

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

MACA.No. 50 of 2013 ()

**AGAINST THE AWARD IN OPMV 1321/2007 of MOTOR ACCIDENT CLAIMS TRIBUNAL,
ERNAKULAM DATED 26-04-2012**

APPELLANT/3RD RESPONDENT IN THE OP :

**NATIONAL INSURANCE CO.LTD., TRIPUNITHURA
REPRESENTED BY ITS AUTHORISED SIGNATORY,
NATIONAL INSURANCE CO. LTD, KOCHI REGIONAL OFFICE,
2ND FLOOR, OMANA BUILDINGS, M.G ROAD,KOCHI 35.**

BY ADV. SRI.A.R.GEORGE

RESPONDENT/1ST RESPONDENT IN THE OP :

**JIMMY JOSEPH, S/O.JOSEPH,
PUTHRICKAL HOUSE, VADUTHALA P.O.,
KOCHI 23.**

**THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD
ON 06-08-2015 ALONG WITH OP(MAC) 56/2013 & OP(MAC) 57/2013, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

bp

P.B.SURESH KUMAR, J.

**M.A.C.A.No.50 of 2013,
O.P.(MAC)Nos.56 & 57 of 2013**

Dated this the 6th day of August, 2015

JUDGMENT

The common issue raised in these matters is as to whether the insurer in a proceedings for compensation before Motor Accidents Claims Tribunal is entitled to be absolved from the liability to indemnify the owner of the vehicle involved in the accident for the reason that the vehicle was not having a valid permit at the time of the accident. The said issue has been decided by a Full Bench of this Court in **Augustine vs. Ayyappankutty** [2015 (2) KLT 139] against the appellant/petitioner.

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In the light of the said judgment, these matters are devoid of merits and the same are accordingly dismissed.

P.B.SURESH KUMAR, JUDGE.

smm