



W.P.No.10265 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.02.2025

Coram:

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.10265 of 2023 &
W.M.P.No.10257 of 2023

D.Ruthrakumar

...Petitioner

Vs.

1. Tamilnadu State Transport Corporation
(Coimbatore) Ltd.,
Rep. By its Managing Director,
37, Mettupalayam Road,
Coimbatore – 641 043
2. The General Manager,
Tamilnadu State Transport Corporation
(Coimbatore) Ltd., Coimbatore Region,
37, Mettupalayam Road,
Coimbatore – 641 043
3. The Branch Manager,
Tamilnadu State Transport Corporation,
(Coimbatore) Ltd.,
Head Office Branch
37, Mettupalayam Road,
Coimbatore – 641 043
4. The Dean
Rajiv Gandhi Government
General Hospital,
Chennai – 600 003

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents to provide the petitioner suitable alternative employment on a permanent basis, in commensurate with his health condition, with continuity of service, pay protection, back-wages and other service benefits with effect from 20.03.2023 and to treat the entire period from 04.12.2022 to 22.12.2022 and from 10.02.2023 to 06.03.2023 as the duty with pay for all purposes, within a specified time.

For Petitioner : Mr.R.Krishnasamy

For Respondents : Mr.A.Sundaravadanam for R1 to R3
Mr.Tippusultan for R4
Government Advocate

ORDER

The petitioner has filed this Writ Petition seeking for an issuance of Writ of Mandamus directing the respondents to provide the petitioner suitable alternative employment on a permanent basis, in commensurate with his health condition, with continuity of service, pay protection, backwages and other service benefits with effect from 20.03.2023 and to treat the entire period from 04.12.2022 to 22.12.2022 and from 10.02.2023 to 06.03.2023 as the duty with pay for all purposes, within a specified time.

2. It is the case of the petitioner that the petitioner joined the services of the 1st respondent on 05.12.2012 as a conductor in Palani Depot-I and the petitioner

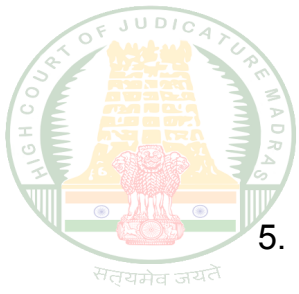


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was made permanent on 19.01.2015. While that being so, on 30.06.2019, while the petitioner was on duty in the bus bearing regn.No.TN39N0334, which was plying between Palani and Coimbatore, around 2.30 a.m., it met with an accident. At the time of accident, the petitioner was sitting in the left front seat, which was allotted for conductor and due to the accident, the petitioner was severely injured. The petitioner underwent three major surgeries and thereafter, took treatment. Though some light duty were extended to the petitioner for some time, the petitioner became unfit for the post of conductor due to the accident. Hence the petitioner submitted various representations seeking alternate / light job, however, the same has not been considered, hence the present Writ Petition.

3. It is brought to the notice of this Court by the learned Government Advocate appearing for the respondents that the petitioner was given an alternate employment.

4. Recording the submission of the learned Government Advocate appearing for the respondents that the petitioner was provided suitable alternative employment, if the petitioner has any claim regarding non-employed period / back wages or other service benefits, it is left open to the petitioner to work out the remedy in the manner known to law.



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5. In view of the above, the Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

17.02.2025

Index : Yes / No;
Internet : Yes / No
Speaking Order / Non Speaking Order
ssd

To

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V.BHAVANI SUBBAROYAN, J.

ssd

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