



Tatvaruban Subramaniam
Partner

Contact Details:
T +603 2081 3917
E tatvaruban@skrine.com

Ruban is a dispute resolution partner in Skrine’s Construction and Engineering practice. He is “*well-versed in dispute resolution in this practice area*” and handles complex disputes in its various forms, including litigation, arbitration, adjudication, and mediation. With extensive experience in all stages of construction and engineering projects, he is able to provide strategic insight and pragmatic advice to clients.

In addition to his disputes portfolio, Ruban heads Skrine’s Occupational Safety & Health and Environmental Crisis Management practice group. He regularly advises on regulatory compliance, enforcement actions, and crisis response strategies for environmental and workplace safety matters. This includes defending directors and corporations in regulatory prosecutions and representing clients in high-stakes disputes involving industrial accidents and environmental breaches.

Ruban is actively involved in thought leadership within his various fields. He frequently delivers talks and training sessions on construction law, dispute resolution, and regulatory compliance. He currently serves as the Deputy President of the Society of Construction Law Malaysia and is a member of the Malaysian Bar Council’s Arbitration and Construction Law Committee.

Ruban is recognised as a “*Next Generation Partner*” for Real Estate and Construction and has been described by clients as a lawyer who gives “*valuable support and ideas on matters relating to our cases.*”

Key Practice Areas

General Litigation
Construction Litigation, Arbitration and Adjudication
Oil & Gas, and Energy Disputes
Regulatory Compliance (Construction, Occupational Safety and Environmental)

Selected Experience

Arbitration Matters

- Acting for a government linked company in a RM128 million arbitration concerning the construction of an elevated expressway.

- Acted for a public listed company in a RM90 million arbitration concerning the construction of a mixed development comprising a hotel, service apartments and car park.
- Acted for a public listed company in successfully defending RM36 million arbitration concerning the construction of a cooling water pump house for a 2 x 300 MW power plant.
- Acted for a property developer in an arbitration concerning road works carried out within a township.
- Acted for Oakland Holdings Sdn Bhd, a wholly owned subsidiary of a public listed company, in an arbitration concerning the development and renovation of a shopping mall, and successfully obtained one of Malaysia's first Summary Determination Awards in the client's favour. Also successfully opposed the application to set aside the Summary Determination Award made pursuant to Section 37 of the Arbitration Act 2005. [*Ideaworks Resources Sdn Bhd v Oakland Holdings Sdn Bhd* [2024] MLJU 2101].
- Acted for Kasugi Prima Sdn Bhd in applying to set aside an arbitral award pursuant to Section 37 of the Arbitration Act 2005. [*Cobrain Holdings Sdn Bhd v Kasugi Prima Sdn Bhd and another case* [2023] MLJU 1794].

Construction Litigation

- Acted for a multinational company in a RM56 million suit concerning the construction of a mixed development project comprising a hotel, service apartments and a retail podium with an amount.
- Acted for Turnpike Synergy Sdn Bhd, one of Malaysia's largest highway concessionaires, in successfully dismissing an injunction application from one of its contractors to restrain the call on a performance bond. The dispute was in relation to the RM315 million construction of an elevated expressway. [*Hatimuda Sdn Bhd v Turnpike Synergy Sdn Bhd & Anor* [2019] MLJU 620].
- Acted for Lendlease Projects (M) Sdn Bhd, a multinational company, in successfully dismissing an injunction application from one of its contractors to restrain the call on a performance bond. The dispute was in relation to the approximately RM140 million piling, raft foundation and associated works for the Tun Razak Exchange Lifestyle Quarter. [*BSG Construction (Malaysia) Sdn Bhd v Lendlease Projects (M) Sdn Bhd* [2019] 6 AMR 228, HC].
- Acted for Dhaya Maju LTAT Sdn Bhd in an action against the Government of Malaysia in relation to the termination of the contractor's employment for a public sector project. [*Dhaya Maju LTAT Sdn Bhd v Kerajaan Malaysia & Ors* [2021] MLJU 1253].

General Litigation

- Acting for a solar power plant producer in a tortious action against a contractor concerning damage to the plant's underground cables that was caused by the contractor's negligence.
- Acted for Petronas Gas Berhad, a leading gas infrastructure and utility company, in a successful tortious action against a Singaporean parent company and its Malaysian subsidiary, concerning the unlawful discharge of industrial effluent onto the client's land, which caused the corrosion and leakage of the gas pipeline. [*Petronas Gas Bhd v DWZ Industries (Johor) Sdn Bhd & Anor* [2021] 7 MLJ 283]

Adjudication

- Acted for Terminal Perintis Sdn Bhd in an adjudication concerning the construction of a mixed development comprising a hotel, service apartments and car park. Also acted in the applications to set aside and/or enforce the adjudication decisions under the Construction Industry Payment and Adjudication Act 2012 (CIPAA 2012). [*Terminal Perintis Sdn Bhd v Tan Ngee Hong Construction Sdn Bhd and another case* [2017] MLJU 242].
- Acted for Arkema Thiochemicals Sdn Bhd in an adjudication concerning the performance of engineering, procurement and construction management services and equipment and material supply for a chemical plant in Kerteh to produce petrochemical derivate products used in the manufacturing and oil and gas industry. Also acted in the applications to set aside and/or enforce adjudication decisions under CIPAA 2012. [*Foster Wheeler E & C (Malaysia) Sdn Bhd v Arkema Thiochemicals Sdn Bhd and another case* [2015] MLJU 1952].

Strata Management

- Acting for Yap Chee Keong Holdings Sdn Bhd, an investment holding company, in an action against the developer of a large mixed development project concerning disputes which arose out of sale and purchase agreements. The application by the developer to strike out the suit was successfully dismissed. [*Yap Chee Keong Holdings Sdn Bhd v Cosmopolitan Avenue Sdn Bhd* [2022] MLJU 139]

- Acting for a group of approximately 40 purchasers in a class action suit against the developer concerning the developer's failure to comply with the guaranteed rental scheme under the sale and purchase agreements.

Project Management

- Advising a leading highway developer in relation to the management of claims and legal matters arising from the construction work packages for a major highway project.

Oil & Gas, and Energy Disputes

- Acting for a public listed company involved in electricity production concerning a dispute with a customer on a take or pay clause in a power purchase agreement.
- Acted for a subsidiary of a Malaysian oil and gas public listed company against a State-owned electrical company in a dispute exceeding RM250 million concerning a 300MW gas-fired power plant..
- Acted for a Government-linked oil and gas corporation against a rig owner in a dispute concerning claims arising from collision of a rig.

Environmental Matters

- Acted for a multinational electronics and semiconductor manufacturing company in an action by the Department of Environment in relation to a charge under the Environmental Quality (Industrial Effluent) Regulations for the discharge of industrial effluent exceeding the prescribed parameters.
- Acted for a canned food manufacturing company in an action by the Department of Environment in relation to a charge under the Environmental Quality (Industrial Effluent) Regulations for the discharge of industrial effluent exceeding the prescribed parameters.
- Acted for a multinational oil and gas related company in an action by the Department of Environment in relation to a charge under the Environmental Quality (Industrial Effluent) Regulations for the discharge of industrial effluent exceeding the prescribed parameters.
- Acted for the subsidiary of a multinational company in an action by the Department of Environment, Malaysia in relation to a charge under Section 25 of the Environmental Quality Act 1974 regarding the discharge of waste into inland waters.

- Advised a Japanese multinational company in relation to potential breaches under the Environmental Quality Act 1974 regarding the discharge of industrial effluent and notification requirements in connection with the same.
- Regularly conducts legal audits for clients across various industries with respect to compliance with health, safety and environmental regulations.

Occupational Safety and Health Matters

- Acted for and successfully defended a public listed company in an action by the Department of Occupational Safety and Health, Malaysia in relation to a charge under Section 17 of the Occupational Safety and Health Act 1994 (OSHA). The charge was in relation to the snapping of a highly pressurised pipe which caused the death of a contractor on site.
- Acted for a multinational company in an action by the Department of Occupational Safety and Health, Malaysia in relation to a charge under Section 15 of OSHA. The charge was in relation to a heavy load which was being lifted using an Overhead Travel Crane falling and leading to the death of a technician working in a manufacturing mill.
- Acted for a large Japanese heavy industries manufacturer in a criminal suit for allegedly failing to ensure that persons other than employees were not exposed to risks to their safety or health under OSHA. The suit concerned the death of workers following an ammonia leakage in the plant.
- Advised a subsidiary of a Swiss company concerning breaches under OSHA resulting from a workplace accident at a cement plant which caused three deaths.
- Acted for a leading Japanese chemical company in successfully defending a civil suit brought by an employee for alleged breaches of OSHA which caused him to suffer stage-4 cancer.

Qualifications & Professional Affiliations

Qualifications:

Advocate & Solicitor, High Court of Malaya
 Barrister-At-Law, The Honourable Society of Lincoln's Inn, London
 LL.B (Hons) University of Sheffield

Professional Affiliations:

Deputy President, Society of Construction Law, Malaysia
 Member, Malaysian Bar Council Arbitration and Construction Law Committee

Publications & Talks

Selected Publications:

- Co-author, “*A commentary on the Malaysian Court of Appeal case of Chain Cycle Sdn Bhd v Government of Malaysia*”, Chartered Institute of Arbitrators, Malaysia Newsletter, 2016
- Author, “*Retention Sums – Is it Really Yours*”, Skrine’s Legal Insights, July 2019
- Author, “*Federal Court: Construction Industry Payment and Adjudication Act 2012 is prospective*”, Skrine’s E-Alerts October 2019
- Author, “*Sole Proprietors - Do you have the legs to stand on your trade names?*” Skrine’s Legal Insights, November 2022
- Contributing Editor, “*Annotated Statutes for the Occupational Safety and Health Act 1994*”
- Co-author, “*Halsbury’s Law of Malaysia: Building and Construction*”
- Co-author, “*The New AIAC Arbitration Rules 2023*”, Skrine’s Legal Insights and Lexology
- Co-author, “*What You Need to Know: Frequently Asked Questions on the Amendments to the Occupational Safety and Health Act*”, Skrine’s Legal Insights, Lexology and AMCHAM
- Co-author, “*Building a Safer Future in Construction Sites: An Overview of the Construction Work (Design and Management) Regulations 2024*”, Skrine’s Legal Insights.
- Co-author, “*Validity of Oral Arbitral Decisions: A review of the Federal Court decision in Telekom Malaysia Berhad v Obnet Sdn Bhd*”, Skrine’s Legal Insights.

Selected Talks:

- Speaker, “*Occupational Safety Crisis Management – Being in Control of Your Exposure*” on 16th April 2019
- Speaker, “*Occupational Safety and Health Act 1994*” on 17th January 2020
- Speaker, “*Amendments to the Occupational Safety and Health Act*”, series of talks from March to June 2022
- Speaker, “*Navigating Construction Disputes*”, on 22nd July 2022
- Speaker, “*Construction Disputes: Making a Claim and Recent Legal Developments*”, on 13th April 2022
- Speaker, “*The Amended Occupational Safety and Health Act*”, at the “*Embracing Change in Employment Conference*” organised by the Malaysian Society for Labour and Social Security Law on 9th March 2023
- Speaker at the “*Arbitration Practicum*” Workshop organised by the Bar Council Arbitration and Construction Law Committee on 26th May 2023

- Speaker on “*Disputes in Public Sector Projects: The Way Forward*” organised by the Borneo International Centre for Arbitration and Mediation (BICAM) on 8th May 2024
- Speaker “*Amendments to the Occupational Safety and Health Act*”, on 10th May 2024

Accolades

- Ranked as “*Next Generation Partner*” in Real Estate and Construction by Legal 500 Asia Pacific 2024 – 2026.
- Ranked as “*Rising Star*” in Real Estate and Construction by Legal 500 Asia Pacific 2021 – 2023.