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Writ Petition No.22946 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.22946 of 2024

A.Sembannan
S/o.Arthanari

... Petitioner

Vs.

1.Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
represented by its Managing Director,
Head Office, 37, Mettupalayam Road,
Coimbatore - 641 043.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd., Erode Zone,
45, Chennimalai Road,
Erode - 638 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to consider and dispose of the petitioner's representation dated 22.04.2024 wherein the petitioner had sought the respondents to refer him to Medical Board for assessing his suitability for the post of driver and to provide the petitioner with any other alternate employment within a time frame.

For Petitioner : Mr.V.Subramani



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Writ Petition No.22946 of 2024

For Respondents : Mr.M.Murali Vinodh

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to consider the petitioner's representation dated 22.04.2024 wherein the petitioner has requested the respondents to refer the matter to the Medical Board in order to assess his suitability to the post of driver and to provide alternative appointment to the petitioner depending upon his physical capability.

2. Heard Mr.V.Subramani, learned counsel for petitioner and Mr.M.Murali Vinodh, learned Standing Counsel appearing for respondents.

3. The case of the petitioner is that he is working as a driver in the respondent corporation. During the year 2004, his vehicle underwent an accident, as a result, the petitioner suffered fracture and dislocation of his left shoulder. Even though the petitioner took treatment for the same and underwent surgery, he was not able to undertake heavy work while driving long distance in the bus. In view of the same, he submitted a



Writ Petition No.22946 of 2024

representation dated 22.04.2024 to the respondents requesting them to refer the petitioner to the Medical Board and to assess his physical capability and to provide him with alternative employment considering the difficulties faced by him. The grievance of the petitioner is that the representation did not evoke any response and as a result, the present writ petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the case and also the difficulty expressed by the petitioner in performing his job as a driver of the bus, there shall be a direction to respondents to deal with the representation dated 22.04.2024 made by the petitioner and refer him to the Medical Board and get a certificate from the Medical Board. Thereafter, the respondents shall take a call on the request made by the petitioner for providing him with alternative employment. The entire process shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the respondents along with a copy of this order.

N.ANAND VENKATESH, J



WEB COPY



Writ Petition No.22946 of 2024

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This writ petition is disposed of with the above direction. No costs.

13.08.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

gm

To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Head Office, 37, Mettupalayam Road,
Coimbatore - 641 043.

2.The General Manager,
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Writ Petition No.22946 of 2024