

MONDAY THE TWENTY SIXTH DAY OF APRIL  
TWO THOUSAND AND TWENTY ONE

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Vinoth Vs Appellant/ Petitioner

4.National Insurance Co Ltd.,  
Mettur Road, Bhavani - 638 301. .. Respondents/Respondents  
(Given Up)

Decree: This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the order of the Lower court and the material papers in the case and upon hearing the arguments of M/s.T.Gayathri for C.Kulanthaivel, Advocate for the Appellant and of M/s.N.B.Surekha, Advocate for the third Respondent and this Court while allowing the Civil Miscellaneous Appeal, doth order and decree as follows:

ii)that the contributory negligence of 50% fixed on the Appellant in CMA.NO.3437/2011 herein/ Petitioners in MACTOP.NO.146/2009 by the Tribunal below is hereby fixed to 20%.

iii)that the third respondent herein/Insurance Company be and hereby do pay a Sum of Rs.1,69,092/-(Rs.One Lakh Sixty Nine Thousand and Ninety Two Only) after deducting 20% of the award amount being Rs.42,273/-(Rs.Forty Two Thousand Two Hundred and Seventy Three Only).

iv)that in other aspects the award of Tribunal below do stand.

v)that there be no costs in this Civil Miscellaneous Appeal.

Sd/-  
Assistant Registrar(CS I)

//True Copy//

Sub Assistant Registrar

To

1. The Motor Accident Claims Tribunal,  
Additional District Court,  
Fast Track Court No.IV,  
Bhavani, Erode District.

2.The Section Officer,  
V.R.Section,  
Madras High Court,  
Chennai.

+1cc to M/s.N.B.Surekha, Advocate SR.Nos. 25580  
+1cc to Mr.C.Kulanthaivel, Advocate SR.Nos. 26402

Dated:26.04.2021  
DECREE  
CMA No. 3437 of 2011

Dismissing the Civil Miscellaneous Appeal preferred against the Judgment and decree dated 14.02.2011 made in M.A.C.T.O.P.No.146 of 2009 on the file of the Motor Accident Claims Tribunal, Additional District Court, Fast Track Court No.IV, Bhavani, Erode District etc as stated within.

AK II(CO)  
A.SK(30.09.2021)