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High Court honour the rules of Hokkien Kongs Penang

BY MELISSA DARLYNE CHOW (/TAXONOMY/TERM/719) - 18 FEBRUARY 2015 @ 12:43 PM

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GEORGE TOWN: THE High Court today dismissed a suit by the Seh Tek Tong Cheah Kongs against Hokkien Kongs Penang, which had rejected the former's nomination of its chairman Cheah Swee Huat into the clan's board of trustees three years ago.

High Court Judge Datuk Mohd Zaki Md Yasin, in his judgment, ruled that the Rules of the Hokkien Kongs clearly stated that its trustees can decide on the majority vote.

In the Rules of the Hokkien Kongs, Rule 9 provides that questions arising out of any matter shall be decided by a majority of votes.

He dismissed the suit with RM20,000 costs.

Cheah Kongs was represented by R.J. Manecksha and Han Chin Ling, while the Hokkien Kongs was represented by Daphne Choy.

Hokkien Kongs's trustee Tan Lye Hock, who was present in court, welcomed the decision and expressed hope that the matter can be put to rest.

"Since the establishment of the Hokkien Kongs 159 years ago, this is the first time we have had to settle a disagreement in court.

"In actual fact, we can resolve matters internally, as we are brothers," he told reporters.

As for Swee Huat, he said he has yet to decide whether to appeal the decision, stating that he would decide after the Cheah Kongs's board of trustees meeting.

Cheah Kongs had sought a declaration that the refusal to accept its chairman Cheah Swee Huat into the Hokkien Kongs Board of Trustees, is wrong and in violation of the clan's rules, as well as the rules of natural justice.

It had also sought an order that the Hokkien Kongs accept the nomination of Swee Huat or any other nominee of Cheah Kongs into its board.

Hokkien Kongs, in its court documents, had maintained that the rules of Hokkien Kongs Penang empower the trustees to vote on and reject any nomination.

It stated that votes had been taken on two meetings on Aug 26, 2011 and Jan 8, 2012, and that on both meetings, the nominations were rejected by an overwhelming majority vote.



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The Hokkien Kongsì consists of five kongsìs, namely Khoo, Cheah, Tan, Lim and Yeoh, and its governing body is made up of four trustees from each kongsì, making it a total of 20 trustees.

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