

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2017

CORAM

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

C.M.A.No.2751 of 2017
and
C.M.P.No.15506 of 2017

Royalsundaram Alliance Insurance Co. Ltd.,
N.2, Subramaniam Building,
Club House Road, Mount Road,
Chennai - 600 002. ..Appellant/2nd Opposite party

vs.

1. Karl Marx
2. R.Vijaya ..Respondents

Civil Miscellaneous Appeal is filed under Section 30 of the Workmen Compensation Act, 1923 against the order passed in E.C.No.195 of 2014 dated 19.12.2016 by the Workmen Compensation Commissioner / the Deputy Commissioner of Labour No.II, Chennai.

For Appellant : Mr.G.Vasudevan

J U D G M E N T

This appeal is by the Insurance Company challenging the award passed by the Commissioner Workmen Compensation (Deputy Commissioner Labour), Chennai granting a sum of Rs.6,76,480/- as compensation for the injuries suffered by the appellant in the accident that took place in the course of employment.

2. The appeal is solely on the ground that the Workman/ the first respondent did not possess any valid badge for driving a tourist taxi. This very question has been decided by the Hon'ble Supreme Court in Mukund Dewangan vs. Oriental Insurance Co. Ltd. reported in 2017 (2) TN MAC 145(SC). In the said judgment the Hon'ble Supreme Court has categorically held that possession of badge for driving a light motor vehicle, which is used as tourist taxi is not a mandatory requirement.

3. In view of the said decision, the question of law raised by the Insurance Company no longer survives. I do not see any other question of law much less as substantial question of law arising in this appeal.

4. Hence, the appeal is dismissed. No costs.
Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

dsa

To
The Workmen Compensation Commissioner/
the Deputy Commissioner of Labour No.II,
Chennai.

+ 1 cc to Mr.G. Vasudevan, Advocate Sr.67476

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GJ(CO)
EU(30/10/2017)



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