



W.A(MD)No.1930 of 2024

WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 17.10.2024

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN
AND
THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

W.A(MD)No.1930 of 2024
and C.M.P(MD)No.14326 of 2024

1.The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli),
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli),
Nagercoil Division,
Neasamony Nagar,
Ranithottam,
Nagercoil- 629 001,
Kanyakumari District.

3.The Branch Manager,
Tamil Nadu State Transport Corporation (Tirunelveli),
Kuzhithurai Branch-I,
Kanyakumari District.

.. Appellants / Respondents

Vs.

B.Robin (Died)
Baby Leelabai Bai

.. Respondent/Writ Petitioner

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act praying this



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Court to set aside the order of this Court made in W.P(MD)No.17269 of 2015 dated 27.10.2022.

For Appellants : Mr.D.Jebaraj

For Respondent : Mr.K.Vamanan

JUDGMENT

(Order of the Court was made by **P.VELMURUGAN., J**)

This Writ Appeal is directed against the order of this Court made in W.P(MD)No.17269 of 2015 dated 27.10.2022.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The writ petition was filed by one B.Robin, who is the husband of the respondent herein. After his death, his wife Baby Leelabai Bai was substituted as his legal heir. Her husband was the employee of the appellant Transport Corporation. While he was driving the bus, the wind shield glass of the vehicle was suddenly broken and he sustained injury in his right eye and due to that he lost his vision and he has also applied for medical leave and he underwent surgery also. Later, the Medical Board has also confirmed the defective vision in both the



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eyes of the husband of the respondent herein and recommended him for light duty. Thereafter, he had also made a representation before the appellants for alternative employment due to loss of vision in one of his eyes. However, alternative employment was refused by the appellants, but, at the same time, medical leave was sanctioned to the writ petitioner, Robin. Therefore, considering the facts and circumstances, the learned Single Judge directed the appellants to pay 50% of the wages with consequential benefits to the writ petitioner for the period he was on medical leave. Challenging the said order, this writ appeal has been filed by the Transport Corporation.

4. We have considered the submissions made by both side counsel and the materials placed before this Court. The respondent's husband has lost his vision due to the accident occurred while he was on duty and he has also applied for medical leave and he underwent surgery. Despite the report of the Medical Board, the appellants refused to grant him alternative employment. But, at the same time, medical leave was sanctioned to him, based on which the learned Single Judge directed the appellants to pay 50% of the wages with consequential benefits to the writ petitioner for the period he was on medical leave. In such circumstances, we



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do not find any merit in the Writ Appeal calling for interference by this Court in the order of the learned Single Judge and hence, the Writ Appeal deserves to be dismissed. Accordingly, this Writ Appeal is dismissed. No Costs. Consequently, connected miscellaneous petition is dismissed.

[P.V.,J.] [K.K.R.K.,J.]
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NCC : Yes/No
Index : Yes / No
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