



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2018

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.20177 of 2018

and

W.M.P. (MD) Nos.17933 & 17934 of 2018

M.Senthilkumar

... Petitioner

Vs.

1. The Government of Tamil Nadu  
Represented by its Additional Chief  
Secretary to Government,  
Transport Department, Secretariat,  
Chennai-600 009.
2. The Managing Director,  
Tamil Nadu State Transport Corporation  
(Kumbakonam) Ltd.,  
Railway Station Road,  
Kumbakonam, Thanjavur District.
3. The General Manager,  
Tamil Nadu State Transport Corporation  
(Kumbakonam) Ltd.,  
Trichy Region, Periyamilaguparai,  
Trichy.
4. The Branch Manager,  
Tamil Nadu State Transport Corporation  
(Kumbakonam) Ltd.,  
Trichy Region, Rock Fort Branch,  
Trichy.
5. The Dean,  
Annal Gandhi Memorial Government Hospital,  
Trichy.

... Respondents

**PRAYER:** Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1 to 3 respondents to provide the petitioner suitable alternative employment in the fourth respondent Corporation Branch at Rock Fort, Trichy as per Section 47(1) of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.



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For Petitioner : Mr.N.Sudhagar Nagaraj  
For R1 & R5 : Mr.M.Pandiyarajan  
Additional Government Pleader  
For R2 to R4 : Mr.D.Sivaraman

**O R D E R**

This Writ Petition has been filed to direct the respondents 1 to 3 to provide the petitioner suitable alternative employment in the fourth respondent Corporation Branch at Rock Fort, Trichy as per Section 47(1) of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

2.Mr.M.Pandiyarajan, learned Additional Government Pleader takes notice for the first and fifth respondents and Mr.D.Sivaraman, learned counsel takes notice for the second to third respondents.

3.The case of the petitioner is that the petitioner was working as a Senior Conductor. He had been severely affected by varicose veins disease in the left leg. Therefore, he could not concentrate while in service. Therefore, the petitioner made representation, dated 31.08.2018 to the respondent concern seeking for alternative duty.

4.The learned counsel for the petitioner submitted that it would suffice if the representation of the petitioner dated 31.08.2018 is disposed of, in accordance with law, within a time frame to be fixed by this Court.

5.In view of the limited scope of the prayer, without going into the merits of the matter, the respondents are directed to consider the representation of the petitioner, dated 31.08.2018 in accordance with law, after giving notice to the interested parties, if any, and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-  
Assistant Registrar(CS-I)

/True Copy/



To

1. The Additional Chief  
Secretary to Government,  
Transport Department, Secretariat,  
Chennai-600 009.

2. The Dean,  
Annal Gandhi Memorial Government Hospital,  
Trichy.

+1cc to Mr.D.Sivaraman, Advocate Sr.No.85802

+1cc to Mr.N.Sudhagar Nagaraj, Advocate Sr.No.85799

GNS

VB/PM/SAR4/29.11.2018/3P/5C

**W.P. (MD) No.20177 of 2018**  
**20.09.2018**