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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2022

CORAM:

THE HONOURABLE DR JUSTICE ANITA SUMANTH

W.P. (MD) No.21848 of 2018

and W.M.P(MD) Nos.19777 and 19778 of 2018

G.Thirugnanasambandham

... Petitioner

Vs.

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

2.The General manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagappattinam Region,
Nagapattinam.

3. The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to continue to provide alternative employment to the petitioner as Helper without any interruption on permanent basis in terms of Section 20(4) Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 2016 with continuity of service, pay protection in the light of the medical certificate issued by the Regional Medical Board of Rajiv Gandhi Government General Hospital, Chennai dated 22.07.2016 and further directing the respondents to pay the petitioner wages from 14.09.2018 to till the date on which alternative employment with provided to him.

For Petitioner	:	Mr.A.Rahul
For Respondents	:	Mr.A.Balaji
		for Mr.D.Sivaraman
		Standing Counsel



O R D E R

Heard Mr.Rahul, learned counsel for the petitioner and Mr.A.Balaji, learned counsel for the respondents/Tamilnadu State Transport Corporation, Kumbakonam.

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2. The petitioner seeks a mandamus directing the respondents to provide alternative employment to the petitioner as Helper without any interruption in terms of Section 20(4) of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 2016 with all service and pay benefits.

3. Counter filed by the third respondent reflects that the State Transport Corporation has agreed not to interrupt the service of the petitioner as Helper till his superannuation. This is recorded.

4. As regards pay benefits, the petitioner is at liberty to approach the respondent for appropriate relief as he may deem appropriate.

5. With liberty as above, this Petition is closed. Consequently, connected miscellaneous petitions are also closed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

CM

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.

To,

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



2.The General manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Nagappattinam Region,
Nagapattinam.

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3. The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

+1 CC to M/s.A.RAHUL, Advocate (SR-2855[F] dated 28/01/2022)

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-2901[F] dated 28/01/2022)

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and W.M.P(MD) Nos.19777 and 19778 of 2018
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