



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.09.2019
CORAM :

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD)No.13761 of 2019
and
W.M.P.(MD)No.10308 of 2019

S.Chandrasekaran ... Petitioner
vs.

1.Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Rep. by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Trichy Region,
Trichy.

3.The Branch Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Thuvakkudi Branch,
Trichy.

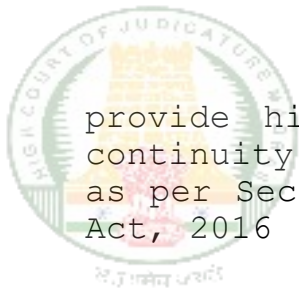
... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents to refer the petitioner to the Medical Board of any Government Hospital to ascertain the petitioner's physical fitness to work as Driver and consequently, direct the respondents to provide him suitable alternative employment with pay protection, continuity of service and other attendant benefits with back wages as per Section 20(4) of the Rights of the Persons with Disabilities Act, 2016 (Act No.49 of 2016).

For Petitioner : Mr.A.Rahul
For Respondents : Mr.D.Sivaraman
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents to refer the petitioner to the Medical Board of any Government Hospital to ascertain his physical fitness to work as Driver and also a consequential direction to the respondents to



provide him suitable alternative employment with pay protection, continuity of service and other attendant benefits with back wages as per Section 20(4) of the Rights of the Persons with Disabilities Act, 2016 (Act No.49 of 2016).

2. According to the petitioner, he was appointed as Driver in the first respondent Corporation with effect from 23.06.1990. While he was going in a two wheeler on 05.01.2019 at 08.15 p.m., he fell down and became unconscious due to an assault made by some unknown persons. He suffered multiple fractures in his head, particularly, left zygoma, left lateral wall of maxilla, left lateral wall of orbit and left superior orbital ridge. He was admitted in Sindhuja Hospital, Manapparai on the said date and later, he was admitted in Rohini Hospital, Thanjavur. He is taking treatment in the Brain and Spine Clinic. He made a representation dated 06.05.2019 to the respondents seeking to provide alternative employment, but, no order has been passed so far. Hence, the petitioner has approached this Court by way of filing the present Writ Petition.

3. Today, when the matter is taken up for hearing, the learned Standing Counsel appearing for the respondents has produced a photocopy of the proceedings dated 19.06.2019 and submitted that the respondent has already referred the petitioner to the Rajiv Gandhi Government General Hospital, Chennai. He further submitted that based on the report of the Rajiv Gandhi Government General Hospital, Chennai, the petitioner will be considered for alternative employment.

4. Recording the abovesaid submission of the learned Standing Counsel appearing for the respondents, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (ADII)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam, Trichy.

<https://hcservices.ecourts.gov.in/hcservices/>



3. The Branch Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Thuvakkudi Branch,
Trichy.

+1 CC to Mr.A. RAHUL, Advocate (SR-90598[F] dated 01/10/2019)
+1 CC to Mr.D. SIVARAMAN, Advocate (SR-90761[F] dated 01/10/2019)

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30.09.2019

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