

<b>TARIKH</b>	SELASA, 14 MEI 2024
<b>AKHBAR</b>	THE STAR
<b>TAJUK ARTIKEL</b>	COURT THROWS OUT BID AGAINST ACTIVIST'S APPEAL IN LYNAS CASE
<b>M/S</b>	6
<b>BIDANG</b>	LYNAS
<b>KATA KUNCI</b>	PERMANENT DISPOSAL FACILITY (PDF), GEBENG

## Court throws out bid against activist's appeal in Lynas case

**PUTRAJAYA:** An activist's appeal to challenge the planning permission granted to Lynas Malaysia Sdn Bhd to construct a permanent disposal facility (PDF) in Gebeng, Pahang, will be heard on Sept 18 at the Court of Appeal here.

This followed the court's unanimous decision in dismissing the application by three respondents - the Kuantan City Council (MBK), Gading Senggara Sdn Bhd and Lynas Malaysia - to strike out activist Tan Bun Teet's appeal.

The strike out application was

over the alleged irregularity in the filing of Tan's application to get an extension of time to file a memorandum of appeal in accordance with the Rules of The Court of Appeal 1994.

In delivering the decision, Justice Lee Swee Seng said the court had the discretion to grant a time extension in suitable cases.

According to Justice Lee, the respondents had filed a strike out application in December last year, only a month after Tan applied to regularise the records

on Nov 13.

"It is a public interest matter and the justice of the case tilts in favour of the appellant (Tan)," said Justice Lee, who sat with Justices See Mee Chun and Azizul Azmi Adnan, Bernama reported.

Another respondent, the Pahang state planning committee, did not object to Tan's application.

Lawyers Jessica Ram Binwani and T. Meenakshi represented Tan while assistant state legal adviser Munirah Shamsudin@Baharum appeared for the

Pahang government.

Counsel Natasha Aida Zulkifli represented the city council, B. Thangaraj acted for Gading Senggara while Datuk Sunil Abraham appeared for Lynas.

On May 30 last year, the Kuantan High Court dismissed Tan's judicial review application to challenge the permission granted to Lynas Malaysia to build the PDF.

Tan filed the application to challenge MBK's authorisation for the construction of the PDF to store Lynas' radioactive waste.

In his application, Tan sought the court's declaration that the planning permission granted by MBK to contractor Gading Senggara was allegedly done without complying with the mandatory provisions of the Town and Country Planning Act 1976, rendering the planning permission void.

Tan, who is chairman of the environmentalist group Save Malaysia, Stop Lynas, also sought a court order to quash the planning permission for the construction of the PDF.

**DISEDIAKAN  
OLEH**

**PN NOR SURIANI BINTI MOHD ZIN (S44), BPM**