



GOVERNMENT OF KERALA

Abstract

General Education Department – Judgment dated 15/11/2024 passed by the Hon'ble High Court of Kerala in WP(C) No. 2889/2020 filed by Dr.P.T.Sreekumar, Principal-In-Charge, K.K.M. Higher Secondary School, Vandithavalam, Palakkad- Complied with- Orders issued.

GENERAL EDUCATION (B) DEPARTMENT

G.O.(Rt)No.4166/2025/GEDN Dated,Thiruvananthapuram, 24-06-2025

Read 1 G.O(RT) 1262/2015/GEdn dated 27.03.2015

2 G.O.(Rt.)No. 2033/2015/GEDN dated 26.05.2015

3 G.O(Rt.)No.2941/2015/GEDN dated 21.07.2015

4 G.O(Rt)5660/2019/GEDN dated 26.12.2019

5 Judgment dated 15/11/2024 passed by the Hon'ble High Court of Kerala in WP(C) .No. 2889/2020 filed by Dr.P.T.Sreekumar

6 Letter no.HSE/661/2024-AcdA2 dated 11.06.2025 from the Director of General Education.

ORDER

While working as Higher Secondary School Teacher in KKM. H.S.S, Vandithavalam, Palakkad, Dr. P. T.Sreekumar, was deputed as a Deputy Chief Examiner at Government Boys Higher Secondary School, Chittur, Palakkad for the Higher Secondary Examination conducted during March, 2015. During the conduct of the aforesaid exam State level squad visited the aforesaid exam center on 17/03/2015. Then Dr.P.T.Sreekumar, misbehaved to the state level inspection team and sought for the identity card of the squad team members even though they showed the Government order evidencing their authority. There after vide Government Order read as 1st paper above, Dr.P.T.Sreekumar was placed under suspension from service pending disciplinary action invoking section 12 A of Kerala Education Act,1958 for the misconduct and for questioning of the authority of Government Level surprise inspection squad. As part of the detailed enquiry and disciplinary action Sri.Vinod G., Under Secretary to Government was

appointed as enquiry officer to conduct a detailed enquiry into the matter vide Government Order read as 2nd paper above. Later vide Government Order read as 3rd paper above, he was reinstated into service pending disciplinary action. He was served with Memo of Charges bearing no.40247/U3/2015/GEDN dated 18.01.2016. He has not furnished any explanation against the allegations mentioned in the Memo of Charges. In order to finalize the disciplinary action initiated against the incumbent in the matter Dr.P.P.Prakasan, Joint Director of O/o the Director of General Education(Higher secondary) was appointed as the enquiry officer for conducting enquiry vide Government Order read as 4th paper above. The Director of General Education has furnished a proposal for regularising the suspension period of Sri.P.T.Sreekumar vide letter read as 6th paper above.

2. Thereafter he filed WP(C) No.2889/2020 challenging the aforesaid suspension and the disciplinary action initiated against him and vide the judgment read as the 5th paper above, the Hon'ble Court find that Government failed completely in invoking disciplinary proceedings under Section 12A of the Act, as the parameters prescribed under the proviso to Section 12A have not been completed in toto, hence the Challenge made in the aforesaid Writ Petition was allowed by setting aside Ext.P13 Memo of Charges and its consequential Ext.P18 Government order dated 26/12/2019, and ordered to regularize the period of suspension of the petitioner between 27.03.2015 and 21.07.2015, that is 122 days, to consider the consequential benefits including the approval of appointment as the Principal and to disburse the benefits arising out of the above proceedings including DCRG and Commuted value of pension to the petitioner.

3. Government have examined the matter in detail. Since the MoC against Dr.P.T.Sreekumar has been quashed vide the judgment read as the 5th paper above, the matter related to the suspension leading to disciplinary action against the petitioner cannot be considered to have been initiated. In the circumstances the period of suspension of the petitioner from 27-03-2015 to 20-07-2015 is regularized as duty for all purposes including pay and allowances less the subsistence allowance already drawn and the intervening period from 21-07-2015 to the date of joining duty as joining time and /or leave due and admissible to him as per Note 2 below Rule 56B(9) of Part I KSRs. The Educational Officer concerned is directed to consider the consequential benefits including the approval of appointment as the Principal and to disburse the benefits arising out of the above

proceedings including DCRG and Commuted value of pension to the petitioner. Accordingly directions of the Hon'ble High Court in the judgment read as 5th paper above is thus complied with.

(By order of the Governor)
M RATHEESH
UNDER SECRETARY

To:

The Advocate General, Kerala, Ernakulam (with C/L)
The Director of General Education, Higher Secondary Education,
Thiruvananthapuram
The Regional Deputy Director, Higher Secondary Education,
Malappuram
The Accountant General (Audit/A&E), Kerala, Thiruvananthapuram
Dr.P.T.Sreekumar, Principal-In-Charge, K.K.M. Higher Secondary
School, Vandithavalam, Palakkad
Finance (Education-B) Department (Vide E:3182767/EDN-
B1/236/2025-FIN dated 23.06.2025)
Information and Public Relations (Web & New Media) Department
Stock File/ Office Copy

Forwarded /By order

Section Officer