



WEB COPY



W.P.(MD).No.3601 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 22.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.3601 of 2024

S.Palanisamy

...Petitioner

Vs

The Managing Director,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam.

...Respondent

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to provide the petitioner an alternative light duty, in the light of section 20 of the Rights of Persons with Disabilities Act, 2016 and on the basis of medical report given by the Regional Medical Board, Rajiv Gandhi Government Hospital, Chennai, within the stipulated time to be fixed by this Court.

For Petitioner : Mr.P.Vijaynivas

For Respondent : Mr.K.Ramaiah
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to the respondent to provide the petitioner an alternative light duty, in the light of section 20 of the Rights of Persons with Disabilities Act, 2016 and on the



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basis of medical report given by the Regional Medical Board, Rajiv Gandhi Government Hospital, Chennai, within the stipulated time to be fixed by this Court.

2. The petitioner joined service as a Conductor in the respondent Corporation in the year 2013. He has rendered more than 10 years of service. In the meanwhile, he has incurred problems in his vision to such an extent that his vision could not be recovered despite appropriate treatment. Hence, the petitioner approached the respondent seeking alternative duty instead of Conductor duty. The respondent had sent the petitioner to the Regional Medical Board, Rajiv Gandhi Government Hospital, Chennai to ascertain the disability of the petitioner vide order, dated 14.02.2023. The petitioner duly appeared before the Medical Board on 19.04.2023 and the proceedings of the said Board has been issued on 14.06.2023.

3. A careful perusal of the same would reveal that it has been observed in the said proceedings that the petitioner is not fit to be a Conductor. Despite the said proceeding as issued by the Regional Medical Board, Rajiv Gandhi Government Hospital, Chennai, the respondent Corporation did not provide the petitioner with an alternative job. Hence, this writ petition came to be filed.



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L.VICTORIA GOWRI, J.

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