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KALASHINI SANDRASEGARAN

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Kalashini Sandrasegaran graduated with an external degree in law from the University of London in 2010 and completed her Certificate in Legal Practice in the following year. She commenced pupillage in the chambers of Mohanadass Kanagasabai in Messrs. Mohanadass Partnership from January 2012 to October 2012.

She was called to the Malaysian Bar on 9 November 2012.

Career to Date

- 2012** Legal Assistant, Mohanadass Partnership
- 2015** Associate, Malaysian Institute of Arbitrators
- 2017** Senior Legal Assistant, Mohanadass Partnership
- 2020** Partner, Mohanadass Partnership

Practice Areas

Arbitration // Construction and Engineering Disputes // Civil and Commercial Disputes

Qualifications

- 2021** LLM, Commercial and Corporate Law (University of London)
- 2012** Admitted to the Malaysian Bar
- 2011** Certificate of Legal Practice
- 2010** LL.B. (Hons) (University of London)

Experience

Arbitration or Court related matters

- Assisted appointed Counsel in acting on behalf of 1Malaysia Development Berhad and Ministry of Finance (Incorporated) in challenging a Consent Award pursuant to sections 67 and 68 of the Arbitration Act 1996 (*Minister of Finance (Incorporated) & Another v International Petroleum Investment Company & Another [2019] EWCA Civ 2080*).
- Successfully acted at the High Court of Malaya to set aside an arbitration award by an international panel of arbitrators pursuant to s.37 of the Arbitration Act 2005. Seat: Kuala Lumpur.
- Arbitration under the SIAC Rules in relation to claims arising from a joint venture for waste-heat power generation. Seat: Singapore.
- Arbitration under the LCIA Rules between two multinational oil and gas companies arising from breach of a memorandum of understanding in respect of engineering, procuring, fabricating and constructing of an Early Production System in Iraq. Seat: London, United Kingdom (*W Ltd v M Sdn Bhd (2016) EWHC 422 Comm*).
- Arbitration under the LCIA Rules over disputes arising from the construction and management of a medical university and hospital. Seat: London, United Kingdom.
- Arbitration under the ICC Arbitration Rules in respect of a claim for damages arising from a breach of a coal supply agreement where the coal was required for a power plant in Malaysia. Seat: Kuala Lumpur.

- Arbitration under the AIAC Rules in respect of various claims arising from demolition, refurbishment and conversion of a tanker into a floating, storage and offloading facility. Seat: Kuala Lumpur.
- Arbitration under the KLRCA Rules in respect of a claim for damages arising from defective piling works at a fabrication yard. Seat: Kuala Lumpur.
- Arbitration under the KLRCA Rules over disputes arising from the sale of a fabrication yard and novation agreement to construct and fabricate 18,000MT topside. Seat: Kuala Lumpur.

Experience

*Adjudication under the
Construction Industry and
Payment Adjudication Act 2012
(CIPAA)*

- Successfully resisted a challenge to set aside and/or stay and adjudication decision requiring, amongst others, a determination on whether a FSO Vessel is subject to CIPAA (*EA Technique (M) Sdn Bhd v Malaysia Marine and Heavy Engineering Sdn Bhd and another case* [2020] 11 MLJ 353 & [2020] MLJU 2058)
- Acted on behalf of a South Korean company in respect of a claim for unpaid contractual sum under an EPC contract for installation of solar structures.
- Adjudication over payment disputes in respect of the proposed construction of a development comprising of a medical campus, a teaching hospital, and a life science research centre.
- Adjudication over disputes arising from works carried out for the Klang Valley Mass Rapid Transit Project.

Experience

Litigation

- Litigation in respect of scope of exemption orders to CIPAA and its applicability to power plants (*Mudajaya Corp Bhd v Leighton Contractors (M) Sdn Bhd* [2015] 10 MLJ 745).
- Litigation over disputes arising from a joint venture agreement in respect of the proposed development of fourteen parcels of land in central Kuala Lumpur (*Choice Prop Sdn Bhd v Asie Sdn Bhd & Ors* [2016] 10 MLJ 334).
- Litigation arising from a novation agreement comprising of four related contracts for fabrication of topsides and substructures and tenancy of a fabrication yard.
- Litigation in respect of the delivery of vacant possession of a sizeable property in Melaka pursuant to a tenancy agreement (*Cubic Electronic Sdn Bhd v MKC Corporate & Business Advisory Sdn Bhd and another appeal* [2016] 3 MLJ 797).
- Attended to a number of bankruptcy and winding-up proceedings, including obtaining a successful judgment at the High Court in respect of the interpretation of sub-sections of s.466 (1) of the Companies Act 2016 (*Malaysia Marine & Heavy Engineering Sdn Bhd v Teras Tegap Sdn Bhd* [2018] 1 LNS 1909).

Experience

Advisory

- Advisory works on behalf of an international firm over compliance issues relating to construction contracts, culminating in the takeover of the contracts as well as the associated rights and obligations by a third party.
- Advisory works in respect of the laws and regulations governing sand reclamation activities for the purposes of the construction of a power plant in Negeri Sembilan.
- Advisory works in respect of the laws and regulations governing the use of seawater off the coast of Perak for an independent power producer.
- Advisory works in respect of a services agreement for an independent power producer for the purposes of the handling delivery of coal from vessels to agreed delivery point.
- Advisory works in respect of tender documents and contracts relating to a sale and purchase of ash for an independent power producer.
- Advisory works in respect of assignment of rights under a long-term coal supply contract on behalf of a major coal supplier.
- Advisory services to a global palm oil organisation among others, in respect of various contracts, drafting policies on governance and voting rights, assisting in the setting up of international branch office, and setting up trust fund.

Contact Us

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