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DEPUTY REGISTRAR
EVANS NG
12 MARCH 2026

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGDC 92

District Court Originating Claim No 1505 of 2024
Summons No 2467 of 2025

Between

- (1) Andrew Cheah Kim Wee
- (2) Artisan Aesthetic & Plastic
Surgery Pte Ltd

*... Claimants and
defendants in counterclaim*

And

Low Xiang Ping Jane

*... Defendant and
claimant in counterclaim*

GROUND S OF DECISION

[Civil Procedure] — [Striking out]

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Andrew Cheah Kim Wee and another

v

Low Xiang Ping Jane

[2026] SGDC 92

District Court Originating Claim No 1505 of 2024
Summons No 2467 of 2025
Deputy Registrar Evans Ng
16 February 2026

12 March 2026

Deputy Registrar Evans Ng:

1 The 2nd claimant operates an aesthetic and plastic surgery clinic. The 1st claimant works at the clinic as its sole plastic surgeon and medical practitioner. The defendant, Ms Low, is a former patient of the clinic.

2 Ms Low was dissatisfied with the services she received from the claimants and published a public post on the clinic's Google Reviews page along with a one-star rating. The claimants take the view that Ms Low's review and several amendments that she made to it (collectively, "the Review") contained false statements. According to the statement of claim, the Review alleged that they and their staff had, among other things, acted in an unprofessional manner towards Ms Low, neglected to follow proper procedures reasonably expected in a medical aesthetic and plastic surgery clinic, failed to

provide Ms Low with proper advice on surgical procedures, and operated in an unethical manner. Defamation is their cause of action.

3 Ms Low pleads a defence of justification. She generally denies that the statements in the Review are false or defamatory “as they accurately reflect the factual events [she] experienced with [the claimants]”¹ and particularly denies that each pleaded defamatory meaning is a falsehood. Ms Low also puts forth a counterclaim. Most if not all the facts in support of the counterclaim appear to be intertwined with or flow from her defence. She seeks six heads of damages and an injunction.

4 The claimants applied to strike out some portions of the counterclaim, including one head of damages and the injunction prayer.

5 The first portion of the counterclaim targeted by the claimants is a sentence in which Ms Low pleads that, at a hearing in April 2025, the Court “explicitly found” that the Review was “Fair Comment and Justified”.² By reference to the Court’s certified notes of evidence for that hearing, the claimants argue that the pleading cannot be true. I find that the more appropriate time to demonstrate this is at trial. Moving to strike out this solitary point is not an “efficient use of court resources”: O 3 r 1(2)(d) of the Rules of Court 2021 (“the Rules”). It calls for an additional hearing before the trial, which would transpire in any event.

6 The next portion of the counterclaim that the claimants impugn comprises four consecutive paragraphs.³ In these pleadings, Ms Low tells us the

¹ Defence, page 5, section VI.

² Counterclaim, page 21, paragraph 2.

³ Counterclaim, pages 22 to 23, paragraphs 3 to 6.

difficulties she faces as a self-represented litigant without legal training, the reason for her decision to undergo surgery by the claimants, and the “stressful” effects that the claimants’ “malicious lawsuit” had caused to her health, social and work life. Much of it comprises matters that properly belong to an affidavit of evidence-in-chief instead. But the courts have allowed evidence and even “irrelevant statements” of “no useful information” to stand in pleadings: *Hoo Su Hen v Sim Mao Sheng Desmond and another* [2020] 3 SLR 720 at [6] and [7]. In some cases, the “evidence and unnecessary facts” might even have been drafted by solicitors: *Zhang De Long v Tea Yeok Kian* [2012] 2 SLR 802 at [4]. Since the courts have exercised their discretion to allow solicitors’ pleadings of such quality to survive a striking-out, at least the same degree of leeway may be granted to a self-represented layperson. This is more likely to achieve the Ideal of “fair access to justice” (O 3 r 1(2)(a) of the Rules) rather than a rigid insistence on excluding any evidence from the layperson’s pleadings, which entails her paying more fees to re-file the counterclaim and costs to the applicant.

7 Moreover, those four paragraphs of pleadings appear relevant to a head of damage claimed by Ms Low, namely, damages to be assessed for “[e]motional [d]istress [c]aused by [the claimants’] [...] lawsuit and *medical malpractices*” [italics added].⁴ The claimants also seek to strike out this head of damages. They argue that no such cause of action is recognised at law.⁵ I disagree. If Ms Low manages to prove at trial that the claimants did commit “medical malpractices” against her and that those wrongful acts caused her to require “a significant increase in the usage and dosage of [her] psychiatric

⁴ Counterclaim, page 24, paragraph 1(f).

⁵ Claimants’ Written Submissions, paragraph 44.

medications” (as she has also pleaded),⁶ it is conceivable for her to receive general damages for suffering a recognised psychiatric illness or an aggravation of such pre-existing illness.

8 Next, the claimants wish to strike out a paragraph of three sentences.⁷ On the claimants’ reading, the first two sentences request the Court to consider Ms Low’s personal circumstances “when determining the final costs to be awarded”, and the third sentence advances a distinct point about judicial reform, which the claimants say is a legally unsustainable pleading and an abuse of process.⁸ However, I read the paragraph as making one broad point, which is that Ms Low urges the Court to have regard to all her personal circumstances and beliefs when determining the costs payable at the end of the action. The real problem with the paragraph is that it contains evidence and opinion. But as I held above at [6], a layperson may be given some indulgence when they plead beyond material facts.

9 Lastly, the claimants submit that the injunction prayed for by Ms Low is legally unsustainable.⁹ The prayer contains three limbs. Under limb (a), Ms Low seeks a stay of the action. I do not see any need to strike out limb (a) because it is objectively clear and obvious that Ms Low has abandoned the pursuit of this remedy by her continuous participation in the proceedings to date.

10 Under limb (b), she seeks to prohibit the claimants from commencing further lawsuits against her based on the same facts. This claim is superfluous because the claimants’ cause of action would be extinguished or *res judicata*

⁶ Counterclaim, page 22, paragraph 5.

⁷ Counterclaim, page 24, paragraph 3.

⁸ Claimant’s Written Submissions, paragraph 41 and 45.

⁹ Claimant’s Written Submissions, paragraphs 48 to 55.

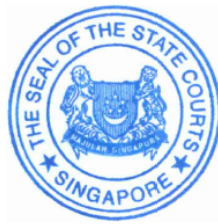
once the Court gives judgment in the action. There is, however, no prejudice to allow it to endure since it is a simple point of law that does not widen the scope of evidence to be adduced at trial and can be economically dealt with in closing submissions.

11 Under limb (c), Ms Low seeks to prohibit “any conduct” by the claimants that, among other things, constitutes “harassment” against her. The Protection from Harassment Act 2014 (2020 Rev Ed) (the “Act”) has abolished the common law tort of harassment: s 14(1) of the Act. But the Act creates a statutory tort and provides that a putative victim of “harassment” may bring civil proceedings against any individual or entity alleged to have contravened section 3 or 4 of the Act in relation to the victim: s 11(1) of the Act. If Ms Low succeeds in proving the statutory tort, she may be able to obtain the relevant injunctive relief under s 12(2) read with s 12(2B) of the Act. Here, even though Ms Low appears yet to have obtained permission under s 16I(2) of the Act to pursue her “harassment” claim in a District Court (which ordinarily must be commenced in a Protection from Harassment Court), this does not negate her cause of action — she may apply for permission in due course.

12 I also do not find any of the limbs of the injunction prayer to be an abuse of process, contrary to the claimants’ arguments. There is no indication that Ms Low is pursuing the injunction with the knowledge that it is doomed to fail: *Envy Asset Management Pte Ltd (in liquidation) and others v Lau Lee Sheng and others* [2024] 4 SLR 1210 at [24].

13 The exercise of the power to strike out pleadings involves judicial discretion: *Ko Teck Siang and another v Low Fong Mei and another and other actions* [1992] 1 SLR(R) 22. A weighty factor against striking out the portions of Ms Low’s counterclaim discussed above is that doing so would not “obviate

the necessity for a trial”: *Gabriel Peter & Partners (suing as a firm) v Wee Chong Jin* [1997] 3 SLR(R) 649 at [18]. Striking them out would not reduce the complexity or difficulty of the issues to be tried too: O 3 r 1(c)(ii) of the Rules. Granting this application does not promote expeditious proceedings: O 3 r 1(2)(b) of the Rules. It was a fair and practical result to have dismissed it with costs: O 3 r 1(2)(e) of the Rules.



Evans Ng
Deputy Registrar

Lulla Ammar Khan (Tang Thomas LLC) for the claimants and
defendants in counterclaim;
The defendant and claimant in counterclaim in person.
