



W.P(MD)No.28628 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2023

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28628 of 2023

T.Suyambu

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport
Corporation Ltd.,
Nagercoil Division,
Kanyakumari District.

3.The Branch Manager,
Tamil Nadu State Transport
Corporation Ltd.,
Vivekandapuram Branch,
Nagercoil, Kanyakumari 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 respondent No. 1 and 2 to provide light duty / alternative duty in commensurate with the petitioner health condition thereby consider the petitioners representation dated 13.11.2023.



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For Petitioner : Mr.R.Jeya Revathy

For Respondents : Mr.D.Jebaraj
Standing Counsel

ORDER

The present writ petition has been filed by a Driver of the respondent Transport Corporation seeking a Mandamus to provide an alternative employment to the writ petitioner on the ground that his vision is defective.

2. According to the learned counsel appearing for the writ petitioner, the respondent Corporation had referred him to the Regional Institute of Ophthalmology Hospital at Egmore, Chennai. The Medical Board has arrived at a finding that he is permanently unfit for driving due to defective visual and the visual disability percentage is 50%. Therefore, it is clear that the petitioner cannot continue to be a Driver or a Conductor.

3. In view of the above said deliberations, the respondent Corporation is directed to provide alternative employment in any other light duty other than Driver or Conductor with pay protection within a



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period of twelve (12) weeks from the date of receipt of copy of this order.

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

20.12.2023

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

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To

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli.
- 2.The General Manager,
Tamil Nadu State Transport
Corporation Ltd.,
Nagercoil Division,
Kanyakumari District.
- 3.The Branch Manager,
Tamil Nadu State Transport
Corporation Ltd.,
Vivekandapuram Branch,
Nagercoil, Kanyakumari District.



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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.28628 of 2023

Dated:
20.12.2023