



W.P.(MD).No.31211 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.31211 of 2023

D.Gubendran

... Petitioner

Vs

The Managing Director,
Tamil Nadu State Transport Corporation (Mdu) Limited,
Bye Pass Road, Madurai.

... 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 an alternative light duty to the petitioner by sending him to any Medical Board to ascertain his disability for providing an alternative light duty by considering the petitioner's representation, dated 16.08.2023 within the stipulated time to be fixed by this Court.

For Petitioner : Mr. P.Vijaynivas

For respondent : Mr.S.Sivabalaji
Standing Counsel



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ORDER

The present writ petition has been filed seeking a direction to the respondent to provide an alternative light duty to the petitioner by sending him to any Medical Board to ascertain his disability by considering the petitioner's representation, dated 16.08.2023, within the stipulated time to be fixed by this Court.

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

3.Heard, the learned counsel appearing for the petitioner, the learned Standing Counsel for the respondent. Perused the materials on record.

4.The petitioner joined service as Conductor in the Tamil Nadu State Transport Corporation (Madurai) Limited in the year 2012 and now he is serving at Batlagundu Branch. He has been advised by the Doctors to not to do any heavy work, like standing more than an hour in a day. He was admitted at Velammal Hospital, Madurai on 30.07.2003 and took treatment continuously. Therefore, he sent a detailed representation to the respondent on 16.08.2023



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requesting him to sent to any medical board to ascertain his disability for providing him an alternative light duty, in the light of Section 20 of the Rights of Persons with Disabilities Act, 2016. However, the same was not considered. Hence, this petition came to be filed.

6. In view of the same, without going into the merits of this case, this Court hereby direct the respondent to consider the representation of the petitioner, dated 16.08.2023 and pass orders in accordance with law, within a period of eight (8) weeks, from the date of receipt of a copy of this order.

7. Accordingly, this writ petition stands disposed of. There shall be no order as to costs.

02.01.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

The Managing Director,
Tamil Nadu State Transport Corporation (Mdu) Limited,
Bye Pass Road, Madurai.



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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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