



WEB COPY

W.A.No.1178 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **K.SURENDER**

Writ Appeal No. 1178 of 2025
and CMP No.9070 of 2025

1. Tamil Nadu State Transport Corporation,
(Villupuram) Ltd., Rep by its Managing Director,
Vazhuthareddy, Salamedu, Villupuram.

2. The General Manager,
Kanchipuram Region,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd., Kanchipuram.

... Appellants

Vs.

1. N. Vadivel

2. The District Medical Board,
Rep. By its Dean, Rajiv Gandhi Government
General Hospital, Park Town, Chennai 03.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside
the common order passed in WP No. 26844 of 2015 dated 16.05.2024.



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For Appellants : Mr.M. Aswin

For Respondents : Mr.Ajay Khose, for R1

J U D G M E N T

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

Challenge is to the order in WP No.26844 of 2015 dated 16.05.2024.

The Writ Petition was filed by the workman/respondent seeking alternative employment with continuity of service, pay protection, arrears and all other attendant benefits.

2. The claim was made on the ground that the workman, who had suffered an injury in an accident, had suffered a partial permanent disability and in view of the provisions of the Rights of Persons with Disabilities Act, 2016 he would be entitled to the benefits.

3. The claim was resisted by the Corporation contending that the workman has already been favoured with an award under the Employee's Compensation Act, 1923 in WC No.32 of 2018 and therefore, he is not



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entitled to salary. The Writ Court going by the provisions of the The Rights of Persons with Disabilities Act, 2016, particularly Section 20 and Section 96 had allowed the Writ Petition. Aggrieved the Corporation is on Appeal

4. Mr.M.Aswin, the learned counsel appearing for the Corporation would vehemently contend that since there is already an award under the Employee's Compensation Act, 1923 the claim is not sustainable. We are unable to countenance the said submission in view of the specific provisions of Section 96 of the Rights of Persons with Disabilities Act, 2016 which provides that the provisions of the Act shall be in addition to any other law for the time being in force. Being a beneficial enactment, the benefits which are assured under the enactment cannot be denied on the ground that there has been another award under a different enactment. The Writ Court has only followed the said principle of law and allowed the Writ Petition.

5. Hence, we see no merit in the Appeal, the Writ Appeal fails and it is accordingly dismissed. Twelve weeks time is granted to comply with the



order. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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(R.SUBRAMANIAN, J.) (K.SURENDER, J.)
02.07.2025

jv

Internet : Yes
Index : No
Neutral Citation : /No
Speaking order

To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Vazhuthareddy, Salamedu, Villupuram.
2. The General Manager,
Kanchipuram Region,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd., Kanchipuram.
3. The Dean,
District Medical Board,
Rajiv Gandhi Government
General Hospital, Park Town, Chennai 03.



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R.SUBRAMANIAN, J.
and
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