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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2018

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.5065 of 2018

X.Arul Xavier ...Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Limited,
Kattapomman Nagar,
Tirunelveli-627 011, Tirunelveli District.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Limited,
Nagercoil Region, Ranithottam,
Nagercoil-629001,
Kanyakumari District.

3.The Branch Manager,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Limited,
Ranithottam III Branch,
Ranithottam, Nagercoil-629001,
Kanyakumari District. ...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to refer the petitioner to the Medical Board, kanyakumari Government Medical College Hospital, Asaripallam, Kanyakumari District and provide permanent alternate employment of light work to the petitioner as per Section 47 of the persons with Disabilities (Equal Opportunities, Protection of Rights and Full participation) Act 1995 in the second respondent's Corporation.

For Petitioner : Mr.M.Dennis Joe
For Respondents : Mr.K.Sathiyasingh

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ORDER

Mr.K.Sathiyasingh, learned Standing Counsel, takes notice for the respondents.

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2.By consent of both parties, the main Writ Petition itself is taken up for final disposal at the stage of admission itself.

3.The petitioner is employed as a Driver in the respondent/Corporation. He met with an accident and according to him, he suffers from physical disability, which disables him from continuing his duty as a driver. He wants to refer to the Medical Board. No objection can be given to the said request.

4.The respondents are directed to refer the petitioner to the Medical Board and after obtaining a report from the Board, take appropriate action in accordance with law thereafter. The entire exercise shall be completed within a period of ten weeks from the date of receipt of a copy of this order.

5.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Limited,
Kattapomman Nagar,
Tirunelveli-627 011, Tirunelveli District.

2.The General Manager,
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Nagercoil Region, Ranithottam,
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Ranithottam III Branch,
Ranithottam, Nagercoil-629001,
Kanyakumari District.

+1CC to Mr.M.Dennis Joe, Advocate, SR.No. 54043
+1CC to Mr.K.Sathiya Singh, Advocate, SR.No. 54403

ORDER MADE IN
W.P.(MD).No.5065 of 2018
09.03.2018

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