



W.P No.4026 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.4026 of 2020

M.Elanchezhian

... Petitioner

Vs.

Tamil Nadu State Transport Corporation
(villupuram) Limited
Rep. by its Managing Director
Vazhudhareddy Post,
Villupuram & District.

...

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 17.01.2020 sent for changing the petitioner's cadre as an Helper- Non ITI, instead of driver by placing under a permanent alternative employment with pay protection on considering the health condition and service.

For Petitioner : Mr.T.Ravindran

For Respondents : Mr.M.Aswin



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ORDER

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This Writ Petition has been filed seeking issuance of Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 17.01.2020 sent for changing the petitioner's cadre as an Helper- Non ITI, instead of driver by placing under a permanent alternative employment with pay protection on considering the health condition and service.

2. The petitioner was appointed as a driver on 08.05.2000 and after completion of training, he was confirmed on 01.09.2005. Thereafter, the petitioner has completed nearly 15 years of service under the respondent. On 12.02.2012, during the course of employment, he had a sudden chest pain and giddiness and he collapsed. Hence, he was admitted at Salem Neuro Foundation Hospital for one week for giving medical aid and thereafter he was admitted in Vijaya Heart Foundation, Vadapalani, Chennai, on 21.12.2012 for undergoing an angiogram. After a week, on 28.02.2012 a stent was also fixed in the petitioner's heart for proper blood circulation. He joined duty during the month of November 2012, but he was advised not to drive and driving is hazardous to him and the



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passengers. Hence, the petitioner made a representation to the respondent management to give him permanent alternative employment with pay protection considering his service and his health condition.

2.1. The petitioner's repeated request did not yield any favourable result; the petitioner had given one more representation on 17.01.2020. Since the petitioner's representation has not been considered so far, the petitioner has filed this Writ Petition with the above prayer.

3. Mr. M.Aswin, learned counsel takes notice for the respondent and conceded that the representation of the petitioner will be considered at the earliest.

4. Taking into consideration the submission made by the learned counsel for the petitioner and the respondent, this Writ Petition is **allowed** and the respondent is directed to consider the petitioner's representation dated 17.01.2020 by placing him in Helper-Non ITI with pay protection and dispose of the same within a period of four weeks from the date of receipt of a copy of this order. No costs.



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Index : Yes

Internet : Yes/No

jrs



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To

Tamil Nadu State Transport Corporation
(Villupuram) Limited
Rep. by its Managing Director
Vazhudhareddy Post,
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R.N.MANJULA, J.

jrs

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