

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9099 of 2023

P.Murugesan

... Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation
Madurai Limited,
Madurai Division,
Bye Pass Road,
Madurai.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Dindigul Region,
Dindigul.

3.The Branch Manager,
Dindigul Branch – II,
Tamil Nadu State Transport Corporation,
Dindigul.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to provide suitable alternative employment to the petitioner without affecting his scale of

pay and all other attendant benefits with pay protection, continuity of service and after obtaining a report from the Medical Board in terms of Section 20 (4) of persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 2016 by considering his representation dated 27.03.2023 and for other reliefs.

For Petitioner : Mr.J.Lawrence

For Respondents : Mr.S.C.Herold Singh
Standing Counsel

ORDER

Heard the learned counsel on either side.

2.The petitioner is employed as Driver in the respondent Corporation. The petitioner is said to have met with an accident. He states that he found it virtually impossible to continue to work as Driver. He invokes Section 20(4) of the Rights of Persons with Disabilities Act, 2016 in support of his contention.

3.The second respondent is directed to refer the petitioner to Medical Board within three weeks from the date of receipt of a copy of this order. The Medical Board will be convened. It shall examine the petitioner and also submit its report to the Management within a period of eight weeks thereafter. Copy of the report of the Medical Board shall be furnished to the petitioner also. The Management will take a decision as regards providing alternative

employment to the petitioner based on the report of the Medical Board. If notwithstanding the medical report the Management does not grant relief to the petitioner, it is open to the petitioner to move this Court again for relief. With these directions, this writ petition is disposed of. There shall be no order as to costs.

20.04.2023

Index : Yes / No
Internet : Yes/ No
NCC : Yes / No
MGA

Note: Issue Order Copy on 24.04.2023.

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation
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G.R.SWAMINATHAN, J.

MGA

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