



W.P(MD)No.33480 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.33480 of 2025 and
WMP(MD) No.26419 of 2025

P.Durairasan

... Petitioner

Vs

1.Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Rep. by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region,
Trichy.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS, directing the respondents to forthwith provide the suitable alternative employment to the Petitioner on permanent basis at Jayamkondam Branch of 1st Respondent corporation and post him in any suitable post with light duty along with pay protection,



W.P(MD)No.33480 of 2025

continuity of service and back wages from the date of disengagement i.e., from 21.10.2025 to till the date on which the petitioner 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.K.Ramaiah
Standing Counsel

ORDER

This petitioner is working as a driver in the respondent Corporation with effect from June 2007. He claims that he is having certain ailment in his spinal cord and therefore he could not continue his work as a driver. Hence, he requested the respondent Corporation to provide an alternative employment, however, it was not considered. Therefore, this petitioner is before this Court with this writ petition.

2.The learned counsel appearing for the petitioner submits that the petitioner has suffered with cervical spondylosis,



W.P(MD)No.33480 of 2025

while he was in service. Therefore, he was referred to Medical Board of Rajiv Gandhi Government General Hospital, Chennai and based on the opinion of the Medical Board, he was provided with an alternative employment as Helper to the Mechanic at Jayamkondan Branch, Trichy, however, the alternative employment provided to him was stopped with effect from 11.10.2025, without giving any notice. Moreover, he was not paid with salary from 21.10.2025 to till date. Therefore, the petitioner has submitted representations on various dates that as per Section 20(4) of the Rights of Persons with Disabilities Act, 2016, the respondent Corporation has to provide an alternative employment with pay protection. Even then, there is no response from the respondents. Therefore, the petitioner has approached this Court. The petitioner has also enclosed the relevant medical records.

3.The learned Standing Counsel appearing for the respondent Transport Corporation submits that based on the petitioner's request for alternative employment, he was referred to



W.P(MD)No.33480 of 2025

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the Medical Board. The Medical Board has also submitted its report on 23.04.2025. Considering the report of the Medical Board, this petitioner was provided with an alternative employment. He was once again referred to the Medical Board and based on the recommendations of the Medical Board, this petitioner was suggested to work as a Conductor. However, this petitioner has not reported to the duty.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner, who is working as a driver in the respondent Corporation claims that he has suffered with some injury in his spinal cord, while he was in service and therefore, he is unable to continue his work as a driver. The same has also been confirmed by the Medical Board. Based on the report of the Medical Board, the petitioner was provided with an alternative employment. Thereafter, it was stopped and no salary has been paid to him. Moreover, he was



W.P(MD)No.33480 of 2025

insisted to work as a Conductor. When the petitioner was diagnosed with cervical spondylosis, asking him to perform the duty of a Conductor would amount to cruelty.

6. In view of the above, the respondent Transport Corporation is directed to provide an alternative employment to the petitioner as per the Right of Persons with Disabilities Act, 2016, with pay protection. Accordingly, this writ petition is allowed. No costs. Consequently, connected Miscellaneous petition is closed.

16.12.2025

NCC: Yes/No
Index:Yes/No
vrn



W.P(MD)No.33480 of 2025

To
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W.P(MD)No.33480 of 2025

B.PUGALENDHI, J.

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