



W.P.(MD)No.26785 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.12.2023

CORAM

THE HONOURABLE MR.JUSTICE **R.VIJAYAKUMAR**

W.P.(MD)No.26785 of 2023

T.Sritharan

... Petitioner

vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (TNSTC),
23/2, Thoothukudi Road,
Kattabomman Nagar,
Tirunelveli District - 627 011.

2.General Manager,
Tamil Nadu State Transport Corporation (TNSTC),
Nagercoil Zone, Nagercoil,
Kanyakumari District.

3.The Branch Manager,
Tamil Nadu State Transport Corporation (TNSTC),
Thingal Nagar Branch, Thingal Nagar,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to give alternate work to the petitioner based on the report given by the medical board Government Hospital, Aasaripallam, Kanyakumari dated 13.09.2023 and consequently provide salary and other benefits by considering the petitioner's representation dated 09.10.2023.

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For Petitioner :Mr.Jegadeesha Pandian
For Respondents :Mr.D.Jebaraj

ORDER

The present Writ Petition has been filed by a Conductor of the respondent Transport Corporation seeking a direction to provide alternative employment on the basis of the report given by the Medical Board.

2.The petitioner was working as a Conductor in the respondent Corporation. He was referred to Medical Board, Government Hospital, Asaripallam, Kanyakumari, to ascertain his medical fitness, whether he can be employed as a Conductor or not. On 13.09.2023, the Medical Board assessed the Writ Petitioner and had issued a certificate that he is not fit to be a Conductor. They have also pointed out that re-examination of the andidate could be done after a period of one year. Therefore, it is clear that the disability seems to be temporary in nature. The respondent Corporation is always at liberty to refer the Writ Petitioner for another medical examination in the last week of August 2024.



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3.In view of the aforesaid facts, the respondent Corporation is directed to provide alternative employment to the Writ Petitioner with pay protection within a period of two weeks from the date of receipt of a copy of this order.

4.With the above directions, this Writ Petition is disposed of. No costs.

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

06.12.2023

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R.VIJAYAKUMAR, J.

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