



# Pavidren Sivananda Ratnam

Associate

 603-2710 3818

 pavidren@hhq.com.my

## Qualifications

- Barrister Training Course (Distinction – 82)
- LL.B (Hons), University of London – Second Class Honours (Upper Division)

## Languages

- English
- Malay



Pavidren is an Associate specialising in maritime and commercial disputes. He has been actively involved in the successful arrest of multiple vessels for purposes of in rem claims and interim measures in aid of foreign arbitration. He has also acted to resist setting aside applications by counterparties. Further, he has advised and been involved in disputes involving charterparty, cargo claims and bills of lading.

On the Fraud & Asset Recovery practice area front, he has acted in claims in excess of USD 100 million, including obtaining worldwide Mareva Injunctions and was involved in one of Malaysia's largest fraud and asset recovery actions, encompassing fund tracing and coordinated enforcement strategies.

By leveraging his rare blend of technical maritime expertise and versatile commercial acumen, Pavidren is able to provide practical, strategic and commercially sensible solutions to his clients.

## Key Expertise & Differentiators

- Advised clients in cargo, bills of lading and charterparty disputes.
- Experienced in vessel arrests for purposes of in rem claims and interim measures in aid of foreign arbitration.
- Experienced in complex fraud and asset recovery actions encompassing multiple parties and cross-border transfer of embezzled funds, including obtaining injunctions and other interim orders.
- Assisted in multiple appeals before the appellate courts in Malaysia across a range of civil and commercial matters.
- Experienced in AIAC and ICC arbitrations.

## Representative Experience

### Maritime & Shipping

- Successfully acted in a dispute involving claims for breach of ship management services agreement and a breach of charterparty in the High Court and in arbitration respectively involving total claims in excess of RM100 million.
- Acted in an in rem claim involving crude oil delivery of approximately 1 million barrels worth in excess of US\$76m.
- Acted in an in rem claim where we successfully established that physical redelivery of a vessel (i.e. transfer of both possession and control of a vessel back to the owner) is required to effectively bring an end to a demise charter.
- Acted for a client in dealing with potential enforcement action under the Environmental Quality Act 1974 in respect of an oil spill incident which had affected both Malaysian and Singaporean waters.
- Acted in the arrest of vessels for purposes of in rem claims and interim measures in support of foreign arbitrations.
- Acted for clients in filing caveats against arrest and caveats against release of vessels.

## Practice Areas

- Maritime & Shipping
- Civil & Commercial Litigation
- Commercial Arbitration
- Fraud & Asset Recovery
- Employment
- Debt Recovery

- Acted for an oil and gas exploration company in a dispute involving claims of breach of leasing contract and the tort of conversion.
- Advised charterers, shipowners and cargo interests in cargo, bills of lading and charterparty disputes.

### **Civil & Commercial Litigation & Advisory**

- Acted in successfully obtaining a worldwide Mareva injunction in aid of Singapore arbitration proceedings concerning the sale and purchase of crude oil in excess of USD 100 million.
- Acted in one of Malaysia's largest ever fraud and asset recovery actions encompassing multiple parties and cross-border transfer of embezzled funds, including obtaining injunctions and other interim orders.
- Acted in a successful claim by various property purchasers to challenge the validity of a creditors' meeting involving the developer and the resolutions passed thereat.
- Represented creditors in an action to remove a court appointed liquidator.
- Advised on regulations governing a potential sale of an aircraft which was to be ultimately leased to the Government.
- Acted in various debt recovery actions.

### **Commercial Arbitration**

- Acted in an AIAC arbitration concerning a partnership dispute and successfully summarily determined a claim.
- Acted in an ICC arbitration concerning a contractual dispute.
- Acted in an ad hoc arbitration concerning a dispute on unpaid fees.

### **Employment Disputes, Advisory & Compliance**

- Acted as junior counsel in a constructive dismissal claim which was referred to the Industrial Court.
- Acted as counsel in a wage dispute which was referred to the Labour Court.
- Reviewed employment contracts, handbooks and personal data notice to ensure both compliance with local employment laws and recommended practice.

### **Employment Investigations**

- Conducted investigations into allegations of employee misconduct.
- Advised on the appropriate steps and/or disciplinary action to be taken upon completion of investigations.

### **Industry Focus**

- Shipping and Maritime

### **Publications**

- Author, "Physical Redelivery of a Vessel is a Must to Bring an End to a Demise Charter", Lexology Mar 2025
- Author, "Arrest of Ship as Security in Arbitration Not As of Right?", Lexology Dec 2024

### **Professional Memberships and Appointments**

- Advocate & Solicitor, High Court of Malaya
- Barrister-at Law, The Honourable Society of Lincoln's Inn