

Mathew Kurien

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MATHEW KURIEN is a senior partner of Messrs. Sativale Mathew Arun in Malaysia. Mathew is an advocate and solicitor of the High Court Malaya and a member of the Malaysian Bar with over 30 years' experience. He has been appointed as a Malaysian Notary Public since 2011 by the Malaysian Attorney General. He read law at the University of London where he obtained his Bachelor of Law (Honours). He is an Adjunct External Fellow, Centre for Maritime Law, National University Singapore (NUS) since its inception.

His main area of practice involves all aspects of Malaysian admiralty, shipping, international trade and transportation law. He regularly acts as counsel, in shipping disputes, both wet and dry, at all levels of the Malaysian Courts culminating landmark Court decisions, including maritime arbitration-mediation matters.

He has attended numerous Comité Maritime International ("CMI") sessions and an advance course in International Commercial Arbitration. He is an active Arbitrator, specializing in the field of maritime disputes, with the Asian International Arbitration Centre (AIAC) and Borneo International Centre for Arbitration and Mediation (BICAM). He is also an accredited (The Accord Group Australia) mediator with AIAC, Malaysian International Mediation Centre (MIMC) and BICAM. He has been invited to act as amicus curiae on issues relating to admiralty law and practice and appointed as an expert witness on Malaysian commercial and shipping laws in foreign courts and arbitration proceedings. He has presented papers on admiralty and shipping law practice and issues in seminars and conferences. He has acted as moderator and conducted trainings at the Attorney General Chambers Malaysia and Judicial Officers of the Federal Court of Malaysia.

He is presently a member of the Disciplinary Committee Panel pursuant to section 96 of the Legal profession Act 1976, a member of the International Malaysian Society of Maritime Law, Malaysian Maritime Law Association, The Association of Malaysia's Maritime Professionals and the Chairperson of the Admiralty and Shipping Law Committee of the Malaysian Bar (2024/2025 term).

Publications

Mathew is the main contributor to the following publications: Halsbury's Laws of Malaysia on Admiralty (Issues 2004 till 2015); Atkin's Court Forms Malaysia in Civil Proceedings on Admiralty (Issues 2002 till 2022); Malaysian Civil Procedure 2013, 2015, 2018, 2021 & 2024 on admiralty proceedings (Malaysian Whitebook); The International Comparative Legal Guide to Shipping Law 2014 (Malaysian Chapter) and Bullen & Leake & Jacob's Malaysian Precedents of Pleadings (Chapter 6 – Carriage by Land – Editions 2017, 2020 and 2023). He has also contributed to the publication of the Kuala Lumpur Admiralty Court User Guide, launched by the Chief Justice of Malaysia in November 2016.

Rankings

The Chambers Asia-Pacific Guide – Shipping - 2018

Band 1

[Mathew Kurien has an outstanding reputation in the market, impressing sources with his specialized maritime knowledge. Commentators report that he "seems to know things inside out."]

The Chambers Asia-Pacific Guide – Shipping - 2019

Band 1

[Mathew Kurien has extensive experience of both contentious and non-contentious work. He boasts a remarkable reputation among market commentators, with one labelling him "the top man in shipping in Malaysia."]

The Chambers Asia-Pacific Guide – Shipping - 2020

Band 1

[Mathew Kurien is regarded by market sources as one of Malaysia's pre-eminent shipping lawyers. One source says: "I have a very high regard for him," commending "his knowledge of the industry."]

Asialaw - 2019 & 2025

[“Distinguished practitioner – shipping law”]

The Legal 500 – 2019

[“Mathew Kurien.....a name to note; acting for cargo underwriters, P&I clubs, ship agencies, shipowners and trading houses.”]

The Chambers Asia-Pacific Guide – Shipping – 2021 - 2025
Asia-Pacific Shipping - Malaysia

Band 1

[“Mathew Kurien has a stellar reputation in the market as a standout maritime lawyer in Malaysia. He has also written published material in relation to shipping law in Malaysia”]

<u>NO.</u>	<u>REPORTED MALAYSIAN CASES – UPTO 2024</u>
1.	ADMIRAL SHIPPING SDN BHD v. THE OWNERS OF THE SHIP "LUNA INDAH" HIGH COURT, IPOH CHIN FOOK YEN J ADMIRALTY IN REM NO. 27-2-OF 1996 31 JANUARY 1997 [1997] CLJU 347; [1997] 1 LNS 347
2.	FIRST TRAVEL & TOURS (M) SDN. BHD. v. WONG CHEE YUEN INDUSTRIAL COURT, KUALA LUMPUR CHAIRPERSON: SITI SALEHA SHEIKH ABU BAKAR 6/4-141/96 (11 MARCH 1996) 18 JUNE 1997 [1997] 2 ILR 411

3.	DEN NORSKE BANK ASA v. THE OWNERS OF THE SHIP OR VESSEL "FORUM AKASAKA" HIGH COURT MALAYA, JOHOR BAHRU ABDUL MALIK ISHAK J [ADMIRALTY IN REM NO: 27-11-1996] 25 APRIL 1998 [1998] 3 CLJ SUPP 10 ; [1998] 3 BLJ 10
4.	PACIFIC INTER-LINK SDN BHD v. PEMILIK KAPAL ATAU VESEL "MAKATSARIJA" HIGH COURT MALAYA, JOHOR BAHRU SULONG MATJERAIE ADMIRALTY IN REM NO: 27-11-1999 1 NOVEMBER 1999 [2000] 2 CLJ 679
5.	KAWASAKI KISEN KAISHA, LTD v. THE OWNERS OF THE SHIP OR VESSEL "ABLE LIEUTENANT" HIGH COURT MALAYA, SHAH ALAM ZULKEFLI MAKINUDIN J ADMIRALTY IN REM NO. MT4-27-26-2001 26 AUGUST 2002 [2002] 7 CLJ 478; [2003] 1 AMR 72, [2002] 6 MLJ 433
6.	WEI HSING FOOD (S) PTE LTD v. THE OWNERS OR DEMISE CHARTERERS OF THE SHIP OR VESSEL "THE NEPTUNE" & ANOTHER APPEAL HIGH COURT MALAYA, KUALA LUMPUR VINCENT NG J ADMIRALTY IN REM NO: D1-27-25-2002 6 APRIL 2005 [2005] 5 AMR 344, [2005] 5 MLJ 702, [2005] 3 CLJ 654
7.	THE OWNERS OF VESSEL "LUNA INDAH" v. ADMIRAL SHIPPING SDN BHD COURT OF APPEAL, PUTRAJAYA GOPAL SRI RAM, JCA; TENGKU BAHARUDIN SHAH, JCA; ZULKEFLI MAKINUDIN, JCA CIVIL APPEAL NO: A-02-83-1997 27 JUNE 2005 [2005] 4 CLJ 202; [2006] 6 AMR 750
8.	THE OWNERS AND ALL PERSONS INTERESTED IN THE SHIP OR VESSEL "SITI AYU" AND "MELATI JAYA" v. SARAWAK OIL PALM SDN BHD & ANOR COURT OF APPEAL, PUTRAJAYA MOHD GHAZALI YUSOFF, JCA; HASHIM YUSOFF, JCA; JAMES FOONG, JCA CIVIL APPEAL NO: Q-02-793-02 26 OCTOBER 2005 [2006] 1 CLJ 126 ; [2006] 1 AMR 691
9.	NGO CHEW HONG OILS & FATS (M) SDN BHD V KARYA RUMPUN SDN BHD HIGH COURT, KUALA LUMPUR JUDGE: HAMID SULTAN ABU BACKER JC ORIGINATING SUMMONS NO: R3-24-45-2009 2 DECEMBER 2009 [2009] AMEJ 0311; [2009] CLJU 1321 ; [2009] 1 LNS 1321

10.	KERTIH PORT SDN BHD v. THE OWNERS OF THE VESSEL "SHEMA" HIGH COURT MALAYA, KUALA LUMPUR ABDUL WAHAB PATAIL J ADMIRALTY IN REM NO: (D3) D4-27-30-2001 12 DECEMBER 2008 [2009] 3 CLJ 574
11.	PACIFIC INTER-LINK SDN BHD v. AIKBEE TIMBERS (SABAH) SDN BHD HIGH COURT, KUALA LUMPUR NALINI PATHMANATHAN GUAMAN NO: D3-22-397-2001 21 AUGUST 2009 [2009] CLJU 816 ; [2009] 1 LNS 816; [2009] 6 MLJ 673 [2009] MLJU 650 [2010] 3 AMR 130
12.	KERTIH PORT SDN BHD V THE OWNERS OF SHIP “SHEMA” HIGH COURT, KUALA LUMPUR, 07 JUNE 2010 JUDGE: NALLINI PATHMANATHAN J [2010] 8 AMR 424, [2010] 6 MLJ 88
13.	AJWA FOR FOOD INDUSTRIES CO(MIGOP), EGYPT V PACIFIC INTER-LINK SDN BHD HIGH COURT (KUALA LUMPUR) ABDUL AZIZ BIN ABDUL RAHIM, J ORIGINATING SUMMONS NO D24NCC-175-2010 19 NOVEMBER 2010 [2010] MLJU 1876
14.	SABAH SHELL PETROLEUM CO LTD & ANOR V THE OWNERS OF AND/OR ANY OTHER PERSONS INTERESTED IN THE SHIP OR VESSEL “THE BORCOS TAKDIR” HIGH COURT, KUALA LUMPUR, 07 OCTOBER 2011 JUDGE: NALLINI PATHMANATHAN J [2012] 1 AMCR 333
15.	SABAH SHELL PETROLEUM CO LTD & ANOR v. THE OWNERS OF AND/OR ANY OTHER PERSONS INTERESTED IN THE SHIP OR VESSEL THE 'BORCOS TAKDIR' HIGH COURT MALAYA, KUALA LUMPUR NALLINI PATHMANATHAN J [ADMIRALTY ACTION IN REM NO: D3-27-18-2006] 4 JULY 2012 [2012] 2 AMCR 375, [2012] 5 MLJ 515, [2012] 1 LNS 1116; [2012] CLJU 1116
16.	PACIFIC INTER-LINK SDN BHD v. WILMAR TRADING PTE LTD & ORS HIGH COURT MALAYA, SHAH ALAM LIM YEE LAN J [CIVIL SUIT NO: 22NCVC-456-2011] 10 FEBRUARY 2012 [2013] 7 CLJ 312

17.	<p>AJWA FOR FOOD INDUSTRIES CO (MIGOP), EGYPT v. PACIFIC INTER-LINK SDN BHD FEDERAL COURT, PUTRAJAYA ZULKEFLI MAKINUDIN CJ (MALAYA); RICHARD MALANJUM CJ (SABAH & SARAWAK); SURIYADI HALIM OMAR FCJ; HASAN LAH FCJ; ZALEHA ZAHARI FCJ [CIVIL APPEALS NO: 02-03-01-2012 (W) & 02-02-01-2012 (W)] 16 JULY 2013 [2013] 4 AMR 789, [2013] 5 MLJ 625, [2013] 2 CLJ 395, [2013] 7 CLJ 18</p>
18.	<p>WAHAB IBRAHIM & ORS v. AET TANKER HOLDINGS SDN BHD HIGH COURT MALAYA, JOHOR BAHRU VERNON ONG J [SUIT NO: 23NCvC-171-09-2011] 28 SEPTEMBER 2012 [2014] 10 CLJ 830</p>
19.	<p>GULF ASIA OILS AND FATS SDN BHD v. IOI EDIBLE OILS SDN BHD & ORS HIGH COURT MALAYA, KUALA LUMPUR HANIPAH FARIKULLAH J [ORIGINATING SUMMONS NO: 24NCC-75-02/2014] 9 JUNE 2014 [2014] CLJU 981 ; [2014] 1 LNS 981</p>
20.	<p>ING BANK NV & ANOR v. THE OWNERS OF THE SHIP OR VESSEL MV "MALIK AL ASHTAR" (IMO/L.R.: 9525900) OF THE PORT OF MALTA; VITOL ASIA PTE LTD (INTERVENER) HIGH COURT MALAYA, KUALA LUMPUR AZIZAH HAJI NAWAWI J [ADMIRALTY IN REM NO: 27NCC-37-06/2015] 9 MARCH 2016 [2016] CLJU 730 ; [2016] 1 LNS 730 ; [2016] AMEJ 1569</p>
21.	<p>VITOL ASIA PTE LTD v. THE OWNERS OF THE SHIP OR VESSEL "MALIK AL ASHTAR" OF THE PORT OF MALTA; ING BANK NV & ANOR (INTERVENERS) HIGH COURT MALAYA, KUALA LUMPUR AZIZAH NAWAWI J [ADMIRALTY IN REM NO: 27NCC-3-02-2015] 15 JULY 2016 [2017] 1 CLJ 236 ; [2016] AMEJ 1931</p>
22.	<p>CE RESOURCES SDN BHD v. THE OWNERS OF SHIP "TANGA 01" HIGH COURT MALAYA, KUALA LUMPUR WONG KIAN KHEONG JC [ADMIRALTY IN REM NO: 27NCC-70-11/2014] 28 OCTOBER 2016 [2016] CLJU 1225 ; [2016] 1 LNS 1225 ;[2016] AMEJ 2118</p>

23.	<p>CE RESOURCES SDN BHD v. THE OWNERS OF THE SHIP OR VESSEL "TANGA 01" (OFFICIAL NO: 300397) OF THE PORT OF ZANZIBAR, TANZANIA HIGH COURT MALAYA, KUALA LUMPUR KHADIJAH IDRIS JC [ADMIRALTY NO. WA-27NCC-70-11/2014] 30 JUNE 2019 [2019] CLJU 1156 ; [2019] 1 LNS 1156; [2019] AMEJ 0903</p>
24.	<p>THE OWNERS AND/OR THE DEMISED CHARTERERS OF THE SHIP OR VESSEL 'WINNING LOYALTY' v. THE OWNERS AND/OR THE DEMISED CHARTERERS OF THE Property Or SHIP OR VESSEL 'SHI PU 1' (PREVIOUSLY KNOWN AS 'JING HUI 2') HIGH COURT MALAYA, KUALA LUMPUR ATAN MUSTAFFA YUSSOF AHMAD JC [ADMIRALTY IN REM NO: WA-27NCC-88-11-2019] 22 MAY 2020 [2020] 7 CLJ 126; [2021] 1 AMR 308, [2020] AMEJ 0511</p>
25.	<p>NASSAU MARITIME HOLDINGS DESIGNATED ACTIVITY COMPANY v. THE OWNERS OF THE SHIP OR VESSEL "CAPE LAMBERT" (IMO NO. 9457555) OF THE PORT OF MARSHALL ISLANDS HIGH COURT MALAYA, KUALA LUMPUR ATAN MUSTAFFA YUSSOF AHMAD JC [ADMIRALTY IN REM NO: WA-27NCC-32-03-2020] 24 AUGUST 2020 [2020] 7 AMR 314, [2020] AMEJ 0929, [2020] 9 CLJ 796</p>
26.	<p>RISING STAR SHIPPING SDN BHD & ANOR v. PELABUHAN TANJUNG PELEPAS SDN BHD & ORS HIGH COURT MALAYA, KUALA LUMPUR AZLAN SULAIMAN JC [ADMIRALTY ACTION NO: WA-27NCC-71-11/2016] 24 MAY 2022 [2022] CLJU 1074 ; [2022] 1 LNS 1074 ;[2022] 6 AMR 329, [2022] AMEJ 0497</p>
27.	<p>DESERT OASIS PETROCHEMICAL TRADING LLC v. PEMILIK DAN/ATAU PENCARTER DEMIS KAPAL ATAU VESEL ALPINE MATHILDE (NO IMO 9740471) DARI PELABUHAN HONG KONG HIGH COURT MALAYA, KUALA LUMPUR ONG CHEE KWAN J [ADMIRALTY IN REM NO: WA-27NCC-36-07-2023] 27 OCTOBER 2023 [2023] 8 AMR 727, [2023] AMEJ 2273, [2024] 1 CLJ 543</p>
28.	<p>UNICIOUS ENERGY PTE LTD v. THE OWNERS AND/OR DEMISE CHARTERERS OF THE SHIP OR VESSEL "ALPINE MATHILDE" HIGH COURT OF MALAYA, KUALA LUMPUR ONG CHEE KWAN J [ADMIRALTY IN REM NO.: WA-27NCC-49-10/2023] 6 DECEMBER 2023 [2023] CLJU 2516 ; [2023] 1 LNS 2516; [2024] 1 AMR 898, [2023] AMEJ 2581</p>

29.	<p>UNICIOUS ENERGY PTE LTD v. THE OWNERS AND/OR DEMISE CHARTERERS OF THE SHIP OR VESSEL "ALPINE MATHILDE" [NO.2] HIGH COURT MALAYA, KUALA LUMPUR ONG CHEE KWAN J [ADMIRALTY IN REM NO.: WA-27NCC-49-10/2023] 30 JANUARY 2024 [2024] CLJU 468 ; [2024] 3 AMR 809, [2024] AMEJ 0508</p>