



WP(MD) No.26006 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 27.10.2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.26006 of 2025

and

WMP(MD)No.20327 of 2025

Rengarayalu

... Petitioner

Vs.

1. The State Express Transport,
Corporation (Tamil Nadu) Ltd.,,
Represented by its Managing Director,
Pallavan Salai,
Chennai 600 002.

2. The General Manager,,
The State Express Transport Corporation
(Tamil Nadu) Ltd.,Pallavan Salai,
Chennai 600 002.

3. The Branch Manager,,
The State Express Transport Corporation
(Tamil Nadu) Ltd.,
Tirunelveli II Branch,Tirunelveli.

4. The Senior Deputy Manager,,
The State Express Transport Corporation
(Tamil Nadu) Ltd.,Pallavan Salai,
Chennai 600 002.

... Respondents



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned Letter No.006745/HRD4/SETCTN/2019, dated 18.06.2025 issued by 4th respondent, quash the same and consequently direct the respondents to forthwith provide to the petitioner suitable alternative employment on permanent basis as per the opinion of the Medical Board of Thoothukudi Medical College Hospital, Thoothukudi issued to him pursuant to proceedings dated 15.06.2019 passed by the Dean of Thoothukudi Medical College, Thoothukudi and by changing the nomenclature of the post of Driver-cum-Conductor held by him and post him in any suitable post with pay protection, continuity of service and back wages from the date of disengagement ie. from 28.02.2025 to till the date on which the petitioner has 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 by this Court.

For Petitioner : Mr.A.Rahul,

For Respondents : Mr.S.C.Herold Singh,
Standing Counsel

ORDER

This Petition is filed challenging the Letter No.006745/ HRD4/ SETCTN/2019, dated 18.06.2025 issued by 4th respondent and consequently direct the respondents to forthwith provide to the petitioner suitable alternative employment on permanent basis as per the opinion of the Medical Board of Thoothukudi Medical College Hospital, Thoothukudi



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issued to him pursuant to the proceedings dated 15.06.2019 passed by the Dean of Thoothukudi Medical College, Thoothukudi and by changing the nomenclature of the post of Driver-cum-Conductor held by him and post him in any suitable post with pay protection, continuity of service and back wages from the date of disengagement i.e., from 28.02.2025 to till the date on which the petitioner has been provided with alternative light duty as per Section 20(4) of the Rights of the Persons with Disabilities Act, 2016.

2. The petitioner in this writ petition had been working as a Driver- cum-conductor in the first respondent Corporation. The petitioner suffered liver failure and had been diagnosed the bilateral polycystic kidney with chronic medico renal disease. The Medical Board had also suggested that the petitioner is unfit to be continued as Driver-cum-Conductor and that he can be accommodated in any office jobs.

3. It is the case of the petitioner that from February 2025, he had not been paid a salary. The petitioner had been directed to work as a conductor and on the medical condition, it is his claim that it would be difficult to work as a Conductor, as he had been continuously under treatment and is undergoing hemodialysis.



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4. The respondents' case is that the petitioner had been given the post of squad jeep driver and had been asked to report for duty, in which the petitioner had been evading and he had also made a representation for an office job. Hence, under the impugned order, the petitioner had been again asked to appear before the Medical Board. Challenging the same, the petitioner is before this Court.

5. When the Medical Board had opined that the petitioner is unfit to be employed as a Driver-cum-Conductor with the recommendation he should be accommodated in an office job, it is not known as to why the respondents have insisted the petitioner should take up the job of a squad jeep driver. The conduct of the respondents goes against the mandate prescribed under the Rights of the Persons with Disabilities Act, 2016. It is not the case of the respondents that the petitioner is not under continuous treatment. The dialysis chart produced by the petitioner would also indicate that the petitioner had been under weekly treatment of hemodialysis.

6. In such a view of the matter, this Court is unable to comprehend with the order impugned herein. For the abovesaid reason, the impugned order is liable to be set aside.



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7. In fine, the Writ Petition stands allowed and the impugned order dated 18.06.2025 issued by the fourth respondent is set aside and there shall be a direction to the respondents to engage the petitioner in a post within the office as provided under Rule 20(4) of the Rights of Persons with Disability Act, 2016, and also pay him the salary from the date of disengagement, i.e., 28.02.2025 forthwith within a period of twelve (12) weeks from the date of receipt of a copy of this order. No order as to costs. Consequently, connected Miscellaneous Petition is closed.

27.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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TO

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Corporation (Tamil Nadu) Ltd.,
Pallavan Salai,
Chennai 600 002.



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