



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Twenty Fifth day of November Two Thousand and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP(MD) No.20806 of 2022
in
WP(MD)No. 26601 of 2022

MUTHUKUMAR.N

... PETITIONER

Vs

1 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION,
(TIRUNELVELI LTD),
TIRUNELVELI DIVISION,
TIRUNELVELI

2 THE ASSISTANT MANAGER (ADMINISTRATIVE),
TAMIL NADU STATE TRANSPORT CORPORATION,
(TIRUNELVELI LTD),
TIRUNELVELI DIVISION,
TIRUNELVELI

... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of interim direction directing the 1st respondent to give alternative job to the petitioner in the respondents corporation pending disposal of the above Writ Petition.

Prayer in WP(MD). 26601/ 2022 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the 1st respondent in க.எண்.10348/நிய3/தஅபோக/திலி/2022 , dated 18.08.2022 and quash the same and consequential directing the respondents to give alternative employment to the petitioner.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.GUHAN.K, Advocate for the petitioner and of MR.D.JEBARAJ, Standing Counsel on behalf of the Respondents, the court made the following order:-



Since the impugned order dated 18.08.2022 itself states that as per the medical report, the petitioner is not fit for the post of Driver, the management is obliged to give an alternative employment to the writ petitioner. If a physically unfit person is asked to discharge the duty of Driver, it will definitely endanger passenger's safety. I, therefore, direct the respondents to allot an alternative work to the writ petitioner.

2.This miscellaneous petition is allowed accordingly.

sd/-
25/11/2022

/ TRUE COPY /

/12/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION,
(TIRUNELVELI LTD),
TIRUNELVELI DIVISION,
TIRUNELVELI
- 2 THE ASSISTANT MANAGER (ADMINISTRATIVE),
TAMIL NADU STATE TRANSPORT CORPORATION,
(TIRUNELVELI LTD),
TIRUNELVELI DIVISION,
TIRUNELVELI

+1 CC to M/s.K.GUHAN, Advocate (SR-13761[I] dated 25/11/2022)

ORDER
IN
WMP(MD) No.20806 of 2022
in
WP(MD)No. 26601 of 2022
Date :25/11/2022

ias
PKP/BUC/SAR-1 /02.12.2022/2P/4C