



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2020

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P. (MD)No.19474 of 2020

R.S.Suresh Kumar

...Petitioner

Vs

1.The State of Tamil Nadu,
represented by its Secretary,
Transport Department,
St.George Fort, Chennai - 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation,
(Tirunelveli Division), Tirunelveli.

3.The General Manager,
Tamil Nadu State Transport Corporation,
Rani Thottam, Nagercoil,
Kanyakumari District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to provide an alternative employment, like General Shift Water Service work or any office related works to the petitioner with continuity of service with a pay protection as per Section 47 of the Persons with Disabilities (Equal opportunities), Protection Right and Full Participation Act, 1995, by considering the representations of the petitioner dated 23.04.2019, 16.12.2019 and 20.12.2019, within a stipulated time framed by this Court.

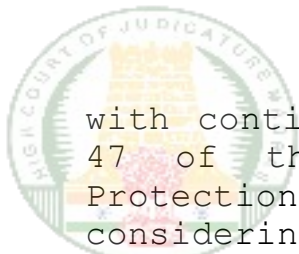
For Petitioner : Mr.C.Kishore

For R1 : Mr.K.P.Narayanakumar
Special Government Pleader

For R2 and R3 : Mr.J.Senthil Kumariah
Standing Counsel

ORDER

This Writ Petition is filed to direct the respondents to provide an alternative employment, like General Shift Water Service work or any other related office work to the petitioner



with continuity of service with a pay protection, as per Section 47 of the Persons with Disabilities (Equal opportunities), Protection Right and Full Participation Act, 1995 and by considering the representations of the petitioner dated 23.04.2019, 16.12.2019 and 20.12.2019.

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2.By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3.It is the grievance of the petitioner that with the relief sought for in the prayer, though he has made representations, dated 23.04.2019, 16.12.2019 and 20.12.2019 to the respondents, so far no action has been taken. Hence, the present writ petition.

4.In reply, Mr.J.Senthil Kumaraiah, learned Standing Counsel appearing for the respondents 2 and 3 would fairly submit that the petitioner's representations, dated 23.04.2019, 16.12.2019 and 20.12.2019, would be considered on merits and in accordance with law, within a period of eight weeks.

5.In view of the submission made by the learned Standing Counsel appearing for the respondents 2 and 3, this Court is inclined to pass the following direction:-

the respondents 2 and 3 are directed to consider the petitioner's representations, dated 23.04.2019, 16.12.2019 and 20.12.2019 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order;

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

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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



To
The Secretary,
Transport Department,
St.George Fort, Chennai - 600 009.

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+1 cc to Mr.C.Kishore , Advocate SR.No.27106

W.P. (MD)No.19474 of 2020
23.12.2020

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