



Writ Petition No.20638 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.09.2023

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Writ Petition No.20638 of 2023
and W.M.P.No.20010 of 2023

M.S.Srinivasan

... Petitioner

-Vs-

1. The Metropolitan Transport Corporation,
(Chennai) Ltd.,
Rep. by its Managing Director,
Pallavan Salai, Chennai – 2.

2. The General Manager,
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan Salai, Chennai – 2.

3. Senior Deputy Manager (HR),
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan Salai, Chennai – 2.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to provide the petitioner suitable alternative employment on permanent basis is commensurate with his health condition with continuity of service, pay protection, back wages and other service benefits and to treat the entire period from June 2010 till date during which he was not given light duty as duty pay for all purposes and to cancel all the punishments which were imposed to the



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petitioner on the ground of my alleged unauthorized absence.

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For Petitioner : Ms.H.Nandhini

For Respondents : Mr.R.Balaji

ORDER

This writ petition has been filed to provide suitable alternative employment to the petitioner by considering his health condition.

2. It is the case of the petitioner that the petitioner was appointed as a Conductor at the respondent Corporation on 01.06.2010. After continuously working for 13 years, he suffered with severe heart ailment and he is not in a position to work as a Conductor. Therefore, he requests the respondent Corporation to provide him a light duty. As per his request, the respondent Corporation referred the petitioner to appear before the Medical Board by an order dated 14.07.2011. After examining the petitioner, the Medical Board has given a report that he is only fit to do the light work in the respondent Corporation. Hence, he seeks an alternative employment at the respondent Corporation.

3. The learned Counsel appearing for the respondents would submit that the report of the Medical is not yet received by the



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respondent Corporation. After receipt of the Medical Board report, the respondent would consider the request of the petitioner.

4. I have heard the submissions made by the learned counsel appearing on either side and I have perused the materials placed before this Court.

5. In such view of the matter, the respondents are directed to call for the report from the Medical Board and on receipt of the same, the respondent Corporation shall ensure that if the petitioner is unable to do any heavy work, the respondent Corporation shall provide some other alternative work to the petitioner.

With the above directions, this writ petition stands disposed of. No costs. Connected miscellaneous petition is closed.

22.09.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
mp



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N.SATHISH KUMAR, J.

mp

To

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