



W.P.No.5377 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

**W.P.No.5377 of 2024**  
**and W.M.P.No.5919 of 2024**

M.Pachaiyappan

... Petitioner

-Vs-

1. The Managing Director,  
Metropolitan Transport Corporation  
(Chennai) Limited,  
“Pallavan House”, Anna Salai,  
Chennai – 600 002.
2. The Senior Deputy Manager  
(Human Resources Development),  
Metropolitan Transport Corporation  
(Chennai) Limited,  
“Pallavan House”, Anna Salai,  
Chennai – 600 002.
3. The Branch Manager,  
Madhavaram Bus Depot,  
Metropolitan Transport Corporation  
(Chennai) Limited,  
Chennai – 600 110.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first and second respondents to pass an order for referring the petitioner to the



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Regional Medical Board of Rajiv Gandhi Government General Hospital, Chennai to verify his fitness/disability for the post of Driver and to provide the permanent alternative employment with pay protection to the petitioner, until his superannuation, based on the report of the medical board, if the petitioner is found to be unfit for the post of driver.

For Petitioner : Mr.S.R.Karthikeyan

For Respondents : Mr.A.Vinothraj  
Standing Counsel

**ORDER**

This writ petition has been filed for direction directing the first and second respondents to pass an order for referring the petitioner to the Regional Medical Board of Rajiv Gandhi Government General Hospital, Chennai to verify his fitness/disability for the post of Driver.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner had joined the respondent Corporation from 12.02.2007. His services was confirmed on 01.12.2008. While being so, on 20.08.2022, when he was going to his office by his two wheeler, met with an accident outside the Madhavaram Bus Depot, due to which, he



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suffered fracture in his head, shoulder and rib. He had undergone surgery. Thereafter, he was unable to walk normally and also could not perform his duty as Driver. Accordingly, a certificate was issued by the Doctor stating that he was not fit for the post the driver. Therefore, the petitioner submitted a representation to provide alternative employment as per his medical fitness. He was provided with temporary alternative employment as Time Keeper by the orders passed by the first and second respondents for a limited period. However, from 16.02.2024, he was not provided with any alternative employment. The respondents also failed to send the petitioner for medical verification to ascertain his fitness to the post of driver.

4. In view of the above, the respondents are directed to subject the petitioner for fitness before the Regional Medical Board of Rajiv Gandhi Government General Hospital, Chennai, forthwith and depends upon the fitness certificate, the petitioner may be provided with suitable employment.



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5. With the above directions, this writ petition is disposed of.

Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

01.03.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

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**G.K.ILANTHIRAIYAN. J.**



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