



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.3608 of 2014

WEB COPY

K.Shanmuga Sundaram

... Petitioner

vs.

1.The Metropolitan Transport Corporation
(Chennai) Limited, Annasalai
Chennai, Represented by its
General Manager
Annasalai, Chennai

2.The Senior Deputy Manager
(ma.va.me), Metropolitan Transport Corporation
Annasalai, Chennai

3.The Branch Manager
Metropolitan Transport Corporation
Alanthur Depo, Chennai-16

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to send the petitioner to the medical board to testify medical fitness of the petitioner to drive the Bus.

For Petitioner : Mr.S.Muthu Krishnan

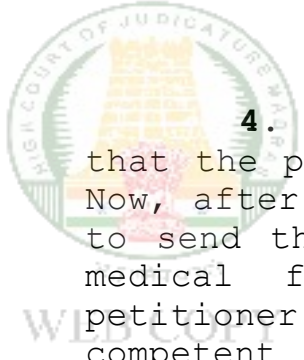
For Respondents : Mr.D.Sivaraman

O R D E R

The relief sought for in the present writ petition is for a direction to the respondents to send the writ petitioner to the Medical Board to testify his medical fitness to drive the Bus.

2. The writ petitioner is working as Driver in the respondent / Transport Corporation.

3. The learned counsel appearing for the respondent / Transport Corporation states that the writ petitioner earlier filed a writ petition in W.P.(MD) No.874 of 2014, challenging the order dated 04.12.2013, passed by the second respondent and withdrawn the said writ petition on 21.01.2014.



4. May that it be, this Court is of the considered opinion that the present writ petition itself was filed in the year 2014. Now, after a lapse of five years, the direction as such sought for to send the writ petitioner to the Medical Board to testify his medical fitness cannot be considered. However, the writ petitioner is at liberty to file a fresh application to the competent authority explaining his disability, if any as of now and in the event of receiving any such application from the writ petitioner, the competent authority shall consider the same with reference to the rules applicable to him.

5. With these observations, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

+1 CC to Mr.D.SIVARAMAN, Advocate SR-75623.

+1 CC to Mr.S.MUTHUKRISHNAN, Advocate SR-75822.

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CS: 24/07/2019 2P 3C