



มูลนิธิเพื่อสิทธิมนุษยชนและการพัฒนา (มสพ.)
Human Rights and Development Foundation

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Press Release

Kamphaeng Phet Provincial Court invalidating contract for the sale of property of the Employer who physically abused Girl Air

The Kamphaeng Phet Provincial Court ordered on 30 June 2014 for Mr. Nathee Taeng-on, defendant no.1 and Miss Rattanakorn Piyaworatham, defendant no.2 to provide Air, a girl suffering from their physical abuse, a compensation for the amount of 4,603,233 baht plus interest at 7.5% per annum until the sum is paid off. The case stemmed from the accusation that the two employers had inflicted physical pains and enslaved the girl. (more information about the verdict here <http://hrdfoundation.org/?p=983>). But until now, the two employers remain at large and cannot be arrested. Air's attorney thus pleaded to the Court to appoint a legal execution officer and to forfeit assets of the employers for sale in the market in order to service the debt they owe according to the verdict of the Kamphaeng Phet Provincial Court. The assets forfeited belong to Miss Rattanakorn Piyaworatham, defendant no. 2, and the revenue from the sale was not sufficient to service the whole debt. This is because the assets had been mortgaged with the Krung Thai Bank and all the revenue from the sale shall be withheld by the bank.

An attempt has been made to explore other assets of the employers. And it was found that Mr. Nathee Taeng-on has made a sale contract to sell a piece of land with building, the land title deed no. 408 in Muang District, Kamphaeng Phet, to Mr. Sara or Mr. Pisitpat Mahaboonpachai (younger brother of Miss Rattanakorn Piyaworatham) since 14 February 2013 at the price of 500,000 baht. The transfer of the ownership was supposed to take place on 28 February 2013. But during that time, Mr. Nathee Taeng-on jumped the bail and therefore, Mr. Sara or Mr. Pisitpat filed the case against Mr. Nathee Taeng-on to compel him to execute the contract. On 23 September 2013, the Court ordered that ownership of the land and the building shall belong to Mr. Pisitpat .The injured party in this case pleaded to the Court that the sale contract had been made knowing that it would put her at disadvantage and it would make it impossible for her to be paid the compensation as ordered by the Court. Thus, the injured party has filed the case against Mr. Nathee Taeng-on, defendant no. 1 and Mr. Pisitpat Mahaboonpachai, defendant no. 2 with the Kamphaeng Phet Provincial Court asking the Court to rescind the legal transaction and revoke the transfer of the land ownership with building on the land title deed no. 408.

On 20 January 2016, the Kamphaeng Phet Provincial Court decided that the sale contract of the land on the land title deed no, 408, land no, 371, Tambon Nai Muang, Muang District, Kamphaeng Phet shall be invalidated (voidable) and the transfer of the ownership of the land with building shall be revoked. The two defendants were ordered to change the name of the land owner to Mr. Nathee Taeng-on, defendant no.1. Even though the two defendants fail to deliver as ordered, the Court's order shall be taken as the intent to do so. Once the ownership of the land and the building has been reverted to Mr. Nathee Taeng-on, the attorney of the injured party shall ask the legal execution officer to proceed with the forfeiture of the asset for sale in the market and to use the revenue to service the debt owed to Air, the girl who is the injured party in this case.

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