

Krishnakumar. M, vs the District Educational Officer

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Court : Kerala Orders

Decided On : Feb-27-2023

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : WP(C)/38503/2022

Appellant : Krishnakumar. M,

Respondent : The District Educational Officer

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
MONDAY, THE 27TH DAY OF FEBRUARY 2023 / 8TH PHALGUNA,
1944 WP(C) NO. 38503 OF 2022 PETITIONERS: KRISHNAKUMAR. M,
AGED 49 YEARS S/O. BABY RAMAKRISHNAN, MANAGER,
S.D.V.M.A.L.P.SCHOOL, CHUNANGAD P.O., OTTAPALAM,
PALAKKAD 679 511, RESIDING AT MELEPURATH HOUSE,
MULANJUR POST, NELLIKURISSY, CHUNANGAD, OTTAPALAM,
PALAKKAD-679 511. PH: 9846508199. ELVIN PETER P.J.
K.R.GANESH GOURI BALAGOPAL ABHIJITH.K.ANIRUDHAN
SREELEKSHMI A.S. ANU JOSEPH RESPONDENTS: 1 THE DISTRICT
EDUCATIONAL OFFICER 2 THE ASSISTANT EDUCATIONAL

OFFICER 3 MR. SHAMEEM M.T, ARABIC TEACHER (UNDER SUSPENSION), S.D.V.M.A.L.P. SCHOOL, CHUNANGAD, RESIDING AT M.T. MANZIL, CHUNANGAD POST, OTTAPALAM, PALAKKAD 679 511. ADVOCATE GENERAL OFFICE KERALA T.MADHU C.R.SARADAMANI(S-891) SHAHID AZEEZ RENJISH S. MENON THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27.02.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.V.KUNHIKRISHNAN, J.

----- W.P.(C)No. 38503 of 2022
----- Dated this the 27th day of February,
2023

JUDGMENT

Counsel for the petitioner submitted that the matter is not pressed. Hence this writ petition is dismissed as not pressed. Sd/- P.V.KUNHIKRISHNAN SM JUDGE APPENDIX OF WP(C) 38503/2022 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE SUSPENSION ORDER DATED 13.11.2019 ISSUED BY THE PETITIONER TO Exhibit P2 TRUE COPY OF THE ORDER NO. D.3603/2019 DATED 25.11.2019 ISSUED BY THE 2ND RESPONDENT AEO EXTENDING THE SUSPENSION BEYOND 15 DAYS. Exhibit P3 TRUE COPY OF THE ORDER NO. MGT19B/2019 DATED 26.11.2019 ISSUED BY THE PETITIONER TO THE 3RD RESPONDENT. Exhibit P4 TRUE COPY OF THE ORDER NO. K.DIS./B4/1814/2020 DATED 09.06.2020 ISSUED BY THE 1ST RESPONDENT DEO. Exhibit P5 TRUE COPY OF THE ORDER NO. M.G./19B/2019

DATED 12.06.2020 ISSUED BY THE PETITIONER EXTENDING THE SUSPENSION OF THE 3RD RESPONDENT UNTIL THE FINALIZATION OF THE DISCIPLINARY PROCEEDINGS.

Exhibit P6 TRUE COPY OF MEMO OF CHARGES DATED 21.11.2019 TOGETHER WITH THE STATEMENT OF ALLEGATIONS ISSUED BY THE

PETITIONER TO Exhibit P7 TRUE COPY OF THE STATEMENT OF OBJECTION DATED 03.12.2019 SUBMITTED BY THE 3RD RESPONDENT TO THE PETITIONER. Exhibit P8 TRUE COPY OF THE COVERING LETTER DATED 27.10.2021 ISSUED BY THE 2ND RESPONDENT AEO TO THE PETITIONER MANAGER. Exhibit P9 TRUE COPY OF THE ENQUIRY REPORT PREPARED BY THE 2ND RESPONDENT AEO DATED 18.09.2021. Exhibit P10 TRUE COPY OF THE SHOW CAUSE NOTICE NO. M.G. 19B/2019 DATED 12.11.2021 ISSUED BY THE PETITIONER TO THE 3RD RESPONDENT. Exhibit P11 TRUE COPY OF THE REPLY DATED 13.12.2021 ISSUED BY THE 3RD RESPONDENT TO THE Exhibit P12 TRUE COPY OF THE SANCTION PETITION NO. M.G. 19B/2019 DATED 22.12.2021 SUBMITTED BY THE PETITIONER UNDER RULE 74 OF CHAPTER XIVA KER BEFORE THE 1ST RESPONDENT DEO.

Exhibit P13 TRUE COPY OF THE SANCTION ORDER

NO.K.DIS.B4/1562/2021 DATED 27.09.2022. Exhibit P14 TRUE COPY OF THE ORDER NO.M.G.19B/2019 DATED 19.10.2022 ISSUED BY THE PETITIONER TO THE 3RD RESPONDENT IMPOSING MAJOR PENALTY OF COMPULSORY RETIREMENT.

Exhibit P15 TRUE COPY OF THE COMMUNICATION NO.DEOOTP11128/2022-B4 DATED 09.11.2022 ISSUED BY THE 1ST RESPONDENT TO THE Exhibit P16 TRUE COPY OF THE SANCTION PETITION DATED 18.11.2022 ISSUED BY THE PETITIONER TO THE 1ST RESPONDENT DEO. Exhibit P17 TRUE COPY OF THE COMMUNICATION DATED 04.11.2022 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER. RESPONDENT EXHIBITS

EXHIBIT R1(a) TRUE COPY OF THE PROCEEDINGS ORDER

NO.K.Dis B4/1562/2021 OF THE DISTRICT EDUCATIONAL OFFICER,OTTAPALAM DATED 27- 09-2022 EXHIBIT R1(b) TRUE COPY OF THE LETTER NO.DEOOTP/11128/2022-B4 OF THE DISTRICT EDUCATIONAL OFFICER,OTTAPALAM DATED 9-11EXHIBIT R1(c) TRUE COPY OF THE REPORT OF THE ASSISTANT EDUCATIONAL OFFICER,OTTAPALAM UNDER

RULE 75 DATED 18-09-2021

EXHIBIT R1(d) TRUE COPY OF THE COMPLIANCE ORDER

NO.11511/DEOOTP DATED 28-12-2022 //TRUE COPY// PA TO JUDGE

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