



The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Disciplinary Tribunal

THEYAKARAJA PALANIANDY

CALLED TO THE BAR BY: LINCOLN'S INN, JULY 1985

TYPE OF HEARING: 5 PERSON TRIBUNAL

Date of decision: 5 December 2019

In breach of:

Core Duties 5 and 9 and/or rC8 and/or rC65.3 and rC65.7 of the Bar Standards Board Handbook.

Details of offence:

Theyakaraja Palaniandy, an unregistered barrister, behaved in a way likely to diminish the trust and confidence which the public places a barrister or in the profession, and/or which could reasonably be seen by the public to undermine the barrister's honesty, integrity and independence, in that, while in practice as an Advocate and Solicitor in Malaysia, in around November 2014, he failed to refund a deposit of RM335,000 paid to him as a stakeholder pending completion of a purchase of land pursuant to a Sale and Purchase Agreement dated 15 November 2013, which purchase did not ultimately take place. By order dated 13 October 2016, he was struck off the Roll of Advocates and Solicitors of the High Court of Malaya, following a finding of the Disciplinary Committee on 26 April 2016 that his conduct was unbecoming a member of the legal profession.

Theyakaraja Palaniandy, an unregistered barrister, failed to co-operate with the Bar Standards Board and/or failed to report promptly or at all to the Bar Standards Board that to his knowledge he was the subject of disciplinary or other regulatory or enforcement action by another regulator, in that, following a complaint made on or around 27 April 2015 by his

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client when he was in practice as an Advocate and Solicitor in Malaysia, on 26 April 2016, the Disciplinary Committee found that he had by his dishonest conduct was unbecoming a member of the legal profession, and on 13 October 2016, he was ordered to be struck off the Roll of Advocates and Solicitors of the High Court of Malaya. Theyakaraja Palaniandy failed to report any of these matters to the Bar Standards Board, which only became aware of them after the Bar Council of Malaysia notified the Honourable Society of Lincoln's Inn by letter dated 19 October 2017 that he had been struck off.

Theyakaraja Palaniandy, an unregistered barrister, failed to report promptly or at all to the Bar Standards Board that he had committed serious misconduct, in that, while in practice as an Advocate and Solicitor in Malaysia, in around November 2014, he failed to refund a deposit of RM335,00 paid to him as a stakeholder pending completion of a purchase of land pursuant to a Sale and Purchase Agreement dated 15 November 2013, which purchase did not ultimately take place. By order dated 13 October 2016, he was struck off the Roll of Advocates and Solicitors of the High Court of Malaya, following a finding of the Disciplinary Committee on 26 April 2016 that his conduct was unbecoming a member of the legal profession.

Sanction: Disbarred.

Status: Open to Appeal.