

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

WP(C).No. 24372 of 2015 (V)

PETITIONER:

**ROBINS.N.J AGED 52 YEARS
NADUVILE VEEDU, CHOONDY
ERUMATHALA P.O.ALUVA - 683 112.
(LOWER DIVISION TYPIST UNDERSUSPENSION ST.PAUL'S COLLEGE,
KALAMASSERY).**

**BY ADVS.SRI.A.JAYASANKAR
SRI.C.V.MANUVILSAN
SRI.MANU GOVIND**

RESPONDENTS:

- 1. MAHATMA GANDHI UNIVERSITY
REPRESENTED BY ITS REGISTRAR, PD HILLS P.O.
KOTTAYAM - 686 560.**
- 2. VICE CHANCELLOR
MAHATMA GANDHI UNIVERSITY
PD HILLS P.O.KOTTAYAM - 686 560.**
- 3. DIRECTOR OF COLLEGIATE EDUCATION
VIKAS BHAVAN P.O., THIRUVANANTHAPURAM 695 033.**
- 4. ST.PAUL'S COLLEGE, KALAMASSERY
HMT COLONY P.O. 683 503 REPRESENTEDBY ITS MANAGER.**

**R4 BY ADV. SRI.ANTONY MUKKATH
R1,R2 BY ADV. SRI.VARUGHESE M.EASO, SC, M.G.UNIVERSITY
R3 BY GOVERNMENT PLEADER SMT. M.J. RAJASREE**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P-1: COPY OF THE SHOW CAUSE NOTICE ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER ON 13.4.2015
- EXT.P-2: COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT DATED 24.4.2015
- EXT.P-3: COPY OF THE SUSPENSION ORDER DATED 30.4.2015 ISSUED BY THE 4TH RESPONDENT
- EXT.P-4: COPY OF THE ORDER DATED 20.7.2015 FROM THE 4TH RESPONDENT TO THE PETITIONER
- EXT.P-5: A COPY OF THE REPRESENTATION DATED 24.7.2015 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT
- EXT.P-6: COPY OF CHARGE SHEET DATED 16.10.2015 ISSUED BY THE FOURTH RESPONDENT
- EXT.P-7: COPY OF EXPLANATION DATED 16.10.2015 SUBMITTED BY THE PETITIONER
- EXT.P-8: COPY OF ORDER DATED 17.10.2015 ISSUED BY THE FOURTH RESPONDENT

RESPONDENTS' EXHIBITS

- R4(A) : PHOTOCOPY OF THE COMPLAINT DATED 23.03.2015 (WRONGLY WRITTEN AS 23.03.2012)
- R4(B) : PHOTOCOPY OF THE COMPLAINT DATED 17.03.2015
- R4(C) : PHOTOCOPY OF THE REPORT DATED 26.03.2015
- R4(D) : PHOTOCOPY OF THE STATEMENT DATED 26.03.2015
- R4(E) : PHOTOCOPY OF THE LETTER DATED 26.03.2015
- R4(F) : PHOTOCOPY OF THE REPORT NO.SPC/101/DP/2015 DATED 11.09.2015 OF THE ST.PAUL'S COLLEGE
- R4(G) : PHOTOCOPY OF THE CHARGE MEMO NO.SPC/150/MP/7509 DATED 16.10.2015 OF THE ST.PAUL'S COLLEGE

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 24372 of 2015 (V)

Dated this the 16th day of December, 2015

J U D G M E N T

The petitioner was suspended, on allegations of misconduct, initially on 30.04.2015 (Ext.P3). The suspension of the petitioner was extended for various periods and even now the petitioner remains out of service on suspension but no proceeding is said to have been issued to constitute an enquiry against the allegations levelled.

2. The learned Counsel appearing for the 1st respondent, on the basis of the counter affidavit, contends that a charge sheet has been issued as on 16.10.2015, but, however, no enquiry proceedings have been constituted as of now. The learned Counsel would also submit that the petitioner has filed his objections

and in such circumstance an enquiry officer will be appointed and the enquiry will be completed at any rate within three months from the date of this judgment. If the enquiry is not completed within the said period, the petitioner shall be reinstated in service, however, with liberty to continue the enquiry. It is also made clear that the petitioner shall co-operate with the enquiry proceedings.

With the above directions, the writ petition would stand closed, however, making it clear that all contentions of either parties are left open. No costs.

Sd/-
K.VINOD CHANDRAN,
JUDGE