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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21927 of 2024

Paulsamy

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation(MDU) Limited,
Bye Pass Road,
Madurai – 625 016.

2.The General Manager,
Tamil Nadu State Transport Corporation(MDU) Limited,
Madurai Region,
Bye Pass Road,
Madurai – 625 016.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to refer the petitioner to Rajiv Gandhi Government General Hospital, Chennai to find suitability of petitioner's continuance to the post of Conductor in the Respondent corporation.

For Petitioner : Mr.K.K.Samy

For Respondents : Mr.Gladson Michael Rajadurai
Standing Counsel



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ORDER

The instant writ petition has been filed by a Conductor of the respondent transport corporation, seeking a mandamus as against the employer to direct them to refer the petitioner to Medical Board to ascertain his fitness to work as a Conductor.

2. According to the learned Counsel appearing for the writ petitioner, he is aged about 58 years and he has undergone by-pass surgery and he was on medical leave for nearly 5 months. After medical leave, he had made a request for granting alternative employment. Since the same has not been considered, the petitioner has sent a representation on 09.08.2024, seeking to refer him to the Medical Board to Government Rajaji Hospital, Madurai. Since there is no response, the present writ petition has been filed.

3. Considering the above said facts, the respondents herein are directed to refer the petitioner to the Medical Board, Government Rajaji Hospital, Madurai to ascertain his fitness to the post of Conductor. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



4. With the above said observations, this writ petition stands disposed of.

No costs.

13.09.2024

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

To

1. The Managing Director,
Tamil Nadu State Transport Corporation(MDU) Limited,
Bye Pass Road,
Madurai – 625 016.

2. The General Manager,
Tamil Nadu State Transport Corporation(MDU) Limited,
Madurai Region,
Bye Pass Road,
Madurai – 625 016.

3. The Officer in-charge,
Medical Board,
Government Rajaji Hospital,
Madurai – 625 020.



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R.VIJAYAKUMAR, J.

RJR

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