



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.02.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P (MD) No.2711 of 2017

and

WMP (MD) No.2249 of 2017

M.Ayyadurai

... Petitioner

vs.

1)The General Manager,
Tamil Nadu State Transport Corporation (TNV) Ltd.
Tirunelveli District.

2)The Regional Manager,
Tamil Nadu State Transport Corporation (TNV) Ltd.
KTC Nagar, Tirunelveli.

3)The Branch Manager,
Tamil Nadu State Transport Corporation (TNV) Ltd.
Thoothukudi Moffasil Branch,
Thoothukudi District.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to provide light work to the petitioner instead of driver work pursuant to the doctor Certificate and the medical condition of the petitioner.

For Petitioner	: Mr.G.Prabhu Rajadurai
For Respondents	: Mr.K.Sathiya Singh

ORDER

The prayer in this writ petition is for issuance of a Writ of Mandamus, directing the respondents to provide light work to the petitioner instead of driver work pursuant to the doctor Certificate and the medical condition of the petitioner.

2.The petitioner is a driver working in the respondent corporation from 1985. He suffered neurological attack and stroke in his hand and leg. He was admitted in AVM Hospital, Thoothukudi and took treatment as inpatient. The doctor issued the Medical Certificate stating that the petitioner was suffering from Stroke-Left Hemiparesic and advised him not to do heavy work. Narrating the same, the petitioner made representation dated 06.02.2017 to the respondents seeking alternative employment by referring to him to the Medical Board and that the same have not been considered. Hence, this writ petition.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Learned standing counsel appearing for the respondents



submitted that the respondents would consider the case of the petitioner for alternative employment depending upon the report of the medical board.

4. Recording the above submission made by the learned standing counsel for the respondents, the respondents are directed to refer the petitioner to the Medical Board and subject to the report of the medical board, the respondents shall consider the case of the petitioner for alternative employment under Section 47 of the Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act 1995. Such exercise shall be completed 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. Consequently, WMP(MD)No.2249 of 2017 is closed.

Sd/-

Assistant Registrar(writs)

/True Copy/

Sub Assistant Registrar

To

1)The General Manager,
Tamil Nadu State Transport Corporation (TNV) Ltd.
Tirunelveli District.

2)The Regional Manager,
Tamil Nadu State Transport Corporation (TNV) Ltd.
KTC Nagar, Tirunelveli.

3)The Branch Manager,
Tamil Nadu State Transport Corporation (TNV) Ltd.
Thoothukudi Moffasil Branch,
Thoothukudi District.

+1cc to M/s.G.Prabhu Rajadurai Advocate Sr.No.9472

+1cc to M/S.K.Sathiya Singh, Advocate SR.No.9249

nbi

SM:JM:SAR 3:03.03.2017:2p/6c

W.P (MD) No.2711 of 2017
20.02.2017