



Gregory Vijayendran

Partner, Commercial Litigation

Get in touch

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Gregory has considerable experience and expertise in various spheres of civil and commercial litigation and arbitration and dispute resolution. His present practice encompasses a specialization in banking and corporate insolvency and a broader dispute resolution covering company and shareholder disputes, contract, tenancy and land law disputes, employment law, defamation, negligence, contentious probate and other tort claims. He is also a recognized expert in charities governance.

Gregory graduated from the National University of Singapore and was one of the main speakers in the university's moot team in 1992 that emerged world runners-up at the 1992 Jessup International Law Moot Competition in Washington D.C. Gregory was thereafter admitted to the Singapore Bar in 1993 and joined Rajah & Tann LLP after being in practice in two other leading law firms for 15 years (jointly heading the Banking and Insolvency Litigation Practice group of another leading law firm).

Some of the awards Gregory has received are as follows:

- Two time Law Society Appreciation Award conferred by Law Society for services rendered to Publications Committee (2004) and Advocacy Training (2006)
- Good Samaritan Award in 2008 conferred by Advocates International in Washington DC
- Inaugural Pro Bono Ambassador in 2009 conferred by Law Society of Singapore

Qualifications

- LLB (Hons), National University of Singapore (1992)
- Fellow, Insolvency Practitioners Association of Singapore (FIPAS)(since 2007)
- Fellow, Singapore Institute of Arbitrators (FSiArb)(since 2009)

Experience

Gregory presently serves as 1st Vice President and Executive Committee Member of the Law Society. He also serves on the Senate of Singapore Academy of Law and is a member of its Audit Committee. He served for close to a decade as Law Society Publication Committee Chairman from 2005 to 2014. He has previously served on the Inquiry Panel of the Law Society of Singapore, as Deputy Chairman of the Board of the Insolvency and Practitioners' Association of Singapore and as inaugural Subject Coordinator for the Part B Elective on Wills, Probate and

Administrations (appointed Senior Teaching Fellow) of the Singapore Institute of Legal Education. He regularly conducts nationwide and professional wide seminars and counts as his personal teaching highlights being part of Summer School Faculty in Handong International Law School (teaching International Business Transactions in 2008 and 2009), a lecturer on company law developments to the ACCA Annual Conferences for several years and lecturing for the LKY School of Public Policy in 2014 on Non Profit Management for the 21st Century.

A former South East Asian schools oratorical award winner, Asian silver medallist in international chess, two time Law Society Appreciation Award winner. Gregory has been judicially commended by the highest court in Singapore in 2006 for “meticulous professionalism”. Gregory has also been humbled to receive the Good Samaritan Award conferred on him in Washington DC in October 2008 by Advocates International for his leadership of Advocates Asia – an NGO committed to (among others) international reconciliation, conflict resolution, religious liberty and professional ethics.

Some of the selected matters of significance in various areas of practice that Gregory has been involved in as lead counsel since being called are:-

Contract

- *Glahe International Expo AG v ACS Computer Pte Ltd* [1999] 2 SLR 620 (CA) (leading case on frustration of contract)
- *Straits Advisors Pte Ltd v Behringer Holdings (Pte) Ltd & another* [2009] SGHC 86 (HC) (successful determination of question of construction of a contract on entitlement to shares)

Land Law

- *Yin-Marguerite & Anor v PT Jaya Putra Kundur* [1999] 3 SLR 319 (a successful test case involving purchase of residential property in Batam)

Restitution / Quasi Contract

- *Lee Siong Kee v Beng Tiong Trading, Import and Export (1988) Pte Ltd* [2000] 4 SLR 859 (CA) (successful partial appeal in case involving exposition on claim for quantum meruit)

Company

- *Kiyue v Aquagen International Pte Ltd* [2003] 3 SLR 130 (HC) (successful defence to a leave application for section 216A derivative action – ruling that the sections ambit does not apply to arbitration proceedings)
- *Pang Yong Hock and Anor v PKS Contracts Services Pte Ltd* [2004] 3 SLR 1 (CA) (leading Court of Appeal pronouncement on conditions for leave to bring statutory derivative action pursuant to section 216A Companies Act)

Employment

- *Vandashima (S) Pte Ltd v Tiong Sean Lean* [2006] SGHC 132 (HC and CA) (successful claim by employer against ex employee for breaches of contract and breaches of confidence)

Arbitration

- *Progen Engineering Pte Ltd v Chua Aik Kia* [2006] 4 SLR 419 (HC) (successful defence to setting aside domestic arbitration award for misconduct and application for leave to appeal on questions of law)

Legal Profession

- Successfully prosecuted a disciplinary case as Counsel for the Law Society in [2006] 4 SLR 308 (Court of Three Judges).
- Assisted in successfully defending a solicitor at a "show cause" hearing in [2006] 4 SLR 360 (Court of Three Judges)

Criminal

- *Tee Kok Boon v AG* [2008] 2 SLR 412 (HC) (appointed as Counsel by Supreme Court in a leading case on restraint of vexatious criminal proceedings)

Conflict of Laws

- *Holdrich Investment Ltd v Siemens AG* [2010] 1 SLR 1237 (raised conflict of laws issue on whether Singapore was forum conveniens to hear the dispute)
- *Pacific Harbour and Credit Suisse AG v Estate of Susanto Lim, deceased* (unreported judgment in Suit No. 795 of 2012)(August 2013)(successful appeal against stay on the grounds of forum non conveniens)

Insurance

- *Stansfield Group Pte Ltd v CASE & Anor* [2011] 4 SLR 699 (important case on recognition of legal duty of disclosure owed by insurers to insured)

Estate and Administration

- *Low Guang Hong David & others v Suryono Wino Goei* [2012] SGHC 93 (important judicial clarification that step-children cannot claim from step-parent under intestacy laws)

Civil Procedure

- *Elbow Holdings Pte Ltd v Marina Bay Sand* [2014] SGHC 26 (successful defence to appeal in which Official Secrets Act defences were raised to resist discovery application)

Defamation

- *Hermia Adriana Tan v Phang Pui Fong & Anor* (Suit No. 604 of 1995) (HC) (successful defamation claim in respect of magazine interview)

Insolvency

- *In the Matter of Goldtron Limited* (Originating Summons No. 1274 of 1998) (HC) (insolvency restructuring of a public listed company with a combined group debt in excess of S\$280 million)

- Advising a strategic investor on various issues arising out of the Creditors' Scheme of Arrangement and the subsequent Shareholders' Agreement in China Aviation Oil's debt restructuring exercise.
- Representing incumbent liquidators of Daewoo in a novel insolvency application for conversion of a creditors' voluntary liquidation to a compulsory liquidation (HC)

Tort

- *Straits Advisor Pte Ltd v Michael Deeb and others* (successfully defending against Civil Appeal No. 83 of 2014 from a High Court decision in Suit No. 349 of 2011)

Banking

- *Rabobank Singapore Branch vs Motorola Electronics Pte Ltd* [2011] 2 SLR 63 (successful claim for more than US\$5 million for assigned receivables where defence asserted a tripartite set off)
- *Pacific Harbour and Credit Suisse AG v Estate of Susanto Lim, deceased* (Suit No. 795 of 2012)(September 2014)(successfully obtaining summary judgment/summary determination on a banking claim of US\$50 million for syndicated lenders and defending the same of appeal)

Memberships / Directorships

- Senate Member, Singapore Academy of Law
- Member of the Audit Committee, SAL
- Vice President of the Law Society
- Member of the Audit Committee, SAL
- Senior Moderator of Advocacy Trainers of the Law Society
- Director, Pro Bono, Learning & Support Services of the Law Society
- Vice Chairman, Insolvency Committee, Inter-Pacific Bar Association
- Honorary Secretary, Advocates International Global Council and Advocates Asia
- Member, Bioethics Advisory Committee
- Member, Patron Dispute Committee, Casino Regulatory Authority
- Member, Complaints and Disciplinary Panel, Accounting and Corporate Regulatory Authority
- Member, Tribunal for the Maintenance of Parents
- Trustee, National Youth Fund
- Director, Pro Bono, Learning & Support Services of the Law Society
- Chairman and Director, Rainbow Across Borders
- Director, Singapore Cord Blood Bank
- Director, Agency for Integrated Care Ltd
- Chairman, Law Christian Fellowship
- Lay Member, Transplant Ethics Committee Panel
- Member, Senior Common Room Committee, Eusoff Hall, National University of Singapore
- Director, ISCA Cares Limited

Publications

- Updating Editor 2009 for Woon's Corporations Law (Schemes of Arrangement and Judicial Management)
- Co-Author of chapter on Singapore (Legal Issues) in Asian Development Bank Guide to Restructuring in Asia 2001
- Co-Author of chapter on Singapore chapter in Global Insolvency & Restructuring Yearbooks 2004/05 and 2005/06
- Co-Author with PricewaterhouseCoopers of Singapore chapter in The Asia-Pacific Restructuring Insolvency Guide 2006
- Contributor, Singapore Court Practice 2003 and 2006
- Co-Author of Wills section, Singapore Precedents and Forms, Wills Trusts and Administration
- Contributor, Singapore Precedents of Pleadings (Corporate Insolvency Chapter)
- Author, "Deciphering the Code of Conduct" used in Professional Practice PLC Manual (since 2000)
- Co-Author "An Act to End All Acts of Harassment ?" (published in June 2014, Singapore Law Gazette)