

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

Case No.: MC/MC 8032/2020

Filed: 03-August-2020 03:59 PM

Between

TAN TSUEY TCHEE
(NRIC No. S8680606A) t/a AUTOW RECOVERY
SERVICES
(Singapore UEN No. 53347242C)

...Plaintiff(s)



And

1. BLOSSOMSFOOD PTE LTD
(Singapore UEN No. 201536708D)
2. KOH BOK SENG
(NRIC No. S6909845B)

...Defendant(s)

WRIT OF SUMMONS

To:

1. BLOSSOMSFOOD PTE LTD
4012 Ang Mo Kio Avenue 10 #02-02 Techplace 1 Singapore 569628
2. KOH BOK SENG
685B Woodlands Drive 73 #11-02 Singapore 732685

THIS WRIT OF SUMMONS has been issued against you in respect of the claim endorsed herein.

You must:

1. satisfy the claim; or
2. enter an appearance,

within 8 days after the service of this Writ, failing which, the Plaintiff(s) may proceed with the action and enter judgment against you without further notice.

THIS WRIT OF SUMMONS is issued by the solicitors for the Plaintiff(s) whose particulars are as below. The address(es) of the Plaintiff(s) is/are 18 Kaki Bukit Road 3 #03-15 Entrepreneur Business Centre Singapore 415978.

Solicitor(s) for the Plaintiff(s)

Vision Law LLC
133 NEW BRIDGE ROAD #18-01/02 CHINATOWN POINT SINGAPORE 059413
Singapore
Tel No.: 65342811
Fax No.: 65342969
Email: ct-admin@visionlawllc.com

File Ref No.: AM-INS-T140-110802-19-atv(kh)
Solicitor in charge: ANJALLI D/O MUNIANDY



MC/MC8032/2020-MC/MC8032/2020-MC/MC8032/2020-MC/MC8032/2020-MC/MC8032/2020-MC/MC8

CHRISTOPHER TAN
REGISTRAR
STATE COURTS
SINGAPORE

STATEMENT OF CLAIM

Please see attached Statement of Claim.

Note:

1. This writ may not be served more than 6 calendar months after the above date unless renewed by order of the Court.
2. To defend the claim, the Defendant(s) must enter an appearance(s) using the electronic filing service either personally or by a solicitor at the Registry of the STATE COURTS and notify the (Plaintiff(s) / Plaintiff's solicitors) accordingly within 8 days after service hereof, otherwise judgment may be entered against him without further notice.
3. Where the Defendant enters an appearance, he must also serve a defence on the solicitor for the Plaintiff within 14 days after the last day of the time limited for entering an appearance; otherwise judgment may be entered against him without further notice.

WRIT OF SUMMONS

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

MC / MC / 2020)

Between

TAN TSUEY TCHEE
(NRIC NO. S8680606A) T/A
AUTOW RECOVERY SERVICES
(SINGAPORE UEN NO. 53347242C)

... Plaintiff

And

1. **BLOSSOMSFOOD PTE LTD**
(SINGAPORE UEN NO. 201536708D)
2. **KOH BOK SENG**
(NRIC NO. S6909845B)

... Defendants

To: The 1st DEFENDANT

BLOSSOMSFOOD PTE LTD, a company
registered in the Republic of Singapore and
having its registered office at 4012 Ang Mo
Kio Avenue 10 #02-02 Techplace 1 Singapore
569628

To: The 2nd DEFENDANT

KOH BOK SENG
Apt Blk 685B Woodlands Drive 73
#11-02
Singapore 732685

THIS WRIT OF SUMMONS has been issued against you by the abovenamed Plaintiff(s) in respect of the claim endorsed herein. Within eight (8) days after the service of this Writ on you, you must either satisfy the claim or cause an appearance to be entered for you using the electronic filing service and in default of your so doing the Plaintiff(s) may proceed with the action and judgment may be entered against you without further notice.

Dated this 3rd day of August 2020.

.....
Solicitors for the Plaintiff
Vision Law LLC
(Ref: AM-atv-INS-T140-110802-19)

.....
Deputy Registrar,
State Courts,
Singapore

Memorandum

This Writ may not be served more than 6 calendar months after the above date unless renewed by order of Court.
The defendant(s) may enter appearance(s) either personally or by a Solicitor at the Registry of the State Courts.

STATEMENT OF CLAIM

- 1) At the material time, the 1st Defendant was the registered owner of motor vehicle YP 8938 L which was driven by the 2nd Defendant as servant and/or agent of the 1st Defendant.
- 2) On 3 December 2018 at about 0900hours, one Teo Teck Yong, the Plaintiff's servant and/or agent was driving the Plaintiff's motor vehicle YM 6079 U along Lentor Avenue had slowed down as the front vehicle was slowing down when the 2nd Defendant as servant and/or agent of the 1st Defendant so negligently drove, managed and/or controlled the 1st Defendant's motor vehicle YP 8938 L along the said road behind the Plaintiff's motor vehicle failed to slow down or stop on time and thereby caused or permitted the 1st Defendant's motor vehicle YP 8938 L to collide into the Plaintiff's motor vehicle YM 6079 U.
- 3) The said collision was caused by the negligence of the 2nd Defendant as servant and/or agent of the 1st Defendant in the driving, management and/or control of the 1st Defendant's motor vehicle YP 8938 L.

PARTICULARS OF NEGLIGENCE OF THE 2nd DEFENDANT AS SERVANT AND/OR AGENT OF THE 1st DEFENDANT

- (a) Driving at an excessive speed in the circumstances;
- (b) Failing to keep any or any proper look-out;
- (c) Failing to notice the Plaintiff's motor vehicle along the said road;
- (d) Failing to keep a safe and reasonable distance between the 1st Defendant's motor vehicle and the Plaintiff's motor vehicle so as to deal with normal and ordinary exigencies of traffic;
- (e) Failing to apply his brakes in sufficient time or at all so to avoid the said collision;
- (f) Failing to exercise proper care, skill, prudence and judgement in the use driving and management of the 1st Defendant's motor vehicle at the material time;

- (g) Failing to stop, slow down, swerve or in any other way so to manage and/or control the 1st Defendant's motor vehicle so as to avoid the said collision;
 - (h) Colliding into the Plaintiff's motor vehicle; and
 - (i) So far as may be necessary, the Plaintiff will rely on the doctrine of Res Ipsa Loquitur
- 4) By reason of the aforesaid negligence, the Plaintiff's motor vehicle YM 6079 Y was damaged and the Plaintiff was put to loss and expenses.

PARTICULARS OF LOSS AND EXPENSE

a) Cost of repairs	S\$ 16,692.00
b) Loss of use for 16 days @ S\$150.00	<u>S\$ 2,400.00</u>
Per day (inclusive of pre-repair survey)	<u>S\$ 19,092.00</u>

And the Plaintiff claims:-

- a) the sum of \$19,092.00 or alternatively damages to be assessed;
- b) interest;
- c) costs; and
- d) such further and/or other relief(s) which this Honourable Court deems fit and equitable

Dated this 3rd day of August 2020.

.....
Solicitors for the Plaintiff
M/s Vision Law LLC

Pre-action Protocol Checklist
(To be filed with Writ of Summons.)

1. Has the defendant or his insurer acknowledged receipt of the plaintiff's letter of claim?

Ans. Yes/~~No~~

2. Have attempts been made to settle the matter?

Ans. Yes/~~No~~

If no, please give reasons.

3. Is the question of liability agreed?

Ans. ~~Yes~~/No.

4. Is the question quantum agreed?

Ans. ~~Yes~~/No.

5. Has the Defendant indicated that he has a counterclaim?

Ans. ~~Yes~~/No.

6. The following documents/information have been exchanged between the plaintiff and the defendant (please tick accordingly)

(i) GIA reports.

(ii) Repairer's bill.

(iii) Surveyor's report.

(iv) Police sketch plan or, if that is unavailable, the plaintiff's sketch of the accident.

(v) Results of police investigations or outcome of prosecution for traffic offence.

(vi) Police vehicle damage reports.

- (vii) Original, coloured copies or scanned photographs of damage to all vehicles.
- (viii) Original, coloured copies or scanned photographs of the accident scene.
- (ix) Medical reports and specialist reports.
- (x) Certificates for hospitalization and medical leave.
- (xi) Bills for medical treatment and evidence of payment.
- (xii) Income tax notices of assessment and/or other evidence of income and loss thereof.
- (xiii) Names and addresses of witness.
- (xiv) Photographs of damage to the Plaintiff's vehicle.
- (xv) Photographs of accident scene.
- (xvi) Invoice and agreement for rental of alternative vehicle.
- (xvii) Supporting documents for all other expenses claimed (if any).

Remarks (if any)

7. Did the accident involve a chain collision or more than 2 vehicles?

Ans. ~~Yes~~/No.

8. If yes, has the defendant indicated that he intends to bring in a third party?

Ans. ~~Yes~~/No.

9. If yes, has the third party indicated that he intends to bring in a fourth party?

Ans. ~~Yes~~/No.

10. Were there any other parties involved in the accident?

Ans. ~~Yes~~/No.

If yes, please provide details.
