



WP(MD) No.17056 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.17056 of 2024

C.Maniyarasan

.. Petitioner

Vs.

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

.. Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court 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 the medical report given by the Regional Medical Board, Rajiv Gandhi Government Hospital, Chennai and provide the salary for the period in which duty was not provided by the respondent.

For Petitioner : Mr.P.Vijaynivas
For Respondent : Mr.K.Ramaiah
Standing Counsel



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ORDER

Heard Mr.P.Vijaynivas, learned counsel for the petitioner and Mr.K.Ramaiah, learned Standing Counsel, for the respondent.

2.The petitioner has filed this Writ Petition seeking for a direction to the respondent to provide the petitioner a suitable permanent alternative employment with pay protection, continuity of service and all other attendant benefits and wages in accordance with u/s. 20 (4) of the Rights of Persons with Disabilities Act, 2016.

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

4. The petitioner has been given with a Medical Certificate by the Medical Board stating that he is not fit to continue as a Conductor. Thereafter, the petitioner has made a request to the respondent on 21.12.2023 to provide him any alternate employment. The petitioner's representation has not been considered so far and now, he is out of service. Hence, he has come up with this petition.



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5. The Medical Board itself has given a Certificate stating that the petitioner is not fit to continue as a Conductor. In such case, the respondent ought to have considered the request of the petitioner seeking alternate employment and passed a suitable order. In view of the inaction on the part of the respondent, I feel that appropriate direction to be given in this regard.

6. In the result, the writ petition is **disposed of** and the respondent Corporation is directed to consider the representation of the petitioner dated 21.12.2023 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. No costs.

25.07.2024

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

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R.N.MANJULA, J.

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