



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRAN

&

THE HONOURABLE MR. JUSTICE MURALEE KRISHNA S.

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA, 1947

W.A.NO.567 OF 2025

AGAINST THE JUDGMENT DATED 28.02.2025 IN W.P.(C)NO.8212 OF
2025 OF THE HIGH COURT OF KERALA

APPELLANT/PETITIONER:

NOUSHAD T. P., AGED 48 YEARS
(ORKGEMP-146) S/O. MOIDUNNI, WORKING AS LDV DRIVER,
LIVESTOCK RESEARCH STATION THIRUVAZHAMKUNNU, KERALA
VETERINARY AND ANIMAL SCIENCES UNIVERSITY,
THIRUVAZHAMKUNNU P.O, PALAKKAD DISTRICT, RESIDING AT
THIRUVALAPPATTA HOUSE, ALANNUR VIA, THIRUVAZHAMKUNNU
P.O, PALAKKAD DISTRICT, PIN - 678601

BY ADVS. BASIL CHANDY VAVACHAN
B.PREMNATH (E)
CHARUTHA BHAIJU
CHANDHANA BHAIJU
BASIL SAJAN
FATHIM NAVAS
KAVYA RANI JAYAPRAKASH
LEKSHMI PRIYA V.
ANJANA V.
MUHAMMED SHUHAIB A.S.

RESPONDENTS/RESPONDENTS:

- 1 THE VICE CHANCELLOR
KERALA VETERINARY AND ANIMAL SCIENCES UNIVERSITY,
POOKODE, LAKKIDI P.O, WAYANAD DISTRICT, PIN - 673576
- 2 THE KERALA VETERINARY AND ANIMAL SCIENCES UNIVERSITY,
POOKODE, LAKKIDI P.O., WAYANAD DISTRICT,
REPRESENTED BY ITS REGISTRAR, PIN - 673576



- 3 THE JOINT REGISTRAR,
KERALA VETERINARY AND ANIMAL SCIENCES UNIVERSITY,
OFFICE OF THE REGISTRAR, POOKODE, LAKKIDI P.O.,
WAYANAD DISTRICT, PIN - 673576
- 4 THE CHAIRPERSON,
INTERNAL COMPLAINTS COMMITTEE, LIVESTOCK RESEARCH
STATION THIRUVAZHAMKUNNU, KERALA VETERINARY AND ANIMAL
SCIENCES UNIVERSITY, THIRUVAZHAMKUNNU P.O, PALAKKAD
DISTRICT, PIN - 678601

OTHERS PRESENT

SRI.MANU GOVIND, SC FOR VETERINARY AND ANIMAL SCIENCES
UNIVERSITY

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 03.04.2025,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



JUDGMENT

Anil K. Narendran, J.

The appellant filed W.P.(C)No.8212 of 2025 before this Court, invoking the writ jurisdiction under Article 226 of the Constitution of India, seeking a declaration that the inquiry conducted by the Internal Complaints Committee headed by the 4th respondent Chairperson, against the petitioner, is per se illegal and without proper jurisdiction. The petitioner has also sought for a writ of certiorari to quash Ext.P3 order dated 22.02.2025 and Ext.P4 order dated 24.02.2025 issued by the 3rd respondent Joint Registrar of the 2nd respondent Kerala Veterinary and Animal Sciences University.

2. The learned Single Judge, by the impugned judgment dated 28.02.2025, disposed of the writ petition by directing respondents 3 and 4 to conclude the inquiry proceedings against the appellant-petitioner, as expeditiously as possible, at any rate, within a period of two months. Before the learned Single Judge, it was submitted that the petitioner is barred from entering into the premises of the Livestock Research Station. Therefore, in the judgment, it was made clear that the petitioner may enter the centre for receiving the relieving order and if the inquiry is being conducted within the premises of the said center, for participating in the inquiry also.

3. Feeling aggrieved by the judgment of the learned Single Judge, the appellant-petitioner is before this Court in this writ appeal,



invoking the provisions under Section 5(i) of the Kerala High Court Act, 1958.

4. On 27.03.2025, when this writ appeal came up for admission, it was brought to the notice of this Court that an order dated 26.03.2025 had been issued by the Registrar of the 2nd respondent University.

5. Heard the learned counsel for the appellant-petitioner and the learned Standing Counsel for Kerala Veterinary and Animal Sciences University for the respondents.

6. Along with I.A.No.2 of 2025, the respondents have placed on record Annexure R3(a) order No.KVASU/GA/C3/1264/ 2025(3) dated 26.03.2025 issued by the Registrar of the 2nd respondent University, whereby Exts.P3 and P4 orders, which were under challenge in W.P.(C)No.8212 of 2025, stand withdrawn. By that order, the appellant-petitioner has been placed under suspension, pending initiation of disciplinary proceedings.

7. Having considered the submissions made by the learned counsel for the appellant-petitioner and also the learned Standing Counsel for the 2nd respondent University, we find that in view of issuance of Annexure R3(a) order dated 26.03.2025, whereby Exts.P3 and P4 orders, which were under challenge in W.P.(C)No.8212 of 2025, stand withdrawn, this writ appeal can be disposed of without prejudice



to the right of the appellant to raise appropriate legal and factual contentions in the disciplinary proceedings proposed against him.

In the result, since Exts.P3 and P4 orders have already been withdrawn by Annexure R3(a) order dated 26.03.2025 issued by the Registrar of the 2nd respondent University, we deem it appropriate to dispose of this writ appeal, leaving open the legal and factual contentions raised by both sides, by making it clear that the observations or findings, if any, contained in the impugned judgment of the learned Single Judge, will not cause any prejudice to the right of the appellant-petitioner to raise appropriate legal and factual contentions in the disciplinary proceedings proposed against him.

Sd/-

ANIL K. NARENDRAN, JUDGE

Sd/-

MURALEE KRISHNA S., JUDGE

MIN



APPENDIX OF WA 567/2025

PETITIONER ANNEXURES

ANNEXURE A1

TRUE COPY OF THE ORDER IN REVIEW
PETITION NO. 319 OF 2025 ON THE
FILE OF THIS HONOURABLE COURT
DATED 18.03.2025

ANNEXURE A2

THE TRUE COPY OF THE MEDICAL
CERTIFICATE ISSUED BY DR.ASHOK
KRISHNAN, CONSULTANT
DIABETOLOGIST, TESLA DIAGNOSIS
CENTRE, A.K. TOWER, OPP.
GOVERNMENT HOSPITAL,
PERINTHALMANNA, DATED 20.02.2025

ANNEXURE A3

TRUE COPY OF THE SCAN REPORT OF
MY MOTHER BY NAME JAMEELA ISSUED
BY THE DEPARTMENT OF RADIOLOGY
AND IMAGING, EMS MEMORIAL CO-
OPERATIVE HOSPITAL AND RESEARCH
CENTRE, P.B.NO.25,
PERINTHALMANNA, PIN-679322,
MALAPPURAM DISTRICT, DATED
28.02.2025

RESPONDENT ANNEXURES

ANNEXURE R3 (A)

COPY OF THE ORDER NO.
KVASU/GA/C3/1264/2025 (3) DATED
26.03.2025