



W.P.(MD).No.28169 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.28169 of 2023

R.Paramasivan

... Petitioner

Vs.

1. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Division,
Tirunelveli.

2. The State Commissioner for Persons with Disabilities,
Lady Wellington College Campus,
Kamarajar Salai,
Chennai – 600 005.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to file an action taken report before the second respondent on the basis of the final recommendation dated 17.11.2022, in File No. 275/LO/2021 issued by the second respondent within stipulated time.



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For Petitioner : Mr.N.Marimuthu
for Mr.M.Sathiamoorthy

For Respondents : Mr.K.Ramaiah
Standing Counsel -for R1

: Mr.J.Ashok
Additional Government Pleader
for - R2

ORDER

The present writ petition has been filed by a Conductor of the respondent Transport Corporation seeking a mandamus to implement the orders passed by the State Commissioner for Persons with Disabilities in File No.275/LO/2021, dated 17.11.2022.

2. The grievance of the writ petitioner is that he had sought for an alternative employment under the provisions of the Persons with Disabilities Act, 1995. Since the same was not properly considered, he had approached the State Commissioner for Persons with Disabilities, under the Rights of Persons with Disabilities Act, 2016.



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3. After hearing both the parties, the Commissioner has issued several recommendations to the respondent Transport Corporation. Since the said recommendations have not been complied with by the respondent Transport Corporation, the present writ petition has been filed.

4. The order has been issued by the Statutory Commissioner, after hearing the respondent Transport Corporation. The respondent Corporation has not chosen to challenge the said order, which is one year old. In such circumstances, this Court is of the considered opinion that the respondent Transport Corporation shall be directed to comply with the said order.

5. Therefore, the respondents are directed to comply with the order dated 17.11.2022 passed by the State Commissioner for Persons with Disabilities within a period of eight weeks from the date of receipt of a copy of this order.



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6. With the above said observations, this Writ Petition stands disposed of. No costs.

06.12.2023

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

1. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Division,
Tirunelveli.
2. The State Commissioner for Persons with Disabilities,
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R.VIJAYAKUMAR,J.

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