

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

WP(C).No. 18476 of 2009 (D)

PETITIONER:

**DR.K. VASANTHAKUMAR,
AGED 57 YEARS, PROFESSOR AND HEAD OF THE
DEPT. OF PROCESSING TECHNOLOGY
COLLEGE OF AGRICULTURE, VELLAYANI, THIRUVANANTHAPURAM.**

BY ADV. SRI.K.RAVIKUMAR

RESPONDENTS:

- 1. THE REGISTRAR, KERALA AGRICULTURAL
UNIVERSITY, VELLANIKARA, THRISSUR.**
- 2. COMPTROLLER, KERALA AGRICULTURAL
UNIVERSITY, VELLANIKKARA, MANNUTHY.**
- 3. DEPUTY COMPTROLLER, INTERNAL
AUDIT CIRCLE, COLLEGE OF ATRICULTURE, VELLAYANI
THIRUVANANTHAPURAM.**

**BY ADV. SRI.K.P.MUJEEB S.C
R1 & 2 BY ADV. SRI.BABU JOSEPH KURUVATHAZHA,SC,KERALA
AGRICULTURAL UNIVERSITY
BY SRI.RENJITH THAMPAN,SC,KERALA AGRL.UTY**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

- P1 : TRUE COPY OF THE JUDGMENT DATED 6.8.2007
- P2 : TRUE COPY OF THE ORDER DATED 22.4.2008 ISSUED BY THE RESPONDENT
- P3 : TRUE COPY OF THE PROCEEDINGS OF THE UNIVERSITY DATED 13.9.2007
- P4 : TRUE COPY OF THE ORDER NO.GA C2/23346/99 DATED 27.5.2008 ISSUED BY THE RESPONDENT
- P5 : THE STATEMENT OF FIXATION OF PAY AND ALLOWANCES OF THE PETITIONER UNDER 1986 UGC SCHEME AS ASSOCIATE PROFESSOR W.E.F. 27.12.1989
- P6 : THE STATEMENT OF FIXATION OF PAY AND ALLOWANCES OF THE PETITIONER UNDER 1996 UGC SCHEME AS ASSOCIATE PROFESSOR W.E.F. 1.1.1996
- P7 : TRUE COPY OF THE STATEMENT OF FIXATION OF PAY AND ALLOWANCES OF THE PETITIONER AS PROFESSOR (HORTICULTURE) UNDER 1996 UGC SCHEME W.E.F. 2.7.1998
- P8 : TRUE COPY OF THE STATEMENT
- P9 : TRUE COPY OF THE STATEMENT SHOWING THE ARREARS DUE TO THE PETITIONER FROM 1.1.1996 TO 29.2.2008
- P10 : TRUE COPY OF THE STATEMENT SHOWING TOTAL AMOUNT OF ARREARS
- P11 : TRUE COPY OF THE STATEMENT SHOWING THE DETAILS OF MONTHLY WISE ARREARS OF 1996 UGC SCHEME FROM 1.1.1996 TO 31.5.2000
- P12 : TRUE COPY OF THE STATEMENT SHOWING THE DETAILS OF MONTHLY WISE ARREARS OF 1996 UGC ARREARS FROM 1.6.2000 TO 18.6.2002
- P13 : TRUE COPY OF THE STATEMENT SHOWING THE DETAILS OF MONTHLY WISE ARREARS FROM 19.6.2002 TO 5.11.2005
- P14 : TRUE COPY OF THE STATEMENT SHOWING THE DETAILS OF MONTHLY WISE ARREARS STATEMENT FROM 6.11.2005 TO 28.2.2008
- P15 : TRUE COPY OF THE REPRESENTATION DATED 9.2.2009

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 18476 of 2009 (D)

Dated this the 3rd day of September, 2015

J U D G M E N T

The petitioner who was working as Professor and Head of Department of Processing Technology at the College of Agriculture, Vellayani, is aggrieved by the non-regularization of the period of suspension between 12.4.1996 to 1.12.1996.

2. The petitioner during the said period was suspended on the allegation of irregularities alleged in the purchase and sale of plant seeds, seedlings and planting materials. A case is said to have been registered against the petitioner by the Vigilance and Anti Corruption Bureau, Thiruvananthapuram, which was later referred on the V.A.C.B., filing a final report as 'mistake of facts'. The petitioner claimed regularization of the suspension period so also payment of the balance amount due as salary and allowances, as early as on 27.10.2009.

3. The Standing Counsel for the University had submitted before this Court that already orders have been issued sanctioning the arrears pursuant to Exts.P3 and P4 and steps are being taken to disburse the amounts. Though, it was also submitted that statement is filed, no statement is seen in the records.

4. When the matter was taken up today, neither the counsel for the petitioner nor the Standing Counsel for the University appeared. In such circumstance, in all probability, the arrears would have been paid. If not paid till now, definitely, the petitioner could challenge such action/omission; contrary to the submission made before this Court in the above writ petition.

The writ petition stands closed.

Sd/-
K.VINOD CHANDRAN,
JUDGE