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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

CMA No.1570 of 2017
and C.M.P.No.8263 of 2017

United India Insurance Co. Ltd.,
Motor Third Party Claims Hub
No.134, Silingi Buildings,
4th Floor, Greams Road,
Chennai 600 006.

.... Appellant

-vs-

1.Y.Reeta
2.M.Sathiyakumar

.... Respondents

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicle Act, 1988 against the judgment and decree dated 01.12.2016 passed in M.C.O.P.No.282 of 2013 on the file of the Motor Accidents Claims Tribunal, III Small Causes Court, Chennai.

For Appellant : Mr.P.Sankaranarayanan

For Respondents: Ms.P.T.Saleem Fathima,
for M/s.M.Swamikkannu (For R1)

Exparte (For R2)

J U D G M E N T

[Judgment of the Court was delivered by
R.SUBRAMANIAN,J.]

The above appeal is filed by the Insurance Company, challenging the liability solely on the ground that the driver of the Transport vehicle did not have a badge in view of the judgment of the Hon'ble Supreme Court in Mukund Dewangan Vs. Oriental Insurance Company Ltd., reported in 2017 (2) TN MAC 145. The said ground is no longer available to the Insurance Company. Hence, this appeal is dismissed. However, there is no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/--

Assistant Registrar(CS vi)

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Sub Assistant Registrar



gsa

To

The Motor Accidents Claims Tribunal,
III Small Causes Judge,
Chennai.

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2. The section officer,
VR Section,
High court
Madras

+1cc to Mr.P.Sankaranarayanan , Advocate SR.No. 62259

+1cc to M/s.M.Swamikkannu , Advocate SR.No. 62376

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ASK(27/11/2018)