



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

Cont.P.(MD) No. 902 of 2016

in

Writ Petition (MD) No.20796 of 2015

WEB COPY

Thananjjeyan

... Petitioner / Petitioner

Vs.

1.Mr.Natarajan,
The Managing Director,
The State Express Transport,
Corporation (Tamil Nadu) Ltd.,
Pallavan Salai,
Chennai-2

2.Mr.Mani,
The General Manager,
The State Express Transport,
Corporation (Tamil Nadu) Ltd.,
Pallavan Salai,
Chennai-2

... Contemnors/Respondents 1&2

Prayer: Petition filed under Section 11 of Contempt of Court Act, praying to punish the respondents for willful disobedience of the order passed by this Court in W.P.(MD) No.20796 of 2015, dated 24.11.2015.

Prayer:

Petition filed under Article 226 of the Constitution of India pleaded a Writ of Mandamus directing the respondents to refer the petitioner to the Medical board under the control of the 3rd respondent in anyone of the Government hospitals to ascertain his physical fitness to work as Driver cum conductor at Madurai Branch of the 1st respondent corporation and to provide him suitable alternate light duty with pay protection, continuity of service, backwages and all other attendant service benefits payable from 06.10.2011 to till the date on which the petitioner was provided with alternate light duty.

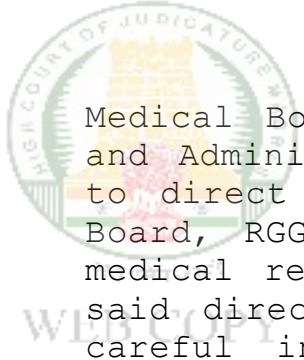
For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Sathya Singh

Standing Counsel for TNSTC

ORDER

Today, when the matter was listed before this Court, the <https://hcprcsnecrtds.gov.in/crscs/> appearing for the respondents objected that the petitioner was found to be a patient of Organic Psychosis . Therefore, on 04.10.2016 he was directed to appear before Regional



Medical Board, Chennai, as such, the General Manager, Operation and Administration, requested the Branch Manager, Madurai depot, to direct the petitioner to appear before the Regional Medical Board, RGGG Hospital, Chennai on 07.10.2016 along with relevant medical records. But till date he has not appeared as per the said direction. Adding further, it is stated that he is very careful in taking steps to avoid his appearance before the Regional Medical Board, RGGG Hospital, Chennai. Besides, the respondent has also filed a Writ Appeal SRNo.29550 of 2017, in the meanwhile, the contempt petition has been filed.

2. Hence, the petitioner was provided with alternative employment subject to the outcome of the Writ Appeal in W.A.SRNo.29550 of 2017. Therefore, the letter dated 22.07.2017 cannot be construed that the respondent has agreed with the report of the Medical Board that he is fit for job. At this stage, taking advantage of the presence of the petitioner to find out his ailment, whether he is indeed suffering from the afore-mentioned Organic Psychosis, I had a brief interrogation with the petitioner. I could also see, he can be allowed to join light duty for time being subject to the result of the W.A.SRNo.29550 of 2017. Therefore, the respondents are directed to provide him alternative employment.

3. Accordingly, the petitioner is directed to appear before the Branch Manager, Madurai Depot at Mattuthavani on 03.08.2017 at 10 am o'clock. On such appearance, the Branch Manager, Madurai shall provide a suitable job to the petitioner.

4. This Contempt Petition is closed, with the above direction. It is made clear that the other benefits can be canvassed before the Writ Appeal Court, if so, advised.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.Mr.Natarajan,
The Managing Director,
The State Express Transport,
Corporation (Tamil Nadu) Ltd.,
Pallavan Salai, Chennai-2

2.Mr.Manai,
The General Manager,
The State Express Transport,
Corporation (Tamil Nadu) Ltd.,
Pallavan Salai, Chennai-2



3.The Branch Manager,
Madurai Depot,
Mattuthavani.

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TA/RMI
KK/SV AA/SAR3/02.08.2017/3P-4C