



Kailash Kalaiarasu
Partner

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Kailash is a Partner in the firm's Litigation and Arbitration practice. Kailash maintains a broad practice in civil and commercial litigation, with key experience in complex transnational fraud and asset recovery. His other areas of interest include human rights and environmental law.

Key Practice Areas

Fraud and Asset Recovery
Civil and Commercial Litigation
Public Law, Constitutional Law & Fundamental Rights

Selected Experience

Fraud and Asset Recovery

- ❖ Representing a foreign government agency in a worldwide fraud litigation amounting up to a billion ringgit within the Malaysian jurisdiction alone. This dispute involves, among others, the obtaining of urgent interim injunctive relief and civil search orders to preserve assets and evidence.

Civil and Commercial Litigation

- ❖ Advising a multinational client in a dispute involving the novation of a lease agreement.
- ❖ Assisted in the High Court, Court of Appeal, and Federal Court in a dispute over a land transaction valued at RM80million.
- ❖ Assisted in a High Court Suit relating to 3 highly publicised abandoned aircraft at the largest airport in the country (settled).
- ❖ Assisted in appeal proceedings representing the successful respondent, liquidators of an erstwhile financial institution, in upholding a claim for trading losses totalling RM28 million.
- ❖ Assisted (*pro bono*) in a business employment dispute

between the founders of a social enterprise and an alleged ex-employee who claimed that they were unlawfully terminated.

- ❖ Representing private limited companies in actions against debtors and guarantors, from the pre-action stage to the enforcement stage.

Public Law, Constitutional Law & Fundamental Rights

- ❖ Representing an oil palm plantation owner in a challenge against the constitutionality and legality of the Windfall Profit Levy Act 1998.
- ❖ Research assistant to Professor Wong Chin Huat (with Chang Xi Wo and Eric Gabriel Gomez) for a parliamentary reform project aiming to introduce laws that would allow elected representatives in the Federal and State legislatures to be removed through a recall mechanism.
- ❖ Contributed to the Malaysian chapter for a UNHCR report discussing the relevant rights and protections available to child refugees and asylum seekers in Malaysia.

Restructuring & Insolvency

- ❖ Acting for a creditor in respect of Sapura Energy's restructuring of debt and scheme of arrangement proceedings.

Qualifications & Professional Affiliations

Qualification:

Advocate and Solicitor, High Court of Malaya (2019)
Certificate of Legal Practice (2017)
LL.B (Hons), University College London (2016)

Professional Affiliations:

- Member, Bar Council Environment and Climate Change Committee (2022 - 2024).
- Volunteer, Refugee and Asylum Seekers Legal Aid Scheme organised by the Bar Council in collaboration with the UNHCR (2023 - 2024).

Publications

Publications:

- Co-author (with Joshua Teng), 'Divergence and Convergence in the Law of Contractual Penalties and Liquidated Damages Clauses in England, Singapore, and Malaysia'. *Liverpool Law Review* (2022). Access [here](#).

- Research assistant / contributor (with Francine Ariel Paul and Tham Zhi Jun), ‘Legal Opinion on Directors’ Duties and Disclosure Obligations under Malaysian Law in the Context of Climate Change Risks and Considerations’ (2022). (Authored by: Tan Sri Zarinah Anwar, Chairman, Institute of Corporate Directors Malaysia; and To’ Puan Janet Looi, Senior Partner, Skrine.) Access [here](#) through the Commonwealth Climate and Law Initiative’s website.
- Co-author (with To’ Puan Janet Looi), ‘International Court of Justice’s Advisory Opinion on the Obligations of States in respect of Climate Change’. *Skrine Insights* (2025). Access [here](#).

Conferences & Talks

Conferences & Talks:

- Presented a paper on the juridical basis for asset freezing injunctions and pre-emptive disclosure orders in aid of foreign proceedings at the ‘Journal of Private International Law 20th Anniversary Conference: The Functions and Futures of Private International Law’ (2025).

Organised by: The Journal of Private International Law, UCL Faculty of Laws, and Routledge, Taylor & Francis Group.

- Co-presented (with Joshua Teng) a paper on contractual penalties and liquidated damages clauses in England, Singapore, and Malaysia at the ‘Conference Series On Contract Law In Common Law Countries: A Study In Divergence’ (2021).

Organised by: Jindal Global Law School, O.P. Jindal Global University, India and The London Centre for Commercial and Financial Law in co-operation with the Institute of Advanced Legal Studies, School of Advanced Studies, University of London.

- Awarded the best speaker for the MIArb Virtual Debate (2021), speaking against the motion: ‘This House Believes that Artificial Intelligence Will Render Arbitrators and Lawyers Obsolete in 25 Years’.