



W.P(MD)No.12951 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12951 of 2023

and

W.M.P(MD)No.10968 of 2023

P.Sekar

... Petitioner

Vs

1.Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Represented by its Managing Director,
Madurai.

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

3.The Branch Manager,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Sholavanthan Branch,
Sholavanthan,
Madurai District.

... Respondents



W.P(MD)No.12951 of 2023

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to refer the petitioner to the Medical Board of any Government Hospital to ascertain the petitioner's fitness to drive buses and to provide him suitable alternative employment with pay protection, continuity of service and back wages payable from the date on which the petitioner was denied duty due to eye defect to till the date on which the petitioner is provided with alternative employment as per section 20(4) of The Rights Of Persons with Disabilities Act, 2016.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.S.Raja
Standing Counsel

ORDER

Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondent Corporation.

2. The petitioner is working as Driver in the respondent Corporation. He is said to have developed defect in his vision. He seeks alternative employment.

3. I therefore direct the respondent management to refer the petitioner to the medical board within a period of four weeks from the date of receipt of a



W.P(MD)No.12951 of 2023

copy of this order. The duly constituted medical board will examine the petitioner and submit its report to the management within a period of six weeks thereafter. The medical board shall furnish the petitioner with a copy of the report. Based on the report of the medical board, the management will take a decision regarding giving suitable alternative employment to the writ petitioner. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

4. This Writ Petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

05.06.2023

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

To

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

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



WEB COPY



W.P(MD)No.12951 of 2023

G.R.SWAMINATHAN, J.

MGA

3.The Branch Manager,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Sholavanthan Branch,
Sholavanthan,
Madurai District.

W.P(MD)No.12951 of 2023

and

W.M.P(MD)No.10968 of 2023

05.06.2023