



WEB COPY



WP.No.25390 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

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THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.25390 of 2021

and

WMP.Nos.26814 & 26816 of 2021

D.Babu

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Petitioner

Vs.

1. Metropolitan Transport Corporation,
Rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai 600 002.
2. The Senior Deputy Manager (HR),
Metropolitan Transport Corporation,
No.2, Pallavan Salai,
Chennai - 600 002.
3. The Dean,
Rajiv Gandhi Government General Hospital,
Chennai - 600 003.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents 1 and 2 to provide the petitioner suitable alternative employment/job in commensurate with his health condition, with continuity of service, back wages and all other service and attendant benefits w.e.f. 17.02.2020 by referring him to the Respondents Medical Board and based on the report to be submitted by the Medical Board/3



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Respondent and in terms of Section 20(4) of the Rights of the Persons with Disabilities Act, 2016, within a specified time as may be fixed by this Court, Award costs.

For Petitioner : M/s.H.Nandhini

For Respondents : Mr.G.Gauthamaraj for RR1 & 2

ORDER

Heard, M/s.H.Nandhini, learned counsel for the petitioner and Mr.G.Gauthamaraj, learned counsel for the respondents and perused the materials available on record.

2. The petitioner, who was working as a driver with the first respondent, has met with an accident and suffered injuries. Since the petitioner was admitted in the hospital for a long time, he was discharged on 06.07.2020. Even though the petitioner has been discharged from the hospital, he is not able to perform his ordinary duties and hence, he submitted a representation to provide him any alternate lighter job.

3. Mr.G.Gauthamaraj, learned counsel for the respondents submitted that the petitioner's representation has been considered and the petitioner was directed to appear before the medical board and the medical board had recommended him



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for a lighter job for a period of one year; since one year got expired, he was referred to the medical board for review.

4. The petitioner has to appear before the medical board and get an opinion in order to enable the respondents to proceed further with regard to his request by considering his suitability basing on the recommendations of the Medical Board, after reviewing the petitioner.

5. With the above observation, this writ petition is **disposed**. The petitioner is directed to appear before the Medical Board and thereafter, the respondents are directed to consider his request based on the report they might get from the Medical Board, in accordance with law. No costs. Consequently, the connected miscellaneous petitions are closed.

08.02.2024

Internet : Yes/No
Speaking/Non- Speaking
Neutral: Yes/No
jrs



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R.N.MANJULA, J.

jrs

To

1. Managing Director,
Metropolitan Transport Corporation,
No.2, Pallavan Salai, Chennai 600 002.
2. The Senior Deputy Manager (HR),
Metropolitan Transport Corporation,
No.2, Pallavan Salai, Chennai - 600 002.
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