

**IN THE GENERAL DIVISION OF
THE HIGH COURT OF THE REPUBLIC OF SINGAPORE**

[2025] SGHC 215

Originating Application No 1067 of 2025

In the Matter of the Trust of the Property located at
YYY Woodleigh Lane, Singapore for the Beneficiary XXX

1. Cheryl Tan Yi Lin
2. Tan Yue Liang

... Applicants

JUDGMENT

[Trusts — Property — Application for power of sale of trust property]

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Re Tan Yi Lin Cheryl and another

[2025] SGHC 215

General Division of the High Court — Originating Application No 1067 of 2025

Choo Han Teck J

21, 29 October 2025

31 October 2025

Judgment reserved.

Choo Han Teck J:

1 The first applicant bought a condominium flat in 2019 for \$1.8m in trust for her then six-year old son. She now wants the court's approval to sell the flat because she has a buyer willing to pay her \$2.28m. She joined her brother as a co-applicant because under s 15 of the Trustees Act 1967, the proceeds from the sale of a trust property must be deposited in an account with at least two names.

2 When counsel appeared before me on 21 October 2025, I asked why the first applicant's husband is not a co-applicant and whether he had been served with the application papers. Counsel needed to check. When she returned on 29 October 2025, she informed me that the first applicant had filed two affidavits in the interim. Briefly, the affidavits declare that the first applicant's husband died in Australia from "a fall from height", and also the first applicant's disclosure that she had changed her name by deed poll in 1996 and 2007. Counsel said that the first applicant changed her name to the one in this application for "feng shui reasons".

3 It now transpires that there were numerous details that, in my view, are relevant to this application for reasons that I shall state shortly. I am satisfied that counsel was not aware of the details because she seemed genuinely surprised to have discovered that her client, the first applicant had been a party in several law suits in the High Court. The details of those suits are found in the public records of reported judgments.

4 The first is Suit No. 584 of 2019 (“Suit 584”), reported in *Cheryl Tan Yi Lin v AIA Singapore Pte Ltd* [2021] SGHC 130, in which the first applicant was the plaintiff and AIA Singapore Pte Ltd was the defendant. The first applicant there sued the defendant for payment of \$1m under an insurance policy taken out by her husband in 2014. She lost that suit. The second is Civil Appeal No. 3 of 2021 (“CA 3”) in which she appealed against the judgment in Suit 584. Her appeal was dismissed. The third is Originating Summons No. 1013 of 2021 (“OS 1013”) in which she applied for an order that the bills (17 in total) for professional fees from her then lawyer, Mr Tan Yew Fai, be sent for taxation (assessment) by the court because she claims that Mr Tan had overcharged her.

5 The bills were for Suit 584 and CA 3, as well as a suit, Suit No. 263 of 2018 (“Suit 363”) against Aviva Ltd, another insurance company. Suit 263 was eventually settled. Her application in OS 1013 was dismissed by Justice Tan Siong Thye in a 54-page judgment dated 7 February 2022, in effect, compelling the first applicant to pay the total of \$595,550 in fees and disbursements to her lawyer for all the civil actions that she commenced against the two insurance companies.

6 The first applicant’s claim against Aviva Ltd was settled on undisclosed terms. Her action against AIA Singapore Pte Ltd was dismissed. It was in that action and the subsequent appeal that the following facts emerged. She lost the

claim against AIA Singapore Pte Ltd because the company repudiated the insurance policy on the ground that the insured, namely, the first applicant's husband did not disclose that he had made other applications for life insurance policies. The truth, however, was that the insured husband had made seven applications with various insurance companies for a total of \$6,250,000. Apart from the 66-year term life with Prudential Assurance Company Singapore Ltd ("Prudential") taken out on 31 March 2014, the rest were for five and 10-year term insurance, all taken out between 23 May 2014 and 17 July 2014.

7 Both the first applicant and her husband had worked as insurance agents for AIA Singapore Pte Ltd. The wife worked for the same company from 2006 to 2009 before joining Prudential. She is now working as a marketing manager in an engineering and construction company.

8 On 16 September 2016, the first applicant and her husband (the insured) were viewing a flat in Australia. The flat was on the 33rd floor. Then the husband fell to his death. The first applicant reported his death and on 10 October 2016 claimed the benefits under the AIA Singapore Pte Ltd insurance policy.

9 In the present application before me, the first applicant wants to liquidate the trust by selling the flat under the trust deed, simply because the value has increased. That being the only reason for the sale is sufficient grounds to dismiss her application. A trustee's duty is to protect the trust assets and not deal with it, unless specifically empowered by the trust to do so, as if it were investment capital.

10 Furthermore, the circumstances are such that the court must be satisfied that the trust was not created as a means to evade the additional buyers' stamp

duties. If a trustee has properties in her name, an application to liquidate the trust asset may be refused. In this regard, the first applicant, as trustee, is obliged to make full disclosure as to her personal assets as well as her liabilities, if any, and, had the husband been alive, the court may also want to know whether the trust had been created to protect their assets from their creditors.

11 In this case, there are no reassuring facts, only disconcerting facts of the non-disclosure of the first applicant's personal assets and liabilities. The non-disclosure of the husband's death and the failed legal proceedings add to the furtive nature of this application. The first applicant has not been forthcoming, and I am not at all comfortable to grant her application.

12 For the reasons above, the application is dismissed.

- Sgd -
Choo Han Teck
Judge of the High Court

Oei Su-Ying Renee Nicolette (Anthony Law Corporation) for the
applicants.
