



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.1113 of 2018

and

WMP (MD) No.1168 of 2018

B.P.Kumar

... Petitioner

Vs.

1.The General Manager,
TNSTC Nagercoil Region,
Rani Thottam, Nagercoil-1,
Kanyakumari District.

2.The Branch Manager,
TNSTC Nagercoil,
Marthandam Branch,
Marthandam Post,
Kanyakumari District.

... Respondents

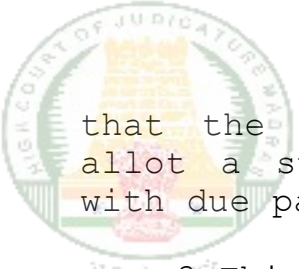
Prayer : This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to allot the alternate work (other duty) instead of driver and pay the monthly salary from 14.06.2017 onwards and consequently pay the monetary benefits to the petitioner as eligible by the service rules.

For Petitioner : Mr.P.Thirumahilmaran
For Respondents : Mr.K.Sathiyasingh

ORDER

The writ petitioner was appointed as a driver in the respondent corporation. The case of the writ petitioner is that his vision is became defective and that therefore he must be given an alternative employment. Till date, the writ petitioner has not been referred to medical board by the first respondent. The grievance of the writ petitioner is that he has not been given any alternative duty nor any salary from 14.06.2017 onwards.

2.Considering the urgency of the matter, the first respondent is directed to refer the petitioner for undergoing the medical test before the concerned medical board. Such a reference shall be made within a period of one week from today. The first respondent shall obtain appropriate report from the said medical board immediately thereafter. If the medical board certifies



that the petitioner is medically unfit, the respondents shall allot a suitable alternative employment to the writ petitioner with due pay protection and other benefits as conferred by law.

3. This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The General Manager,
TNSTC Nagercoil Region,
Rani Thottam, Nagercoil-1,
Kanyakumari District.

2. The Branch Manager,
TNSTC Nagercoil,
Marthandam Branch,
Marthandam Post,
Kanyakumari District.

+1cc to M/S.P.Thirumahilmaran, Advocate SR.No. 44413
+1cc to M/S.K.Sathiyasingh, Advocate SR.No. 44948

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JM/SKN RSK/SAR 2/30.01.2018/2P/5C