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W.P.No.26235 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18..10..2024

Coram

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.26235 of 2024

S.Mariyadass

..... Petitioner

-Versus-

- 1.The Managing Director,
T.N. State Transport Corporation Ltd.,
Villupuram Division,
3/137, Salamedu, Valudhareddy Post,
Villupuram – 605 602.
- 2.The Branch Manager,
T.N. State Transport Corporation Ltd.,
Villupuram Division, Villupuram – 605 602.

..... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a *Writ of Mandamus*, directing the 1st respondent to consider the representation of the petitioner dated 07.03.2024 for allotment of 'non-rigorous alternate duty' to the petitioner.

For Petitioner : *Mr.B.Divakaran*

For Respondent(s) : *Mr.R.Venkatesa Perumal,*
Standing Counsel for RR1 and 2

For State : *Mr.M.Bindran,*
Additional Government Pleader



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ORDER

This writ petition has been filed for issuance of a writ in the nature of mandamus directing the 1st respondent to allot any light duty to the petitioner considering his medical condition.

2. When the matter came up for hearing on 09.09.2024, this court passed the following order:-

“Mr.R.Venkatesa Perumal, learned Standing Counsel, takes notice for respondents.

2. The main issue raised by learned counsel for petitioner is that due to the health issue suffered by the petitioner, he has requested for light duty. The same was accommodated earlier. However, from March'2024, the petitioner has not been assigned any duty. Consequently, the petitioner was not paid any salary.

3. Considering the grievance raised by the petitioner, the petitioner is directed to appear before the Medical Board attached to Rajiv Gandhi Government General Hospital, Chennai. The Dean, Rajiv Gandhi Government General Hospital, Chennai, is directed to constitute a Medical Board and assess the health condition of the petitioner and submit a



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report to this Court before the next date of hearing.

4. Mr.M.Bindran, learned Additional Government Pleader, shall immediately coordinate with the Dean of the Rajiv Gandhi Government General Hospital, Chennai and ensure that the report reaches this Court before the next date of hearing. The report shall reach this Court on or before 16.10.2024.

Post this case under the caption 'for passing further orders' on 16.10.2024. ”

3. When the matter was taken up today for hearing, Mr.M.Bindran, learned Additional Government Pleader, submitted the report of the medical board constituted at Rajiv Gandhi Government General Hospital, Chennai.

4. On carefully going through the report, it is seen that the medical board has ascertained the physical disability suffered by the petitioner and has recommended giving a lighter work in his duty place.

5. The learned Standing Counsel appearing on behalf of the respondents 1 and 2 submitted that by proceedings dated 12.09.2024, the 2nd respondent has already taken steps to provide light work to the petitioner as security guard for a period of three months from 13.09.2024 to 12.12.2024.



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6. The learned counsel for the petitioner submitted that the petitioner is willing to do any light work that is given to him and that his medical condition must be taken into consideration periodically.

7. In the light of the above developments, light work given to the petitioner shall be reviewed once in every nine months, and the petitioner shall be sent before the medical board in order to assess the physical condition of the petitioner. Depending upon the report being given by the medical board, the respondent corporation shall take an appropriate decision to extend the light work given to the petitioner.

In the result, the writ petition is disposed of with the above directions.

No costs.

Index : yes / no
Neutral Citation : yes / no
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