



W.P(MD)No.22114 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.22114 of 2022

S.Kalyanasundaram

... Petitioner

Vs.

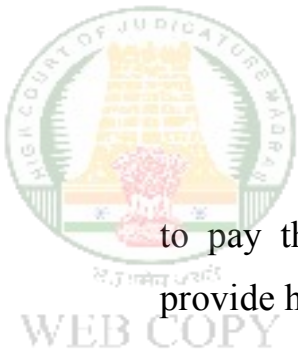
1.The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Rep. by its Managing Director,
Tirunelveli.

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

3.The Branch Manager,
Sankaran Kovil Branch
The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Sankarankovil.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to forthwith provide suitable alternative employment as envisaged under Section 20(4) the Rights of the Persons with Disabilities Act 2016 with continuity of Service , pay protection, backwages for the disengagement period and continue



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to pay the petitioner wages to him till the date on which the respondents provide him alternative light duty.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Jebaraj

ORDER

Heard the learned counsel on either side.

2. The petitioner is working as conductor in the respondent corporation.

He claims that he had developed certain ailments and that he must be given alternative employment. Before the management can take decision, the petitioner has to be necessarily referred to the medical board.

3. I therefore direct the respondent management to refer the petitioner to the medical board within a period of four weeks from the date of receipt of a copy of this order. The duly constituted medical board will examine the petitioner and submit its report to the management within a period of six weeks thereafter. The medical board shall furnish the petitioner with a copy of the report. Based on the report of the medical board, the management will take a decision regarding giving suitable alternative employment to the writ petitioner. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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4. The Writ Petition is disposed of accordingly. No costs.

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Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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