

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 27.04.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.10467 of 2019**

M.Vasanthakumari

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
Tirunelveli Limited,
Kattabomman Nagar,
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport Corporation
Tirunelveli Limited,
Ranithottam,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to disburse the salary and other remaining benefits to the petitioner for the period from 01.04.2015 to 20.03.2017 totally for 24 months 20 days as the said Medical Treatment of spinal problem, heart problem, blood pressure and neck bone problem which was incurred in the course of employment of respondents Transport Corporation in terms of Section 47(1) of the Persons with Disabilities Equal Opportunities, Protection of Right and Full Participation Act, 1995.

For Petitioner : Mr.L.Prabakaran

For Respondents : Mr.K.Sathya Singh

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to disburse the salary and other remaining benefits to the petitioner for the period from 01.04.2015 to 20.03.2017 as the medical treatment.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents. By consent, the Writ Petition is taken up for final hearing at the stage of admission itself.



3.The grievance of the petitioner is that she was originally appointed as a Driver under the respondent Transport Corporation and she suffered with spinal problem. Subsequently, after legal battle from 01.04.2015 to 20.03.2017, the petitioner was provided with an alternative employment. However, the petitioner was not paid with salary for the above said period. The representation made by the petitioner in that regard has not been considered by the respondents. Hence, the petitioner is before this Court.

4.The learned counsel appearing for the respondents fairly submitted that the representation of the petitioner would be considered by the respondents on merits.

5.Considering the limited scope of the prayer sought for in this petition, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 25.03.2019 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS)

ps

+1CC TO MR.L.PRABAKARAN, Advocate Sr. No.63891

+1CC TO MR.K.SATHIYASINGH, Advocate Sr. No. 63893

W.P(MD)No.10467 of 2019
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MT(CO)

TR (23.05.2019) 2P 3C