

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 21.12.2018

CORAM
THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.34120 of 2018
and W.M.P.No.39642 of 2018

R.Venkatesan

...Petitioner

Vs

The Management,
The Metropolitan Transport Corporation,
Rep.by its Senior Deputy Manager,
Pallavan Salai,
Chennai - 600 002.

...Respondent

For Petitioner : M/s.R.Y.George Williams

For Respondent : Mrs.Rajeni Ramadoss
Standing Counsel

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to continuously provide the light duty work which was already given to the petitioner for the past 3 years such as in money collection section or in ticket issue section or as security Guard in the office or any alternative light duty with pay protection as per Section 47 of the persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and based on the disability certificate given more than seven times by the Medical Board to the petitioner till his superannuation.

सतयमेव जयते
O R D E R

The petitioner is working as a conductor in the transport corporation. In the year 2016, he met with an accident and sustained injury and the petitioner was advised to do light duty. It is the claim of the petitioner that he is entitled to seek protection invoking Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 based on the medical board certificate. The grievance of the petitioner is that the petitioner is neither given light duty, not an order for examination by the medical board has been made. Hence, the petitioner has filed the present writ petition for appropriate relief.

2. Ms.Rajeni Ramadoss, learned Standing Counsel takes notice on behalf of the respondents and submits that already communication has been sent on 27.06.2018, asking the petitioner to appear before the medical board for examination.

3. Under the circumstances, the petitioner is directed to appear before the medical board within a week from the date of receipt of a copy of this order, and subject to the result of the medicatin examination given by the medical board, the respondent shall pass further orders within two weeks thereafter. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kst

To

The Senior Deputy Manager,
The Metropolitan Transport Corporation,
Pallavan Salai,
Chennai - 600 002.

+1cc to M/s.S.Rajeni Ramadass, Advocate, S.R.No.89420
+1cc to Mr.R.Y.George Williams, Advocate, S.R.No.89855

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MP(CO)

rrs 29/01/2019

सत्यमेव जयते

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