



W.P(MD)No.11825 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2025

CORAM:

**THE HONOURABLE MR. JUSTICE BATTU DEVANAND**

**W.P.(MD)No.11825 of 2025**

**and**

**W.M.P.(MD).No.8728 of 2025**

L. Manivel

...Petitioner

**Vs.**

1.The TamilNadu State Transport Corporation (Madurai) Ltd,  
Represented by its Managing Director,  
Madurai.

2. The General Manager,  
TamilNadu State Transport Corporation (Madurai) Ltd,  
Madurai Region, Madurai.

...Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, in the nature of a writ of Mandamus directing the respondents to forthwith provide the petitioner suitable alternative employment as per the opinion of the Special Medical Board of Rajiv Gandhi Government General Hospital, Chennai - 600 003 issued in proceedings No.016014/RMB/RGGGH/20 dated 08.01.2025 by changing the nomenclature of the post of Driver held by him and post him in any suitable post with pay protection continuity of service and



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back wages from the date of disengagement i.e., from 05.01.2024 to till the date on which he is provided with alternative light duty as per Section 20(4) of the Rights of the Persons with Disabilities Act, 2016 within a time frame that may be fixed

For Petitioner : Mr. A. Rahul

For Respondent : Mr.S.Raja,  
Standing Counsel

### **ORDER**

Heard, the learned Counsel for the petitioner, the learned Standing Counsel for the respondents and carefully perused the materials available on record.

2. The petitioner working as Senior Driver in the respondent Transport Corporation. While so, four years ago, when he was in driving duty, he fainted and fell down losing consciousness and he was taken to hospital. The doctors diagnosed that he suffered from Ischemic Stroke. His right hand was paralysed. After taking treatment, he approached the respondent Transport



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Corporation for alternative employment. He was given shed duty for few months. He worked as Security Guard in Thirumangalam and Thirupuvanam Branches till 04.01.2024. Thereafter, by proceedings dated 15.09.2022 and 13.09.2023 of the second respondent, the petitioner was referred to Regional Medical Board of Rajiv Gandhi Government General Hospital, Chennai.

3. The petitioner appeared before the Medical Board on 07.12.2022 and 20.11.2024. The Special Medial Board of the said hospital, after examining the petitioner's health condition issued a certificate dated 08.01.2025, certifying that he have 50% permanent Locomotor disability and IQ 71, SQ of 70 with 25% disability and as per Neurologist opinion, and he unlikely to improve and he unfit to continue as driver. The Medical Board further recommended to provide alternative employment to the petitioner. But, the respondents have not passed any orders thereafter. The petitioner submitted a representation on 17.03.2025 to the second respondent, seeking to provide alternative employment. The said representation is not considered.



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4. The learned Counsel for the petitioner submits that from the month of June-2024, the petitioner is not provided with any employment and salary also not paid to him. If the contention of the petitioner is true, it is very unfortunate to note that though the petitioner was referred to Medical Board in the year 2022 and he appeared before the Medical Board in the year 2022 and 2024. It appears, the Medical Board had issued certificate only on 08.01.2025. Thereafter, the respondents are not providing any alternative employment to the petitioner which will definitely caused irreparable loss and hardship to the petitioner and his family.

5. In view of the above facts and circumstances, this writ petition can be allowed with a direction to the respondents to provide suitable alternative employment to the petitioner in the light of the certificate issued by the Special Medical Board dated 08.01.2025.



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6. Accordingly, this writ petition is allowed, the respondents are directed to provide any suitable alternative employment to the petitioner forthwith, in the light of the certificate issued by the Special Medical Board dated 08.01.2025.

No costs.

Consequently, connected miscellaneous petition is closed.

**25.04.2025**

Index : Yes / No  
Internet : Yes / No  
NCC : Yes / No  
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**BATTU DEVANAND, J.**

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To

1.The TamilNadu State Transport Corporation (Madurai) Ltd,  
Represented by its The Managing Director,  
Madurai.

2. The General Manager,  
TamilNadu State Transport Corporation (Madurai) Ltd,  
Madurai Region, Madurai.

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