



W.P.(MD).No.28383 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28383 of 2023

V.Nagarajan

... 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 permit the petitioner to appear before the Medical Board for Medical Examination and consequently direct the respondents to provide alternate employment to the petitioner on permanent basis with pay protection and continuity in service with back wages on which he is provided alternative employment of the petitioner dated 23.09.2023 within the time stipulated by this Court.



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W.P.(MD).No.28383 of 2023

For Petitioner : Mr.A.Balaji
For Respondents : Mr.S.Raja
Standing Counsel

ORDER

The present writ petition has been filed by a driver of the respondent Transport Corporation seeking a mandamus as against the respondents to refer him to Medical Board and based upon the said Medical Report, he may be granted alternative employment.

2. According to the learned counsel appearing for the writ petitioner, the writ petitioner is suffering from epilepsy and therefore, he is not medically fit enough to drive a heavy passenger vehicle. The petitioner has sent representation to the first respondent on 23.09.2023 seeking to refer him to the Medical Board. However, so far, no orders have been passed. Hence, this present writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Standing counsel appearing for the respondents.



W.P.(MD).No.28383 of 2023

WEB COPY

4. Considering the above said facts, the respondent Transport Corporation is directed to refer the petitioner to the Medical Board in Government Rajaji Medical College Hospital, Madurai within a period of four weeks from the date of receipt of a copy of this order. The Medical Board is directed to examine the petitioner and issue a Certificate within a period of four weeks thereafter. The authorities are directed to consider the report of the Medical Board and pass orders within a period of four weeks thereafter.

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

01.12.2023

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

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

3/4



W.P.(MD).No.28383 of 2023

(Madurai) Limited,
Madurai Zone, Madurai District.

R.VIJAYAKUMAR,J.

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W.P(MD)No.28383 of 2023

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