

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4858 of 2023
and
W.M.P.(MD)No.4545 of 2023

Athmanathan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam Division,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Karaikudi Region,
Karaikudi.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to refer the petitioner to the medical board of any Government Hospital to ascertain the petitioner's physical fitness to work as driver for the reason of strokes and to provide suitable alternative employment with pay protection, continuity of service and back wages as per Section 47(1) of persons with disabilities (Equal opportunities protection and rights full participation) Act, 1955 based on the petitioner's representation on 27.01.2023 and 15.02.2023 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.K.Jegadeesbalan
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The petitioner is employed in the respondent Corporation as driver. He is said to have suffered stroke. The respondent Corporation is directed to refer the petitioner to the Madurai Rajaji Government Hospital. This reference shall be made within a period of two weeks from the date of receipt of a copy of this order. The medical board shall submit its report within a period of six weeks thereafter. The copy of the medical board shall be furnished to the petitioner also.

3. The Writ Petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

16.03.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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