

S245 of Companies Act 2016

Director's Right To Inspect Documents

When can Company Refuse Director's Inspection ?

Low Ean Nee v SNE Marketing Sdn Bhd

Case Examination + Practical Implications + Risk Analysis + Proposed Solutions



Ms Mah Li Chen
MAICSA Chartered Secretary

OS: WA-24NCC-164-04/2021

HC KL (COMMERCIAL DIVISION)

01

S 245 of Companies Act 2016

In the matter of the inspection of the various accounting documents or records of the Company by a Director of the Company

02

Inherent powers of this Honourable Court



Plaintiff & Defendant



Low Ean Nee
50%
Plaintiff
Director



Dato' Seri Low
39.7%
Uncle of P



Low
10%
Son of Dato' Seri Low, Cousin of P
Director 09.07.2007 - 21.04.2018



Lau
0.3%
Unrelated Shareholder
Director 22.05.2003



SNE MARKETING SDN BHD
Defendant



Laman Utama

Mengenai Kami

Awam

Warga Kehakiman

Virtual Mahkamah

E-Perkhidmatan

Portal Mahkamah Negeri

Mahkamah Tinggi

Latar Belakang

Sejarah
Penubuhan

Mahkamah Sarawak

Hierarki
Mahkamah TinggiBidang Kuasa
Pesuruhjaya KehakimanPejabat Pendaftar Mahkamah Tinggi
MalayaPejabat Pendaftar Mahkamah Tinggi
Sabah & SarawakLokasi Dan Alamat Mahkamah Tinggi
Di Seluruh Malaysia

Mengenai kami > Mahkamah > Mahkamah Tinggi > Pesuruhjaya Kehakiman > YA Puan Adlin Binti Abdul Majid

YA Puan Adlin Binti Abdul Majid































YA Puan Adlin Binti Abdul Majid

Pesuruhjaya Kehakiman Mahkamah Tinggi Kuala Lumpur (NCC 6)

Dilantik sebagai Pesuruhjaya Kehakiman pada 01 April 2021

OS: WA-24NCC-164-04/2021
KL High Court

Party Details Document Listing

Encl No.	Document Type	Document Filing Date	Filing Party	View
1	Saman Pemula Akta Syarikat	07/04/2021 17:27:31	Pemohon	 
2	Afidavit Sokongan	07/04/2021 17:27:31	Pemohon	 
3	Notis Pelantikan Peguam Cara	21/04/2021 11:38:42	Responden	 
4	Afidavit Jawapan	17/05/2021 15:51:07	Responden	 
5	Afidavit Balasan	15/07/2021 12:13:14	Pemohon	 
6	Afidavit Balasan	02/08/2021 16:52:23	Responden	 
7	Surat (Daripada Peguam)	17/08/2021 15:31:35	Responden	 
8	Hujahan Bertulis	17/08/2021 15:31:35	Responden	 
9	Ikatan Autoriti	17/08/2021 15:31:35	Responden	 
10	Afidavit Balasan	18/08/2021 17:28:08	Pemohon	 
11	Hujahan Bertulis	18/08/2021 17:28:08	Pemohon	 
12	Ikatan Autoriti	18/08/2021 17:28:08	Pemohon	 
13	Surat (Daripada Mahkamah)	23/08/2021 08:52:14		 
14	Surat (Daripada Peguam)	24/08/2021 13:42:55	Responden	 

15	Hujahan Bertulis	24/08/2021 13:42:55	Responden	 
16	Ikatan Autoriti	24/08/2021 13:42:55	Responden	 
17	Surat (Daripada Peguam)	02/09/2021 16:35:40	Responden	 
18	Surat (Daripada Peguam)	06/09/2021 10:25:00	Responden	 
19	Surat (Daripada Mahkamah)	27/09/2021 15:12:20		 
20	Surat (Daripada Peguam)	12/10/2021 15:57:10	Responden	 
21	Draf Perintah	12/10/2021 15:57:10	Responden	 
22	Draf Perakuan Alokatur	12/10/2021 15:57:10	Responden	 
23	Surat (Daripada Peguam)	12/10/2021 17:50:30	Responden	 
24	Draf Perintah	12/10/2021 17:50:30	Responden	 
25	Perintah (Dalam Kamar)	14/10/2021 12:37:20	Responden	 
26	Perakuan Alokatur	14/10/2021 12:37:20	Responden	 
27	Notis Rayuan Ke Mahkamah Rayuan	14/10/2021 16:54:28	Pemohon	 
28	Draf Perintah	14/10/2021 16:58:10	Pemohon	
29	Surat (Daripada Peguam)	21/10/2021 22:04:40	Pemohon	

Plaintiff filed OS - WA-24NCC-164-04/2021 (KL High Court)

- Inspect and make copies of the defendant's accounting documents or records.
- High Court dismissed OS
- Plaintiff Appealed (COA Hearing 3 Feb 2023) - COA Appeal Suit No. W-02(NCC)(A)-1925-10/2021**

2021 Calendar

<https://ecourt.kehakiman.gov.my/>



Ahad, 27/11/2022, 11:14:04 AM

SE INFORMATION
(...)
Ket No.: BF60EA384447
Mplex Mahkamah Kuala Lumpur
ikamah Tinggi
v-24NCC-164-04/2021
se Filing Date: 07 Apr 2021
ne Left: 0 Minutes 0 Seconds

End No.	Document Type	Document Filing Date	Filing Party	View
1	Saman Pemula Akta Syarikat	07/04/2021 17:27:31	Pemohon	
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January							February							March							April						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
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31																											

May							June							July							August									
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30	31																													

September							October							November							December													
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26	27	28	29	30			24	25	26	27	28	29	30	28	29	30				26	27	28	29	30	31									

Webinar Schedule

(Thu) 08 Dec 2022

11am - 12:30pm Webinar Starts (FREE and Open to Public)

👉 [Click here to register \(FREE and Open to Public\)](#)

(Thu) 15 Dec 2022

9am - 10:30am Webinar Starts (FREE and Open to Public)

👉 [Click here to register \(FREE and Open to Public\)](#)

(Thu) 15 Dec 2022

11am - 1pm Webinar Starts (Exclusively for paid participants only)

Sign Up Now at RM 49. Price will increase to RM 99 after (Wed) 01.02.2023 11pm

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