



Niru Pillai

Senior Director

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Areas of Practice:

Civil and Commercial Litigation with specialization in the following areas:

- Insurance and Reinsurance
- Shipping & Aviation
- Domestic & International Arbitration
- Mediation
- International Trade
- Defamation & Media
- Power & Energy
- Tort Law
- Medical & Health
- Family & Matrimonial
- Trust & Equity
- Employment
- Insolvency
- Corporate Law
- Probate
- Intellectual Property
- Banking & Finance
- Commercial Contracts

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Lawyer's Profile:

Niru Pillai qualified as a Barrister-at-Law and was called to the English Bar by the Honourable Society of the Inner Temple in 1976. He holds a LL.M degree from the University of Melbourne and another LL.M degree with distinction in Advanced Litigation from the Trent University, Nottingham. He was admitted as an Advocate & Solicitor of the Supreme Court of Singapore in 1978. In 1990, he became a Barrister and Solicitor of the Supreme Court of Victoria, Australia. He is also a Fellow of the Chartered Institute of Arbitrators, UK and a Fellow of the Singapore Institute of Arbitrators.

After qualifying as a Barrister, Niru was a Loss Adjuster with Graham Miller, a firm of international loss adjusters. As a loss adjuster, he undertook several investigations, involving grounding, collisions, sinkings, pollution damage, major fires, flood damage, construction, plant & equipment, casualty incidents and fraud claims.

In 1978, he founded Niru & Co. From being a small law firm, specializing in marine insurance and shipping, it soon established a reputation as a boutique firm specialising in all classes of Insurance & Reinsurance, Shipping & Aviation, Domestic & International Arbitration, Mediation, International Trade, Defamation & Media, Power & Energy, Tort Law, Medical & Health, Family & Matrimonial, Trust, Employment, Insolvency, Corporate Law, Probate, Intellectual Property, Banking, and Commercial Contracts. Niru also sits as an Arbitrator in civil, commercial and tort disputes.

Niru's vast experience in leading investigations in major insurance losses and shipping incidents has given him a decisive advantage in handling high profile cases involving major tragedies and incidents such as ship collisions, oil spills, fires, collapse of structures, etc.

Niru's greatest strength is not only in the meticulous drafting of advices and pleadings but also in strategizing and crafting a litigation plan in the disputes that he handles and leads. His clients credit him with an outstanding ability to 'think outside the box' and also craft good litigation strategies. These enable the clients to have a clear road map in their respective litigation plans.

The Law Society of Singapore appointed Niru, together with Goh Joon Seng (who later became a High Court Judge) and another very senior lawyer, Sat Pal Khattar, to study and develop a compulsory professional indemnity insurance scheme for the entire legal profession. The committee successfully implemented the scheme after nearly 3 years of hard work.

In 1991, when Niru & Co merged with Harry Elias & Partners, Niru became one of the senior partners of that Firm.

In 1996, Niru was appointed as a member of the Singapore Academy of Law Sub-Committee on Plain English Drafting. The committee, appointed by the then Chief Justice Yong Pung How, was chaired by the then Attorney-General, Mr Chan Sek Keong (who later became a Chief Justice of Singapore).

Niru has also spoken at many conferences throughout Asia on insurance, reinsurance and shipping issues. Immediately after the BHOPAL incident in India, the Indian Institute of Insurance invited him to speak on product and public liability issues. He was an invited speaker at the Labuan Lecture Series 2000 and 2003 on insurance and shipping, respectively.

He has published several articles in his areas of expertise.

Niru was also invited to teach law by the Faculty of Engineering, National University of Singapore for final year engineering graduates. He taught at the Faculty starting out as an adjunct senior lecturer in 1993 and left in 2008 as an adjunct associate professor. During his tenure at the university, he was voted twice as one of the best lecturers by the students.

In August 1999, Niru & Co entered into a formal association with CMS Cameron McKenna (CMS), a top-tier international law firm. Based principally in the City of London, this firm had offices in Central and Eastern Europe, the USA, Canada and the Far East, at that time. Niru was appointed as a consultant to CMS Cameron McKenna in London.

At the end of 2000, Datuk Zaid Ibrahim (formerly Minister in the Prime Minister's Office) invited Niru to return to Malaysia (Niru's country of birth) with a view to assisting Zaid Ibrahim & Co establish a litigation division. In January 2001, Zaid Ibrahim & Co appointed Niru as a consultant (non-practicing) to establish and manage the Litigation Division. Niru was also tasked to build specialist core areas of practice in Zaid Ibrahim & Co in insurance & reinsurance, shipping & aviation, power and energy and multi-media. His mission in Zaid Ibrahim & Co was also to train a core group of good Malaysian litigation lawyers in these specialist areas of the law.

At Zaid Ibrahim & Co, Niru was also the Practice Director of the Litigation Division. In this role, he was responsible for managing a division with more than 30 lawyers (including partners and specialist counsel) and a staff strength of more than 60. The Division had a variety of practice groups ranging from public law to Islamic institutions, banking, revenue, property, insurance, shipping, corporate, commercial, multimedia, power and energy etc. In July 2003, Niru was appointed as the Chief Operating Officer (Legal Operations) of Zaid Ibrahim & Co. In this position and as Practice Director of litigation, Niru was one of six senior members in the firm making up the Executive Council that managed the firm with Datuk Zaid Ibrahim.

In 2002, Niru was appointed as a specialist counsel by the Attorney-General of Brunei Darussalam to train the legal officers and state counsel in the Attorney-General's Chambers in Advanced Civil Litigation.

In August 2003, Niru was invited by the Attorney-General of Malaysia to assist in training his state counsel and legal officers in the civil division in aspects of Civil Litigation.

In June 2004, Niru left Zaid Ibrahim & Co. to work with his Singapore partner, Liew Teck Huat in T H Liew & Partners, now known as Suflan T H Liew & Partners in Kuala Lumpur. He continued to manage Niru & Co. in Singapore until June 2009 when the firm merged with Global Law Alliance LLC (GLA). Niru was a Senior Director and Head of Litigation in GLA.

Following a de-merger in 2015, Niru & Co was corporatized to become Niru & Co LLC with Niru as Managing and Senior Director. He continues to appear as counsel in matters in the Singapore courts and does extensive arbitration and mediation work also.

Apart from the various corporations in the industries of insurance, shipping etc that Niru has acted for, he has also had the privilege of representing MNCs, PLCs and also advising GLCs (in Malaysia). Niru has also advised and represented unincorporated associations in various disputes.

Significant Matters:

- Appeared as counsel in the Privy Council with Anthony Clarke QC (later Lord Justice Clarke, Master of the Rolls also a law lord in the Supreme Court) and Gordon Pollock QC in 2 major appeals (reported in Lloyd's Law Reports, All England Law Reports and Lloyd's Maritime Law Quarterly).
- Admitted as lead counsel in the High Court of Brunei.
- As Counsel, represented:
 - Families in the "**SPYROS**" fire tragedy in 1979
 - St Paul Fire & Marine Insurance Co (USA) in the "**SENTOSA CABLE CAR**" Commission of Inquiry in 1983
 - Families of deceased persons (through the Government of Pakistan) in the "**HOTEL NEW WORLD COLLAPSE**" Commission of Inquiry in 1986
 - Tokio Marine & Fire Insurance Co in the "**GINZA PLAZA EXPLOSION**" Committee of Inquiry in 1992
- Several cases in which he has been involved as counsel and/or solicitor, are now landmark decisions and are reported in Singapore, Malaysian and English law reports.
- As a solicitor, he has represented insurers, reinsurers, shipowners and P&I Clubs in a range of disputes, including leading several group actions in fire, shipping and reinsurance claims.

Reported Cases (Counsel & Solicitor):

- "Kota Pahlawan" [1981-1982] SLR 88
- The "Epar" [1985] 2 MLJ 3
- Sun-Line (Management) Ltd v Canpotex Shipping Services Ltd [1986] 2 MLJ 348
- The "Mediterranea" [1986] MLJ Lxxix
- The "Dong Min" [1986] 2 MLJ 406
- Netherlands Insurance Co Est 1845 Ltd v Karl Ljungberg & Co AB [1986] 3 All ER 767 [Privy Council] **
- Grace Shipping Inc And Hai Nguan & Co vC F Sharp & Co (Malaya) Pte Ltd [1987] 1 LLR 207 [Privy Council]
- Cold Storage Holdings Plc & Ors v The Overseas Assurance Corpn Ltd & Anor [1989] 2 MLJ 324 [Court Of Appeal] **
- The Asian Plutus [1990] 2 MLJ 449
- Oberoi Imperial Hotel v Tan Kiah Eng [1992] 1 SLR 380
- Jeya & Ors v Lui Yew Kee [1992] 1 SLR 534
- Federal Insurance Co v Nakano Singapore (Pte) Ltd – [1992] 1 SLR 390 [Court Of Appeal]
- Ng Swee Kin v Ng Tian Hock And Other Appeals [1992] 1 SLR 701
- Hongkong Bank Trustee (Singapore) Ltd v Rajinder Singh [1992] 2 SLR 31

- See *Soon Soon v Goh Yong Kwang & Anor* [1992] 2 SLR 242 **
- The “*Thomaseverett*” [1992] 2 SLR 1068
- *Lim Xueru & Anor v Lim Kai Meng* [1993] 1 SLR 279
- *Lim & Sons (Pte) Ltd v Owners of and Other Person interested in the Ship or Vessel “Trade Fair”* – [1994] 1 SLR 704
- *Teo Sing Keng & Anor v Sim Ban Kiat* [1994] 1 SLR 634
- *Teng Ching Sin & Anor v Leong Kwong Sun* [1994] 1 SLR 758
- “*Lotus M*” – [1997] 2 SLR 570
- “*Lotus M*” – [1998] 1 SLR 1 [Court Of Appeal] **
- “*Lotus M*” (No. 2) – [1998] 2 SLR 145 [Court Of Appeal] **
- *Ramakrishna Mission v The Comptroller Of Property Tax* [1998] 2 SLR 666 [Court Of Appeal] **
- *Chang Ah Lek And Ors v Lim Ah Koon* – [1999] 1 SLR 82 [Court Of Appeal] **
- *Yusen Air & Sea Service (S) Pte Ltd v KLM Royal Dutch Airlines* – [1999] 4 SLR 21 [Court Of Appeal].
- *Yusen Air & Sea Service (S) Pte Ltd v Changi International Airport Services Pte Ltd* [1999] 4 SLR 135
- The “*Inai Selasih*” (ex “*Geopoted X*”) [2005] 4 SLR 1
- The “*Inai Selasih*” (ex “*Geopoted X*”) (Appeal) [2006] 2 SLR 181
- *Ismail bin Sukardi v Kamal bin Ikhwan and Another* [2008] SGHC 191 (upheld by the Court of Appeal but not reported) **
- *John Reginald Stott Kirkham and others v Trane US Inc and others* [2009] 4 SLR(R) 428
- *Allianz Insurance Co (Singapore) Pte Ltd and others v Ma Shoudong and another* [2011] 3 SLR 1167
- *Chia Kim Huay* (litigation representative of the estate of Chua Chye Hee, deceased) v *Saw Shu Mawa Min Min and another* [2012] 4 SLR 1096
- *Hong Hin Kay Albert and another v AAHG, LLC and another* [2014] SGHC 206.
- *Ram Das VNP v SIA Engineering Co Ltd* [2015] SGHC 74
- *Columbia Asia Healthcare Sdn Bhd v Hong Hin Kit Edward and another and another appeal* [2015] 2 SLR 395.
- *Suit 460/2011 : K Jotheeswaran Kaniyasan v Singapore Airlines Limited* [Judgment 2016]
- *Nava Bharat (Singapore) Pte Ltd v Straits Law Practice LLC and another and another appeal* [2016] 2 SLR 928.
- *Tradewaves Ltd and Others v Standard Chartered Bank and another suit* [2017] SGHC 93.
- *Lakshmi Anil Salgaocar v Jhaveri Darsan Jitendra* [2019] 2 SLR 372.
- *Jethanand Harkishindas Bhojwani v Lakshmi Prataprai Bhojwani* (alias Mrs Lakshmi Jethanand Bhojwani) and others [2021] SGHC 256
- *Jethanand Harkishindas Bhojwani v Lakshmi Prataprai Bhojwani* (alias Mrs Lakshmi Jethanand Bhojwani) [2021] 3 SLR 1055

Note: ** Denotes landmark decisions

Reported Cases (Solicitor):

- *Kua Lee Ngoh v Jagindar Singh T/A Speedway Station* [1987] 2 MLJ 566
- *Owners Of The Ship Or Vessel “Kusu Island” v Owners Of Cargo Lately Laden On Board The Ship Or Vessel “Brani Island”* [1989] 3 MLJ 257 **
- *United Overseas Bank Ltd v Mohamed Arif* [1994] 2 SLR 296

- "The Trade Fair" [1994] 3 SLR 704 (High Court)
- "The Trade Fair" [1994] 3 SLR 827 [Court Of Appeal] **
- Uni-France Offshore Engineering Pte Ltd v Owners of and/or Other Persons Interested in the Ship or Vessel "Cotan Challenger", "The Cotan Challenger: – [1996] 1 SLR 297
- Penguin Engineering & Construction Pte Ltd v Titan Logistics (S) Pte Ltd (Pioneer Offshore Enterprises Pte Ltd, third party) – [1997] 2 SLR 126
- Ang Kim Soon v Sunray Marine Pte Ltd – [1997] 3 SLR 619
- Universal Westech (S) Pte Ltd v Ng Thiam Kiat & Ors [1997] 3 SLR 419
- Marina Centre Holdings Pte Ltd v Pars Carpet Gallery Pte Ltd [1997] 3 SLR 625 [Court Of Appeal] **
- Ng Thiam Kiat v Universal Westech (S) Pte Ltd [1997] 3 SLR 419 [Court Of Appeal] **
- Pars Carpet Gallery Pte Ltd v Marina Centre Holdings Pte Ltd – [1997] 2 SLR 486
- Damayanti Kantilal Doshi & Anor v Shobhana J Doshi – [1998] 1 SLR 530
- A Balakrishnan & Ors v Nirumalan K Pillay & Ors – [1999] 3 SLR 22
- The Botic – [1999] 4 SLR 749
- Win Line (UK) Ltd v Masterpart (Singapore) Pte Ltd & Anor – [2000] 2 SLR 98
- Overseas Union Insurance Ltd v Turegum Insurance Co – [2001] 3 SLR 330
- Overseas Union Insurance Ltd v Home and Overseas Insurance Co Ltd and another application – [2002] 2 SLR 497
- Overseas Union Insurance Ltd v Home and Overseas Insurance Co Ltd – [2002] 4 SLR 104
- Nirumalan V Kanapathi Pillay v Teo Eng Chuan [2003] SGCH 96 – [2003] 3 SLR 601
- A Kanesananthan v Singapore Ceylon Tamils' Association [2003] SGHC 93 – [2003] 3 SLR 539
- The "Hyundai Fortune" [2004] 4 SLR(R) 548; [2004] SGCA 41
- Ang Kuang Hoe v Chia Chor Yew [2004] 1 SLR 696
- Putra Perdana Construction Sdn Bhd v AMI Insurance Bhd & Ors – [2005] 2 MLJ 123
- Centaurus Enterprise (S) Pte Ltd v Foong Yew Eong Christopher and Others [2008] SGHC 195
- Ferco Seating Systems (M) Sdn Bhd v The Product People Pty Ltd – [2009] 6 MLJ 874
- Sarawak Shell Bhd v The Owners or other persons interested in the ship or vessel 'The Red Gold' and another action [2011] 1 MLJ 239
- Maxi Development Sdn Bhd & Ors v Allianz General Insurance Malaysia Bhd [2011] 1 MLJ 654
- The Owners or other persons interested in the ship or vessel 'the Red Gold' v Sarawak Shell Bhd and another appeal [2012] 4 MLJ 729
- AM Assurance Bhd v AXA Affin Assurance Bhd [2012] 5 MLJ 137
- Sabah Shell Petroleum Co Ltd & Anor v The Owners of and/or any other persons interested in the ship or vessel the 'Borcus Takdir' [2012] 5 MLJ 515
- Seri Mukali Sdn Bhd v Kertih Port Sdn Bhd [2012] 7 MLJ 437
- Tekital Sdn Bhd v Sarina bt Kamaludin & Ors [2012] 8 MLJ 734
- Ahmad Zukni Johari v Sistem Televisyen Malaysia Bhd (TV3) & Another [2012] 6 CLJ 851
- Newfield Peninsula Malaysia Inc v The Owners of the Ship or Vessel 'Tanjung Pinang 1' – [2012] 1 LNS 1084
- Admal Sdn Bhd v The New Straits Times Press (Malaysia) Berhad & Sistem Televisyen Malaysia Berhad [2013] 1 LNS
- Perusahaan Sinar Jaya Sdn Bhd v Etiqa Insurance Bhd [2013] 8 MLJ 317

- Dato' Seri Mohammad Nizar Bin Jamaluddin v Sistem Televisyen Malaysia Berhad & Another [2013] 7 CLJ 483
- Datuk Husam Musa v The New Straits Times Press (M) Bhd & Ors [2013] 1 LNS 798
- Crowe Horwath v Suruhanjaya Sekuriti [2014] 1 LNS 804
- Best Venue Sdn Bhd v Allianz General Insurance Company (M) Bhd [2015] 4 CLJ 219
- Zaina Salleh Abdul Rahman v The New Straits Time (M'sia) Berhad [2015] 1 LNS 834
- Sistem Televisyen Malaysia Sdn Bhd & Others v Nurullah Zawawi & Anor [2015] 9 CLJ 357
- Allianz General insurance Company (M) Berhad & Others v Kapar Energy Ventures Sdn Bhd [2016] 1 LNS 1784
- AmGeneral Insurance Bhd v Iskandar bin Mohd Nuli [2016] 1 MLJ 818
- Allianz General Insurance Malaysia Berhad v Maxi Development Sdn Bhd & Ors [2017] 1 LNS 806
- Iskandar bin Mohd Nuli v AmGeneral Insurance Bhd (Previously known as AmG Insurance Bhd) [2017] 5 MLJ 25.
- Integrated Marine Works Sdn Bhd v Petronas Penapisan (Melaka) Sdn Bhd [2018] 1 LNS 381.
- Prai Power Sdn Bhd v GE Energy Parts Inc & Others [2018] 1 LNS 404.
- 3 Corporate Services Pte Ltd v Grabtaxi Holdings Pte Ltd [2020] 4 SLR 941.
- The Jeil Crystal [2021] SGHC 292.

Note: ** Denotes landmark decisions

Memberships/Appointments:

- Member, Law Society of Singapore
- Member, Singapore Academy of Law
- Fellow of the Chartered Institute of Arbitrators, UK
- Fellow of the Singapore Institute of Arbitrators

Invited Speaker:

- 1981 – Marine Insurance Claims and Fraud, Singapore
- 1982 – Marine Insurance – Practice and Problems, Malaysia
- 1982 – Insurance and Claims Procedures, Singapore
- 1983 – AFIA Claims Workshop, Philippines
- 1983 – Marine and Non-Marine Insurance Claims, Singapore
- 1984 – IMCO Terms, Singapore
- 1985 – Legal Aspects of Public and Product Liabilities: Bhopal Tragedy, Bombay, India
- 1986 – Plain English for Business and Consumers, Singapore
- 1996 – Human Resource Development & Strategy in Singapore, Jakarta, Indonesia
- 1997 – Alternative Dispute Resolution and Arbitration: "Working with other Professionals involved in Claims Disputes", Kuala Lumpur, Malaysia
- 1997 – Emerging Trends in Professional Liability, Kuala Lumpur, Malaysia
- 2000 – Recent Trends in Insurance in SE Asia, LOFSA Labuan Lecture Series 2000, Labuan, Malaysia
- 2003 – Strategic Development of Labuan as an IOFC, LOFSA Labuan Lecture Series 2003, Labuan, Malaysia
- 2004 – Rights & Remedies in Contract Law, Kuala Lumpur, Malaysia

- 2005 – Defamation & Libel, Malaysian Newspaper Publishers Association, Kuala Lumpur, Malaysia
- 2005 – Defamation Risk Management, The New Straits Times Press (M) Berhad, Kuala Lumpur, Malaysia
- 2005 – Maritime Workshop, Shell Malaysia Trading Sdn Bhd, Kuala Lumpur, Malaysia
- 2006 – Defamation Risk Management, Sistem Televisyen, Malaysia Berhad/NTV7, Kuala Lumpur, Malaysia
- 2011 – Maritime Law and Practice, Indian Institute of Maritime, Mumbai, India
- 2016 – Plain English Communication, Sri Lanka Bar Association, Junior National Law Conference, Colombo, Sri Lanka

Publications:

- June 1981 – “Marine Insurance & Claims” for AFIA Worldwide Insurance Company, USA
- April 1982 – “Marine Insurance Claims & Shipowner’s Liability”, Singapore Insurance Review, Pages 4 to 30
- Marine Insurance, Credit Journal, January 1983
- Conference and Seminar Papers

Year called to Bar, University:

- Called to the English Bar by the Honourable Society of the Inner Temple – 1976
- Master of Laws (LLM), University of Melbourne, Australia
- Master of Laws (LLM), (Distinction), Nottingham Trent University, UK
- Admitted as an Advocate and Solicitor of the Supreme Court of Singapore – 1978
- Admitted as an Advocate and Solicitor of the Supreme Court of Victoria, Australia – 1990

Languages spoken other than English:

- Tamil
- Malay
- Malayalam