



W.P(MD)No.5515 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2023

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.5515 of 2023

V.Subramanian

... Petitioner

**Vs.**

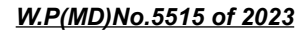
The General Manager,  
Tamil Nadu State Transport Corporation (MDU) Ltd.,  
Madurai Region,  
Bye Pass Road,  
Madurai-625 016.

... Respondent

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to refer the Medical Board, Government Rajaji Hospital to find suitability of the petitioner's health to the post of Driver in the respondent corporation and subsequently, provide alternative job as per Section 20(4) of the Rights of the Persons with Disabilities Act, 2016, with pay protection and other attendant benefits and ratify the medical leave availed so far as duty period by considering the petitioner's representation dated 08.02.2023 within a time limit fixed by this Court.

For Petitioner : Mr.K.K.Samy

For Respondents : Mr.S.Raja  
Standing Counsel



Heard the learned counsel on either side.

2. The writ petitioner is working as driver in the respondent corporation. He is said to have suffered paralytic stroke. He is therefore not able to attend to his usual duties. He wants this Court to direct the respondent to refer him to the Medical Board, Government Rajaji Hospital to find out his suitability for discharging the duties of the driver. If the medical board gives its report, the petitioner can work out his rights under Section 20(4) of the Rights of Persons with Disabilities Act, 2016.

3. The respondent is directed to refer the petitioner to the medical board within a period of three weeks from the date of receipt of a copy of this order and the medical board is directed to submit its report to the respondent corporation within a period of five weeks thereafter. The petitioner shall also be furnished with a copy of the report.

4. The Writ Petition is allowed on these terms. No costs.

**14.03.2023**

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

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