



W.P(MD)No.27733 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27733 of 2023

V.P.Vijayakumar

... Petitioner

Vs.

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

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Madurai Zone,
Madurai District.

... 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 permit the petitioner to appear before the Medical Board for medical examination and consequently direct the respondents to provide alternative employment to the petitioner on permanent basis with pay protection and continuity of service with back wages from 20.07.2022 to till date on which he



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is provided alternative employment with all other attendant monetary benefits based on the representation of the petitioner, dated 20.07.2023.

For Petitioner : Mr.A.Balaji

For Respondents : Mr.S.Sivabalaji
Standing Counsel

ORDER

The present writ petition has been filed by an Assistant Tradesman, who was working in Pudhukulam Branch of the respondent Transport Corporation seeking a Mandamus to direct the authorities to refer him to Medical Board and to provide alternative employment.

2. According to the learned Counsel appearing for the petitioner, the petitioner's both legs have been paralysed and therefore, he is not in a position to continue as an Assistant Tradesman. Hence, the petitioner has sent several representations to the second respondent herein enclosing medical records to provide alternative employment. The respondents have neither referred him to a Medical Board nor provided any alternative employment. In view of the above said facts, the present writ petition has been filed.



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3. Considering the above said facts, the respondents herein are directed to refer the petitioner to the Medical Board at Government Rajaji Hospital at Madurai to ascertain the fitness of the petitioner to work as Assistant Tradesman. Based upon the medical report, the respondents are directed to pass further orders. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the above said direction, this writ petition stands disposed of.
There shall be no order as to costs.

23.11.2023

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

To

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



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2.The General Manager,
Tamil Nadu State Transport Corporation
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R.VIJAYAKUMAR, J.

BTR

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