused to perform such work, as they were entitled to do.

A

P.11 L 27

5. In answer to requests for particulars of the Statement of Claim the Appellants pleaded that "it was an implied term of the Plaintiffs employment that they could not be dismissed from service unless they committed misconduct or deliberately refused to carry out the lawful orders of their superiors which were confined to the type of work for which they were primarily engaged," and that "the

B

P.12. L 14

law of master and servant applied generally to both parties." In compliance with an order for

P.16. L 17

further particulars the Appellants pleaded that they would "rely on Chapter II of the rules relating to Daily Rated Labour and on the

C

pp.125-126

Minutes of Meeting with Electrical Workers Union and Acting Power Station Superintendent at Pasir Panjang Power Station on the 18th June 1956."

D

P.188

6. "Chapter II" contains a collection of administrative directives and references issued by the Respondents for the guidance of their

E

A	<p>officers. Relevant parts are set out at pages 188 to 215 of the Record. Section IV, which is headed "Discipline", provides a procedure to be followed "when the conduct of an employee is being considered with a view to his dismissal or punishment". This procedure provides that the Head of</p>	<p><u>Record</u> pp.188-215 P.192</p>
B	<p>Department will "hold or cause to be held an enquiry at which a Welfare Officer must be present". The record of the enquiry, which is to be conducted by a responsible officer from the department concerned, is to be</p>	<p>P.193.L 31</p>
C	<p>submitted to the President or Deputy President who "may cause such further supplementary enquiries to be held as he may deem necessary." If the decision of the President is to dismiss the employee, a formal letter of dismissal is to be</p>	<p>P.194. L 7</p>
D	<p>conveyed to him, informing him of his right to appeal by notice given to the Secretary of the Establishments Committee. The Section also provides that among the matters which may be held to be misconduct is</p>	<p>P.194. L 26</p>
E	<p>"failure to obey all orders that are lawful and within the scope of the service undertaken".</p>	<p>P. 195. L 1</p>

Record  
P.17

7. By their Defence delivered the 20th July 1961 the Respondents admitted that they employed the Appellants as unskilled labourers and that they dismissed them as they were entitled to, but denied that their employment was on the terms of the said rules or the said agreements.

A

P.19-26

8. The action came on for trial before Tan Ah Tah J. on 22nd July 1963. In the course of argument on the first and second day counsel for the Appellants alleged for the first time that the enquiry which the Respondents had carried out before deciding to dismiss the Appellants was "an improper one" and "not even a quasi-judicial

B

P.21 LL 13,14

enquiry" and that the statements of the Respondents' officers were not taken in the presence of the Appellants, and he stated that he would file an Amended Statement of Claim within 7 days.

C

P.4

9. An Amended Statement of Claim was filed on 20th August 1963 and contained the following material amendments:-

D

PP.5,6

" 8. Further and/or in the alternative the Defendant Corporation were not entitled to dismiss the Plaintiffs summarily or by notice without first holding an enquiry in accordance with the provisions of Chapter 2 Section 4.

E

9. The Plaintiffs will refer at the trial of the action to the said rules for the full terms and effect thereof."

A " 10. The Plaintiffs will contend that on a proper construction of rule the enquiry intended to be held was of a quasi judicial nature and/or to be conducted in accordance with the principles of natural justice. The said enquiry was not held or conducted in any manner reasonable capable of being considered either of a quasi judicial nature or in accordance with the principles of natural justice.

C 11. In particulars statements against the accused were received and recorded without the Plaintiffs being made aware of the nature thereof and in their absence. No clear indication was given to the Plaintiffs of the basis of the complaints.

D 12. The Plaintiffs will contend that the proceedings were a nullity and that the Defendant Corporation had no power to dismiss the Plaintiffs except after compliance with the relative provisions."

E 10. An Amended Defence was filed on 24th August 1963. As further amended during the trial it contained the following material averments :- P.17

F " 4. As to paragraphs 8, 9, 10, 11 and 12 of the amended Statement of Claim, the Defendants say that an enquiry was duly held pursuant to the provisions of Chapter 2, Section iv. It is denied that the intention of the aforesaid provisions was that such enquiries should be of a quasi-judicial nature, as alleged or at all. If such was the intention, which is denied, the Defendants say that the enquiry involving the Plaintiffs was properly conducted and in accordance with the principles of natural justice. pp. 17, 18

H 4A. In the alternative, if, which is not admitted, the enquiry was of a quasi-judicial nature and if, which is not admitted, it was not conducted in accordance with the principles of natural justice, the Defendants say that any alleged defect in the conduct of the said"

I

enquiry was cured at the hearing of the appeal against dismissal of the Plaintiffs, which appeal was by way of rehearing.

A

5. The Defendants say that the provisions of Chapter 2, section iv (3) relating to dismissal for misconduct were properly complied with."

B

11. Two witnesses were then called for the Appellants. Their evidence, so far as it related to the questions whether the Appellants were employed on the terms of P.2 and if so whether the Respondents had complied with its requirements was as follows: K. Suppiah, the President of the Public Daily Rated Employees Unions Federation and of the Public Daily Rated Electrical Workers Union, stated:-

C

P.188

P.22 L 44  
to P.23 L 5

" I know of no reason, except misconduct, for which a City Council employee can be dismissed. This is our understanding. The rules are in the book (indicating P2). A similar book was handed to me by the City Council. We were told it contains the rules regulating our service.

D

E

F

P.25 LL 34-39

An employee is not given a letter of employment. He is given a card. The card bears his name, designation, rate of pay, and date of entry into the service. The circumstances in which he can be dismissed are not stated in the card. "

G

His evidence contained the following passage concerning the disciplinary inquiry carried out by the Respondents :-

P.28 LL 3-6

" At the meeting held on 25.5.57 Mustaffa (the Union Secretary) was present to see that the statements were properly recorded. He was present when all statements were taken. Byrne (Labour and Welfare Officer)

H



A was also present. Record  
After Plaintiffs had been dismissed they P.28 LL 7-9  
appealed to the Establishments Committee.  
B Marshall appeared for them and argued  
the appeal. "

12. The Second Appellant, in addition to  
testifying that he could be asked to do any P.30 L 16  
unskilled work but that he had refused to clean  
C the boiler ducts because the work was skilled,gave  
the following evidence relating to the disciplinary  
inquiry:

D In cross-examination :

" On 25.5.57 I attended an enquiry at the P.32 L 9  
City Council. I knew they wanted to record  
statements about my not doing the work. I  
knew it concerned the incident when Ishak  
E asked me to do the work. I said that the  
type of work I had been asked to do was not  
work to be done by a labourer of my grade  
and I again said it was work to be done by  
men of a higher grade. My statement was  
read to me in Tamil. I understood a little.  
F At that time there was only a Tamil  
Interpreter present. I told my side of the  
story. I was asked questions. I gave the  
answers that I wanted to give. "

In re-examination :

G " I was not in the room when Thornton made his P.33 L 13  
statement. I was present when Inspector Tan  
made his statement. I cannot remember in  
what language he spoke. No one interpreted  
what he said to me. I was not given a copy  
H of his statement.

Ishak made a statement to the Court of P.33 L 19  
Inquiry.

I was not present. I was not given a P.33 L 20  
I copy of his statement.

Record

I was given a copy of my own statement in English. I was not given a copy of any other statements."

A

13. At this stage of the trial counsel for both parties informed the Court that they had agreed the following facts :-

B

P.33 L 32, to 33

- " 1. Mr.Roper was the investigating officer.  
2. Mr.Roper asked the questions.  
3. Witnesses could not ask other witnesses questions.  
4. Mustaffa was entitled to say anything if he wished.  
5. Mr. Byrne was there to see fair play.  
6. Mr. Roper, Mr.Byrne and Mr.Mustaffa were present throughout the enquiry. "

P.34 L 1

C

D

14. The Second Appellant was then recalled and gave the following further evidence in re-examination:-

P.34 L 11

" The enquiry was held in a room in the power station. There was a table in the room. People were seated at the table. Roper was not present. I cannot remember how many persons were present. An officer recorded my statement. I don't know his name. Briggs was present. Byrne was present. A Tamil officer recorded my statement. He was an interpreter. He interpreted to Briggs and Byrne. Briggs and Byrne were asking questions. I cannot remember if a Maintenance engineer was present. An Inspector was present. I think his name was Tan. Mustaffa was present. I am not sure if Serang Ishak was present.

E

F

G

There were people in the room when I signed the statement. I cannot remember who they were. I am not very sure whether they were all present all the time while I was making the statement. I think Ishak and Mustaffa went out on one or two occasions. I was not in the room when other persons were making their statements. "

H

A 15. On behalf of the Respondents J.M.M. Record  
Briggs, the Acting Superintendent of the Power  
Station, Ishak bin Abdul Rahman, charge hand  
serang, E.F. Roper, the Acting Deputy  
Electricial Engineer, and J.L. Byrne, the  
B Labour and Welfare Officer, gave evidence to  
the effect that cleaning the boiler ducting was  
unskilled, that labourers had done it on  
previous occasions, that it was part of the work  
of labourers, that the Appellants had refused  
C to do it and had then refused to report to the  
Labour and Welfare Officer. Their evidence on  
what occurred at the inquiry and the appeal and  
on the material terms of the Appellants'  
D employment is set out below :

J.M.M. Briggs

E " Notices of suspension and of intention P.47 L  
to conduct an enquiry were prepared for  
service on Plaintiffs. Plaintiffs refused  
to accept service.

F I attended the enquiry on 25.5.57. I made  
a statement which I subsequently signed.  
All persons involved made statements. The  
enquiry was held in my office at Pasir  
Panjang. Roper presided.

I am not quite sure whether the Plaintiffs  
were present or not when the statements  
of other witnesses were recorded. I  
cannot remember whether they were present  
when my statement was recorded. I cannot  
be sure whether they were present during  
the recording of my statement.

Record

On 28.5.57 Plaintiffs were dismissed.

A

Both Plaintiffs appealed against their dismissals. I attended the hearing of the appeal. I gave evidence. I was cross-examined by Marshall. My evidence was chiefly pointing out the difference between the boiler proper and the items of equipment which the Plaintiffs had been asked to clean."

B

Ishak bin Abdul Rahman

P.60 L 24

" I attended an enquiry in Briggs' office. I made a statement and signed it. Plaintiffs were present when I made my statement. I am not sure whether Mustaffa was present.

C

Later an appeal was heard. I was present. I was asked questions by Marshall."

D

.....

P.66 L 3

" I think Plaintiffs were present when I was making my statement. I cannot be very sure about this.

E

At the appeal I was questioned by the Chairman and also by Marshall. Questions were put to me direct by Marshall and they were interpreted to me by Muthu Veloo the Welfare Officer."

F

E.F. Roper

P.67 L 18

" On 25.3.57 I conducted an enquiry pursuant to Chapter II Section IV of P2. Evidence was recorded. I was sitting at a table in D.W.1's room at the Station. It is my impression that one or other of the Plaintiffs was present when statements were recorded - I cannot be absolutely certain. Mustaffa and Byrne were present throughout the proceedings. I don't think Plaintiffs asked the witnesses any questions. The statement of each witness was signed by the witness.

G

H

A I forwarded the record to Rea under cover of 8A in AB.

B I received 8B from Rea. The answers to the questions are in my handwriting. I was aware of the work which was referred to - cleaning of the ducting. When I replied "Yes definitely" it was within my personal knowledge. The only work in question was cleaning the ducting. Cleaning of air heaters may have been mentioned - I cannot remember. It probably was.

C My reply to the 2nd question - Yes - was to my personal knowledge. I was Power Station Superintendent at that time. I was acting Deputy Electrical Engineer. but I was Power Station Superintendent. I became the latter in September 1952. I was working at the Power Station from 1952 to 1957. I acted for a few months as Deputy Electrical Engineer in 1957. In May 1957 my office was at City Hall.

P.68 L 1

D My replies to the 3rd question - I enquired from D.W.l. before giving those replies.

E I sent 8B back to Rea. Then I received it back again with the instructions written at the bottom.

F Plaintiffs were dismissed. They appealed. The appeal was heard in the Council Chamber, City Hall. Marshall represented them. The appeal was heard by a sub-committee. Rayner was Chairman. The same witnesses were present at the appeal. Evidence was given by witnesses. I gave evidence. I explained the duties of a boiler cleaner and a labourer and pointed out the differences.

G I explained the differences between a boiler and ducting. I was cross-examined by Marshall. He put questions to me directly. I answered them."

.....

Record  
P.71 L 1

"My impression is that one or other of the Plaintiffs was present throughout the enquiry. If they were not there the whole time they were most of the time.

A

I am not certain how many persons sat to hear the appeal."

B

J.L. Byrne

P.75 L.11

"When appointed, a labourer is not given a letter of appointment. When the appointment is approved the Department is informed by the Labour Officer and the labourer is sent to the Department where he is to work. He is not given any document setting out what his duties will be. He is not given any document which states under what circumstances his employment can be terminated."

C

D

.....

P.75 L.29

"On 25.5.57 I attended an enquiry in D.W.1's office. I was then an assistant welfare officer. I cannot remember if Plaintiffs were present when the statements of witnesses were recorded.

E

(Shown P2). The authority for Chapter II is a decision of the labour sub-committee of City Council. The decision was that the decisions relevant to labour matters should be recorded and sent round as circulars to the various departments and these circulars were to be put together into what we call the code Chapter II for daily rated employees.

F

A daily rated labourer's employment can be terminated by notice under the Labour Ordinance. The provisions of the Labour Ordinance are summarised in Appendix J. in P2."

G

.....

P.77 L 5

" Both Plaintiffs appealed against their dismissal. The appeal was heard by the Sub-Committee of the Establishments Committee. Mr. L. Rayner, an Advocate and Solicitor, was Chairman and the 2 other members were Theo Leijssius and

H

I

A S.Jaganathan. In addition 2 officers were in attendance.

B The sub-committee made a report to the Establishments Committee which had the power to delegate certain functions to the Sub-committee.

C The Establishments Committee then made a report to the full Council. The report is recorded in the Minutes of Proceedings of the City Council for 31.7.57. The date 16.7.57 in brackets is the date on which the Establishments Committee met."

.....

D " As Assistant Welfare Officer it was my duty to attend enquiries. P.77 L 23

E Roper presided on 25.5.57. The witnesses were all present. I don't remember Plaintiffs being there at all. The witnesses were all seated round a table. D.W.1 could hear what Thornton said. What each witness said could be heard by all the other witnesses.

I have attended other enquiries.

F At this enquiry I don't remember questions being put by Roper after the statements had been recorded. Mustaffa was not called upon to make a statement."

.....

G " The statements were sent to Rea. Rea could have called for further evidence or could have ordered a further enquiry to be held. To my knowledge no further enquiry was held. P.78 L 1

H Chapter II of P2 and the Labour Ordinance contained the rules and law relating to conditions of service."

.....

I " The services of labourers have been terminated from time to time for reasons P.79 L 23

Record

of redundancy under Chapter II.

A

P.79 L 27

The summary of the Labour Ordinance in Appendix J. was made in order to enable officers of all Departments to know what were the provisions relating to the notices terminating the services of labourers.

B

The need has never arisen to terminate the service of labourers under the Labour Ordinance. If they were redundant or had misconducted themselves their services were terminated under the provisions of Chapter II instead of the Labour Ordinance."

C

16. The documents disclosed at the trial included the statements taken at the inquiry from Messrs. Briggs (Acting Superintendent of the Power Station), Thornton (Boiler House Maintenance Engineer), Tan (Security Officer), Ishak (serang), Emmanuel (Power Station clerk) and the two Appellants. At the foot of each of these statements it was recorded that the statement was taken in the presence of Messrs. Roper (Acting Deputy Electrical Engineer), Byrne (Labour and Welfare Officer), Briggs, Thornton, Tan, Mustaffa (Secretary of the Appellants' union), Ishak and Emmanuel (acting as interpreter). Whereas the statements of all the other witnesses included the name of the witness as being among those present, neither the statements of the Appellants themselves nor any of the other statements recorded the Appellants

D

E

F

G



- A as being present. But the letter from Mr. Roper, forwarding the statements to the Deputy President, stated that the Appellants were among those present at the enquiry which he had conducted.
- B 17. On receipt of the statements the Deputy President sent a memorandum to the Acting Deputy Electrical Engineer, asking him to confirm (a) that this is unskilled work, (b) that the unskilled labourer has done this work and (c) whether the Appellants have ever done the particular work. The Acting Deputy Electrical Engineer answered on the memorandum to (a) Yes definitely and to (b) Yes, and to (c) that the Second Appellant had done the work once but that the First Appellant had not. The Deputy President then minuted his decision that both the Appellants should be dismissed, and the appropriate notices of dismissal were then served.
- C P.137
- D P.137
- E 18. By letters from K. Suppiah dated 1st and 10th June 1957 the Appellants gave notice of appeal against their dismissal. The grounds of appeal were stated in letters from K. Suppiah dated 4th, 7th and 10th June 1957. The Appeal was heard by the Sub-Committee of the
- F P.146  
P.160  
PP.148,157  
P.160

Record  
P.184

Establishments Committee on 9th July 1957. A

The appellants were represented by Mr. David Marshall of counsel and K. Suppiah was also present on their behalf. It is apparent from the minutes of the meeting that there was a complete rehearing of the allegations against the Appellants. After discussion the B

P.187

Sub-Committee agreed unanimously to recommend that the appeal of the Appellants be disallowed.

19. In his Grounds of Judgment the trial judge decided that no skill was required for the cleaning of air heaters and ducting and that the work was well within the capabilities of an ordinary labourer. He stated in the following passage his opinion that there had been a breach of the rules of natural justice in carrying out the inquiry : D

P.95 L 4

P.95 L 8

"According to the evidence, the statements of some of the witnesses at the enquiry were recorded in the absence of the plaintiffs. Further, after the enquiry was over and a report had been sent by Mr. Roper to the Deputy President of the City Council, Mr. Roper supplied certain information which was relevant to the subject matter of the enquiry to the Deputy President at the latter's request. The plaintiffs were not informed at that time that these communications were passing between Mr. Roper and the Deputy President. G

A I am satisfied that both plaintiffs  
must have known why the enquiry was  
being held. They were perfectly aware  
of the fact that they had refused to  
obey the instructions which had been  
B given to them. As they knew, or must  
have known, what the complaint  
against them was, in my view, no need  
for specific charges to be framed  
against them.

C However, when Mr.Roper was conducting  
the enquiry he was acting in a quasi-  
judicial capacity. In my opinion, the  
failure to record the statements of  
all the witnesses in the presence of  
the Plaintiffs and the supplying of  
D information to the Deputy President  
without the plaintiffs' knowledge  
constituted a breach of the rules of  
natural justice."

The trial judge held, however, that the  
failure to comply with all the rules of

P.95 L 45

E natural justice was cured by the proceedings  
at the hearing of the appeal, when the matter  
was re-opened and witnesses were cross-  
examined.

20. Among their grounds of appeal to the  
F Federal Court the Appellants alleged that the  
trial judge was wrong in law in holding that

P.99 L 26

G the Respondents' failure to comply with the  
rules of natural justice at the inquiry was  
cured by the proceedings on appeal. At the  
hearing of the appeal counsel for the  
Respondents conceded that there had been a  
breach of the rules of natural justice. The

Record

Respondents withdraw or seek leave to withdraw that concession.

A

P.108

21. The appeal was heard by the Lord President and the Chief Justices of Singapore and Borneo and was dismissed unanimously on 22nd February 1965. Reserved judgments were delivered by the Chief Justice of Singapore (Wee Chong Jin C.J.)

B

P.118

and the Lord President (J.B.Thomson L.P.) and the Chief Justice of Malaya concurred with the judgments. Both judgments upheld the trial judge's finding of fact that the Appellants had refused to obey orders which they ought to have obeyed.

C

P.115 L 9

22. Wee Chong Jin C.J. referred to Exhibit P2 and to counsel's concession and stated that he was "of the view that the trial judge was wrong in his conclusion that the proceedings before the Sub-Committee had cured the defective proceedings before Mr.Roper". He relied upon the authority of Annamunthodo v. Oilfields Workers Trade Union (1961) 3 A.E.R.

D

E

P.117 L 35

621. He stated that he was of the opinion that "the Appellants had been wrongfully dismissed under these Regulations" but that the Respondents were "entitled under the law of master and servant to dismiss the Appellants summarily and this they did."

F

A 23. The Lord President held that by  
deliberately refusing to do work which fell  
within the scope of their employment the  
Appellants had repudiated their contract with  
the Respondents and that the Respondents were  
B entitled to treat it as at an end by dismissing  
the Appellants. He held that there was nothing  
in the evidence to establish that it was a  
condition of the Appellants' employment that  
if they repudiated their contract the  
C Respondents should not be at liberty to accept  
that repudiation unless they conducted an  
inquiry in accordance with the principles of  
natural justice.

D 24. The Respondents respectfully submit that  
this Appeal should be dismissed with costs for  
the following, among other

REASONS

E (1) BECAUSE there are concurrent findings of  
fact that the Appellants were guilty of  
misconduct which entitled the Respondents to  
dismiss them.

F (2) BECAUSE it was not a term of the Appellants'  
contract of service that the Respondents were  
not entitled to dismiss them without first  
holding an inquiry in accordance with the  
provisions of Chapter 2 Section IV.

Record

(3) BECAUSE in any event the Respondents held such an inquiry. A

(4) BECAUSE in holding such an inquiry the Respondents did no commit any breach of the rules of natural justice.

(5) BECAUSE if there was such a breach it was cured or nullified by the full rehearing of the case conducted by the Respondents. B

(6) BECAUSE the Respondents were entitled to dismiss the Appellants by virtue of Section 7 and Section 10 (2) of the Labour Ordinance (No.40 of 1955) notwithstanding any term of their contract of service to the contrary. C

JOSEPH DEAN

No.35 of 1965

IN THE JUDICIAL COMMITTEE OF THE  
PRIVY COUNCIL

ON APPEAL

FROM THE FEDERAL COURT OF  
MALAYSIA

HOLDEN AT SINGAPORE (APPELLATE  
JURISDICTION)

M. VASUDEVAN PILLAI and  
M. KUTTAPPAN NAIR

- and -

THE CITY COUNCIL OF SINGAPORE

---

CASE FOR THE RESPONDENTS

---

Messrs.Linklaters & Paines,  
Barrington House,  
59/67 Gresham Street,  
LONDON, E.C.2.