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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.11.2022**

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.7929 of 2016

A.Ganesan ... Petitioner

Vs.

The Commissioner
Kadayanallur Municipality,
Kadayanallur,
Tirunelveli District. ... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to send the petitioner for the medical check up to the Medical board under the Persons with Disabilities (Equal Opportunities, protection of Rights and Full Participation) Rules 2002 by considering his representation, dated 16.03.2016 within the period stipulated by this Court.

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For Petitioner : Mr.M.Mohamed Sherbudeen

For Respondent : Mr.J.Parekh Kumar

ORDER

This Writ Petition is filed for Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 16.03.2016 and to consider the petitioner's claim under the Persons with Disabilities (Equal Opportunities, protection of Rights and Full Participation) Rules 2002 and grant benefits.

2. The contention of the petitioner is that the petitioner is suffering from Intervertebral Disc Prolapse and due to this, the petitioner is not able to stand for a long time. The petitioner is serving as Sweeper in the respondent Municipality.

3. The respondent is directed to consider the petitioner’s representation dated 16.03.2016 and pass orders by granting alternative employment to the petitioner. In case, if the respondent decide that the

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petitioner cannot accommodate in Kadayanallur Municipality, the respondent shall transfer the files to the appropriate higher authority to consider the claim of the petitioner and post in any other Municipality in any other alternative job. The respondent shall consider and pass order within a period of four (4) weeks from the date of receipt of a copy of this order.

4. With the above said direction, this Writ Petition is disposed of. No costs.

04.11.2022

Index : Yes / No
Internet : Yes / No
jbr

To
The Commissioner
Kadayanallur Municipality,
Kadayanallur,
Tirunelveli District.

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S.SRIMATHY, J

jbr

Order made in
W.P.(MD)No.7929 of 2016

04.11.2022

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