



W.P.(MD)No.9338 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.9338 of 2024

S.Senthilkumar

... Petitioner

vs.

The Management of Tamilnadu,
State Transport Corporation Ltd.,
(Kumbakonam Division),
Rep. by its General Manger,
Karur Region, Karur.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the impugned order dated 26.02.2024 vide TNSTC/KUMB/Kama/Thooo/194/2024, quash the same as illegal and consequently direct the respondent to provide alternative employment which is not related to cash transaction or accounts in nature.

For Petitioner : Mr.K.Muthu Ganesa Pandian

For Respondent : Mr.K.Ramiah,
Standing Counsel



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ORDER

Heard Mr.K.Muthu Ganesa Pandian, learned counsel appearing for the petitioner and Mr.K.Ramiah, learned Standing Counsel for the respondent.

2. The petitioner has filed this petition seeking Writ of Certiorarified Mandamus calling for the order dated 26.02.2024 in TNSTC/KUMB/kama/Thooo/194/2024, quash the same and consequently direct the respondent to provide alternative employment which is not related to cash transaction or accounts in nature.

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

4. The petitioner was inducted as a driver in Tamil Nadu State Transport Corporation through the employment exchange on 04.06.2008 in Karur Division. When the petitioner had undergone eye test, he was found to be having visual impairment. Hence, he is found to be unfit for



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driving. In view of the same, the petitioner was given with alternate employment through impugned order dated 26.02.2024 placing him in the Cash / Audit Section at Musiri Branch.

5. Mr.K.Muthu Ganesa Pandian, learned counsel appearing for the petitioner submitted that the petitioner is suffering from colour blindness and could not read green colour.

6. Since the petitioner had complained about certain visual impairment and colour reading, posting him in a position which is not suitable to his conditions cannot serve any purpose. The petitioner is said to have given a representation to the respondent to re-consider and post him in the post suiting to his medical condition. In such case, the respondent shall consider the same and pass orders afresh by thoroughly scrutinizing the medical reports of the petitioner within a period of eight weeks from the date of receipt of a copy of this order.



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7. In view of the above observations, this writ petition is disposed of. No costs.

16.04.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order
mbi



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R.N.MANJULA, J.

mbi

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