



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

Writ Petition (MD) No.2914 of 2016

P.Marimuthu

... Petitioner

Vs.

The Management of
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Madurai Region,
Rep by its General Manager,
Madurai.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the Respondents to provide a suitable alternative employment to the petitioner with pay protection continuity of service and wages from 18.01.16 and all other attendant benefits in accordance with Sec. 47(1) of the Persons with Disabilities (Equal opportunities Protection of Rights and Full Participation) Act 1995.

For Petitioner

: Mr.S.Arunachalam

For Respondent

: Mr.A.Jeyaram

ORDER

The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus, to direct the respondents to provide a suitable alternative employment to the petitioner with pay protection, continuity of service and wages from 18.01.2016 and all other attendant benefits in accordance with Section 47(1) of the Persons with Disabilities (Equal opportunities Protection of Rights and Full Participation) Act, 1995.

2.Heard the learned counsel for the petitioner. Mr.A.Jeyaram, learned counsel takes notice for the respondent.

3.According to the petitioner, he is working as a driver in the respondent corporation from 11.05.1988. Since he suffered with disc collapse in his spinal cord, he submitted a representation on 18.01.2016, to accommodate him in any one of the alternative posting available in the respondent Corporation. The said representation did not evoke any response and therefore, the petitioner is constrained to approach this Court by way of filing this writ petition.

4.Considering the fact that the petitioner is working for 27 years in the respondent corporation, the respondent is directed to consider the representation of the petitioner dated 18.01.2016 and assess his disability to provide him any suitable



alternative employment and pass appropriate orders, in accordance with Section 47(1) of the Persons with Disabilities (Equal opportunities Protection of Rights and Full Participation) Act, 1995. The above said exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of in the above terms. No costs.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

The General Manager,
The Management of Tamil Nadu State Transport Corporation
(Madurai) Ltd., Madurai Region, Madurai.

+one cc to M/s.S.Arunachalam, Advocate in SR.No.8081

CSL/SKS-RR/16.02.2016 /2p/3c

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