



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

**WP (MD) No.4899 of 2019**

Mahendran

... Petitioner

Vs.

1.The General Manager,  
Tamil Nadu State Transport Corporation,  
Madurai Zone,  
Madurai.

2.The Managing Director,  
Tamil Nadu State Transport Corporation,  
Bypass Road,  
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to set aside the impugned order in Ref: Tha.A.Po.Ka / Madurai Mandalam / Sattam /Tho. Tha / 6 /2015 dated 04.09.2015 passed by the 1<sup>st</sup> respondent and quash the same and consequently direct the 1<sup>st</sup> respondent to provide in alternative work.

For Petitioner : Mr.M.Ramu

For Respondents : Mr.A.Jeyaram,

### ORDER

This writ petition has been filed seeking to quash the impugned order dated 04.09.2015 passed by the 1<sup>st</sup> respondent and consequently direct the 1<sup>st</sup> respondent to provide alternative work.

2.Though the prayer in this writ petition is large in nature, the learned Counsel for the petitioner during the course of arguments submitted that it would suffice, if a direction is issued to the respondents to consider the petitioner's representation dated 01.03.2018. The learned Counsel also brought to the notice of this Court, the order passed in WP(MD)No.13965 of 2018, which was filed by the petitioner herein on earlier occasion, wherein this Court has observed as follows:

"11. (iii). It is further made clear that if the respondents Corporation come forward to consider the present representation made by the petitioner dated 01.03.2018, this order shall not stand in the way. It is open to the respondents Corporation to consider the said representation dated 01.03.2018, by giving sympathetic consideration towards the health conditions of the



*petitioner and they can decide the same on merits and in accordance with law."*

3.The learned Counsel for the respondents has no serious objection in granting the relief now sought for by the learned Counsel for the petitioner.

4.In view of the above submissions, without going into the merits of the case, the respondents are directed to consider the petitioner's representation dated 01.03.2018, on merits and in accordance with law and pass necessary orders, after affording opportunity of hearing to the petitioners, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is permitted to submit all the medical records to the respondents for consideration.

5.The writ petition is disposed of, on the above terms. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

dsk

To

1.The General Manager,  
Tamil Nadu State Transport Corporation,  
Madurai Zone,  
Madurai.

2.The Managing Director,  
Tamil Nadu State Transport Corporation,  
Bypass Road,  
Madurai.

+1CC TO MR.M.RAMU, Advocate Sr. No. 58181

ORDER MADE IN  
**WP (MD) No. 4899 of 2019**  
01.04.2019

NRK (CO)  
TR (03.05.2019) 2P 4C