



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.18263 of 2017

WEB COPY

C.Ilango

... Petitioner

vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Byepass Road, Madurai - 16.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Dindigul Region, Bypass Road,
Dindigul - 4.

3.The Dean,
Government Medical College Hospital,
Theni -Madurai Main Road,
Theni.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st and 2nd respondents to refer the petitioner to appear before the Medical Board of the 3rd respondent to ascertain the disability and consequently to direct the 1st and 2nd respondents to provide the petitioner any Alternative Employment with monetary and other consequential Service benefits based on the Medical Report of the 3rd respondent (*) as per Section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016). [prayer amended vide order dated 15.03.2019] in WMP(MD)No.15503/17.

For Petitioner : Mr.S.Govindan

For Respondents : MrA.Jeyaram

ORDER

This writ petition has been filed seeking a direction to the respondents 1 and 2 to refer the petitioner to appear before the Medical Board of the third respondent to ascertain his disability and consequently provide any alternative employment to the petitioner based on the Medical Report.



2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. The case of the petitioner is that he was appointed as a Driver in the second respondent Corporation. Since he was affected with spinal card problem, he made a representation to the respondents, seeking alternative employment. As the same was not considered, he made another representation dated 10.08.2017, requesting to refer him to appear before the Medical Board to ascertain his disability. But the same has also not been considered by the respondents so far. Hence, the petitioner is before this Court.

4. No counter has been filed on the side of the respondents.

5. Considering the limited scope of the prayer sought in the writ petition, this Court, without going into the merits of the case, directs the respondents 1 and 2 to consider the petitioner's representation dated 10.08.2017 one way or other and pass appropriate 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, after affording an opportunity of hearing to the petitioner.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (W)

/ True Copy /

Sub Assistant Registrar (CS)

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Byepass Road, Madurai - 16.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Dindigul Region, Byepass Road,
Dindigul - 4.

3. The Dean,
Government Medical College Hospital,
Theni - Madurai Main Road,
Theni.



+1 CC to M/s.S.GOVINDAN, Advocate (SR-54214[F] dated 15/03/2019)

+1 CC to M/s.SPL GP (SR-54662[F] dated 18/03/2019)

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15.03.2019

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