



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2018

CORAM:

**THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN**

W.P. (MD) No.22179 of 2017

and

W.M.P. (MD) No.18479 of 2017

G.Saravanan

.. Petitioner

**Vs.**

The Management of Tamil Nadu State Transport Corporation  
(Kumbakonam) Limited,  
Trichy Region,  
Rep.by its Managing Director,  
Trichy.

.. Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to provide the petitioner a suitable permanent alternative employment with pay protection, continuity of service and full wages from 05.12.2013, after adjusting the wages given to the petitioner and after omitting the days of the medical leave availed by the petitioner during the period from 08.11.2014 to 25.06.2017 and all other attendant benefits in accordance with Sec.20 of Rights of the Persons with Disability Act, 2015.

For petitioner : Mr.S.Arunachalam  
For respondent : Mr.D.Sivaraman  
Standing Counsel

**O R D E R**

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Heard Mr.S.Arunachalam, learned Counsel appearing for the petitioner and Mr.D.Sivaraman, learned Standing Counsel appearing for the respondent.

2. The writ petitioner joined the respondent Transport Corporation as a Conductor in the year 2007. He met with an accident in the year 2017, while on duty. He has become medically unfit. Therefore, the writ petitioner will have to be necessarily given a suitable alternative employment with pay protection.

3. The learned Standing Counsel for the respondent Transport Corporation would submit that disciplinary proceedings is pending against the writ petitioner on the ground that he was unauthorisedly



absent over certain period.

4. Subject to the outcome of the disciplinary proceedings initiated against the writ petitioner with regard to alleged unauthorised absence, this Court directs the respondent to provide suitable alternative employment with pay protection and continuity of service to the writ petitioner.

5. The learned counsel for the writ petitioner on instruction would submit that he would not press the claim for back wages.

6. Recording the said submission, this writ petition stands allowed. No costs. Consequently, W.M.P.(MD).No.18479 of 2017 is closed.

Sd/-  
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

**To:**

The Managing Director,  
Tamil Nadu State Transport Corporation  
(Kumbakonam) Limited,  
Trichy Region, Trichy.

+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 42909  
+ 1 CC TO Mr.S.ARUNACHALAM, ADVOCATE IN SR No. 42890

KMI  
TE/KKR/SAR-4 : 16/02/2018 : 2P/4C

ORDER MADE IN  
W.P. (MD) No.22179 of 2017 and  
W.M.P.(MD).No.18479 of 2017  
18.01.2018