



WP(MD). No.12282 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 12.06.2024

CORAM

THE HON'BLE Ms.JUSTICE R.N.MANJULA

WP(MD) No.12282 of 2024

C.Balakrishnan

... Petitioner

Vs

The Management of Tamil Nadu,
State Transport Corporation Limited,
(Kumbakonam Division),
Represented by its General Manager,
Karur Region, Karur.

... Respondent

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the impugned order dated 29.04.2024 vide TNSTC/KUMB/KaMa/ThoU/251/2024, and quash the same as illegal consequently direct the respondent to provide alternative employment which is not related to cash transaction in nature.

For Petitioner : Mr. K.Muthu Ganesa Pandian

For Respondents : Mr.K.Jagadeesh Balan



WP(MD). No.12282 of 2024

ORDER

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Heard Mr.K.Muthuganeshapandian, learned counsel for the petitioner and Mr.K.Jagadees Balan, learned counsel for the respondent.

2.This writ petition has been filed challenging the impugned order impugned order dated 29.04.2024 vide TNSTC/KUMB/KaMa/ThoU/251/2024, and consequently to direct the respondent to provide alternative employment which is not related to cash transaction in nature.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner, who has been working as a Driver in the respondent Corporation, has been given with an alternative employment in view of his visual impairment and in the certificate given by the medical board, it is stated that the petitioner is not fit for discharging the work of a driver.



WP(MD). No.12282 of 2024

5. It is seen that the petitioner is suffering from colour blindness. The alternative employment given to the petitioner as per the impugned order is to do some job at ticket and cash counter. The petitioner now claims that he is not fit to do the said job also and hence, the said order should be set aside and he should be provided with some other employment.

6. In the impugned order, it has been stated that the petitioner has been temporarily accommodated in the above place, as there was no other vacancy. After considering the petitioner's visual impairment, the petitioner has been accommodated in some other department without allowing him to do driving. In such case, the petitioner has to state a specific reason as to how he finds it uncomfortable even to work in the ticket counter. The medical report does not say that the petitioner is unfit to do any other job including driving.



WP(MD). No.12282 of 2024

7. In such case, the petitioner cannot take advantage of the certificate given by the medical board and refuse to undertake any other job offered by excluding driving

8. In view of the aforesaid reasons, I do not find any reasons to interfere with the impugned order and hence, the writ petition is **dismissed**. No costs.

12.06.2024

NCC : Yes/No
Index : Yes/No

PNM

TO

The Management of Tamil Nadu,
State Transport Corporation Limited,
(Kumbakonam Division),
Represented by its General Manager,
Karur Region, Karur.



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WP(MD). No.12282 of 2024

R.N.MANJULA, J.

PNM

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