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W.P.No.35068 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.35068 of 2024

N. Muniyandi

...Petitioner

Vs

1. The Senior Deputy Manager,
Human Resources Development Head Office,
Metropolitan Transport Corporation (Chennai) Limited
Chennai – 600 002.

2. The Managing Director,
Metropolitan Transport Corporation (Chennai) Limited
No.2, Pallavan House, Pallavansalai,
Chennai – 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to consider the petitioner's representation dated 23.03.2024 and to grant his medical leave arrears with alternate work and pass orders.

For Petitioner : Mr.K. Nagarajan

For Respondent : Mr. R. Balaji
Standing counsel



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ORDER

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Mandamus directing the respondents herein to consider the petitioner's representation dated 23.03.2024 and to grant his medical leave arrears with alternate work and pass orders.

3. The facts of the case is that the petitioner was a conductor in the Respondent/Corporation and he was affected by paralytic stroke on 05.03.2019, due to which he has taken leave from 02.03.2019 to 20.01.2023. In the year 2023 he was advised not to work as a conductor by the medical experts, due to which he gave a representation to the respondents on 26.10.2023 regarding his health condition and sought for alternate work and the same was not considered. Hence, the petitioner gave another representation on 27.02.2024 and 23.03.2024. However, there was no progress till date. Hence, this petition.



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4. The learned counsel for the petitioner submitted that the petitioner is 50 years old and the medical experts opined that the petitioner has 60% locomotor disability. Hence, prays this Court to issue a direction to the respondent to consider his representation dated 23.03.2024 and pass orders.

5. The learned standing counsel appearing for the respondents submitted that they will consider the case of the petitioner on merits and in accordance with law.

6. Heard both sides and perused the materials available on record.

7. On a perusal of the medial report it is seen that the medical experts has assessed that the petitioner has 60% locomotor disability and he has IQ of 84, SQ of 87 suggestive of below average intellectual functioning and below average social and adaptive functioning will no cognitive impairment



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8. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court directs the respondents to take note of the medical report of the petitioner and the representation of the petitioner dated 23.03.2024 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

9. With the above observations this writ petition stands disposed of. No order as to costs.

28.11.2024

Index: Yes/No

Speaking order/Non-speaking order
smn

To.

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V.BHAVANI SUBBAROYAN,J.

smn

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