

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

WP(C).No. 5093 of 2012 (J)

PETITIONER:

DR.K.PREETHY, AGED 40 YEARS
HOD-IN-CHARGE
DEPARTMENT OF MUSIC, SREE SANKARACHARYA
UNIVERSITY OF SANSKRIT,
KALADY, RESIDING AT 'POOJA', HOUSE NO.VIII/383 C
CANAL ROAD, KALADY.

BY ADV. SMT.R.RANJINI

RESPONDENTS:

1. DR.RESMI.R.CHANDRAN
HARI NIVAS, T.C. 78/4360, BEACH (P.O)
THIRUVANANTHAPURAM - 695007.

2. THE REGISTRAR
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT, KALADY
ERNAKULAM - 683574.

3. KERALA LOK AYUKTA REPRESENTED BY THE REGISTRAR,
OFFICE OF THE KERALA LOK AYUKTA, LEGISLATURE COMPLEX
VIKAS BHAVAN P.O., THIRUVANANTHAPURAM - 33.

R2 BY ADV. SRI.ARUN B.VARGHESE,SC, SREE SANKARACHARYA UTY.

R3 BY ADV. SMT.RENU. D.P., SC, LOK AYUKTA

R BY RENU .D.P,SC,LOK AYUKTA

R BY SRI.P.C.SASIDHARAN,SC,SREE SANKARACHARY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
08-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS

EXT.P-1 THE PHOTOCOPY OF THE ORDER DATED 21.10.2009

EXT.P-2 THE PHOTOCOPY OF THE COMPLAINT DATED 12.1.2012 SUBMITTED
BY THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS : NIL

TRUE COPY

PA TO JUDGE

P.V.ASHA, J.

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Dated this the 8th day of October, 2015

JUDGMENT

This writ petition is filed by the Head of the Department in charge of the Department of Music in Sree Sankaracharya University of Sanskrit against the complaint preferred by the first respondent, before the Lok Ayukta in respect of her termination from service.

2. I heard learned counsel appearing for the petitioner, learned standing counsel appearing for the University and learned standing counsel appearing for Lok Ayukta. Even though notice was served on the first respondent, she has not entered appearance.

3. The first respondent was appointed as a Lecturer in the Department of Music on temporary basis from June 2009 to October 2009 and her services were terminated on 21.10.2009. Ext.P2 complaint is seen filed after more than 2½ years, on 2.3.2012 alleging that it was at the instance of the petitioner that her services happened to be terminated. She also alleges

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:2:

complaint against the University, saying that the salary due to her was not paid. On a perusal of the complaint, I am unable to find any allegation relating to corruption either connecting the petitioner or the University.

In view of the fact that the termination was effected as early as on 21.10.2009 and in the complaint, the 1st respondent has not pointed out any instances of corruption, I am of the view that Ext.P2 complaint is liable to be set aside, without going into the larger questions of law urged and the writ petition is liable to be allowed. Hence Ext.P2 complaint is set aside.

The writ petition is allowed accordingly.

**P.V.ASHA,
JUDGE.**

rkc