

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT.

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

MACA.No. 1164 of 2012 ()

OPMV 1246/2008 of M.A.C.T.,ERNAKULAM

APPELLANT/2ND RESPONDENT :

THE ORIENTAL INSURANCE CO. LTD,
KOTTAYAM, REPRESENTED BY ITS ASSISTANT MANAGER
REGIONAL OFFICE, ERNAKULAM NORTH, KOCHI-18.

BY ADV. SRI.GEORGE CHERIAN (THIRUVALLA)

RESPONDENT/1ST RESPONDENT:

M.P. JOHN,
S/O.POULOSE, MULLENKUZHAYIL HOUSE, VARIKKAM KUNNU
VADAKARA.P.O, VAIKOM, PIN-686141.

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD ON 17-07-2015, ALONG WITH MACA NO.1166 OF 2012 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.B.SURESH KUMAR, J.

M.A.C.A. Nos.1164, 1166, 1167 & 1171 of 2012

Dated 17th July, 2015.

J U D G M E N T

The issue raised in these appeals is as to whether the insurer in a proceedings for compensation before the Motor Accidents Claims Tribunal is entitled to be exonerated from the liability to pay compensation to the claimant for the reason that the transport vehicle involved in the accident was not having a valid permit at the time of accident. The said issue is covered against the appellants who were insurers in the proceedings before the Tribunal by the decision of the Full Bench of this Court in **Augustine V.M. v. Ayyappankutty** (2015(2) KHC 219). In the light of the said decision, these appeals are dismissed.

Sd/-

P.B.SURESH KUMAR, JUDGE.

tgs

(true copy)