



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2020

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM**

W.P. (MD) No.1851 of 2014

and

M.P (MD) No.1 of 2014

WEB COPY

1.K.Mallusamy (Deceased)
2.M.Sakunthala
3.M.Kumarakarthick

... Petitioners

Vs.

The Management of
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
Rep.by its General Manager,
Dindigul.

... Respondent

*(Petitioners 2 and 3 are substituted as L.Rs
of the deceased petitioner K.Mallusamy
vide order dated 02.11.2020 made in
WMP (MD) No.13024 of 2019)

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring that the action of the respondent in denying work to the petitioner from 21.08.13 as illegal and consequently to direct the respondent to provide him the same alternative employment in which petitioner has been working from May, 1992 with pay protection, continuity of service, wages from 21.08.2013 and all other attendant benefits in accordance with Section 47(1) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

For Petitioner : Mr.R.M.Sivakumar

For Respondent : Mr.Senthilkumaraiah

O R D E R

The relief sought for in the present writ petition is to declare that the action of the respondents in denying work to the petitioner from 31.08.2013 as illegal and direct the respondents to provide the petitioner an alternative employment with reference to Section 47(1) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.



2. It is brought to the notice of this Court that the writ petitioner passed away. This apart, the writ petition was filed in the year 2014 and at that point of time, the petitioner was aged about 53 and now he is no more and even in case, if he is alive, he would be around 59 years. In any event, the relief as such sought for to provide alternative employment would not arise at all. The legal heirs are entitled for all other pensionary and other terminal benefits and the legal heirs are at liberty to approach the competent authority for settlement of all the benefits due to the death of the writ petitioner.

3. With these observation, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

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/ /2020

Sub Assistant Registrar(CS)

MPK

To

The General Manager,
The Management of
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
Dindigul.

W.P. (MD)No.1851 of 2014
02.11.2020

CK(CO)
TR(30.11.2020) 2P 2C