



W.P.No.34087 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.34087 of 2025
and
W.M.P.No. 38241 of 2025

V.Sudhakar

.. Petitioner

VS

1.The Managing Director
Tamil Nadu State Transport Corporation,
Villupuram Region,
Villupuram – 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Kancheepuram Region,
NH 4 tool booth, Ponnerikarai,
Kanchipuram – 631 552.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the 1st respondent to assign suitable light duty to the petitioner with effect from 16.08.2025 and to disburse the salary and attendant benefits from the said date.

For Petitioner : Ms.N.Beulah John Selvaraj

For Respondents : Ms.S.Pavithra
Standing Counsel



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ORDER

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This writ petition has been filed praying to issue a writ of mandamus to direct the first respondent to assign a suitable light duty to the petitioner with effect from 16.08.2025 and to disburse the salary and attendant benefits from the said date.

2. The case of the petitioner is that he was appointed as Driver on 23.06.2012 in the second respondent corporation and that his service was regularised on 19.04.2013. It is averred in the affidavit filed in support of the writ petition that during August, 2021, the petitioner was diagnosed with Chronic Kidney Disease – Stage V and he underwent treatment at Government Hospital, Kanchipuram.

3. It is further submitted that in January, 2022, he made a request to the authorities to post him in light duty in view of his prevailing medical condition and the authorities thought it fit to refer him to the medical board to assess his health condition. The medical board after examining the petitioner, declared him to be unfit to perform the duties of Driver. Thereafter, he was asked to



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perform the duty of Security Staff at Orikkai, Kanchipuram, from January, 2022 till 15.08.2025.

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4. Thereafter, the authorities, in order to further ascertain the petitioner's health condition, had referred him to the Regional Medical Board, which, vide an order dated 13.03.2025, had issued a certificate declaring him as "*Unfit to continue as Driver*". The authorities, therefore, granted him an extension for a period of two months vide letter dated 25.05.2025, to continue as Security Staff, and the said term elapsed on 15.08.2025.

5. In the meanwhile, the petitioner was orally instructed not to report for duty. It is submitted by him that despite the earnest request made to the authorities, the same was not considered, which is violative of Articles 14 and 21 of the Constitution of India and also contrary to the Rights of Persons with Disabilities Act, 2016. Therefore, a representation dated 19.08.2025 was submitted to the authorities. Since there was no response, the petitioner was constrained to approach this Court by way of this writ petition.



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6. Learned counsel for the petitioner submitted that the petitioner has been undergoing weekly maintenance hemodialysis since October, 2021 for end-stage renal disease and a certificate dated 20.08.2025 has been issued by Ankara Multi Speciality Hospital stating that the petitioner is not fit for Driver's job. Learned counsel pleads that his request to allot light duty may be considered in view of his medical condition and also by taking into consideration the petitioner's family circumstances.

7. Ms.S.Pavithra, learned Standing Counsel who accepts notice for the respondents, would submit that the petitioner has to necessarily appear before the Medical Board constituted by the Kanchipuram Government Hospital for assessment of his medical condition in order to allot further duties. She would, therefore, request this Court to pass appropriate orders.

8. Having heard the learned counsel on either side and considering the nature of work to be performed by the petitioner which involves larger public safety in juxtaposition with the livelihood of the family, whose breadwinner is indisposed, this Court is inclined to pass the following order:-



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(i) the respondents are directed to refer the petitioner to the Medical Board constituted by the Kanchipuram Government Hospital at the earliest.

(ii) the respondents shall intimate the petitioner in advance the date on which he should appear before the Medical Board.

(iii) till an opinion is arrived at by the Medical Board, the petitioner shall continue to work in the light duty.

9. With the aforesaid directions, this writ petition stands disposed of. No costs. Connected miscellaneous petition is closed.

09.09.2025

Index:Yes/No
Neutral Citation:Yes/No
ssm

To

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A.D.JAGADISH CHANDIRA, J.

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