

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 18.01.2019

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.23087 of 2017

C.K.Subaneswaran,
Driver-43832

..Petitioner

Vs.

The Managing Director,
Tamilnadu State Transport Corporation Limited,
(Villupuram Division),
Valuthareddy Salai,
Villupuram District 605 602.

..Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the respondent to provide alternative light duty with pay protection as per Sec.47 of the persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, to the petitioner as per the petitioner's representation dated 27.03.2017, 06.04.2017 and finally 24.04.2017 within a time frame.

For Petitioner : Mr.R.Y.George Williams

For Respondent : Mr.K.Kulandaivelu
for Mr.Antony Arockiaraj

O R D E R

This writ petition is filed for a mandamus to direct the respondent to provide 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, to the petitioner as per his representations dated 27.03.2017, 06.04.2017 and 24.04.2017 within a time frame.

2. Heard both sides.

3. It is stated by the petitioner that while he was working as Driver in the respondent transport Corporation, on 08.08.2015, he suffered chest pain and thereafter, on examination, he was found to have some heart ailment.

Therefore, the petitioner seeks for light work instead of driving the vehicle. Ventilating such request, the petitioner made representations on 27.03.2017, 06.04.2017 and 24.04.2017. The petitioner seeks protection under Section 47 of the Disabilities Act. This Court, at this stage, is not expressing any view on the merits of the claim of the petitioner, as it is for the respondent to consider and decide. Therefore, this writ petition is disposed of only with a direction to the respondent to consider and dispose of those representations and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs. The connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vri

To

The Managing Director,
Tamilnadu State Transport Corporation Limited,
(Villupuram Division),
Valuthareddy Salai,
Villupuram District 605 602.

+1 cc to Mr.R.Y.George Williams, Advocate, S.R.No.4619

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SSM(30/01/2019)

सत्यमेव जयते

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