



W.P(MD)No.7165 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7165 of 2023

K.Selvam

... Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Transport Corporation
(Kumbakonam) Limited,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam.

2.The General Manager,
Tamilnadu State Transport Corporation
(Kumbakonam) Limited,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to provide the petitioner an alternative light duty forthwith in the suitable job with continuity of service, pay protection and with all attendant benefits for taking treatment to his right hand wrist bone break, by considering the petitioners representation dated 04.01.2023.



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For Petitioner : Mr.S.P.Vijay Nivas

For Respondents : Mr.G.Jagadeesbalan,
Standing Counsel.

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ORDER

Heard the learned counsel on either side.

2.The writ petitioner is employed as Driver in the respondent corporation. He had fallen from the bus and fractured his wrist. The petitioner seeks alternative employment for a short duration. If the petitioner's wrist has been fractured, it would be unsafe for the passengers to retain the petitioner as driver. In any event, this decision has to be taken only by the management after getting medical report. The second respondent is directed to refer the petitioner to medical board within a period of two weeks from the date of receipt of a copy of this order. The medical board is directed to offer its report within a period of four weeks thereafter. Copy of the medical report shall be furnished to the petitioner. Based on the medical report, the respondent will take a decision as regards giving alternative employment on temporary basis for the petitioner.



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3.This writ petition is disposed of according. No costs.

21.04.2023

NCC : Yes/No

Index : Yes / No

Internet : Yes/ No

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Issue order copy on 24.04.2023.



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G.R.SWAMINATHAN, J.

ias

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