



W.P(MD)No.20361 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.08.2024

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.20361 of 2024

and

W.M.P(MD)No.17268 of 2024

K.Senthil Pandey

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation(Madurai) Limited,
Represented by its the Managing Director,
Madurai.

2.The General Manager,
The Tamil Nadu State Transport Corporation(Madurai) Limited,
Madurai Region, Madurai.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to forthwith refer the petitioner to any Medical Board of Government Hospital to ascertain his medical fitness to work as Driver and to provide him suitable alternative employment with pay protection, continuity of service and back wages from the date of disengagement i.e., from 05.01.2024 to till the date on which he is provided with alternative light duty as per Section 20(4) of the Rights of the Persons with Disabilities Act, 2016 within a time frame that may fixed by this Court.



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For Petitioner : Mr.A.Rahul

For Respondents : Mr.Ramachandra Pradeep
Standing Counsel

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ORDER

The instant writ petition has been filed by a Driver of the respondent transport corporation, seeking a mandamus as against the respondent transport corporation to refer him to Medical Board to ascertain his medical fitness to work as a Driver.

2.According to the learned Counsel appearing for the writ petitioner, the petitioner has undergone neuro surgery on 09.01.2024 and he is unable to work as a Driver. He has sent a representation to the transport corporation on 16.07.2024. Since there is no response, the present writ petition has been filed.

3.Considering the above said facts, the respondents transport corporation are directed to refer the petitioner to the Medical Board in the Government Rajaji Hospital, Madurai within a period of two weeks from the date of receipt of a copy of this order and after obtaining a report from the Medical Board, orders may be passed in accordance with law by the respondent transport



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corporation.

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4.With the above said observations, this writ petition stands allowed to the extent as stated above. No costs. Consequently, connected miscellaneous petition is also closed.

28.08.2024

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

RJR

To

- 1.The Managing Director,
The Tamil Nadu State Transport Corporation(Madurai) Limited,
Madurai.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation(Madurai) Limited,
Madurai Region, Madurai.



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R.VIJAYAKUMAR, J.

RJR

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