



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) .No.15102 of 2016

G.Giridharan

... Petitioner

Vs

1.The General Manager,
Tamil Nadu State Road Transport Corporation,
(Kumbakonam) Limited,
Kumbakonam, Thanjavur District.

2.The Branch Manager,
Tamil Nadu State Road Transport Corporation,
(Kumbakonam) Limited,
Thanjavur Town, 2nd Depot,
Thanjavur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents herein to consider the petitioner's representation dated 26.07.2016 and post him in any administrative departments by taking into consideration of his physical disability.

For petitioner :Mr.C.Jeganathan for

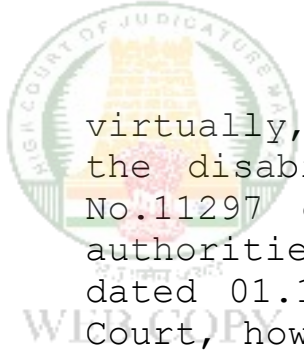
M/s.Veera Associates

For respondents : Mr.D.Sivaraman

ORDER

The petitioner herein seeks for the issuance of a Writ of Mandamus, directing the respondents to consider the his representation, dated 26.07.2016, and post him in any administrative department by taking into consideration his physical disability.

2. Learned counsel for the petitioner submitted that, during the year 2010, the petitioner herein met with an accident, resulting in amputation of the left leg, thereby,



virtually, he became a physically disabled person. In view of the disability, the petitioner earlier had filed W.P.(MD). No.11297 of 2010 before this Court for a direction to the authorities to provide an alternative appointment. By an order, dated 01.12.2011, the said Writ Petition was allowed by this Court, however, instead of posting the petitioner in a suitable administrative department, he was directed to work as Helper in filling diesel to the buses of the Transport Corporation. In the said job, the petitioner is required to stand continuously for more than eight hours in one leg and he faces difficulty in discharging the duties. In this regard, the petitioner has sent representations, dated 02.06.2016 and 26.07.2016, to the respondents. Since the same not having been considered, the petitioner is before this Court.

3. Mr.D.Sivaraman, learned Standing Counsel for the Transport Corporation submitted that the representations of the petitioner will be duly considered by the respondents, however, since there is no acknowledgement for having sent the representation, the petitioner shall send one more representation along with a copy of this order, for follow-up action, by the respondents.

4. Considered the submissions made on either side and perused the materials available on record.

5. In view of the factual position that the petitioner is a disabled person and that he cannot stand continuously in his job to fill up diesel to the buses of the Corporation, he is hereby directed to send one more representation along with a copy of this order to the Transport Corporation, whereupon, the first respondent is directed to consider the said representation of the petitioner, positively, within a period of three weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar



ssm
To

1.The General Manager,
Tamil Nadu State Road Transport Corporation,
(Kumbakonam) Limited,
Kumbakonam, Thanjavur District.

2.The Branch Manager,
Tamil Nadu State Road Transport Corporation,
(Kumbakonam) Limited,
Thanjavur Town, 2nd Depot,
Thanjavur.

+1CC to Mr.D.Sivaraman, Advocate Sr.No.45762
+1CC to Mr.C.Jeganathan, Advocate Sr.No.45242

GJM/GSV/PM/SAR-III-22.8.16-3p-5c

W.P (MD) .No.15102 of 2016
17.08.2016