



C.M.A(MD)No.437 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.03.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.M.A(MD)No.437 of 2016

1.M.Angalaeswari

2.Ramya Devi

... Appellants/Claimants

Vs.

1.Batcha @ Badhusha

2.Seak Abdullah

3.National Insurance Company Ltd.,
706, Thenkasi Road,
Rajapalayam,
Virudhunagar Road.

4.K.Manickam

5.Subbulakshmi

... Respondents/Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 30 of Workmen's Compensation Act, to set aside the order, dated 10.10.2011 passed by the Deputy Commissioner for Labour (Workmen's Compensation Act), Madurai in W.C.No.165 of 2009.



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For Appellants : Mr.A.Jaya Ramachandran

For R2 : Mr.T.Ravichandran

For R3 : Mr.J.S.Murali

JUDGEMENT

In view of the orders passed in W.P(MD)No.11373 of 2012, the award in W.C.No.165 of 2000 has already been set aside by this Court. Therefore, the question of shifting the liability from the employer to the insurance company does not arise. Therefore, no further adjudication is called for in this appeal and the same stands closed. Since the accident has taken place on 24.02.2009, there is no limitation for approaching the Motor Accident Claims Tribunal.

2. In view of the above, this Civil Miscellaneous Appeal stands closed. No costs.

31.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

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- 1.The Deputy Commissioner for Labour
(Workmen's Compensation Act),
Madurai.
- 2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

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Order made in
C.M.A(MD)No.437 of 2016

31.03.2023