



KERATAN AKHBAR

AKHBAR	:	THE SUN			
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JABATAN	:	PEJABAT TANAH DAN GALIAN			
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Ampang Park strata owners **lose** case

> Judge rules application for judicial review has no merit

PUTRAJAYA: The judicial review application filed by Ampang Park Shopping Centre strata title owners and tenants seeking to challenge the land acquisition for the Klang Valley Mass Rapid Transit (MRT) Ampang Park station was dismissed by the Court of Appeal.

A three-member panel led by Justice Abang Iskandar Hashim upheld a High Court decision and said the application by the 39 strata owners and tenants had no merit.

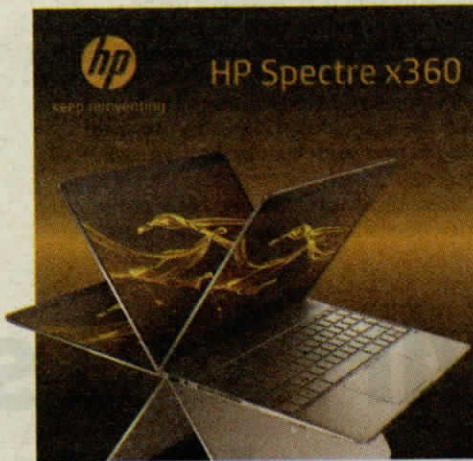
He said they unanimously felt that there is no merit in the contention by the appellants pertaining to the issues raised as the acquisition complied with the law.

He said after having considered the submission by the counsel, the court was of the view that there is no merit in this contention by the appellants.

He added it stands to reason that although the MRT line would run underground substantially, total work would still have to commence and proceed from above ground.

"We also do not see any *mala fide* on the part of the decision-maker in coming to its decision in compulsorily acquiring the appellants' properties," said Justice Abang Iskandar.

He said the fundamental constitutional right to property had also not been infringed upon by the respondents.



He ordered the strata owners and tenants to pay RM30,000 in costs to the first and second respondents and RM40,000 to the third respondent.

Senior federal counsel Shamsul Bolhassan represented the Federal Territories Land and Mines director and land administrator, Robert Lazar appeared for MRT Corp and the appellants were represented by Datuk Zainur Zakaria.

The High Court had on June 30 last year dismissed the judicial review application filed by the appellants after finding that the approval given by the Federal Territories Land and Mines director (first respondent) and the Federal Territories land administrator (second respondent) for the land acquisition was made lawfully.

The court also agreed with the submission by MRT Corp, the third respondent, that the objective of the land acquisition was for safety.