

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

WP(C).No. 31425 of 2015 (C)

PETITIONER:

**THE MANAGER, S.N.L.P.SCHOOL, VETTIKATTIRI, ATTOOR P.O.,
MULLURKKARA (VIA), THRISSUR DISTRICT PIN 680 583.**

**BY ADVS.SRI.C.D.DILEEP
SMT.SHYLAJA VARGHESE
SMT.P.K.PAMALA**

RESPONDENTS:

- 1. DIRECTOR OF PUBLIC INSTRUCTIONS,
SECRETARIAT ANNEXE, THIRUVANANTHAPURAM, 695 001.**
- 2. THE STATE OF KERALA, REPRESENTED BY ITS SECRETARY TO
GOVERNMENT, GENERAL EDUCATION (S) DEPARTMENT,
GOVERNMENT SECRETARIAT ANNEX, THIRUVANANTHAPURAM 695 001**
- 3. SEBIN FRANCIS K., KONIKKARA HOUSE,
CHIRANELLOOR P.O., KECHERY, THRISSUR DISTRICT 680 501.**
- 4. THE ASSISTANT EDUCATIONAL OFFICER,
ASSISTANT EDUCATION OFFICE, VADAKKANCHERRY,
THRISSUR DISTRICT PIN 680 582.**

BY GOVERNMENT PLEADER SMT. A. LOWSY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

- P1 : TRUE COPY OF THE CHARGE MEMO WITH THE STATEMENT OF ALLEGATIONS DATED 19.11.2014 GIVEN TO THE 3RD RESPONDENT**
- P2 : TRUE COPY OF THE GOVERNMENT ORDER G.O.(RT) NO.2402/2015/G. EDN DATED 17.06.2015**
- P3 : TRUE COPY OF THE NOTICE NO.VI/55907/2015/DPI DATED 23.09.2015 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER**

RESPONDENT'S EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 31425 of 2015 (C)

Dated this the 16th day of October, 2015

J U D G M E N T

The petitioner was aggrieved with the enquiry initiated by the 1st respondent and the notice sent at Ext.P3, since the delinquent employee was not issued with notice.

2. The enquiry was scheduled yesterday (15.10.2015). This Court on admission had specifically posted to today to verify as to whether the delinquent employee would appear or not.

3. The learned Government Pleader submits, on instructions, that since there was an omission insofar as not including the delinquent employee's name in Ext.P3, the 1st respondent had, through the A.E.O., served summons on the delinquent employee and he had also appeared yesterday. An enquiry is also said to have been conducted, which the petitioner alleges was not in compliance with Rule 75 of Chapter XIVA of Kerala Education Rules, 1959. That would

be a contention which the petitioner could take up after the enquiry report is looked into.

Recording the submission of the learned Government Pleader and leaving all contentions open, of either parties, the writ petition would stand closed.

Sd/-
K.VINOD CHANDRAN,
JUDGE

//True Copy//

P.A. to Judge