



WP(MD). No.9167 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.01.2025

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.9167 of 2019
and WMP(MD)No.7135 of 2019

S.Vinayaga Moorthi

... Petitioner

versus

1. The Managing Director,
The Tamil Nadu State Transport Corporation
(Madurai) Limited,
Madurai,
Madurai District.

2. The General Maanger,
The Tamil Nadu State Transport Corporation
(Madurai) Limited,
Virudhunagar Division,
Virudhunagar.

3. The Branch Manager,
The Tamil Nadu State Transport Corporation
(Madurai) Limited,
Srivilliputhur,
Virudhunagar District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of a Writ of Mandamus, to direct the respondents
to provide alternative employment to the petitioner in strict conformity



WP(MD), No.9167 of 2019

with Section 47 of the Persons with Disabilities (Equal Opportunities, Protect of Right and Full Participation) Act, 1995 and consequently to regularize interregnum period of non employment of the petitioner as spent on duty and pay the arrears of salary within the period that may be stipulated by this Honourable Court

For Petitioner : Mr.Mohammed Imran
for M/s.Ajmal Associates

For Respondents : Mr.J.Senthil Kumaraiah,
Standing Counsel

ORDER

The petitioner was working as Driver in the Tamil Nadu State Transport Corporation. While he was driving a Bus on 01.09.2009, he met with an accident. Thereafter, he was not able to discharge his duty as driver and therefore, he has requested for alternative employment. It appears that the petitioner was provided with alternative employment in the Bus Stand, however, he was directed to work as Conductor in the year 2015. Seeking an alternative employment in the Office, the petitioner has made a request to the respondent Corporation and filed this writ petition in the year 2019.



WP(MD), No.9167 of 2019

WEB COPY

2. Today, when this writ petition is taken up for hearing, the learned counsel appearing for the petitioner submits that the health condition of the petitioner has now worsened and therefore, he is not in a position to continue his work in the Transport Corporation even if any alternative employment is provided to him.

3. This Court considered the submission made by the learned counsel for the petitioner.

4. Admittedly, the petitioner suffered injuries in an accident that took place on 01.09.2009 and thereafter, he was also provided with alternative employment. Now, the petitioner claims that since his health condition got worsened, he is not in a position to continue his work in the Transport Corporation and hence, he seeks voluntary retirement.

5. Since the petitioner met with an accident while discharging his duty in the respondent Corporation, the respondents shall consider the case of the petitioner sympathetically and take a decision within a period of eight weeks from the date of receipt of a copy of this order.



WP(MD), No.9167 of 2019

WEB COPY

6. Accordingly, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

08.01.2025

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NCC : Yes / No.

Index : Yes / No.

Internet: Yes / No.

To

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WP(MD), No.9167 of 2019

B.PUGALENDHI, J.

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WP(MD)No.9167 of 2019

08.01.2025