

14 of 1977

IN THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL No. 27 of 1976

O N A P P E A L
FROM THE COURT OF APPEAL IN SINGAPORE

B E T W E E N

KARUPPAN BHOOMIDAS (Administrator of the
estate of Veeranan s/o Solayappan,
deceased)

Appellant

- and -

PORT OF SINGAPORE AUTHORITY

Respondent

RECORD OF PROCEEDINGS

Le Brasseur & Oakley,
71, Great Russell Street,
London,
WC1B 3BZ.

Solicitors for the Appellant.

Coward Chance,
Royex House,
Aldermanbury Square,
London,
EC2V 7LD.

Solicitors for the Respondent.

O N A P P E A L
FROM THE COURT OF APPEAL IN SINGAPORE

B E T W E E N

KARUPPAN BHOOMIDAS (Administrator of
the estate of Veeranan s/o Solayappan,
deceased)

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- and -

PORT OF SINGAPORE AUTHORITY

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RECORD OF PROCEEDINGS

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Affidavit of Karuppan Bhoomidas	25th June 1976
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IN THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL

ONN A P P E A L

FROM THE COURT OF APPEAL IN SINGAPORE

B E T W E E N:

KARUPPAN BHOOMIDAS (Administrator of
the estate of Veeranan s/o Solayappan
deceased)

Appellant

- and -

PORT OF SINGAPORE AUTHORITY

Respondent

RECORD OF PROCEEDINGS

No.1

WRIT OF SUMMONS dated 4th December 1969

THE HONOURABLE MR. JUSTICE WEE CHONG JIN, CHIEF
JUSTICE OF THE REPUBLIC OF SINGAPORE, IN THE
NAME AND ON BEHALF OF THE PRESIDENT OF THE REPUBLIC
OF SINGAPORE.

In the High
Court in
the Republic
of
Singapore

No.1
Writ of
Summons
4th
December
1969

10 TO: The Port of Singapore Authority,
a body incorporated by the Port
of Singapore Authority Ordinance
1963.
Singapore.

WE COMMAND YOU, that within eight (8) days after
the service of this writ on you, inclusive of the day
of such service, you do cause an appearance to be
entered for you in a cause at the suit of Veeranan
s/o Solayappan of Room 12, Block 1, Harbour Board
Quarters, Singapore, Labourer, and take notice, that
in default of your so doing the Plaintiff may
proceed therein to judgment and execution.

20 WITNESS, Mr. Tan Wee Kian, Registrar of the
High Court in Singapore the 4th day of December 1969.

Sd. MURPHY & DUNBAR

Sd. TAY KIM WHATT

.....
Plaintiff's Solicitors

.....
Registrar,
High Court, Singapore.

N.B. - This writ is to be served within twelve

In the High
Court in the
Republic of
Singapore

months from the date thereof, or if renewed,
within six months from the date of such renewal,
including the day of such date, and not
afterwards.

10

The Defendant (or Defendants) may appear
hereto by entering an appearance (or appearances)
either personally or by solicitor at the Registry
of the High Court at Singapore.

No.1
Writ of
Summons
4th
December
1969
(Continued)

A defendant appearing personally may, if he
desires, enter his appearance by post, and the
appropriate forms may be obtained by sending a
Postal Order for \$5-50 with an addressed
envelope to the Registrar of the High Court in
Singapore.

20

The Plaintiff's claim is for damages for
personal injuries and consequential loss suffered
by the Plaintiff and caused in the course of the
Plaintiff's employment by the Defendant by the
negligence of the Defendant their servants or
agents in the working and management of a crane;
with costs.

This Writ was issued by Messrs. Murphy &
Dunbar of Hongkong Bank Chambers (7th Floor),
Battery Road, Singapore, Solicitors to the said
Plaintiff who resides at Room 12, Block 1, Harbour
Board Quarters, Singapore, Labourer.

30

The address for service is at No.H-1, Hongkong
Bank Chambers (7th Floor), Battery Road, Singapore.

No.2

STATEMENT OF CLAIM

No.2
Statement of
Claim
4th
December
1969

1. At all material times the Plaintiff was
employed by the Defendants as a labourer and at
the time of the accident aftermentioned was in the
course of his duties as such employee assisting in
the loading of planks of timber from the dockside
near godowns 29 and 30 on board a ship moored along-
side.

40

2. The system of loading was as follows :-

(1) A chain attached at one end to the cable hook
of one of the ship's cranes was placed around
a load of planks and a hook at the other end
of the chain was then hooked into a link of the
chain near to the end attached to the cable
hook.

50

(2) The crane operator then on a signal from a
signalman raised the load slightly to cause

3.

the planks to be gripped by the chain.

In the High
Court in the
Republic of
Singapore

No.2
Statement
of Claim
4th
December
1969

10 (3) If on slight raising of the load the chain was found to have too much slack, the load was lowered to the ground and, to reduce the amount of slack, the chain hook was then hooked into another link of the chain further from the end attached to the cable hook, and then the crane operator on a signal from the signalman after the Plaintiff had got clear raised the load to the ship.

(4) If on the aforesaid slight raising of the load the chain was found not to have too much slack the crane operator then on a signal from the signalman after the Plaintiff had got clear raised the load to the ship.

20 3. On the said 22nd day of January 1968 the Plaintiff while engaged on the aforesaid work in the course of the operation mentioned in paragraph 2(1) hereof was hooking the chain hook into a link of the chain when the crane operator, a servant or agent of the Defendants, suddenly raised the crane cable so that the Plaintiff's right thumb got caught between the chain hook and the link and continued to raise the crane cable so that the Plaintiff was lifted to a height of some 40 feet and then fell to the ground.

30 4. The said accident was caused by the negligence of the signalman, a servant or agent of the Defendants, and/or by the negligence of the crane operator, a servant or agent of the Defendants.

**PARTICULARS OF NEGLIGENCE OF THE
SIGNALMAN A SERVANT OR AGENT OF THE
DEFENDANTS**

(a) Giving a signal for the crane to raise the cable while the Plaintiff was still in course of hooking the chain hook into the link.

(b) Failing to warn the Plaintiff that he had given or was about to give a signal for the crane to raise the cable.

40 (c) Failing to give a signal to the crane operator that the Plaintiff was in danger and the cable should be lowered.

In the High
Court in the
Republic of
Singapore

PARTICULARS OF NEGLIGENCE OF
THE CRANE OPERATOR A SERVANT
OR AGENT OF THE DEFENDANTS

No. 2
Statement of
Claim
4th
December
1969

- (a) Causing the crane to raise the cable without awaiting the requisite signal from the signalman.
- (b) Causing the crane to raise the cable without ensuring that it was safe to do so.
- (c) Causing the crane to raise the cable to a great height when he knew or ought to have known that in accordance with the system of work the Plaintiff would not anticipate that the cable would then be raised to a great height and would be in danger. 10

5. By reason of the aforesaid negligence the Plaintiff has suffered injuries, has endured pain and has been put to loss and expense.

PARTICULARS OF PERSONAL INJURIES

He sustained the following injuries:

1. Compression fractures of the bodies of the 12th thoracic and 1st lumbar vertebra. This was associated with paraplegia due to injury to the spinal cord and nerve roots at the thorace-lumbar junction. 20
2. Simple, comminuted, fractures of the lower thirds of the shafts of the right tibia and fibula. The fractures involved the articular surfaces of the right ankle joint.
3. Fractures of both pubic rami of the pelvic bone. 30

He was unable to pass urine and had rectal incontinence. The bladder was managed initially with an indwelling catheter. Later he developed an "automatic" bladder and he was trained to empty it by manual compression. Urinary tract infection developed from time to time and this was controlled with antibiotics.

The paraplegia was incomplete and his muscle power was in the region of grade 3 - 4 (normal being 5) Sensation was satisfactory except for an area of anaesthesia around the anus. On 22.3.1968 he was re-admitted to the General Hospital because of 40

urinary tract infection and a severe urethritis. He could get about with the aid of crutches and on 27.3.1968 he was discharged from the hospital to the Port of Singapore Authority Sick Bay. He developed pressure sores over the sacral region and leg and by 16.7.68 he could walk without crutches, though with a considerable limp. He complains that he is weak in both lower limbs and of dribbling of urine and faecal incontinence. He walks with a limp, more so on the right side. He can only walk slowly and the power of most of the muscles in his lower limbs is about grade 4. There is a loss of sensation around the anal region and the left heel.

In the High Court in the Republic of Singapore

—————
No.2
Statement
of Claim
4th
December
1969
(Continued)

He has to use a plastic bag and tube around the penis because of dribbling of urine. Bowels are open about 3 times a day and an automatic bladder reflex emptying about 4 - 5 times with further dribbling of urine. It is probable that he has also loss of libido.

20 X-ray reports disclose that there is moderate flattening of the body of thoracic 12 with some bridging anteriorly. They are slightly narrowed and there is kyphosis.

The fractures of the right ischio-pubic bones have healed but there is some subluxation of the symphysis pubis with slight inferior displacement of the left pubic bone. The pelvic minor is somewhat asymmetrical due to deviation of the symphysis pubis to the left.

30 The fractures of the lower ends of the tibia and fibula are aligned although there is mild widening of the ankle joint medially.

The right ankle joint is damaged and he will get painful arthritis as time goes on and he will also get a painful back at the site of the fractured spine. He is quite unable to do any work of any kind.

PARTICULARS OF SPECIAL DAMAGES

Transport for 25 trips at \$1/- per trip
and continuing 25-00

40 The Plaintiff was earning \$220/- per month being employed by the Defendants. He also received free accommodation, water and electricity. The value of which is approximately \$30/- per month. He has been paid \$130/- per month and retains his premises up to the time of

In the High
Court in the
republic of
Singapore

the issue of the Writ. The loss
therefore is \$90/- per month
from 1st February 1968 until the
30th November 1969 (22 months) \$ 1,980-00

No.2
Statement
of Claim
4th
December
1969
(Continued)

The Plaintiff states that his
special damages may increase in
the event of his being asked to
remove from the premises or his
salary ceasing.

6. And the Plaintiff claims :-

10

(1) Damages

(2) Interest at the rate of 6% per annum from the
29th day of January 1967 until payment or
Judgment.

Dated and Delivered this 4th day of December
1969, by

Sgd. MURPHY & DUNBAR
Solicitors for the Plaintiff

To:

The Port of Singapore Authority
a body incorporated by the Port
of Singapore Authority
Ordinance 1963,
Singapore.

20

No.3
Defence
24th
January
1970

No.3

DEFENCE dated 24th January 1970

1. Apart from stating that the Plaintiff was
employed by the Defendants as a labourer the
Defendants make no admissions with regard to
paragraph 1 of the Statement of Claim.

30

2. The Defendants make no admissions with regard
to paragraph 2 of the Statement of Claim and put
the Plaintiff to strict proof of the contents thereof.

3. With regard to paragraphs 3, 4 and 5 of the
Statement of Claim the Defendants deny that the
accident alleged or any injuries loss or damage

7.

were caused by the alleged or any negligence of the Defendants their servants or agents and put the Plaintiff to strict proof thereof.

4. Further, or in the alternative, the matters complained of were wholly caused or contributed to by the negligence of the Plaintiff.

PARTICULARS OF NEGLIGENCE OF THE PLAINTIFF

- (a) Failing to stand at a safer place while engaged in the work of loading.
- 10 (b) Standing at a place the Plaintiff knew was dangerous while performing the said work.
- (c) Telling the signalman to start lifting the load before the said load was completely secure and ready to be lifted on to the ship.
- (d) Failing to move completely away from the said load before telling the signalman to commence lifting the load.
- 20 (e) Failing to take all necessary and proper steps in the interests of his own personal safety.

5. The alleged injuries, loss, pain and damage are not admitted.

6. Further, or in the alternative, the Defendants will at the trial of this action rely upon By-Law 26 of the Singapore Harbour Board By-Laws which states that :-

30 "The seranges and labourers employed in discharging and loading vessels shall be under the superintendence of the ship's officers; the Board undertake no responsibility as stevedores."

7. Save as is herein admitted the Defendants deny each and every of the allegations set out in the Statement of Claim as if the same were set forth herein seriatim and specifically denied.

Dated and Delivered this 24th day of January, 1970.

Sgd. RODYK & DAVIDSON
Solicitors for the Defendants

40 To: The above named Plaintiff and his Solicitors, Messrs. Murphy & Dunbar, Singapore.

In the High Court in the Republic of Singapore

No. 3
Defence
24th
January
1970
(Continued)

In the High
Court in the
Republic of
Singapore

No.4

ORDER OF COURT dated 27th October 1975.

BEFORE THE HONOURABLE THE
CHIEF JUSTICE

IN CHAMBERS

No.4
Order
27th
October
1975.

Upon the application of Karuppan Bhoomidas made by way of Summons-in-Chambers entered No.3663 of 1975 coming on for hearing this day And Upon reading the affidavit of Mohamed bin Abdullah filed the 27th day of October 1975 and the exhibit therein referred to and upon hearing Counsel for the Plaintiff and for the Defendants

10

IT IS ORDERED that the proceedings in this action be continued between Bhoomidas as administrator of the deceased Plaintiff, Veeranan s/o Solayappan

AND IT IS ORDERED that the said Karuppan Bhoomidas the administrator of the estate of Veeranan s/o Solayappan, deceased, be added as a Plaintiff in this action AND IT IS LASTLY ORDERED that the costs of this application be costs in the cause.

20

Dated the 27th day of October, 1975.

Sgd. S.K. TAN
ASST. REGISTRAR

No.5
Notes of
Argument
29th March
1976

No.5

NOTES OF ARGUMENT dated 29th March 1976

Monday 29th March, 1976

Coram: CHUA. J.

Cashin for Plaintiff.

Selvadurai for Defendant.

30

Cashin: On the facts my learned friend and I have agreed that if the law is in plaintiff's favour the Plaintiff was himself 25% to blame and the Defendant would be 75% to blame and secondly agreed damages, in toto, is the sum of \$80,000, so that if law is in Plaintiff's favour the Plaintiff would be awarded \$60,000.

Suit 652/70 and Civil Appeal No.25 of 1972.

Singapore Harbour Board By-Laws, gazetted in the Straits Settlements Government Gazette dated 5th December, 1913.

In the High Court in the Republic of Singapore

No.5
Notes of Argument
29th March 1976.
(Continued)

10 Suit 652/70 - Court found against us under 2 heads (1) on negligence and (2) S.75(b) of the Singapore Harbour Board By-Laws. Court held Singapore Harbour Board entitled to make certain By-Laws - relevant By-Law is By-Law 26. Court found that that By-Law absolved Board from liability to the Plaintiff, I submit quite wrongly.

We went to appeal C.A. 25/72. Court said at p.5 of judgment "However, counsel negligence.", p.6 "By-Law 26 officers.", p.7 "One ground of appeal"

So far as this Court is concerned, Your Lordship has no alternative but to dismiss this case. We intend to take it to appeal to argue that judgment in C.A. 25/72 was wrong.

20 Our arguments are :-

In the first instance By-Law 26 in effect sets out the conditions under which the P.S.A. will load and unload; that the last phrase "the Board undertakes no responsibility as stevedores" means exactly that; it does not mean that their liability as employer is affected. If we are wrong then we say under S.75 of the old Straits Settlements Ports Ordinance clearly gave them no powers at all to do away with their liability as employer.

30 Batt on Master & Servant, 5th Ed. p.437 "In Sumner v. William Henderson & Sons Ltd. of the work."

There are other authorities.

We feel that the Court of Appeal came to a decision to the contrary.

40 We claim that the Plaintiff was an employee of P.S.A., paid by them, as was the group of labourers working with him including the winchman and the signalman. On the 22nd January, 1968, the Plaintiff was one of a gang loading planks from the wharf side into the hold of an adjacent ship. The winchman and all the others were all P.S.A. employees; there were people on the vessel and on the wharf side; the winch

In the High Court in the Republic of Singapore

was on the vessel. (Cashin outlines the system of work). Exactly what happened we do not know. (Outlines Plaintiff's case).

No. 5
Notes of Argument
29th March 1976.
(Continued)

Selvadurai: Additional facts - the signalman gave signal to lift. Plaintiff himself told the signalman the load could be lifted and signalman gave the signal and lifting started. The vessel concerned was the "Caprera" which was berthed at Godown 29/30. The winch concerned was on the vessel and operated by the winchman, it was a dual-controlled steam winch.

10

Cashin: I am happy to accept these additional facts.

The P.S.A. Act was amended in 1971 very shortly after the decision of the Appeal Court and S.97B reads - liability is that of the ship. Proof that it was not that way before.

Court has no alternative but to dismiss this case and we reserve full argument later.

20

Court: Plaintiff's claim dismissed with costs.

Sgd. F.A. CHUA.

Certified true copy.

Sd. Kwek Chip Leng
Private Secretary to
Judge
Court No.2
Supreme Court, Singapore.

No. 6
Formal Judgment
29th March 1976.

No.6

FORMAL JUDGMENT dated 29th March 1976

30

The 29th day of March 1976

This action having been tried before the Honourable Mr. Justice Chua in the presence of Counsel for the Plaintiff and for the Defendants IT IS ADJUDGED that the Plaintiff's claim be dismissed with costs to be taxed and paid by the Plaintiff to the Defendants.

Entered the 26th day of April 1976 at 11.35. a.m. in Volume 156 page 196.

Sgd. JEFFREY CHAN
REGISTRAR

40

11.

No.7

NOTICE OF APPEAL dated 7th April 1976

Take notice that 1. Veeranan s/o Solayappan
2. Karuppan Bhoomidas being dissatisfied with the
decision of the Honourable Mr. Justice F.A. Chua
given at Singapore on the 29th day of March, 1976,
appeals to the Court of Appeal against the whole
of the said decision.

Dated the 7th day of April, 1976.

Sgd. MURPHY & DUNBAR
Solicitors for the Appellant

10

To:

The Registrar,
Supreme Court,
Singapore.

And to

The Respondents and their
Solicitors,
M/s, Rodyk & Davidson,
Singapore.

No.8

PETITION OF APPEAL dated 27th April 1976

20

The Petition of the above named Appellant
showeth as follows, -

1. The Appeal arises from the claim by the Appellant
for damages for personal injuries and consequential
loss and expense suffered by Veeranan s/o
Solayappan (since deceased) in the course of his
employment by the Respondents and caused by the
negligence of the Respondents their servants or
agents in the working and management of a crane
and/or by breach by the Respondents of their duty
as employers of the said Veeranan s/o Solayappan
(since deceased) to take reasonable care for his
safety as their servant.

30

2. By Judgment dated the 29th day of March, 1976,
judgment was given for the Respondents and the claim
was dismissed with costs.

3. Your Petitioner is dissatisfied with the said

In the
Court of
Appeal in
Singapore

No. 7
Notice of
Appeal
7th April
1976.

No.8
Petition
of Appeal
27th April
1976.

13.

No.9

In the Court
of Appeal in
Singapore

SUBMISSION OF THE APPELLANT dated 20th May 1976

IN THE COURT OF APPEAL IN SINGAPORE

CIVIL APPEAL NO. 14 of 1976

No.9
Submission
of the
Appellant
20th May
1976.

Between

KARUPPAN BHOOMIDAS (Administrator of the estate
of Veeranan s/o Solayappan, deceased) Appellant

And

PORT OF SINGAPORE AUTHORITY Respondents

In the Matter of Suit No. 2710 of 1969

10

Between

VEERANAN S/O SOLAYAPPAN Plaintiff

And

PORT OF SINGAPORE AUTHORITY Defendants

And Between

KARUPPAN BHOOMIDAS (Administrator of the
estate of Veeranan s/o Solayappan,
deceased) Plaintiff

And

PORT OF SINGAPORE AUTHORITY Defendants

20

(By Order to carry on proceedings dated
the 27th day of October, 1975)

SUBMISSION OF THE APPELLANT

1st Ground: That By-Law 26 absolved PSA from liability.
The true meaning is that By-law 26 governs
terms on which PSA undertake stevedoring.
In question with a ship or cargo owners
it will absolve PSA from liability.

30

The words "as stevedores" shows that the
exemption from liability is exemption
vis-a-vis those who engage the PSA as
stevedores. It has no application to the
case of an employee of the PSA who is

In the Court
of Appeal in
Singapore

No.9
Submission
of the
Appellant
20th May
1976.

injured by the negligence of another employee of the PSA. The injured employee is not concerned with any arrangement, be it by agreement or by the By-law, between the parties to the stevedoring.

The statement that the serangs shall be under the superintendence of the ship's officers does not shift the responsibility from the PSA who were the employers of the negligent workman. 10

1942 AC 509 Century Insurance Company
v. Northern Ireland Road
Transport Board

1947 AC 1 Mersey Docks V. Coggins
& Griffith at p.14

2nd Ground: That By-law 26 is ultra vires.

This ground of appeal is on the assumption (which the Appellant denies) that the By-law in stating that the Board (now the P.S.A.) are not responsible as stevedores means that they are not responsible to someone injured by negligence of one of their servants in the course of stevedoring work. 20

The By-law is made pursuant to Section 75 of the Straits Settlements Ports Ordinance (No. V of 1912).

The By-law is made under Section 75 (b) :- 30

"for regulating the manner in which and the conditions under which the loading and discharging of vessels shall be carried out and for varying the positions of vessels loading and discharging;"

That paragraph has in mind as it says "the conditions under which the loading and discharging of vessels shall be carried out". It is to regulate the contractual relations between the Board (now the P.S.A.) and the persons for whom the stevedoring is being done. 40

It cannot relate to regulating the

position of a person suffering personal injuries as a result of negligence of the Board or its servants or agents. If that was intended it should have been clearly stated as it would be affecting an individual's rights at Common Law.

Maxwell on Interpretation of Statutes (12th Edition) page 116.

Dated this 20th day of May, 1976.

In the Court of Appeal in Singapore

No. 9
Submission of the Appellant
20th May 1976.
(Continued)

10

Solicitors for Appellant

No.10

FORMAL ORDER dated 20th May 1976

IN THE COURT OF APPEAL IN SINGAPORE

CIVIL APPEAL NO. 14 OF 1976

Between

KARUPPAN BHOOMIDAS (Administrator of the estate of Veeranan s/o Solayappan, deceased) Appellant

And

PORT OF SINGAPORE AUTHORITY Respondents

20 In the Matter of Suit No. 2710 of 1969

Between

VEERANAN s/o SOLAYAPPAN Plaintiff

And

PORT OF SINGAPORE AUTHORITY Defendants

And Between

KARUPPAN BHOOMIDAS (Administrator of the estate of Veeranan s/o Solayappan deceased) Plaintiff

And

30 PORT OF SINGAPORE AUTHORITY Defendants

By Order to carry on proceedings dated the 27th day of October, 1975).

CORAM: THE HONOURABLE THE CHIEF JUSTICE:

THE HONOURABLE MR. JUSTICE CHOOR SINGH; and
THE HONOURABLE MR. JUSTICE D'COTTA IN OPEN COURT

The 20th day of May, 1976

O R D E R

In the Court
of Appeal in
Singapore.

No.10
Formal
Order
20th May
1976
(Continued)

THIS APPEAL coming on for hearing this day in the presence of Mr. Karappan Chettiar of Counsel for the Appellant and Mr. P. Selvadurai of Counsel for the Respondents and upon reading the Record of Appeal filed herein and upon hearing Counsel as aforesaid IT IS ORDERED that this Appeal be dismissed with costs to be taxed and paid by the Appellant to the Respondents AND IT IS FURTHER ORDERED that the deposit of \$500.00 paid into Court by the Appellant as security for the costs of this Appeal be paid out to the Respondents or their Solicitors towards their taxed costs.

10

GIVEN under my hand and the seal of the Court this 4th day of June, 1976.

Sd. Jeffrey Chan.
ASSISTANT REGISTRAR

No.11
Order
granting
leave to
Appeal to
Judicial
Committee of
the Privy
Council
2nd August
1976

No. 11

ORDER GRANTING LEAVE TO APPEAL TO JUDICIAL
COMMITTEE OF THE PRIVY COUNCIL dated 2nd
AUGUST 1976

IN THE COURT OF APPEAL IN SINGAPORE

20

CIVIL APPEAL NO.14 of 1976

Between

KARUPPAN BHOOMIDAS (Administrator
of the estate of Veeranan s/o
Solayappan, deceased)

Appellant

And

PORT OF SINGAPORE AUTHORITY

Respondent

In the Matter of Suit No.2710 of 1969

Between

VEERANAN S/O SOLAYAPPAN

Plaintiff

And

PORT OF SINGAPORE AUTHORITY

Defendants

And Between

KARUPPAN BHOOMIDAS (Administrator of the estate of Veeranan s/o Solayappan deceased)

Plaintiff

And

PORT OF SINGAPORE AUTHORITY

Defendants

(By Order to carry on proceedings dated the 27th day of October 1975)

In the Court of Appeal in Singapore.

No.11

Order granting leave to Appeal to Judicial Committee of the Privy Council
2nd August 1976
(Continued)

10

CORAM: THE HONOURABLE THE CHIEF JUSTICE,
MR. WEE CHONG JIN:
THE HONOURABLE MR. JUSTICE F.A.CHUA
and
THE HONOURABLE MR. JUSTICE KULASEKARAM

IN OPEN COURT

O R D E R

20

Upon Motion preferred unto the Court by Counsel for the above named Appellant coming on for hearing this day in the presence of Counsel for the above named Respondents And Upon reading the Notice of Motion dated the 25th day of June 1976 and the Affidavits of Karuppan Bhoomidias filed herein on the 25th day of June 1976 and the Affidavit of Pathmanaban Selvadurai filed herein on the 13th day of July 1976 and the exhibit therein referred to THIS COURT DOETH GRANT LEAVE under Sections 3(1)(a)(i), (ii) and (iii) of the Judicial Committee Act (Cap. 8) to the Appellants to appeal to the Judicial Committee of Her Britannic Majesty's Privy Council against the whole of the Judgment of the Court of Appeal delivered herein at Singapore on the 20th day of May 1976.

30

Dated the 2nd day of August, 1976.

REGISTRAR

O N A P P E A L
FROM THE COURT OF APPEAL IN SINGAPORE

B E T W E E N

KARUPPAN BHOOMIDAS (Administrator of the
estate of Veeranan s/o Solayappan,
deceased)

Appellant

- and -

PORT OF SINGAPORE AUTHORITY

Respondent

RECORD OF PROCEEDINGS

Le Brasseur & Oakley,
71, Great Russell Street,
London,
WC1B 3BZ.

Solicitors for the Appellant.

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