



W.P.(MD) No.6429 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.6429 of 2024

J.Baskaran

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Petitioner

-vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Kattapomman Nagar,
Tirunelveli – 627 011.
Tirunelveli District.

2.The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Nagercoil Region, Ranithottam,
Nagercoil – 629 001.
Kanyakumari District.

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Respondents

PRAYER: Writ Petitions is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents to provide an alternate employment of light work to the petitioner with all other attendant and monetary benefits as per Section 20 of the Rights of Persons with Disabilities Act,2016, forthwith.



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W.P.(MD) No.6429 of 2024

For Petitioner : Mr.M.Dennis Joe

For Respondents : Mr.K.Ramaiah,
Standing Counsel.

ORDER

The instant Writ Petition has been filed by a Driver of the respondent Transport Corporation, seeking a mandamus as against the Corporation to provide alternative employment of light work to the petitioner with all other attendant and monetary benefits as per Section 20 of the Rights of Persons with Disabilities Act,2016.

2. According to the petitioner, he was referred to the Medical Board by the respondents at Rajiv Gandhi Government General Hospital, Chennai, to ascertain his fitness for working as driver. The Medical Board has submitted a report on 06.04.2022 to the effect that the petitioner is unfit to be a driver. However, the said report was not furnished to the petitioner. Hence, the petitioner has filed W.P.(MD) No.18614 of 2023, seeking a copy of the report. Thereafter, a copy of the medical report was furnished to the petitioner in November,2023.



W.P.(MD) No.6429 of 2024

WEB COPY

3. Subsequently, the petitioner sent a representation to the respondent Corporation on 11.12.2023 and a reminder on 10.01.2024, seeking alternative employment. Since there is no response from the respondents, the present writ petition has been filed.

4. According to the learned counsel for the respondents, the petitioner was unauthorisedly absent from 03.08.2021. Hence, he was referred to the Medical Board. Even after the report was received by the Corporation, the petitioner had not cared to approach the Corporation, seeking alternative employment. Therefore, it is the contention of the learned counsel for the respondent Corporation that the Corporation would consider the request of the petitioner if he approaches the Corporation.

5. In view of the above said facts, the respondent authorities are directed to consider the representation of the petitioner, seeking alternative employment, in the light of the report of the Medical Board, and pass orders within a period of eight weeks from the date of receipt or production of copy of this order on merit and in accordance with law.



W.P.(MD) No.6429 of 2024

WEB COPY

6. Writ Petition stands disposed of accordingly. No costs.

29.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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W.P.(MD) No.6429 of 2024

R.VIJAYAKUMAR, J.

dixit

W.P.(MD) No.6429 of 2024

29.08.2024