

Kumar Kanagasingam

Kumar has led and worked with auditors and fraud investigators in investigations with the view of recovering dissipated assets and has wide experience in fraud, corporate governance, insolvency, money laundering and regulatory compliance. His experience spans from arbitration to general litigation, particularly in banking commercial and corporate disputes. His focus is on complex recovery matters and lender liability issues.

Kumar also has an active insolvency practice which includes tracing and recovery of assets dissipated overseas and heads the firm's Banking and Insolvency Practice Group. He is listed as one of the "*Leading Individual*" for Dispute Resolution in **The Legal 500 Asia Pacific 2024** rankings. Kumar is also ranked as a "*Band 5*" lawyer for Dispute Resolution by **Chambers Asia-Pacific 2024**.



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Qualifications

- LLB (Hons), University of London
- Called to the Bar of England and Wales (Middle Temple)
- Advocate & Solicitor of the High Court of Malaya

Practice Areas

- Arbitration
- Dispute Resolution
- Banking
- Civil & Commercial
- Insolvency
- General Litigation

Notable Transactions

- Representing the then National Airline MAS in a claim against its former chairman and director for breach of fiduciary and other contractual and common law duties, conspiracy to defraud. Initiating an action against 3rd parties who knowingly assisted in the breach of fiduciary duties of chairman and director or knowingly benefited from the breach.
- Representing the liquidators of a licensed Asset Management Company in the management, recovery and distribution of trust assets and assets of the Company situated within and outside Malaysia. Tracing of assets and enforcing judgement in Singapore, Hong Kong and BVI.
- Representing an intermediary Financial Institution in a Swap transaction dispute. Represented the Financial Institution as counsel in suits in Malaysia and as instructing solicitor in suits in the UK.
- Representing a number of Financial Institutions at trial in the High Court and in the Appeal Courts in respect of lender liability disputes and complex recovery matters.

- Representing an International Financial Institution at the Appeal Courts and successfully resolving its reputational exposure.
- Representing a minority shareholder in a shareholders' dispute and successfully obtaining a landmark court decision – the buyout of majority shareholding by the minority shareholder.
- Advising and representing a federal statutory body in an action against its former directors and other 3rd parties for amongst others conspiracy, breach of fiduciary duties and dishonest assistance concerning dubious agreements entered into by the statutory body.
- Representing a subsidiary of a public listed company in an action against its former director and other 3rd parties for conspiracy, breach of fiduciary duties, and dishonest assistance in recovering monies wrongfully paid out of the company.
- Representing a government-owned financing agency in an action against the borrower, directors and other 3rd parties for fraud and conspiracy to recover monies fraudulently utilized by the borrower.
- Advising 1MDB during the preliminary stages on the formation of its EXCO and the potential actions for recovery of misappropriated funds.
- Representing 1MDB in a claim against a co-proprietor of the Air Itam Estate to recover RM6 million paid to him pursuant to an agreement to exchange lands and defending 1MDB in a separate suit filed by the co-proprietor in respect of the same, for damages in a sum of approximately RM331 million.

Professional Affiliations

- Council member, Insolvency Practitioners Association of Malaysia (IPAM)
- Committee member, Insolvency practice group of the Malaysian Institute of Certified Public Accountants (MICPA)
- Committee member, Insolvency practice group of the Malaysian Institute of Accountants (MIA)
- Committee member, Corporate Practice Consultative Forum Insolvency Practice Sub-Committee of SSM

Publications

- Contributor - The Malaysian Civil Procedure 2013 (Sweet & Maxwell)
- Co-author - International Product Liability — Malaysian Chapter (Aspator, 2004)
- Contributor - Bullen & Leake & Jacob's Malaysian Precedents of Pleadings, Sweet & Maxwell (2017)