



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2017

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.936 of 2017

and

WMP (MD) No.795 of 2017

R.Balaji

... Petitioner

Vs.

1.The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.

... Respondents

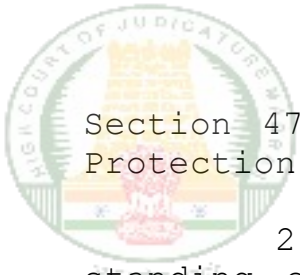
PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to provide the petitioner suitable alternative light duty on permanent basis with pay protection, continuity of service, back wages for the non-employment period on account of the petitioner's eye vision defect and further directing the respondents to pass orders in terms of Section 47(1) of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman
Standing counsel for TNSTC

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus, directing the respondents to provide the petitioner suitable alternative light duty on permanent basis with pay protection, continuity of service, back wages for the non-employment period on account of the petitioner's eye vision defect and further directing the respondents to pass orders in terms of



Section 47(1) of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

2. When the matter is taken up for hearing, the learned standing counsel appearing for the respondent would submit that petitioner has been given temporary relief of light duty and the matter is pending before the High Level Committee and the request of the petitioner will be considered within four weeks by the High Level Committee.

3. Taking note of the fact that the petitioner has been given temporary relief of light duty and the matter is pending before the High Level Committee, the respondent expected that the High Level Committee arrives at a conclusion with regard to alternative employment to the petitioner, in terms of Section 47 (1) of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, this Writ Petition is disposed of by directing the respondent to pass appropriate orders in respect of providing the petitioner suitable alternative light duty on permanent basis, within a period of one month from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Tamil Nadu State Transport
Corporation (Recruitment) Ltd.,
Represented by its Managing Director,
Kumbakonam

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.

+1 cc to M/S.A.RAHUL, Advocate SR.No.10708

+1 cc to M.S.D.SIVARAMAN, Advocate SR.No.10268

W.P. (MD) No.936 of 2017
23.02.2017