



W.P.(MD).No.24518 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24518 of 2023

V.Periyasamy

...Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bye-pass Road,
Madurai.

2. The General Manager,
Tamil Nadu State Transport Corporation,
(Madurai) Limited
Bye-pass Road,
Madurai.

3. The Branch Manager,
Tamil Nadu State Transport Corporation,
(Madurai) Limited
Thiruppuvanam Branch,
Madurai.

4. The Dean,
Government Rajaji Hospital,
Madurai.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 3 to provide suitable alternative light duty with pay protection to the petitioner as per Section 47(1) of Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Act, 1995 based on the fourth respondent medical report and consider the petitioner's representation dated 21.08.2023.

For Petitioner	: Mr.A.Mu.Sharavanan
For Respondents	: Mr.Gladson Michel Rajadurai Standing Counsel -for R1 to R3
	: Mr.T.Villavan Kothai Additional Government Pleader for R4

ORDER

The present Writ Petition has been filed by a Conductor of the respondent Transport Corporation seeking for a mandamus directing the respondents to provide suitable alternative light duty with pay protection as per Section 47(1) of Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Act, 1995.



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2. According to the writ petitioner, he is suffering from Kidney ailment and he is also suffering from spinal cord problem. Therefore, he is not in a position to perform the duty as a Conductor. Hence, he has sent a representation to the respondents on 21.08.2023.

3. On instructions, the learned Standing Counsel appearing for the respondents 1 to 3 submits that they have to refer the writ petitioner for the Medical Board and depending upon the report of the Medical Board, they would proceed further.

4. In view of the above said facts, the respondents are directed to refer the writ petitioner to the Medical Board within a period of one week from the date of receipt of a copy of this order. After being referred, the Medical Board, shall forward the report to the Transport Corporation within a period of four weeks thereafter. Based upon the said report, the respondents Corporation shall take appropriate decision in accordance with law.



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5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

12.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

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(Madurai) Limited,
Bye-pass Road,
Madurai.
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