



Preetha Pillai
Partner

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Preetha is a litigator with over 27 years of experience in general civil and commercial litigation and arbitration.

She is a Fellow of the Chartered Institute of Arbitrators and acts as counsel in commercial arbitration both local and international. She also sits as an arbitrator and is empanelled as an arbitrator with the Asian International Arbitration Centre.

Preetha has built considerable experience particularly in the area of asset recovery in fraud matters requiring involvement at the forensic investigation stage, providing strategic advice on evidence gathering, obtaining interlocutory orders for preservation of assets and evidence, and ultimately handling the litigation to recover clients' assets.

Preetha is ranked both in Chambers Asia Pacific as well as Legal 500 for Dispute Resolution. She has been described as "*fast at picking up complicated issues and very good at giving precise advice*".

Preetha is also a regular speaker at international conferences and is particularly active at the International Bar Association, having retired as co-chair of the Asia Pacific Regional Forum and now sitting in an advisory capacity on the Advisory Board of the Forum.

Key Practice Areas

Commercial Litigation and Arbitration

Fraud and Asset Recovery

Tax Litigation, Audits and Investigations International Arbitration

Administrative Law

Selected Experience

International Arbitration

- ❖ Acted as counsel in an arbitration matter commenced by a venture capitalist company to recover its multi-million investment in a Swiss start-up company.
- ❖ Acted as co-counsel in an arbitration involving a Kuwaiti-owned telecommunications company against its system provider.

Commercial Litigation and Arbitration

- ❖ Acting in a dispute involving the sale and purchase of gold, requiring the obtaining of, amongst others, preservation orders to preserve gold jewellery from over 20 outlets.
- ❖ Acting as counsel in a constitutional challenge against the Windfall Profit Levy Act 199.
- ❖ Acted for a multinational client in disputes involving high value leasing agreements.
- ❖ Acted as counsel in the High Court, Court of Appeal and Federal Court in a matter involving the recovery of a multimillion ringgit share financing facility secured by back to back put option agreements.
- ❖ Acted as counsel in an AIAC arbitration for a government agency in an arbitration involving the supply of information technology system to it.
- ❖ Represented German parties in recovering their investments from a local joint venture partner.
- ❖ Represented leading stock broking firms in recovering share trading losses. The prosecution of some of these suits required extensive evidence gathering and analysis of the laws of agency, contract, companies and securities on issues relating to the use of nominees, market manipulation and fraud.
- ❖ Acted for a public-listed company in relation to the termination of its subsidiary's distributorship agreement by the principal and the setting up of a rival company by the principal with the subsidiary's employees. This litigation required the obtaining of Anton Piller and injunctive orders to preserve evidence prevent the use of the subsidiary's confidential information and damages for the interference of the subsidiary's business, fraudulent contracts and breaches of director's duties.
- ❖ Acted for a Korean video gaming company in resisting a worldwide injunction sought against it for purported breach of intellectual property rights by its local joint venture partner.
- ❖ Acted as counsel at the Court of Appeal in a suit involving the assertion of fraud to overcome the indefeasibility of title under the National Land Code.
- ❖ Acted as co-counsel in a trespass suit involving the assertion of rights of a temporary occupation licensee under the National Land Code against that of a contract given by a concessionaire.

Fraud and Asset Recovery

- ❖ Acting as counsel for a foreign government agency in a worldwide fraud litigation amounting up to a billion ringgit within the Malaysian jurisdiction alone. This dispute required the obtaining of urgent injunctive and search orders to preserve assets and documents.
- ❖ Advised and risk managed a multimillion ringgit fraud perpetrated by a supplier to an information technology firm. The exercise required an extensive examination of the internal controls of the company and its credit assessment mechanisms and advise on recovery of assets.
- ❖ Advised an oil and gas company on questionable sub-contracting arrangements, its internal controls and legal strategy in relation to the contracts.
- ❖ Represented a property developer in a suit against its financier for a premature termination of a multimillion ringgit facilities. Allegations raised by the financier was that there was fraud and corruption at the board level involving our clients and its board of directors.
- ❖ Acted for a multinational Korean company involved in a dispute with its rogue local director. This dispute required the obtaining of urgent injunctive orders to prevent disruption and interference at the company's project site, siphoning of monies and ultimately the hijacking of its local company. Extensive evidence gathering was required to establish fraud on the part of the local director.

Tax Litigation, Audits and Investigations

- ❖ Acted for a subsidiary of a multinational corporation that designs and manufactures shoes, clothing and accessories in a judicial review against the Director General of Customs in relation to special refund of sales tax and successfully obtained the full refund in excess of RM2.5million.
- ❖ Acted as counsel for a British Virgin Island company in relation to its objection filed at the High Court on the applicability of stamp duty exemption to its transaction in Labuan.
- ❖ Acted as counsel for a listed entity engaged in the provision of engineering contract works to challenge the Stamp Office's refusal to apply stamp duty exemption for the entity's financing transactions.
- ❖ Advised and represented a subsidiary of a global chemical and specialty materials company investing in Malaysia and

successfully obtained the approval for exceptional GST input tax claim of RM12million.

- ❖ Advised clients from various industries subjected to tax audits and tax investigations.
- ❖ Advised clients from various industries and performing preliminary assessment on the potential impact of the Trans Pacific Partnership Agreement on their businesses.
- ❖ Advised one of the largest petroleum refineries in Malaysia on real property gains tax issues arising from an internal organizational restructuring.

Administrative Law

- ❖ Acted for the Malaysian Stock Exchange in a number of judicial review proceedings filed by public listed companies and their directors challenging the decision of the Stock Exchange in finding them guilty of breaches of the Listing Requirements.
- ❖ Advising and acting for an oil and gas company on issues involving a substantial land acquisition exercise.
- ❖ Acted as counsel for billboard operators challenging the decision of local councils in imposing private contracts in place of the licensing scheme under present bye laws.
- ❖ Acted pro bono in obtaining Malaysian citizenship for stateless persons.

Qualifications & Professional Affiliations

Qualification:

Diploma in International Arbitration, CI Arb London (2018)
Advocate and Solicitor, High Court of Malaya (1998)
LLM, King's College University of London (1997), Chevening Scholar
Certificate of Legal Practice (1996)
LLB (Hons), University of London (1994)

Professional Affiliations:

Fellow of the Chartered Institute of Arbitrators (since 2018)
Advisory Board of the Asia Pacific Regional Forum, International Bar Association (IBA)

Publications & Talks

Talks:

- Speaker, "Resolving Disputes – Arbitration or Courts? Practical Considerations when Drafting Dispute Resolution Clauses", Kuala Lumpur In-House Community Congress 2025

- Chair, Role of corporate counsel in managing cross border litigation and arbitration disputes, International Bar Association, Asia Pacific Regional Forum 7th Biennial Conference, Singapore, 2023
- Chair, Evidence: Obligations and Implications, International Bar Association, Asia Pacific Regional Forum Litigation Conference, Singapore, 2022
- Chair, Litigation Session “And so I have judgement, now what?”, International Bar Association Annual Conference, Seoul, September 2019
- Chair, “Tax Havens, is there a case for their continued existence” 6th IBA Asia Pacific Regional Forum Biennial Conference 2019, Tokyo
- Chair, “Women in Law”, International Malaysian Law Conference, Kuala Lumpur, August 2018.
- Speaker, “Trial advocacy - witnesses, facts, and persuading triers of fact”, IBA Annual Litigation Forum, Chicago, USA, May 2018.
- Speaker, “The use of technology in court craft”, IBA Annual Litigation Forum, Zurich, Switzerland, May 2017.
- Chair, “Breaking Down or Building Up Walls: The Future of International Trade”, IBA Annual Conference, Sydney, Australia, 2017.
- Chair, “Navigating dispute resolution in North America and the Asia Pacific Region”, IBA Annual Conference, Washington, United States of America, October 2016.
- Chair, “Evidence in international arbitration: the application of the IBA Rules on the Taking of Evidence in International Arbitration”, IBA Arbitration Training Day, Kuala Lumpur, June 2016.
- Speaker, “The merits of litigation versus arbitration” IBA Annual Litigation Forum, San Francisco, United States of America, May 2016.
- Speaker, “The challenges in dispute resolution in Asia” IBA 4th Asia Pacific Regional Forum Conference, Singapore, March 2015.
- Chair, at the Law Society of Singapore’s Litigation Conference 2015, Singapore on the Singapore International Commercial Court’s reach.

Accolades

- Ranked in Band 5 for Dispute Resolution by Chambers Asia Pacific 2021 - 2026
- Listed as Leading Individuals for Dispute Resolution by Legal 500 Asia Pacific 2024 - 2025
- Listed as Notable Practitioner in Tax by Asia Law 2024 - 2025
- Listed as Top 100 Women in Litigation by Benchmark Litigation Asia-Pacific in 2020 - 2021, and 2024 - 2025
- Listed as Litigation Stars by Benchmark Litigation Asia- Pacific 2020 - 2025
- Nominated as Woman Lawyer of the Year by ALB Malaysia Law Awards 2020

- *“Her humility and depth of knowledge is very hard to match. Preetha is a phenomenal lawyer.” - Chambers Asia Pacific 2026*
- *“Fast at picking up complicated issues and very good at giving precise advice” - Chambers Asia Pacific 2021*