

Court dismisses Kemaman Municipal Council's defamation suit against PAS



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KUALA LUMPUR: The Kemaman Municipal Council has lost its RM5mil civil claim against Parti Islam Se-Malaysia (PAS) for allegedly defaming the council in leaflets over building and maintenance of its zoo.

High Court Judicial Commissioner Rosilah Yop ruled on Thursday that the council had failed to prove the elements of defamation in the case.

JC Rosilah dismissed the suit with costs of RM30,000 after meeting the parties in chambers.

Speaking to reporters here, PAS' lawyer Noorazmir Zakaria said the court held that the council failed to prove that the defamatory statements were published by PAS against the council.

However, Noorazmir, who is also PAS Youth's legal and human rights department director, said the court ruled that the statements were defamatory.

The council's lawyer Azwan Abdul Wahab confirmed the court ruling.

"The court held that the council failed to prove that the defamatory words had referred to the council and that it was produced by PAS," he added.

Azwan said he would consult his client whether to appeal against the ruling.

"On their defence, PAS has denied that they have produced the defamatory leaflets and it was fair comment," he added.

In its lawsuit, the council said that PAS had distributed libellous leaflets to the people including its staff over Zoo Bukit Takal during a Hari Raya function in Chukai, Terengganu in 2012.

Among others, the council sought for RM5mil in general damages for libel and to stop PAS from further publishing and distributing the leaflets.

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The council said that the content of leaflets meant that it had spent carelessly in the financial management of the zoo, was untrustworthy and unethical.

In the statement of claim, the council said it would prove to the court during the trial that the contents of the leaflets had false facts and libellous, as well referred to the council, as it was responsible for the zoo.

In the lawsuit filed on March 22, the council said that PAS did not contact it to get comments over the zoo before publishing and distributing the leaflets.

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