

Han Teck Soo v Teo Ooi Leng, Irene
[2001] SGHC 152

Case Number : D 3535/1999, RAS 720008/2001
Decision Date : 27 June 2001
Tribunal/Court : High Court
Coram : Choo Han Teck JC
Counsel Name(s) : Seenivasan Lalita (Virginia Quek Lalita & Partners) for the appellant/respondent;
Foo Siew Fong [Harry Elias Partnership] for the respondent/petitioner
Parties : Han Teck Soo — Teo Ooi Leng, Irene

JUDGMENT:

Grounds of Decision

1. This is an appeal by the respondent against all the ancillary orders made by the judge on 8 February 2001.
2. The respondent (husband) married the petitioner (wife) on 17 August 1985. They have three children now aged 11, 6 and 3 respectively. The eldest (a son) is dyslexic and requires special attention.
3. The petitioner earns a net salary of \$2,242 a month and the respondent earns about \$1,839. He has also a car allowance of \$800 of which he says he uses \$600 to pay for the monthly instalments on the hire-purchase.
4. The parties had purchased two flats prior to the one they bought on 1 January 1998 in joint names. The petitioner contributed 19% of the purchase price and the respondent contributed 81% of which \$138,117 came from his CPF account. The judge ordered that the flat be transferred to the petitioner upon her reimbursing his CPF. The respondent now wants to have a share in the proceeds in the event that the flat is eventually sold. The petitioner was given sole custody of the children with the direction that she consults the respondent in respect of religion and formal education concerning the children.
5. The respondent now wants joint custody. The argument advanced by his counsel was that since the petitioner is obliged to consult the respondent over major matters such as religion and education under the existing orders, there is no reason why the smaller matters should not be a matter of shared responsibility. I do not agree with this reasoning. The judge below had noted the acrimonious attitude between the parties and it is eminently sensible, in my view, to restrict the opportunities for conflict.
6. Although the respondent expended \$11,557 in cash towards the purchase of the flat, the judge was entitled nonetheless to order that the entire flat be transferred to the petitioner in cases where it is joint. In this case, the petitioner is looking after three young children and the respondent has adequate accommodation of his own.
7. The judge appeared to have considered the incomes and living expenses of the parties in detail and with sufficient care in making adjustments where they were required. After hearing counsel for the parties before me, I am of the view that the maintenance order by the judge should not be disturbed except to fix the tuition fees for the eldest child at \$100 (with liberty to apply, of course).

8. For the reasons above the orders of 8 February 2001 were therefore varied to that extent.

Sgd:

Choo Han Teck
Judicial Commissioner

Copyright © Government of Singapore.