



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :12.12.2019
CORAM
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
W.P.No.34511 of 2019

S.Kumar

...Petitioner

Vs.

1. Metropolitan Transport Corporation,
Rep. by its Managing Director,
Anna Salai,
Chennai 600 002.
2. Branch Manager,
Metropolitan Transport Corporation,
Tambaram Depot,
Chennai 600 045

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider my representation dated 24.08.2019 and directing the respondents to permit the petitioner to continue to work in the job as Special Grade Driver - Helper in Tambaram Depot of Metropolitan Transport Corporation till his retirement, without insisting him to work as Driver by taking into consideration of his medical unfitness to work as Driver.

For Petitioner : Mr.S.Sugendran

For Respondents : Mr.Rajeni Ramadass
Standing Counsel

O R D E R

This writ petition has been filed for issue of writ of Mandamus directing the respondents to consider the representation made by the petitioner on 24.08.2019 and for a direction to the respondents to permit the petitioner to continue to work as a Special Grade Driver / Helper.

2. It is seen from records that the petitioner joined the service of the respondent corporation in the year 1990 and



he was working as a Driver. The petitioner claims that he met with an accident and therefore, he sustained fracture in the left leg and hand. The petitioner further claims that he took treatment for nearly 10 months and because of the nature of injury sustained by him, he is not in a position to continue as a Driver. The petitioner therefore was directed to appear before the Medical Board on 29.10.2019. According to the petitioner, the petitioner is without job for more than four months and this directly affected his livelihood. Therefore, the petitioner has made a representation to the respondents and since the same has not been considered, the present writ petition has been filed before this Court.

3. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

4. Considering the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to consider the representation of the petitioner dated 24.08.2019 and act upon the same, strictly in accordance with law, within a period of six weeks from the date of receipt of copy of this order. In the meantime, the petitioner is directed to appear before the Medical Board and co-operate for the assessment of disability that is suffered by the petitioner due to the accident. A report of the Medical Board will enable the Transport Corporation to take appropriate decision in this case and therefore, it is important that the petitioner gives his complete co-operation.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Managing Director,
Metropolitan Transport Corporation,
Anna Salai,
Chennai 600 002.



2. The Branch Manager,
Metropolitan Transport Corporation,
Tambaram Depot,
Chennai 600 045

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+1cc to Mr.S.Sugendran, Advocate sr.103616
+1cc to Mr.Rajeni Ramadass, Advocate sr.103750

W.P.No.34511 of 2019
and
WMP Nos.35200 and 35202 of 2019

cp(co)
nr 18/12/2019