



2024:KER:33055

'C.R.'

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 9TH DAY OF APRIL 2024 / 20TH CHAITHRA, 1946

OP(KAT) NO. 109 OF 2024

AGAINST THE ORDER IN O.A (EKM)NO. 232/2024 DATED 22/2/2024
PASSED BY THE KERALA ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH
AT ERNAKULAM

PETITIONER:

DR REMA M,
AGED 55 YEARS
W/O. RADHAKRISHNAN NAIR M., ASSOCIATE PROFESSOR,
DEPARTMENT OF STATISTICS, GPM GOVERNMENT COLLEGE,
MANJESWARAM, HOSABETTU, MANJESWARAM, KASARGOD
DISTRICT, KERALA, RESIDING AT THANAL HOUSE, BENOOR,
PERUMBALA, KASARAGOD DISTRICT, PIN - 671317
BY ADVS.
NISHA GEORGE
GEORGE POONTHOTTAM (SR.)
A.L.NAVANEETH KRISHNAN



-:2:-

RESPONDENT/S:

- 1 THE DIRECTOR OF COLLEGIATE EDUCATION,
6TH FLOOR, VIKAS BHAVAN, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM, PIN - 695033
- 2 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,
HEAD POST OFFICE, ARAVINDGHOSH ROAD, MANANCHIRA,
MANANCHIRA, KOZHIKODE, PIN - 673001
- 3 THE PRINCIPAL,
GPM GOVERNMENT COLLEGE, MANJESWARAM, HOSABETTU,
MANJESWARAM P.O., KASARGOD DISTRICT, PIN - 671323

BY SR.GOVERNMENT PLEADER, SHRI A.J.VARGHESE

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY
HEARD ON 5/4/2024, ALONG WITH OP(KAT) .320/2023, THE COURT ON
9/4/2024 DELIVERED THE FOLLOWING:



-:3:-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

TUESDAY, THE 9TH DAY OF APRIL 2024 / 20TH CHAITHRA, 1946

OP(KAT) NO. 320 OF 2023

O.A. (EKM) .No.1183/2023 OF THE KERALA ADMINISTRATIVE TRIBUNAL,
ERNAKULAM

CRIME NO.143/2023 OF Kasaragod Police Station, Kasargod

PETITIONER/S:

DR REMA M,
AGED 55 YEARS
W/O. RADHAKRISHNAN NAIR M., ASSOCIATE PROFESSOR,
DEPARTMENT OF STATISTICS, GOVERNMENT COLLEGE,
VIDYANAGAR P.O., KASARGOD DISTRICT-671123, RESIDING AT
THANAL HOUSE, BENOOR, PERUMBALA, KASARAGOD DISTRICT,
PIN - 671317

BY ADVS.
NISHA GEORGE
A.L.NAVANEETH KRISHNAN
GEORGE POONTHOTTAM (SR.)



-:4:-

RESPONDENT/S:

- 1 THE DIRECTOR OF COLLEGIATE EDUCATION,
6TH FLOOR, VIKAS BHAVAN, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM, KERALA, PIN - 695033
- 2 THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,
HEAD POST OFFICE, ARAVIND GHOSH ROAD, MANANCHIRA,
MANANCHIRA, KOZHIKODE, KERALA, PIN - 673001
- 3 THE PRINCIPAL,
GOVERNMENT COLLEGE, KASARGOD, VIDYANAGAR P.O.,
KASARGOD DISTRICT, PIN - 671123
BY SR.GOVERNMENT PLEADER, SHRI A.J.VARGHESE

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY
HEARD ON 5/4/2024, ALONG WITH OP(KAT).109/2024, THE COURT ON
9/4/2024 DELIVERED THE FOLLOWING:



-:5:-

A.MUHAMED MUSTAQUE & SHOBA ANNAMMA EAPEN, JJ.

O.P.(KAT).Nos.320/2023 and 109/2024

'C.R.'

Dated this the 9th day of April, 2024

J U D G M E N T

A.Muhamed Mustaque, J.

The petitioner, while working as Principal-in-charge of Government College, Kasargod, faced unprecedented situations. The Students Federation of India complained about contaminated water served by the College. This was on 20/2/2023. The petitioner immediately asked the College Superintendent to take necessary action. Thereafter, on the same day, around 30 students belonging to SFI Union marched to her Chamber and gheraoed her. She was not allowed to move out of the Chamber. They squatted in her chamber without allowing her to move till 2 pm. The students were accompanied by certain outsiders. Thereafter, she was allowed to



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have food, and she returned after 10 minutes. The students did not allow teachers and other staff to sign the Register. They captured photos and videos of her, and ultimately, with the assistance of police, she was freed from the wrongful restraint caused by the students and outsiders. Again, on 21/2/2023, leaders of SFI Students wing, entered her chamber seeking an explanation on the actions taken regarding the supply of purified water. She provided the details of the action taken and also mentioned about samples taken by the Kerala Water Authority. On 22/2/2023, news spread across the State alleging that the petitioner verbally abused the students. This news is alleged to have been circulated by SFI students. On 23/2/2023, around 60 students belonging to SFI detained the petitioner from 10.30 onwards till 2.00 clock. She was not even allowed to attend the washroom. Furthermore, she was heckled by some of the female students. It was with the assistance of the police she was released from wrongful restraint. The police registered an FIR on 24/2/2023 on her information. SFI student leaders were accused of the offences committed against her. In the meanwhile, on 23/2/2023, she was discharged from the duties of the Principal. On 24/2/2023, she gave an interview to an online news



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channel called Marunadan Malayali. In that interview, she spoke about the immoral conduct of the students and the use of drugs among them. She mentioned witnessing physical relationships similar to those in marriage within closed classrooms and cautioned parents to take care of their daughters. She also narrated atrocities and illegal activities involving students belonging to SFI. On 2/3/2023, she received a show cause notice from the Director of Collegiate Education, alleging that her statements in the interview portrayed the students as antisocial, immoral, and drug users, thereby tarnishing the image of staff, teachers and the institution before the general public. This, according to the Director, lowered the dignity and reputation of the institution. Therefore, the petitioner was asked to explain as a prelude to disciplinary action. She gave a response on 18/3/2023, reiterating the immoral conduct of certain students. However, she clarified that she had not raised any aspersion against the entire student community. She stated that her daughter is also studying in that college. She explained that the interview was given as SFI leaders attempted to isolate her from the general public by creating manipulated audio clips and circulating them on social media. It



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is in response to this false propaganda that she gave the interview to the news channel.

2. It is apparent that the Director of Collegiate Education sought a report based on the complaint raised by one Shri Akshay M.K., Secretary, SFI Unit, Government College, Kasaragod. The Director constituted a committee for conducting inquiry composed of Deputy Director of Collegiate Education Dr.Sunil John J. and Professor Dr.Geetha E. and a Senior Clerk attached to the Directorate of Education, Shri Shyamlal.I.S. The report was submitted before the Government on 15/6/2023. The committee considered certain aspects based on the complaint by Shri Akshay, Secretary of SFI Unit. Interestingly, the scope of the inquiry was limited to the conduct of Dr. Rema, and the Directorate of Collegiate Education had not shown any interest in conducting any inquiry as against the alleged indisciplined actions of the students belonging to the SFI Unit. It appears that it was a one-sided inquiry to indict the petitioner rather than addressing disciplinary issues within the college. The committee recommended the following actions:



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i. Take action against the petitioner for her public statement in the interview to a news channel in violation of Rule 61 and 62 of the Government Servants' Conduct Rules, 1960.

ii. She should be transferred to some other college to maintain a congenial atmosphere for learning in the college.

iii. To constitute the committee to take preventive measures for avoidance of disputes through timely intervention.

3. The petitioner approached the Kerala Administrative Tribunal challenging the order discharging her from the duties of the Principal and transferring her to Government Arts and Science College, Koduvally. While the challenge was pending, the Tribunal directed her to be accommodated to a nearby college since she was due to retire soon. Accordingly, she was accommodated at G.P.M. Government College, Manjeswaram. The Tribunal did not interfere with the order discharging her from the role of Principal or the transfer order. This matter is under challenge in O.P.(KAT). No.320/2023. The petitioner retired on 31/3/2024. We, therefore,



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do not propose to interfere with the order of the Tribunal as O.P.(KAT).No.320/2023 has become infructuous.

4. O.P.(KAT). No.109/2024 was filed challenging an order of the Tribunal declining to interfere with the disciplinary action. The matter is still pending before the Tribunal. However, the order of the Tribunal indicates that it is a final order in as much as that the Tribunal directed to conclude disciplinary inquiry by an order dated 22/2/2024. It is seen recorded in the order that the petitioner sought expeditious disposal of disciplinary action. If that be so, there is no point for the tribunal in retaining the matter and for the petitioner in approaching this court raising a challenge against the disciplinary action. It is apparent that tribunal made a mistake in recording that the petitioner seeks a direction for time-bound disposal of the proceeding within her date of retirement; anyway that has not happened. Considering the petition, it is obvious as urged before this court, that the disciplinary action was initiated to prevent her from obtaining pensionary benefits immediately upon retirement.



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5. The Court or the Tribunal normally will not interfere with the charge memo as it is not for the Court to sift allegations and counter allegations like a primary authority. Nevertheless, nothing is preventing this Court from interfering with the charge memo, if on the face of the charge memo, the Court concluded that it was motivated by extraneous consideration and used as a weapon to oppress a public servant. The Court has a duty to safeguard the liberty of a citizen, and any encroachment upon such liberty through the arbitrary exercise of power certainly needs to be thwarted.

6. The scope of judicial review in disciplinary matters arises at two stages. At the first stage, the judicial review on the decision of the disciplinary authority to initiate disciplinary action. The second stage involves judicial review related to disciplinary proceedings itself. The judicial review is designed to prevent excess or abuse of power by public authorities. In regard to the first stage, the Court focuses its enquiry on a limited ground; abuse of power or existence of any extraneous consideration. In that process, the Court may also consider the



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nature of allegations set out in charge memo to proceed against the delinquent employee. If there are no factual grounds on the face of charge memo, the Court may take it seriously, as such proceedings to initiate disciplinary action would amount to abuse of power. In the second stage, the Court focuses on the fairness of procedure followed. The Court cannot review the fact finding as an appellate authority. However, the Court can very well examine whether the relevant materials have been relied upon to arrive at a conclusion. The Court is also competent to examine proportionality of the penalty imposed.

7. The following are the charges alleged against the petitioner:

i. The petitioner violated the Government servants' code of conduct under Rule 62 by giving an interview to the news channel Marunadan Malayalee by scandalising students and casting aspersions on feminine gender with predetermined notions and beliefs.



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ii. The petitioner did not obtain prior permission from the Government before giving an interview to the news channel and thus she violated Rule 63 of the Government Servants' Conduct Rules.

iii. She failed to resolve complaints relating to contaminated water amicably and she did not allow the students who came for discussion to sit in her chambers, and she misbehaved with such students.

iv. The petitioner's reference in the news channel that girl students are on an immoral path is an insult to the female students and that has caused mental stress to the female students.

v. She failed in discharging her duties with absolute integrity and devotion to duty as contemplated under Rule 3 of the Government Servants' Conduct Rules.

8. On seeing the generalisation of the memo of charges, we watched the interview given by the petitioner on the news channel in open Court. The entire memo of charges is based on the interview given to the news channel, except for charge No.iii which pertains to the alleged misbehaviour with the students who came to her



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chamber for resolving the complaint related to the contaminated water.

9. Before we advert to the alleged misconduct against her, we shall refer to Rule 62 and 63 of the Government Servants' Conduct Rules which reads thus:

62. Publication of documents and communications to the Press in the name of Government servants and public speeches.—No Government servant shall, in any document published by him or in any communication made by him to the Press or in any public utterance delivered by him, make any statement of fact or opinion which is capable of embarrassing:-

(a) the relation between the Government and the people or any section thereof;

(b) the relations between the Government and the Government of India; and

(c) the relations between the Government and any other Indian State, or any foreign country.

63. A Government servant who intends to publish any document or to make any communication to the Press or to deliver any public utterance containing statements in respect of which any doubt as to the application of the restrictions imposed by rule 62 may arise, shall submit to Government a copy or draft of the document which he intends to publish or of the .utterance which he intends to deliver, and shall thereafter act in accordance with such orders as may be passed by Government.



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Note:—The rules regarding discussion of Government policy and action and publication of documents and communications apply to the Advocate General, Government Pleaders, Public Prosecutors and other Part-time Government servants.

10. On a reading of Rule 62, it is clear that this Rule is related to the publication of documents and communications to the Press touching upon the affairs of the Government or in respect of the relationship between the Government and the people. We have neither seen in the charge memo nor in the interview that the petitioner had spoken against the Government or the relationship between the Government and the students. The charge memo does not mention any specific statement made out by her to the Press as against the Government.

11. In regard to violation of Rule 63, Rule 63 refers to prior consent from the Government in regard to any statement to be given to the Press which a Government servant believes that it may touch upon the application of the restrictions imposed in Rule 62. As we already noted, the charge memo does not allege that the petitioner has spoken against the Government. Therefore, Rule 62



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has no application and there is no requirement under Rule 63 to obtain prior permission.

12. In regard to other charges, it is true that she spoke against the SFI unit and its members. As we have seen from the interview, she also spoke against illegal activities involving former students who frequently used to come to college for illegal activities. Furthermore, she has spoken about girl students who misbehaved and manhandled her. She also narrated atrocities committed by SFI unit members and outsiders. If she had raised unsubstantiated allegations against members of SFI unit, the real aggrieved parties are the members of SFI unit and not the Government. The Government cannot assume that these are unsubstantiated allegations without conducting an inquiry by an independent authority or determining at a litigatory forum. Anyway, we are not concerned about those matters. The petitioner is a free citizen of this country. She cannot surrender her constitutional right of free speech and expression. The restriction is only in the manner as prescribed under law. Her constitutional right cannot be fettered beyond the restriction imposed by law.



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There are no restrictions placed on her under the relevant conduct rules regarding giving a Press interview or any matters not covered under Rule 62. One cannot be punished or penalised for exercising right of speech and expression. The petitioner has every right to defend her actions, and the interview she gave was merely a narration of indiscipline and immoral activities; whether true or not, it will not border misconduct ex-facie under the Government Servants' Conduct Rules. She may have attempted to substitute her subjective values as applicable to all students with a moral paternalist mindset. What one considers immoral may hold value to another. Expecting others to adhere to one's own ethos or preferences regarding modesty and chastity is unreasonable. Campuses are centers of neutral values. Everyone has freedom to live their own way of life and thinking, as long as it does not encroach upon or undermine discipline required for learning; in such cases, no legal action is possible. The petitioner might have failed to understand that society has moved from shared beliefs, attitudes and expectations to individualistic forms of hedonism. There has been a shift in cultural practices and beliefs which may not be acceptable to all. It is to be remembered that all forms of



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pattern of life have validation for protection in our Constitution. But anyway, we find that her social outlook and her expectation to reflect on the students are no reason to contempt her for disciplinary action.

13. The Court, while considering the matter in this light, also needs to protect her fundamental right. She might have erred in her opinion, but so long as that opinion does not fall within the purview of Rule 62, there is a valid reason to have her opinion well protected under the Constitution. A Government servant can be proceeded for disciplinary action either for violation of code of conduct as prescribed under the Government Servants' Conduct Rules or for any other conduct outside the rules which establishes that the conduct of such servant is unbecoming to the office of a government servant.

14. The last of the allegations leveled against the petitioner pertained to her failure to amicably settle the issue concerning contaminated water and alleged misbehaviour with the students. It is unfortunate that the Directorate of Collegiate Education did not conduct any inquiry as to the misdeeds and



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wrongful restraint of the petitioner by the members of SFI. The petitioner filed a criminal complaint as early as on 24/2/2023. Given that the Directorate of Collegiate Education did not conduct any independent inquiry into the alleged indiscipline activities of SFI members, it could not have proceeded against the petitioner on this charge. The failure to resolve an issue amicably cannot be attributed as misconduct. The students who gheraoed and restrained the petitioner appear to be the real culprits. We are yet to comprehend the right of the students to barge into the chamber of principal without permission and how they expect good treatment when they mistreat their own Principal. We note that the inquiry conducted in this matter was one-sided. The committee led by Dr.Sunil John had not conducted any inquiry as to the indiscipline and wrongful restraint of the Principal by the members of the SFI. It appears that the committee proceeded as though it was constituted to indict the petitioner. We are yet to understand how the Government and Director of Collegiate Education intend to respond to the situation. It is stated by the petitioner in the petition that SFI is a students' wing of the ruling party of Government. It is apparent that the Government acted on extraneous



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consideration rather than adopting a non-partisan approach. No action was initiated against the members of the SFI unit and no inquiry was conducted against them. Now it seems that those who wanted to bring discipline in the college have been disciplined. Instead of supporting the petitioner and initiating an investigation into her complaints against the students, the Government and Collegiate Education targeted her and portrayed her as a villain. She responded through the interview as she had been defamed on social media by the students belonging to SFI. She cannot be made to pay the price for that. Her right to speech and expression should not be infringed upon by unjust disciplinary actions on extraneous consideration. On the face of disciplinary charges, we conclude that it is legally unsustainable. We also note that the decision to initiate disciplinary action was vitiated due to extraneous consideration. Thus, we struck down the memo of charges. We find the disciplinary actions appear to be a form of oppression against a teacher who genuinely sought to protect the institution and its students and spoke out against wrongdoing. If the constitutional courts cannot provide relief, there will be little hope for those who perch in the dark.



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15. We conclude that the disciplinary action initiated against the petitioner was on extraneous considerations and lacked any application of mind for the following reasons:

i. The disciplinary action for violation of Rules 62 or 63 must have foundational facts alleging that a government servant is said to have published any document or communication in the Press or public address related to any of the enumerated grounds referable to sub clause a to c in Rule 62. No specific allegations have been raised in the charge memo constituting elements required to initiate disciplinary action for violating Rules 62 and 63. The interview also does not disclose any elements to attract misconduct as described above.

ii. The action initiated by the Director of Collegiate Education was based on the complaint raised by Akshay, the Unit Secretary SFI. In her response to the show cause notice, the petitioner provided details about the atrocities committed by the SFI Unit in campus, including an incident where three members manhandled her. She was wrongfully restrained by the members of the SFI unit and also mentioned that she was physically abused. She also mentioned that



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CCTV cameras would clearly establish the physical abuse meted out to her and that she was saved by timely intervention of the police. It is apparent that no inquiry was conducted against office bearers of the SFI unit and no action was taken against them. If the Directorate of Collegiate Education was truly interested in maintaining discipline in the college, an inquiry ought to have been conducted into the illegal activities attributed to the SFI Unit, including those incidents referred to in the response given by the petitioner.

iii. The inquiry ordered by the Collegiate Education and the report submitted based on the inquiry, lacked objectivity and lost its focus as it appears that it was constituted with an intention to take action against the petitioner rather than to ascertain the truth for the purpose of maintaining discipline in the college and to protect its reputation.

iv. There was no inquiry by the Collegiate Education in regard to the alleged false propaganda circulated in social media against the petitioner. Her interview was only to defend her actions. It appears that the Directorate of Collegiate Education surrendered



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its power to conduct an unbiased and independent inquiry and deal with the matter impartially.

16. While ordering disciplinary inquiry, the petitioner's explanation was not considered. If an independent inquiry had been conducted based on the counter-allegations raised by the petitioner, truth could have been brought on record. The failure in conducting an independent inquiry will show that disciplinary authority had acted in a partisan manner based on extraneous considerations.

I.A.Nos.2 and 3 of 2024:

17. After the matter was reserved for judgment on 22/3/2024 and we were about to pronounce the judgment, at this juncture, the petitioner's counsel mentioned that the petitioner was served with, yet another charge memo dated 24/3/2024. The petitioner in the above applications seeks to set aside and annul the charge memo dated 24/3/2024. We received the above charge memo on record. We heard again the matter on 2/4/2024 and posted it for further hearing on 5/4/2024 based on the fresh challenge. The learned Government



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Pleader submits that the original matter being a challenge under Article 227 of the Constitution, this Court should not entertain the challenge. Placing reliance on judgements of the Apex Court in **Union of India and others v. Upendra Singh [(1994) 3 SCC 357]**, **Union of India and another v. Kunisetty Satyanarayana [(2006)12 SCC 28]** **Union of India v. A.N Saxena [(1992)3 SCC 124]**, the learned Government Pleader submits that scope of departmental inquiry is limited. According to him, in regard to fresh challenge, the petitioner may be relegated to the Tribunal. We perused the fresh charges. These fresh charges are based on a complaint by a student as early as on 23/8/2022. The petitioner, while officiating as Principal, requested the student to appear with her father for admission to the College on 11/8/2022. We directed the learned Government Pleader to make available copies of the complaint. This file will form part of the records of this case. The student raised a complaint before the Registrar of Kannur University on 23/8/2022 alleging that she was denied admission to the College as she was accompanied only by her brother. The petitioner gave a reply as early as on 23/11/2022 stating that she insisted for presence of father as per the decision of PTA in anti-ragging forum



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and in anti-dowry forum, where parents are required to sign at the time of admission. It appears that the student questioned the petitioner's insistence to have the presence of the father and the petitioner appears to have responded asking her to get out of the room. The University Syndicate addressed this matter in its meeting dated 28/4/2023 and decided to conduct a hearing with the petitioner. Thereafter, the University by minutes dated 19/10/2023 recommended taking penal action against her. The recommendation indicates that the petitioner exceeded her authority by insisting on the presence of a parent or parents during the admission process. It is to be noted that the University did not make any findings regarding any misbehavior on the part of the petitioner in her interaction with the student. However, in the charge memo of disciplinary action it is alleged that the petitioner misbehaved with the student, despite no such finding being made by the University Syndicate. It is to be noted that insistence on having the presence of the father as directed by PTA was not taken into consideration by the University nor by the disciplinary authority, the Directorate of Collegiate Education. However, this cannot be considered as misconduct warranting disciplinary action.



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18. As we have already observed, the decision to initiate disciplinary action itself was vitiated by extraneous considerations. We cannot overlook this fact that the present charge memo issued on the eve of retirement is nothing but a continuation of the earlier charge memo to harass the petitioner for extraneous reasons. We would have been persuaded to accept the argument of the learned Government Pleader if the present charge memo requires a meritorious consideration by the Tribunal. We are not devoid of any jurisdiction. Article 226 is invoked to address oppression and abuse of power by the Executive and public officials. Our authority is not forfeited if it is evident from the records that officials are abusing their power for ulterior motives. If there are genuine concerns, the public officials ought to have initiated inquiry against SFI students and atrocities committed by them. We are sure that, in this matter, public officials misused their power to oppress the petitioner rather than for any justifiable cause. The motive behind issuing a fresh charge memo is clearly to harass the petitioner on the eve of her retirement. We have to use our power in extraordinary jurisdiction like this. Otherwise, it would betray the confidence on our justice



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dispensation system. We, therefore, also quash additional Ext.P4 charge memo and Ext.P5 allegations in the charge memo.

In the result, O.P.(KAT).No.320/2023 is dismissed as infructuous. O.P.(KAT).No.109/2024 is allowed. Impugned order is set aside. We hereby quash Annexure A16 charge memo and A17 statement of allegations as well as Exts.P4 and P5.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

Sd/-

SHOBA ANNAMMA EAPEN, JUDGE

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-:28:-

APPENDIX OF OP(KAT) 320/2023

PETITIONER ANNEXURES

- Annexure -A1 TRUE COPY OF F.I.R. NO. 143 OF 2023 DATED 24.02.2023 OF THE KASARGOD POLICE STATION
- Annexure -A2 TRUE COPY OF THE ORDER NO. B1/8493/2023/DCE THIRUVANANTHAPURAM DATED 23.02.2023 ISSUED BY THE 1ST RESPONDENT
- Annexure-A3 TRUE COPY OF THE E-MAIL COMMUNICATION DATED 26.02.2023 AT 20.01 HRS SENT BY THE APPLICANT TO THE PRINCIPAL OF THE 3RD RESPONDENT COLLEGE
- Annexure -A4 TRUE COPY OF THE SHOW CAUSE NOTICE BEARING NO.VC/9276/2023/DCE DATED 02.03.2023 ISSUED BY THE 1ST RESPONDENT
- Annexure -A5 TRUE COPY OF THE EXPLANATION DATED 18.03.2023 SUBMITTED BY THE APPLICANT TO THE 1ST RESPONDENT
- Annexure -A6 TRUE COPY OF THE E-MAIL COMMUNICATION DATED 22.02.2023 AT 11.05 PM SENT BY ONE AKSHAY M.K., SECRETARY, SFI, GOVERNMENT COLLEGE KASARGOD UNIT COMMITTEE TO THE HUMAN RIGHTS COMMISSION
- Annexure -A7 TRUE COPY OF THE E-MAIL COMMUNICATION SENT ON 25.02.2023 AT 1.21 PM BY ONE JYOTHISHA B. TO THE HUMAN RIGHTS COMMISSION
- Annexure -A8 TRUE COPY OF THE EXPLANATION DATED 28.03.2023 SUBMITTED BY THE APPLICANT TO THE 1ST RESPONDENT
- Annexure-A9 TRUE COPY OF THE EXPLANATION DATED 16.04.2023 SUBMITTED BY THE APPLICANT TO THE 1ST RESPONDENT.
- Annexure-A10 TRUE COPY OF THE ORDER NO. VC/9276/2023/DCE THIRUVANANTHAPURAM DATED 09.04.2023 ISSUED BY THE 1ST RESPONDENT
- Annexure-A11 TRUE COPY OF THE NOTICE NO. VC/9276/2023/DCE DATED 18.04.2023 ISSUED BY THE SENIOR ADMINISTRATIVE OFFICER FROM THE OFFICE OF THE 1ST RESPONDENT



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- Annexure-A12** TRUE COPY OF THE ORDER NO.
A2/26311/2023/DCE THIRUVANANTHAPURAM DATED
09.07.2023 ISSUED BY THE 1ST RESPONDENT TO
THE APPLICANT
- Annexure -A13** TRUE COPY OF THE URGENT NOTE NO.
B1/1225/2023/ GCKSD DATED 10.07.2023 ISSUED
BY THE 3RD RESPONDENT
- Annexure-A14** TRUE COPY OF THE GOVERNMENT ORDER BEARING
G.O. (P)NO. 3/2017/P & ARD DATED 25.02.2017
- Exhibit-P1** TRUE COPY OF THE OA(EKM) NO. 1183 OF 2023
FILED ON 13.07.2023 BEFORE THE KERALA
ADMINISTRATIVE TRIBUNAL, ERNAKULAM, ALONG
WITH ITS ANNEXURES
- Exhibit-P2** TRUE COPY OF THE SCREENSHOT OF THE WHATSAPP
CHAT EVIDENCING THE DIRECTIONS ISSUED BY
THE PRINCIPAL IN CHARGE DATED NIL.
- Exhibit-P3** TRUE COPY OF THE ORDER DATED 21.07.2023 IN
OA(EKM) NO. 1183 OF 2023 PASSED BY THE
KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM



-:30:-

APPENDIX OF OP(KAT) 109/2024

PETITIONER ANNEXURES

- Annexure A1 TRUE COPY OF F.I.R. NO. 143 OF 2023 DATED 24.02.2023 OF THE KASARGOD POLICE STATION
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- Annexure A4 TRUE COPY OF THE SHOW CAUSE NOTICE BEARING NO.VC/9276/2023/ DCE DATED 02.03.2023 ISSUED BY THE 1ST RESPONDENT
- Annexure A5 TRUE COPY OF THE EXPLANATION DATED 18.03.2023 SUBMITTED BY THE APPLICANT TO THE 1ST RESPONDENT
- Annexure A6 TRUE COPY OF THE E-MAIL COMMUNICATION DATED 22.02.2023 AT 11.05 PM SENT BY ONE AKSHAY M.K., SECRETARY, SFI, GOVERNMENT COLLEGE KASARGOD UNIT COMMITTEE TO THE HUMAN RIGHTS COMMISSION
- Annexure A7 TRUE COPY OF THE E-MAIL COMMUNICATION SENT ON 25.02.2023 AT 1.21 PM BY ONE JYOTHISHA B. TO THE HUMAN RIGHTS COMMISSION
- Annexure A8 TRUE COPY OF THE EXPLANATION DATED 28.03.2023 SUBMITTED BY THE APPLICANT TO THE 1ST RESPONDENT
- Annexure A9 TRUE COPY OF THE EXPLANATION DATED 16.04.2023 SUBMITTED BY THE APPLICANT TO THE 1ST RESPONDENT
- Annexure A10 TRUE COPY OF THE ORDER NO. VC/9276/2023/DCE THIRUVANANTHAPURAM DATED 09.04.2023 ISSUED BY THE 1ST RESPONDENT
- Annexure A11 TRUE COPY OF THE NOTICE NO. VC/9276/2023/DCE DATED 18.04.2023 ISSUED BY THE SENIOR ADMINISTRATIVE OFFICER FROM THE OFFICE OF THE 1ST RESPONDENT



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- Annexure A12 TRUE COPY OF THE ORDER NO. A2/26311/2023/DCE THIRUVANANTHAPURAM DATED 09.07.2023 ISSUED BY THE 1ST RESPONDENT TO THE APPLICANT
- Annexure A13 TRUE COPY OF THE URGENT NOTE NO.B1/1225/2023/GCKSD DATED 10.07.2023 ISSUED BY THE PRINCIPAL IN CHARGE OF GOVERNMENT COLLEGE, KASARGOD
- Annexure A14 TRUE COPY OF THE ORDER DATED 21.07.2023 IN O.A. (EKM)NO.1183/2023 PASSED BY THE HON'BLE TRIBUNAL
- Annexure A15 TRUE COPY OF THE INTERIM ORDER DATED 31.07.2023 IN O.P. (KAT) NO. 320/2023 PASSED BY THE HON'BLE HIGH COURT OF KERALA
- Annexure A16 TRUE COPY OF THE CHARGE MEMO BEARING NO. VC/9276/ 20223/DCE DATED 01.10.2023 ISSUED BY THE 1ST RESPONDENT
- Annexure A17 TRUE COPY OF THE STATEMENT OF ALLEGATIONS DATED NIL ISSUED TO THE APPLICANT BY THE 1ST RESPONDENT
- Annexure A18 TRUE COPY OF THE REPLY DATED 20.10.2023 SUBMITTED BY THE APPLICANT TO THE 1ST RESPONDENT ALONG WITH COVERING LETTER BEARING NO. B1/29/ 2023/GCMJSWM DATED 01.11.2023 ISSUED BY THE 3RD RESPONDENT
- Annexure A19 TRUE COPY OF THE LETTER NO. VC/9276/2023/DCE DATED 15.11.2023 ISSUED BY THE 1ST RESPONDENT TO THE APPLICANT ALONG WITH THE ENQUIRY REPORT DATED 15.06.2023 ISSUED BY THE ENQUIRY OFFICER AND DEPUTY DIRECTOR OF COLLEGIATE EDUCATION
- Annexure A20 TRUE COPY OF THE REPLY TO THE ENQUIRY REPORT SUBMITTED BY THE APPLICANT TO THE 1ST RESPONDENT (THROUGH PROPER CHANNEL) DATED 12.12.2023
- Annexure A21 TRUE COPY OF THE ORDER NO. VC/9276/2023/DCE THIRUVANANTHAPURAM DATED 15.01.2024 ISSUED BY THE 1ST RESPONDENT
- Annexure A22 TRUE COPY OF THE LETTER NO. B1/337/2024/ GCMJSWM DATED 02.02.2024 ISSUED BY THE 3RD



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RESPONDENT TO THE 1ST RESPONDENT, WITH
ENCLOSURE

Exhibit -P1 TRUE COPY OF THE O.A.(EKM)NO. 232 OF 2024
FILED BY THE PETITIONER BEFORE THE KERALA
ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH,
ERNAKULAM ON 09.02.2024.

Exhibit P2 TRUE COPY OF THE INTERIM ORDER DATED
22.02.2024 IN OA(EKM) NO. 232 OF 2024
PASSED BY THE HON'BLE KERALA ADMINISTRATIVE
TRIBUNAL, ADDITIONAL BENCH, ERNAKULAM

Exhibit -P3 TRUE COPY OF THE NOTICE
NO.A2/853/2024/DDCEKKD DATED 15.02.2024
ISSUED BY THE 2ND RESPONDENT

Exhibit P4 TRUE COPY OF THE CHARGE MEMO NO.
VC/47997/2023/DCE DATED 24.03.2024 ISSUED
BY THE DIRECTOR OF COLLEGIATE EDUCATION.

Exhibit P5 TRUE COPY OF THE STATEMENT OF ALLEGATIONS
ISSUED BY THE 1ST RESPONDENT

Exhibit P6 TRUE COPY OF THE ADMISSION FORM OF MS.
AKHILA CHANDRAN N. DATED 14.07.2022

Exhibit P7 TRUE COPY OF THE LETTER DATED 16.08.2022
SUBMITTED BY MS. AKHILA CHANDRAN N. TO THE
PRINCIPAL, GOVT. COLLEGE, KASARGOD

Exhibit P8 TRUE COPY OF THE COVERING LETTER NO.
B3/4247/ 2022/GCKSD DATED 30.11.2022 ISSUED
BY THE PETITIONER TO THE REGISTRAR KANNUR
UNIVERSITY ALONG WITH THE REPORT DATED
23.11.2022 ENCLOSED THEREWITH