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W.P. No.13078 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2026

CORAM:

THE HON'BLE MR. JUSTICE **M. DHANDAPANI**

W.P. No.13078 of 2024 and
WMP.Nos.14242 & 14243 of 2024

T.Mathivanan

... Petitioner

Vs

1.UNION OF INDIA REP. BY CHAIRMAN,
RAILWAY BOARD, NEW DELHI, INDIA

2.THE PRINCIPAL CHIEF SECURITY COMMISSIONER,
RAILWAY PROTECTION FORCE, 6TH FLOOR, MOORE MARKET
COMPLEX, PARK TOWN, CHENNAI -3

3.THE SENIOR DIVISIONAL SECURITY COMMISSIONER,
RAILWAY PROTECTION FORCE, 5TH FLOOR, NGO ANNEX,
PARK TOWN, CHENNAI -3

4.THE PRINCIPAL CHIEF MEDICAL DIRECTOR,
MEDICAL DEPARTMENT, SOUTHERN RAILWAY, MOORE MARKET
COMPLEX, PARK TOWN, CHENNAI -3

5.THE MEDICAL DIRECTOR,
RAILWAY HOSPITAL/ PERAMBUR, AYANAVARAM, CHENNAI -23

6.THE POST COMMANDER,
RPF / ST. THOMAS MOUNT, CHENNAI -16

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India
praying to issue Writ of Certiorarified Mandamus, to call for the records of the
3rd respondent in No. M / XP. 535 / ASIPF / GT / 2024 in office order No.



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48/2024 dated 30.04.2024 and the consequential order of the 6th respondent in No. STM / E-5 / TFR / ASIPF / 2024 dated 03.05.2024, quash the same and direct the respondents to create the supernumerary post and accommodate the petitioner in the same station based on medical grounds in BEE ONE and below medical categories with glasses in jobs not involving lifting heavy weights, as per IRMM 2000 Vol I Annexure III (Para 509, 512) 12.16 and jobs mentioned in Para 574 as per Certificate No.ABCE / 61-2023 - 24 / 101 dated 20.11.2023 as per the medical report issued by the Medical Board in No.M/MD.141/1/G dated 20.11.2023, commensurate with sec. 20 of the rights of persons with Disabilities Act 2016 within a reasonable time.

For petitioner : Mr.K.Venkatramani,
Senior Counsel
for Mr.M.Muthappan

For respondents : Mr.K.Subbu Ranga Bharathi,
Central Government Counsel

ORDER

This Writ Petition has been filed to quash the records of the 3rd respondent in No. M / XP. 535 / ASIPF / GT / 2024 in office order No. 48/2024 dated 30.04.2024 and the consequential order of the 6th respondent in No. STM / E-5 / TFR / ASIPF / 2024 dated 03.05.2024 and consequently to direct the respondents to create the supernumerary post and accommodate the petitioner in the same station based on medical grounds in BEE ONE and below medical categories with glasses in jobs not involving lifting heavy weights, as per IRMM 2000 Vol I Annexure III (Para 509, 512) 12.16 and jobs mentioned in



Para 574 as per Certificate No.ABCE / 61-2023 - 24 / 101 dated 20.11.2023 as per the medical report issued by the Medical Board in No.M/MD.141/1/G dated 20.11.2023, commensurate with sec. 20 of the rights of persons with Disabilities Act 2016 within a reasonable time.

2. The learned Senior Counsel appearing for the petitioner would submit that the petitioner was selected and appointed as Constable in the Railway Protection Force and the petitioner reported for training in RPF Training Centre at Trichy in the year 1996. Thereafter, he acquired promotion as Head Constable in the year 2007 and thereafter ASI. Only when the petitioner participated in the promotional test, he was promoted as Assistant Sub Inspector of Police in the year 2021. While being so, the petitioner was diagnosed with left shoulder pain which aggravated and the petitioner was advised to undergo treatment due to ill health. Thereafter, the petitioner was under sick leave for more than one year and followed by that, he was diagnosed with mixed anxiety. He was under medication and he was advised to be given a job not involving handling of arms and ammunition in view of his risk relapse of symptoms suicidal thoughts in future and as per the direction issued by the respondents concerned, the petitioner appeared before the Divisional Medical Committee for alternative employment. The Divisional Medical Committee opined that the



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petitioner suffered with diabetes mellitus, systemic hypertension, mild CAD, bilateral second degree stage II Periarthritis shoulder joint and also medical anxiety and depressive Episode and suicidal thoughts thereby the petitioner was given lighted duty by creating supernumerary post and after lapse of one year, again the third and sixth respondents issued order directing the petitioner to appear before the Divisional Medical Committee for further opinion. Thereafter, transfer order dated 30.04.2024 and the consequential order dated 03.05.2024 have been passed, challenging which the present writ petition has been filed.

3. The learned Senior Counsel appearing for the petitioner would submit that when the petitioner suffered with health ailment and when the Divisional Medical Committee suggested for lighted duty, the same lighted duty may not be available in Jolarpet. In view of the medical opinion, the petitioner was doing lighted duty by creating supernumerary post. Now the very same person has been transferred from Madras to Jolarpet by the impugned orders, which are not sustainable. Further, the medical facilities available in Chennai may not be available in Jolarpet. On this sole ground, the present writ petition has been filed.

4. The learned Senior Counsel further submitted that earlier this



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Court, in WP.No.11679 of 2024, directed the petitioner to appear before the Divisional Medical Committee and thereafter the third and sixth respondents have been directed to take appropriate decision. Therefore, till such time, the impugned transfer orders may not be given effect to.

5. Therefore, only after a decision is taken by the Divisional Medical Committee whether the petitioner is entitled for lighted duty or not, the respondents are granted liberty to give effect to the impugned transfer orders.

6. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

28.01.2026
(2/2)

Index :Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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M. DHANDAPANI, J.

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To

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