



W.P(MD)No.25199 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25199 of 2022

S.P.Murugesan

... Petitioner

Vs.

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

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to forthwith refer the petitioner to any government Hospital to ascertain his physical fitness to work as conductor and to provide suitable alternative employment as envisaged under section 20(4) the Rights of the persons with Disabilities Act 2016 with all attendant benefits including pay protection by considering representation of the petitioner dated 15.10.2022.



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For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Jagadees Balan,
Standing Counsel.

ORDER

Heard the learned counsel on either side.

2.The petitioner is working as Conductor in the respondent corporation. He is said to have suffered loss of vision. He seeks alternative employment. Before that, he has to be referred to the Medical Board so that his fitness can be ascertained. The petitioner has given a representation on 15.10.2022. Since the respondents have not taken a call, the present writ petition has been filed.

3.No exception can be taken to the request seeking reference to Medical Board.

4.The respondents are directed to refer the petitioner to Medical Board within a period of four weeks from the date of receipt of a copy of this order. The Medical Board shall be constituted and its report shall be submitted within a period of four weeks thereafter. Based on the report of the Medical Board, the



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respondents will take appropriate decision regarding providing of alternative employment. A copy of the report of the Medical Board shall be furnished to the writ petitioner.

5.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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