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Judge dismisses suit against quarry operator

IPOH, Tues: The High Court today dismissed a civil suit by a nursery owner against a quarry operator for loss and damage to her business after a limestone cliff face collapsed on her land 12 years ago.

Wu Siew Ying of Fuh Lin Bud-grafting Sdn Bhd also failed in her claims against the land owner and Perak Land and Mines Department which issued the permit to the operator to extract the rock adjoining her land.

She had claimed damages for destruction of 150,000 seedlings worth RM1.2 million and loss of profit totalling RM1.5 million for 50 years

against Gunung Tunggal Quarry and Construction, land owner Darus Mohd Said and the department.

Justice Datuk Kang Hwee Gee ruled that there is no direct evidence to link the collapse on Dec 29, 1987, to the defendants since the quarry had closed from Dec 23, 1987.

Vibrations from the quarry were merely a secondary factor in the collapse, Kang said.

He noted in geologist Chow Weng Sum's report that the cliff had structural faults and also had been weakened by incessant rain over a few months.