

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

Monday, the 12th day of January 2026 / 22nd Pousha, 1947
WP(C) NO. 737 OF 2026

PETITIONER:

PROF. DR. K.S. ANIL KUMAR, AGED 51 YEARS, S/O KARUNAKARAN NAIR,
PRINCIPAL, KSMDB COLLEGE, SASTHAMKOTTA, KOLLAM, RESIDING AT
'SREEYAM', SOORANAD NADUVIL, ANAYADI PO, KOLLAM, PIN - 690561

RESPONDENT:

1. STATE OF KERALA, REPRESENTED BY ITS PRINCIPAL SECRETARY, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM , PIN - 695001
2. UNIVERSITY OF KERALA, REPRESENTED BY ITS REGISTRAR, PALAYAM, THIRUVANANTHAPURAM, PIN - 695034
3. THE VICE CHANCELLOR, UNIVERSITY OF KERALA, PALAYAM, THIRUVANANTHAPURAM, PIN - 695034
4. THE SYNDICATE, UNIVERSITY OF KERALA, PALAYAM, THIRUVANANTHAPURAM , PIN - 695034

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay all further proceedings pursuant to Exhibit P-12.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S P.RAMAKRISHNAN, PREETHI RAMAKRISHNAN , PRATAP ABRAHAM VARGHESE, MANOJKUMAR G., ASHOK MENON Advocates for the petitioners, GOVERNMENT PLEADER for R1 and of SRI. THOMAS ABRAHAM, STANDING COUNSEL for R2 and R4, the court passed the following:

P.V.KUNHIKRISHNAN, J.

W.P.(C) No. 737 of 2026

Dated this the 12th day of January, 2026

ORDER

Admit.

2. The learned Government Pleader takes notice for the 1st respondent. The learned Standing Counsel takes notice for the 2nd and 4th respondents. Issue urgent notice to the 3rd respondent.

3. The petitioner was working as the Registrar of the 2nd respondent University. Admittedly, the appointing authority of the Registrar of the University is the syndicate. The 3rd respondent Vice Chancellor invoked Section 10(13) of the Kerala University Act, 1974 (for short 'Act 1974') and issued Ext.P12 Memo of Charges. The very authority of the 3rd respondent to issue such a Memo of Charges itself is challenged in this Writ Petition.

4. This Court perused Section 10(13) of Act 1974. The same is extracted hereunder:

“(13) If at any time except when the Syndicate or the Academic Council is in session, the Vice-Chancellor is satisfied that an emergency has arisen requiring

him to take immediate action involving the exercise of any power vested in the Syndicate or the Academic Council by or under this Act the Vice-Chancellor may take such action as he deems fit, and shall, at the next session of the Syndicate or the Academic Council, as the case may be, report the action taken by him to that authority for such action as it may consider necessary."

5. Section 10(13) of Act 1974 says that, if at any time except when the Syndicate or the Academic Council is in session, the Vice-Chancellor is satisfied that an emergency has arisen requiring him to take immediate action involving the exercise of any power vested in the Syndicate or the Academic Council by or under this Act the Vice-Chancellor may take such action as he deems fit, and shall, at the next session of the Syndicate or the Academic Council, as the case may be, report the action taken by him to that authority for such action as it may consider necessary. I am surprised to see Ext.P12 Memo of Charges. What is the emergency situation arises to issue a Memo of Charges like Ext.P12 is not clear from it.

6. Counsel for the petitioner submitted that, after issuing Ext.P12 invoking Section 10(13) of Act 1974,

the same is not placed in the next syndicate meeting which was held on 24.12.2025. That itself shows that there is something behind Ext.P12.

7. This Court perused Ground B of the Writ Petition. I am of the *prima facie* opinion that Ext.P12 is issued by the Vice Chancellor without any authority. The 3rd respondent will explain why Section 10(13) of Act 1974 is invoked to issue a Memo of Charges to the petitioner treating it as an emergency situation.

All further proceedings based on Ext.P12 are stayed until further orders. The 3rd respondent can file counter affidavit and bring up the matter if there is any urgency.

Sd/-

**P.V.KUNHIKRISHNAN
JUDGE**

DM

APPENDIX OF WP(C) 737/2026

Exhibit P-12

**TRUE COPY OF LETTER DATED 16/12/2025 AND THE MEMO OF
CHARGES WITH THE DOCUMENTS REFERRED TO THEREIN SERVED
ON THE PETITIONER**

