



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 10TH DAY OF SEPTEMBER 2025 / 19TH BHADRA, 1947

WP(C) NO. 28246 OF 2025

PETITIONER:

PROF. DR. K.S. ANILKUMAR
AGED 51 YEARS
S/O. KARUNAKARAN NAIR, REGISTRAR,
UNIVERSITY OF KERALA, UNIVERSITY BUILDINGS, PALAYAM,
THIRUVANANTHAPURAM-695 034,
RESIDING AT SREE DHANYA APARTMENTS,
PONGUMMOODU, THIRUVNANTHAPURAM,
PIN - 695001

BY ADVS.
SRI.K.R.GANESH
SHRI.ELVIN PETER P.J. (SR.)
SHRI.ADARSH BABU C.S.
SMT.AHSANA E.
SHRI.ASHIK J. VARGHESE

RESPONDENTS:

- 1 THE UNIVERSITY OF KERALA
REPRESENTED BY ITS REGISTRAR, PALAYAM,
THIRUVANANTHAPURAM, PIN - 695034
- 2 THE VICE CHANCELLOR
UNIVERSITY OF KERALA, PALAYAM, THIRUVANANTHAPURAM,
PIN - 695034



3 THE REGISTRAR
UNIVERSITY OF KERALA, UNIVERSITY BUILDINGS, PALAYAM,
THIRUVANANTHAPURAM, PIN - 695034

ADDL.RESPONDENTS 4 AND 5 IMPEADED

ADDL.4 DR. PROF. RADHAMANY P.M.
D/O. P C MADHAVAN, EMIRETUS PROFESSOR,
DEPARTMENT OF BOTANY UNIVERSITY OF KERALA,
UNIVERSITY BUILDINGS, PALAYAM,
THIRUVANANTHAPURAM-, RESIDING AT 'ZANADU',
VALLATHODU, KARIAVATTOM.P.O.,
THIRUVANANTHAPURAM - 695 001

ADDL.5 P.S.GOPAKUMAR,
AGED 52 YEARS,
S/O. BALAKRISHNA PILLAI,
RESIDING AT PALAVILAPUTHEN VEEDU, KOLLAM
PIN - 690 521.
[ADDL.R4 & R5 IMPEADED AS PER ORDER DATED
06.08.2025 IN IA.1/2025 AND 3/2025 IN WP(C)
28246/2025]

BY ADVS.
SHRI.THOMAS ABRAHAM, SC, UNIVERSITY OF KERALA
SMT.GIRIJA K GOPAL
SRI.P.RAVINDRAN (SR.)
SHRI.P.ANIRUDHAN
SHRI.T.C.KRISHNA
SHRI.M.R.SABU
SMT.APARNA RAJAN
SRI.SREEDHAR RAVINDRAN
SMT.FATHIMA PARVEEN P.S.
SMT.K.N.VIGY
SMT.SOORYA MARIYA KURIAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 08.08.2025, THE COURT ON 10.09.2025 DELIVERED THE
FOLLOWING:



T.R. RAVI, J.

W.P.(C). No.28246 of 2025

Dated this the 10th day of September, 2025

JUDGMENT

The prayers in this writ petition are to quash Exts.P18, P20, P22 and P23 and to direct the 2nd respondent not to prevent the petitioner from discharging his duties as Registrar of the 1st respondent University. The petitioner has also sought for a declaration that Exts.P18, P20, P22 and P23 orders issued by the 2nd respondent are without any authority of law, arbitrary, unfair, unreasonable, discriminatory, violative of Article 14 of the Constitution of India, illegal, void and *non est*. The case of the petitioner is as follows;

2. The petitioner was appointed as Registrar of the University on 23.02.2021. The term of office was four years. Pursuant to orders of this Court in W.P.(C).No.6197 of 2025 filed by a Syndicate member, a meeting of the Syndicate was convened, and the petitioner was re-appointed as Registrar.

3. On 13.06.2025, the Secretary of Sree Padmanabha Seva



Samithi (hereinafter referred to as 'the Samithi') submitted Ext.P2 request to the petitioner to allot the Senate Hall of the University from 5.00 pm on 25.06.2025 for conducting a Seminar in connection with the 50th Anniversary of National Emergency in India. This was followed by Ext.P3 request dated 19.06.2025. According to the petitioner, on Ext.P3 request, the 2nd respondent endorsed the words "permitted as per rules".

4. Ext.P4 produced by the petitioner is the copy of the Rules and Regulations for allotment of the Senate Hall, issued on 16.08.2024. Rule 7 authorises the Registrar to cancel any reservation without prior notice. On 25.06.2025, according to the petitioner, at around 4.30 p.m., the Security Officer of the University submitted Ext.P5 statement alleging that the organisers of the Samithi had installed some religious emblems on the stage and the petitioner had directed the Public Relations officer of the University to inspect and report back. It is stated that the Public Relations Officer affirmed the allegation and requested to cancel the permission granted for using the Senate Hall. Ext.P6 is the copy of the report. It is stated that the petitioner was informed by the Security Officer and the Police Officials that students belonging to



different students Unions like the Kerala Students Union and the Students Federation of India were in altercation with students belonging to Akhila Bharatiya Vidyarthi Parishad and certain persons belonging to the RSS and there was a possibility of eruption of violence. The petitioner was hence requested to go over to the Senate Hall and take remedial measures. The petitioner states that he had requested the organisers to remove the photographs of religious symbols in order to avert any untoward incident and since the organisers were not willing, he had ordered to cancel the meeting, on the foot of Ext.P6. It is further stated that the organisers refused to accept the order and the same was mailed to them. Copy of the order of cancellation has been produced as Ext.P7.

5. The 2nd respondent issued Ext.P8 Note to the petitioner, calling for a report on the incident that happened on 25.06.2025. The petitioner submitted Ext.P9 report. On 02.07.2025, the 2nd respondent issued Ext.P10 order, suspending the petitioner from service, invoking Statute 19 of Chapter 4, Part III of the Kerala University First Statutes, 1977 (hereinafter referred to as 'the Statutes') and Section 10 (13) of the Kerala University Act



(hereinafter referred to as 'the Act'). The petitioner challenged Ext.P10 in W.P.(C).No.24724 of 2025. When the case came up for admission on 04.07.2025, this Court directed the Government Pleader and the Standing Counsel for the University to get instructions and posted the case on 07.07.2025. According to the petitioner, the 2nd respondent directed the Registrar in Charge to convene a Special Meeting of the Syndicate on 06.07.2025 with the Agenda "Finalise the statement of facts to be filed before the Hon'ble High Court of Kerala in W.P.(C)No.24724 of 2025". Ext.P12 is the copy of the notice of the meeting. The meeting commenced on 06.07.2025. The 2nd respondent placed a Note along with the draft statement of facts to be submitted to the Court. According to the petitioner, the Syndicate considered the issue regarding suspension and decided to revoke the suspension. A copy of the alleged minutes of the meeting containing the resolution to revoke the suspension has been produced as Ext.P14. It is stated that the Registrar in Charge on the same day issued an order reinstating the petitioner in service, revoking Ext.P10 order and relieved the Joint Registrar who was given charge of the post of the Registrar. Ext.P15 is stated to be the copy of the order. The petitioner claims to have



assumed office on the basis of Ext.P15 and Ext.P16 is alleged to be the copy of the certificate of transfer of charge.

6. On 07.07.2025, when W.P.(C).No.24724 of 2025 came up for admission, the counsel appearing for the petitioner submitted that the writ petition has become infructuous and requested permission to withdraw the writ petition. It is stated that the counsel appearing for the 2nd respondent had submitted that the order revoking suspension was bad in law. This Court by Ext.P17 judgment dismissed the writ petition as withdrawn observing as follows:

"Whether the decision of the Syndicate of the University is just, proper, legal and valid has to be decided by the appropriate authority/forum. As the said the said decision is not the subject matter of challenge in this writ petition, this Court would not like to comment on the functions and powers of the Syndicate. As the petitioner wants to withdraw this writ petition, the writ petition is dismissed as withdrawn. The decision of the Syndicate shall be considered and adjudicated by the appropriate authority if the same is challenged before the appropriate authority."

7. On 08.07.2025, the 2nd respondent issued Ext.P18 order, stating that the order of suspension is still in force and directing the petitioner not to enter the University campus and offices until further orders. It is stated that the meeting allegedly held on 06.07.2025,



was not convened or authorised by the 2nd respondent. The petitioner sent Ext.P19 reply to Ext.P18. This was followed by another order Ext.P20 dated 09.07.2025, reiterating that the suspension continues. In reply, the petitioner submitted Ext.P21 representation on 10.07.2025. On the same day, the 2nd respondent issued Ext.P22 Note to the effect that all files to be submitted to the Vice Chancellor, shall be routed only through the Registrar in Charge. On 29.07.2025, the 2nd respondent issued another notice Ext.P23, stating that none of the files shall be forwarded to the petitioner. The writ petition is filed in the above circumstances contending that the impugned orders are arbitrary, illegal, discriminatory, and without jurisdiction, and therefore liable to be set aside. It is contended that the 2nd respondent, being a statutory authority, is bound to act strictly within the limits of the powers conferred under the University Statutes, which do not include any authority to suspend the Registrar. It is further contended that even if such power is available under Section 10(13) of the Act, such an action must be placed before the Syndicate at its next meeting for ratification. It is further contended that once the Syndicate, after due consideration, decided to revoke Ext.P10 order and directed to



reinstate the petitioner, the 2nd respondent did not have any further authority.

8. The 2nd respondent has filed a counter affidavit. It is stated that the Chief Guest of the function was His Excellency the Governor of Kerala and all arrangements as per the protocol were made well in advance. It is stated that about one hour before the start of the event, the petitioner had called the 2nd respondent over phone and informed that a picture of Bharat Matha is placed on the stage, in violation of the condition that no religious prayers/speeches or lectures shall be made in the Senate Hall. The 2nd respondent states that after contacting the organisers and getting clarifications, he had directed the petitioner, not to interfere with the conduct of the programme, but the petitioner had, on his own, decided to cancel the permission given to use the Senate Hall and that the order was attempted to be communicated to the organisers at about 6 p.m, when the Hon'ble Governor was on the stage and National Anthem was being sung. It was also reported that the petitioner gave press briefing on the stage itself about cancellation of the permission granted for the programme. The said incident being one of serious security lapse, the Raj Bhavan Authorities had called for a



report on the incident as also for a report from the Registrar. Based on the same, the 2nd respondent had asked for a report from the Registrar. It is stated that the Registrar had informed about the receipt of Ext.P5 complaint of the Security Officer and Ext.P6 report of the Public Relations Officer and had also stated that, based on legal advice, he had filed a complaint against the organisers for using the hall without permission.

9. According to the 2nd respondent, the petitioner did not show due responsibility in diligently dealing with the situation, particularly when His Excellency The Governor, who is the Chancellor of the University as well, was attending the function. It is pointed out that though the petitioner had sought to justify his action on the basis of students' agitation, he did not even lodge a complaint regarding the alleged violent acts of antisocial elements who are said to have created a commotion, and instead had only lodged a complaint against the organisers for conducting the meeting without permission. It is stated that the audacity with which the petitioner cancelled the permission given to use the Senate hall, after the meeting commenced and when the Hon'ble Governor was attending the function cannot be viewed as so innocent an act and that the



University was unnecessarily dragged into a controversy and to disrepute solely due to the unmindful acts of the petitioner. It is also pointed out that the e-mail regarding cancellation of the programme was sent only at 6.36 p.m., when the function was underway. The 2nd respondent submits that the source of power to suspend is contained in Section 10(13), Chapter 3 of the Kerala University Act, 1974, which authorises him to act, if he is satisfied that an emergency has arisen requiring him to take immediate action involving the exercise of powers vested in the Syndicate by or under the Act. It is stated that the Syndicate ordinarily meets only once in two months and cannot be expected to manage day-to-day functions. It is contended that going by Statute 18(1)(a), Chapter 2 of the Kerala University First Statutes, 1977, the Registrar is the custodian of records of the University, and hence permitting the petitioner to continue in the post of Registrar would not only be inadvisable, but also not in the best interests of the University.

10. According to the 2nd respondent, 16 members of the Syndicate submitted a representation Ext.R2(f) on 05.07.2025 requesting the Vice Chancellor to convene a 'Special Meeting of the Syndicate at the earliest' to discuss and finalise the statement of



facts to be filed before the Hon'ble High Court of Kerala in WP(C) No. 24724/2025 as the Syndicate had been impleaded as the 5th respondent in the writ petition. On receipt of the request, Ext.P12 notice of the Special Meeting to consider the agenda mentioned in Ext.R2(f) was issued by the Registrar in Charge. It is stated that the Statement of Facts was annexed along with Ext.P13 Note to the Syndicate and the only purpose of the meeting was to finalise the same. It is stated that during the meeting, some of the members created obstructions by raising unnecessary demands to discuss even matters beyond the purview of the sole Agenda. It is stated that when discussions extended to the legality of the suspension order of the petitioner, the Chair had to object, for the following reasons: (a) sole requisition by Syndicate members as also the Agenda was only to finalise the statement of facts in WP(C) No.24724/2025 (b) in the absence of any request or representation by the suspended officer, who also has the statutory remedy of appeal against the suspension order under Statute 51 of Chapter 4 Part III of the Kerala University First Statutes, 1977, (c) it is not proper to consider the legality of the suspension order, when the petitioner has chosen to challenge his suspension before the Hon'ble



High Court and the matter is *sub judice*, following the rationale of the prescription regarding conduct of meetings of the Senate contained in Statute 7(vi), Chapter 5 of the Kerala University First Statutes, 1977. It is further stated that when the meeting got disorderly owing to the conduct of some members, who did not even allow the Chair to speak, the meeting was dissolved at around 1.15 p.m. It is pointed out that Exts.R1(d) and R1(e) will show that the meeting attended by 23 members. ended at 1.15 p.m. It is stated that though the Registrar in Charge was directed to leave the venue and submit the minutes of the meeting, which was dissolved at 1.15 p.m., the same was not done. It is contended that the subsequent meeting allegedly held at 1.30 p.m., is not a properly convened meeting and had only 19 participants, which goes to show that it was also not a continuation of the meeting that concluded at 1.15 p.m., and that, any decision taken at such a meeting is not valid in law. The production of two attendance registers along with the statement filed by the learned Standing Counsel is, by itself, conclusive of the indisputable fact that there were two separate meetings, one duly convened by the Vice Chancellor and the other claimed to have been conducted by some members of the Syndicate.



11. It is further pointed out that the lack of bonafides is evident from the fact that even without placing the alleged Ext.P14 resolution before the 2nd respondent for approval, the Registrar in Charge issued Ext.P15 letter on 06.07.2025, which was a Sunday. The grave mistakes in Exts.P15 and P16 are also pointed out, which would make it appear that it is the petitioner who has been relieved from the post of Registrar. It is also pointed out that Ext.P16 does not bear any order number by which the transfer of charge was made and that too in the forenoon of 06.07.2025. The counter affidavit also states about the events that took place later, after the visual media contained news about the petitioner assuming charge on 06.07.2025. It is stated that in spite of direction to submit a report, the Registrar in Charge who purportedly handed over charge, went on two days' leave. It is stated that the 2nd respondent then submitted a report dated 07.07.2025 to the Hon'ble Chancellor through e-mail detailing the entire sequence of events. The 2nd respondent states that in the place of Registrar in Charge Mr.P.Harikumar, Ext.R2(i) order was issued appointing Dr.Mini Dejo Kappen in full additional charge of the post of Registrar. It is pointed out that the existence of Exts.P15 and P16 is not mentioned in



Ext.R2(j) application. It is also pointed out that Exts.P15 and P16 orders do not find a place in the digital platform in which all the official records of the University are maintained. The rest of the averments in the counter affidavit are not really relevant for the decision in this case and are not extracted.

12. The Standing Counsel for the University has filed a statement on behalf of the 1st and 3rd respondents. There is apparent conflict in the contentions raised in the statement filed on behalf of the respondents 1 and 3 and the counter affidavit filed by the 2nd respondent. The Standing Counsel submits that he has been instructed on behalf of the University by the petitioner, in his capacity as the Registrar. This Court does not think it appropriate to make any comments about the above state of affairs, where the Registrar and the Vice Chancellor are at loggerheads, except to opine that it is unsavoury.

13. The statement largely supports the averments in the writ petition. Annexure R1(d) produced along with the statement is stated to be the true copy of the Attendance Register for the Special Meeting of the Syndicate held on 06.07.2025 which commenced at 11.00 a.m., which would show that 23 persons attended. It is stated



that the suspension proceedings were considered by the members and a majority of them opined that the suspension should be withdrawn. It is further stated that the meeting of the Syndicate continued with 19 members of the Syndicate by electing Dr.P.M.Radhamany, Member Syndicate as Chair as per the provisions of the Statute 1(2), Chapter 6 of the Kerala University First Statute 1977 and that the continued special meeting of the Syndicate commenced at 01.30 p.m. Annexure R1(f) produced along with the statement is stated to be the attendance register of the meeting which commenced at 01.30 p.m. It is stated that the decision of the Syndicate taken at the meeting held from 1.30 p.m. has not been annulled by any authority till date. It is further stated that the Vice Chancellor, without considering Exts.P14 and P15 orders, had issued Exts.P18 and P20 orders directing that Prof. Dr. K.S. Anil Kumar continues to be under suspension.

14. On the above pleadings and contentions, the following questions arise for consideration:

- (i) Whether the meeting held by some of the members of the Syndicate on 06.07.2025 at 01.30 PM after the meeting was dissolved by the 2nd respondent at



01.15 PM, was in order and whether the decisions taken at that meeting can be treated as valid decisions of the Syndicate?

- (ii) Whether the Vice Chancellor could have ignored the decisions taken at the above said second meeting and ordered continuation of the suspension of the petitioner?

15. Heard Sri Elvin Peter P.J., Senior Advocate, instructed by Sri K.R.Ganesh, for the petitioner, Sri Thomas Abraham, Standing Counsel for respondents 1 and 3, Smt.Girija K. Gopal for the 2nd respondent, Sri P. Ravindran, Senior Advocate, instructed by Sri M.R.Sabu, for the additional 4th respondent and Sri T.C. Krishna, for the additional 5th respondent. The relevant statutory provisions relied upon by the Counsel on either side are extracted below:

Sections 10(8), (9) & (15) and Section 23(x) Kerala University Act.

“10. The Vice-Chancellor:-

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(8) The Vice-Chancellor shall be the principal academic and executive officer of the University.



(9) The Vice-Chancellor shall be the Chairman of the Senate, the Syndicate, the Academic Council, the Students' Council and the Finance Committee and shall be entitled to be present at and to address any meeting of any authority of the University, but shall not be entitled to vote thereat unless he is a member of the authority concerned.

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(15) The Vice Chancellor shall have power to convene meetings of the Senate, the Syndicate, the Academic Council and any other authorities of the University.

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23. Powers of Syndicate.- Subject to the provisions of this Act and the Statutes, the executive powers of the University including the general superintendence and control over the institutions of the University shall be vested in the Syndicate and subject likewise the Syndicate shall have the following powers, namely:-

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(x) to suspend, discharge, dismiss or otherwise take any disciplinary action against teachers and other employees of the University after giving them reasonable opportunity to defend their position;

Statutes 12, 18 & 20 in Chapter 2 of Kerala University First Statute 1977:



"12. Mode of appointment of the Registrar:-

- (1) The Registrar shall be appointed by the Syndicate on the recommendation of a Selection Committee consisting of the Vice-Chancellor as Chairman, two other Syndicate members and one expert to be nominated by the Syndicate, for a period of one year in the first instance. He shall be a whole time salaried officer of the University and be appointed by a written order. In case his appointment has been continued for over a period of one year, he shall be deemed to be on probation for a period of one year commencing from the date of his appointment within a continuous period of two years. The written order of his appointment shall be lodged with the Vice-Chancellor:
Provided that it shall be competent for the Syndicate to extend the period of probation for a period not exceeding one year.
- (2) On satisfactory completion of probation, the incumbent appointed as the Registrar shall be confirmed by a written order.
- (3) If, on the expiry of the prescribed period or extended period of probation, the Syndicate decides that the Registrar is not suitable for continuance in the post to which he has been appointed, it shall discharge him from service or revert him to his original appointment, as the case may be, after giving him a reasonable opportunity of showing



cause against the action proposed to be taken against him.

- (4) Notwithstanding anything contained in clauses (1) to (3) above, the Selection Committee may, in the interest of the University and for reasons to be recorded in writing appoint a person as Registrar by deputation from the State Government service or Central Government Service on such conditions as it thinks fit.

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18. Duties of the Registrar:-

- (1) It shall be the duty of the Registrar.
- (a) to keep in his custody the records, the common seal and other properties committed to his charge by the Syndicate:
 - (b) to conduct the official correspondence of the University and be responsible for the proper maintenance of all the records of the University:
 - (c) to issue all notices convening meetings of the Senate, the Syndicate, the Academic Council, the Faculties, the Boards of Studies, and any committee appointed by these Authorities:
 - (d) to prepare and maintain a record of the proceedings of the meetings of the Senate, the Syndicate, the Academic



Council, the Faculties, the Boards of Studies and any Committee appointed by these Authorities:

- (e) to make arrangements for the conduct of elections to the various authorities or bodies of the University under the direction of the Vice-Chancellor:
 - (f) to maintain a Register of Graduates, a Register of Matriculates, a Register of Donors, a Register of Endowments, a Register of Registered Graduates and such other Registers as are or may be prescribed by the laws of the University, from time to time:
 - (g) to manage, under the directions of the Syndicate, the property and investments of the University and the University Fund:
 - (h) to sign contracts and other arrangements on behalf of the University under the directions of the Syndicate; and
 - (i) to perform such other functions as may, from time to time be prescribed by the Syndicate.
- (2) The Registrar shall be competent to countersign bills above Rs.1,000 and upto Rs.2,500.
- (3) The Registrar, shall, in the execution of his office be subject to the immediate direction and control of the Vice-Chancellor and shall carry out his orders



and render such assistance as may be required by the Vice-Chancellor, in the performance of his official duties.

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- 20. Conditions of Service of the Registrar:-** The Registrar shall be governed as regards leave, provident fund, pension, insurance, retirement benefits and disciplinary proceedings by the Statutes and Ordinances governing the conditions of service of the non-teaching staff of the University.

Statutes 19 and 51 of Chapter 4 of the Statute;

19. Suspension:-

- (1) The appointing authority or any authority to which it is subordinate or any other authority empowered by the Syndicate in that behalf may, at any time, place a University employee under suspension-
 - (a) Where a disciplinary proceeding against him is contemplated or is pending; or
 - (b) Where a case against him in respect of any Criminal offence is under investigation or trial; or
 - (c) Where in the opinion of the authority aforesaid he has engaged himself in activities prejudicial to the interests of the University; or
 - (d) Where final orders are pending in the



disciplinary proceeding, if the appropriate authority considers that in the then prevailing circumstances it is necessary, in the interests of the University that the University employee should be suspended from service of the University.

- (2) A University employee shall be deemed to have been placed under suspension by an order of the appointing authority;
- (a) With effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty-eight hours:
- (b) With effect from the date of his conviction, for an offence, if he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Explanation:- The period of forty eight hours referred to in sub-clause (b) of clause 2 shall be computed from the commencement of the imprisonment after the conviction and for this purpose intermittent period of suspension, if any, shall be taken into account.



- (3) (a) An order of suspension made or deemed to have been made under this Statute shall continue to remain in force until it is modified or reviewed by the authority competent to do so.
- (b) Where University employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension, may, for reasons to be recorded by him in writing, direct that the University employee shall continue to be under suspension until the termination of all or any of such proceeding.

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51. Appeals against orders of suspension:- A University employee may appeal against an order of suspension to the authority to which the authority which made or is deemed to have made the order is immediately subordinate.

Statutes 1, 2 and 14 of Chapter 6 of the Statute;

1. Convening of Syndicate meetings:-

- (1) The Syndicate shall meet ordinarily once in two months and as and when required for the conduct



of business of the University, on dates and hours to be fixed by the Vice-Chancellor.

- (2) In the absence of the Vice-Chancellor, the Pro-Vice-Chancellor, if any, shall preside over the meeting and if he is also absent the members present shall elect one of the members of the Syndicate to preside at the meeting.

2. Quorum for Syndicate meeting:- Nine members shall constitute the quorum for a meeting of the Syndicate, and no business shall be transacted at a meeting at which there is no quorum.

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14. Standing Committee of the Academic Council:-

The Vice-Chancellor shall appoint a standing Committee which shall consist of the Vice-Chancellor as Chairman and the Deans of Faculties as members. Half the number of members of the Committee shall be the quorum.

Statute 7(6), 18, 22(12) and 62 of Chapter 5 of the Statute

7. Admissibility of Resolutions:-

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- (vi) It shall not refer to any matter which is under adjudication by a court of law

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18. Dissolution of Special Meetings:- in the case of a special meeting convened on requisition under sub-section (3) of Section 20, the meeting shall stand dissolved if there has been no quorum within thirty minutes of the time for



the commencement of the meeting. The fact of such dissolution shall be recorded by the Registrar after getting the signature of the members present and the record shall be signed by the Chairman.

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22. Admissibility of Questions:- No question shall admitted unless it complies with the following conditions:-

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- (xii) It shall not ordinarily ask about matters pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate any matter but may refer to matters concerned with procedure or subject or state of enquiry if it is not likely to prejudice the consideration of the matter by the Tribunal or Commission or Court of enquiry.

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62. Motion for Dissolution:- A motion for the dissolution of a meeting shall be in the form "That this meeting do now dissolve" and may be made at any time but not so as to interrupt a speech. If the Chairman be of the opinion that the motion is an abuse of the rules of the meeting, he may decline to state the question thereupon to the meeting. If the motion be accepted by the Chairman it shall be put forthwith without amendment on debate. If the motion be carried, the business still before the



meeting shall drop and the Chairman shall declare the meeting dissolved."

16. The counsel for the petitioner submitted that the power of the Vice Chancellor is limited when it comes to taking disciplinary action against the Registrar. It is submitted that the power of appointment and disciplinary action is vested with the Syndicate and even if a decision is taken by the Vice Chancellor purporting to be in an emergent situation, the decision along with the necessary materials which led to the decision has to be placed before the Syndicate at the very next meeting for consideration of the Syndicate. It is hence submitted that what is contemplated by the Statutes is not merely placing the papers before the Syndicate, but placing the papers "for consideration" by the Syndicate and it was open to the Syndicate to take such necessary action as is required, which includes re-calling the order of suspension in the case on hand. It is hence submitted that once a meeting is properly convened by the Vice Chancellor, the meeting must be completed and cannot be called off by the Vice Chancellor in exercise of power as the Chairman of the Syndicate or of the President of the meeting. It is also submitted that the Vice Chancellor is bound to carry out the



decisions of the Syndicate. The counsel submits that in view of Statute 1(2) of Chapter VI, the members present can elect one of the members of the Syndicate to preside over the meeting and continue with the meeting, in the "absence of the Vice Chancellor" and hence the 2nd meeting held at 01.30 PM is fully justified. It is hence submitted that when the Vice Chancellor refused to complete the meeting on the ground that additional items cannot be included in the agenda, it is open for the remaining members to continue with the meeting and take a decision.

17. In the case on hand, admittedly, all the members who were present when the meeting was originally convened were not present during the second meeting. This is evident from the attendance list which has been produced by the University. As such, it is not a case where all members of the Syndicate except the Vice Chancellor were present for the second meeting. A similar provision which facilitates a meeting being held in the absence of the Vice Chancellor, contained in the Act and Statutes relating to the APJ Abdul Kalam Technological University had come up for consideration before this Court in **W.P (C) Nos.3197 & 5548 of 2025** and this Court held as follows:



"24. It can be seen from the above provisions that Section 28 is the only provision dealing with meetings of the Syndicate. The Section says of four requirements. One is that the Syndicate is to meet as often(sic) as decided by the Vice Chancellor and at least once in two months and that too on dates to be fixed by the Vice Chancellor. The second is that the quorum for the meeting is Five members. The third is that the Registrar is to convene the meeting. The fourth is that the meeting is to be convened on such date and time as directed by the Vice Chancellor. It is thus clear from a reading that no meeting of the Syndicate can happen at the instance of the individual members and has to be necessarily with the junction of the Vice Chancellor and the Registrar.

25. With the above statutory requirements in mind, let us see the facts that are admitted in this case. To begin with, a meeting was properly convened by the Vice Chancellor and it also commenced. Thereafter, the meeting was called off by the Vice Chancellor due to altercations regarding inclusion of an additional item in the agenda. I shall deal with the correctness or otherwise of the above action later. What happened next was that the members of the Syndicate, proceeded to elect a person from among themselves to chair a meeting and held a meeting, treating it as a continuation of the meeting that had already been convened. There is no provision in the



Act, for holding such a meeting. Such a meeting cannot be a meeting contemplated by Section 28 of the Act. It was not convened by the Registrar on directions of the Vice Chancellor. Admittedly, an additional item was included in the agenda, which was not originally there. The mere fact that the requirement of the quorum was satisfied, it cannot be held to be a properly convened meeting of the Syndicate. To hold that such a meeting should be treated as a properly convened meeting can create havoc. At any point of time, 5 members which alone is the quorum required can call a meeting, in the absence of the Vice Chancellor, and upset any earlier decision of the Syndicate, taken in a properly convened meeting. It is to prevent such situations, that even though the quorum is only one-third of the total strength of the Syndicate, controls are laid by requiring that the meeting is to be at the instance of the Vice Chancellor. Even though the Vice Chancellor does not hold a post above that of the Syndicate, going by the scheme of the Act, controls are brought in to ensure that there is no misuse of the provision. In case the Vice Chancellor falters in his duty to call the meeting of the Syndicate, there are sufficient provisions to approach the Chancellor. Such inbuilt controls are required to ensure a smooth and systematic functioning of the University.

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27. The only provision in the First Statutes which is relied on to submit that the second meeting held after the meeting was called off by the Vice Chancellor was a validly held meeting, is Statute 10 of Chapter 3 of the First Statutes, which has been translated from the vernacular as follows:

“Meetings – (1) For the conduct of business of the University, Syndicate meetings shall be convened once in two months or as and when necessary on such date and time decided by the Vice Chancellor.

(2) In the absence of the Vice-Chancellor, the Pro-Vice-Chancellor or a Member elected by the members for among those present shall preside over the meeting.

(3) Subject to Statute 13 of these Statutes, the Syndicate shall frame the procedure for conduct of its meetings and the meetings of its Standing Committees”

28. The petitioners rely on Statute 10(2) and lay emphasis on the words “in the absence of the Vice-Chancellor”. According to them once the Vice-Chancellor left after calling off the meeting, it was a situation of “absence of the Vice-Chancellor” and the remaining members were free to continue the meeting as if it was the meeting earlier convened, ignoring the calling off of



the meeting, after electing a person to Chair the meeting. Firstly, it is not a case where there was absence of the Vice Chancellor. As already observed, this can lead to absurdities. Even if the Vice Chancellor was in his office, a meeting can be held in another room by 5 members of the Syndicate and call it as a Syndicate meeting, which is not what is contemplated by law. So also, even if a meeting is completed and all the business is transacted and wound up, five persons can still continue with another meeting and intermeddle with the decisions already taken earlier. An interpretation of the above said Statute in the manner suggested by the petitioners, will only lead to serious mischief. So, even if the First Statutes in vernacular are to be considered, the situation will not be different and the second meeting will have to be held as not in accordance with law.”

18. In the above case, there was an additional issue relating to the authoritative text to be followed by the High Court, since the Statutes were in vernacular. Unlike the case of the Technical University, this is a case where there is an authoritative version in English of the First Statutes. I do not find any reason to deviate from the view taken in W.P (C) Nos.3197 & 5548 of 2025.

19. The question whether the Vice Chancellor had power to dissolve a meeting which was properly convened was also considered in the above case. After referring the judgments of the Hon’ble



Supreme Court in **Chandrakant Khaire v. Shantaram Kale, (1988) 4 SCC 577** and **Jayantbhai Manubhai Patel v. Arun Subodhbhai Mehta, [(1989) 2 SCC 484]**, and the relevant passages from Shackleton on the Law and Practice of Meetings, this Court held as follows:

"33. From the law laid down in the above two judgments, it is clear that the law envisages a situation where a meeting that had been properly convened can be adjourned by the Chairperson in certain situations. The Apex Court has also stated as to how the law in the case of meetings which are convened under the provisions of a Statute are different from the law relating to companies, where the parties are governed by their contract contained in the Memorandum of Association. In **Jayantbhai Manubhai Patel (supra)**, the Court has held that the Mayor had power even to call off a meeting which was properly convened, before it commenced, for *bona fide* reasons. The law is thus clear that in case of statutory meetings, the person who convenes the meeting had power to call off the meeting even before it commenced or to call off a meeting which had already commenced, in certain situations. Hence, such a power has to be conceded in favour of the Vice Chancellor in the case on hand."

20. Even though I find that the second meeting was not in accordance with law and the decision taken cannot be treated as a



decision of the Syndicate, this Court expresses its deep concern regarding the manner in which the authorities of the University and the officers of the University are functioning. As observed by the Hon'ble Supreme Court in **Prof. Yashpal v. State of Chhattisgarh [(2005) 5 SCC 420]**, "He indeed must be blind who does not see that, mighty as are the political changes, far deeper are the fundamental questions which will be decided by what happens in the universities. Everything is being brought to the test of reason, venerable theologies, ancient political institutions, time-honoured social arrangements, a thousand things which a generation ago looked as fixed as the hills. If India is to confront the confusion of our time, she must turn for guidance, not to those who are lost in the mere exigencies of the passing hour, but to her men of letters, and men of science, to her poets and artists, to her discoverers and inventors. These intellectual pioneers of civilisation are to be found and trained in the universities, which are the sanctuaries of the inner life of the nation."

21. The University is supposed to be the guardian of the Higher Education System and its functioning cannot be derailed by political or other considerations and should be guided only by



academic considerations. The understanding of the Vice Chancellor regarding the scope of placing the issue regarding suspension before the Syndicate cannot be said to be correct. The agenda for the meeting was finalisation of the statement of facts to be placed before the Court in a pending writ petition filed by the petitioner challenging the suspension. It is evident from the records that the meeting was convened on the request of some Syndicate members and the purpose stated in the request was also for finalisation of the statement of facts. The agenda was not regarding the requirement of continuing the suspension. The Vice Chancellor's justification is on the above premise. But what the Vice Chancellor missed is the fact that it was open for the Syndicate to have decided not to continue with the suspension which had been ordered by the Vice Chancellor and the University could have placed such a decision before the Court, which was considering the issue of correctness of suspension and there was not even a necessity to file a counter affidavit. It is not necessary that every writ petition filed before this Court should be countered by the respondent and it is always open for the respondent to admit the case of the petitioner and end the controversy. Viewed from that angle, the Vice Chancellor could have



exercised his power to have an additional agenda and continued with the meeting. However, it is not for this Court to go into the correctness of the decision of the Vice Chancellor, since this Court is not fully aware with the physical situation which was prevalent during the meeting which had led to dissolution of the meeting. Having said that, it was also not open to the members of the Syndicate to convene a second meeting under the guise that they are supported by Statute 1(2) of Chapter VI and take decisions, as already observed in the judgment in W.P (C)Nos.3197 & 5548 of 2025. This can lead to several mischievous situations. Section 21 of the Act, which deals with the constitution of the Syndicate read along with Statute 2 of Chapter VI would show that the quorum for a meeting is only about one third of the total members. The same mischief which was pointed out in the judgment in W.P (C) Nos.3197 & 5548 of 2025 is a possibility in this University also.

In view of the above findings regarding the correctness of the second meeting held, it is not necessary to probe further. The challenge against the suspension hence fails and the prayers regarding the same are rejected. The writ petition is disposed of directing the 2nd respondent to convene a meeting of the Syndicate



through the Registrar in Charge to consider whether the suspension should be continued and the Syndicate may decide accordingly. The decision taken by the Syndicate will necessarily be binding on the Vice Chancellor and the Vice Chancellor will have to give effect to it, subject to the powers of the Chancellor.

Sd/-

**T.R. RAVI
JUDGE**

Pn



APPENDIX OF WP(C) 28246/2025

PETITIONER EXHIBITS

EXHIBIT P1	TRUE COPY OF THE ORDER DATED 14.02.2025 IN W.P.(C) NO. 6197/2025 OF THIS HON'BLE COURT.
EXHIBIT P2	TRUE COPY OF THE REQUEST DATED 13.06.2025 GIVEN BY THE SECRETARY OF SREE PADMANABHA SEVA SAMITI.
EXHIBIT P3	TRUE COPY OF THE REPRESENTATION DATED 19.06.2025 GIVEN BY THE SECRETARY OF SREE PADMANABHA SEVA SAMITI SEEKING FOR PERMISSION TO CONDUCT THE SEMINAR IN THE SENATE HALL OF THE UNIVERSITY.
EXHIBIT P4	TRUE COPY OF THE RULES AND REGULATIONS FOR THE ALLOTMENT OF SENATE HALL ISSUED AS PER ORDER DATED 16.08.2024.
EXHIBIT P5	TRUE COPY OF THE WRITTEN STATEMENT SUBMITTED BY THE SECURITY OFFICER OF THE UNIVERSITY DATED 25.06.2025 TO THE PETITIONER.
EXHIBIT P6	TRUE COPY OF THE REPORT DATED 25.06.2025 SUBMITTED BY THE PUBLIC RELATIONS OFFICER.
EXHIBIT P7	TRUE COPY OF THE REPORT SUBMITTED BY THE PUBLIC RELATIONS OFFICER TO THE PETITIONER.
EXHIBIT P8	TRUE COPY OF THE NOTE DATED 27.06.2025 SUBMITTED BY THE 2ND RESPONDENT TO THE PETITIONER CALLING FOR A REPORT.
EXHIBIT P9	TRUE COPY OF THE REPORT DATED 28.06.2025 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT.
EXHIBIT P10	TRUE COPY OF THE ORDER NO. VC/PROCEEDINGS/01/2025 DATED 02.07.2025 ISSUED BY THE 2ND RESPONDENT SUSPENDING THE PETITIONER FROM SERVICE.
EXHIBIT P11	TRUE COPY OF THE REPORT DATED 02.07.2025 ISSUED BY THE 2ND RESPONDENT.
EXHIBIT P12	TRUE COPY OF THE NOTICE DATED 05.07.2025 ISSUED BY THE 2ND RESPONDENT.
EXHIBIT P13	TRUE COPY OF THE NOTE DATED 06.07.2025 ALONG WITH DRAFT COUNTER AFFIDAVIT SUBMITTED BY THE 2ND RESPONDENT.
EXHIBIT P14	TRUE COPY OF THE MINUTES OF THE MEETING OF



THE SYNDICATE DATED 06.07.2025.

EXHIBIT P15 TRUE COPY OF THE ORDER DATED 06.07.2025 ISSUED BY THE 2ND RESPONDENT REINSTATING THE PETITIONER IN SERVICE.

EXHIBIT P16 TRUE COPY OF THE CERTIFICATE OF TRANSFER OF THE PETITIONER TAKING CHARGE OF THE REGISTRAR OF THE UNIVERSITY ON THE BASIS OF EXT.P14 ORDER.

EXHIBIT P17 TRUE COPY OF THE JUDGMENT DATED 07.07.2025 IN W.P.(C) NO. 24724/2025 OF THIS HON'BLE COURT.

EXHIBIT P18 TRUE COPY OF THE ORDER DATED 08.07.2025 ISSUED BY THE 2ND RESPONDENT DIRECTING THAT THE PETITIONER SHALL NOT ENTER THE UNIVERSITY CAMPUS.

EXHIBIT P19 TRUE COPY OF THE REPLY DATED 09.07.2025 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P20 TRUE COPY OF THE ORDER DATED 09.07.2025 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P21 TRUE COPY OF THE REPLY DATED 10.07.2025 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXHIBIT P22 TRUE COPY OF THE NOTE DATED 10.07.2025 SENT BY THE 2ND RESPONDENT TO ALL THE SUPERIOR OFFICER OF THE HEADS OF DEPARTMENTS.

EXHIBIT P23 TRUE COPY OF THE ORDER NO. VC/UOK/5/2025 DATED 29.07.2025 ISSUED BY THE 2ND RESPONDENT DIRECTING THAT NONE OF THE FILES SHALL BE FORWARDED TO THE PETITIONER.

EXHIBIT P24 A TRUE COPY OF THE JUDGMENT DATED 5.2.2018 IN W.P.(C) NO. 29502/2017

RESPONDENT ANNEXURES

ANNEXURE R1 (A) THE TRUE COPY OF THE U.O.NO.AD.AI/2/16791/REGISTRAR/2021 DATED 03/03/2021

ANNEXURE R1 (B) THE TRUE COPY OF THE U.O.NO.AD AI/1661/2025/UOK DATED 22/02/2025

ANNEXURE R1 (C) THE TRUE COPY OF THE LETTER NO.36311/PRO/2025/UOK DATED 20/6/2025 SENT TO THE SECRETARY, SREE PADMANABHA SEVA SAMIDHI



- ANNEXURE R1(D) THE TRUE COPY OF THE ATTENDANCE REGISTER FOR THE SPECIAL MEETING OF THE SYNDICATE HELD ON 6/7/2025 WHICH COMMENCED AT 11 A.M.
- ANNEXURE R1(E) THE TRUE COPY OF THE MINUTES OF THE SPECIAL MEETING OF THE SYNDICATE HELD ON 6/7/2025 APPROVED BY THE VICE CHANCELLOR AND ISSUED VIA E-MAIL DATED 29/7/2025
- ANNEXURE R1(F) THE TRUE COPY OF THE ATTENDANCE REGISTER FOR SPECIAL MEETING OF THE SYNDICATE OF 6/7/2025 WHICH COMMENCED AT 1.30 P.M.
- EXHIBIT R 2 [A] A TRUE COPY OF THE DECLARATION DATED 23.06.2025 SUBMITTED BY THE SECRETARY OF SRI PADMANABHA SEVA SAMITHI BOOKING THE UNIVERSITY SENATE HALL AS PER THE TERMS AND CONDITIONS OF THE UNIVERSITY OF KERALA ALONG WITH THE STIPULATIONS TO BE FOLLOWED
- EXHIBIT R 2 [B] A TRUE COPY OF THE COMPLAINT DATED 27.06.2025 SUBMITTED BY THE SECRETARY OF SRI. PADMANABHA SEVA SAMITHI TO THE DEPONENT
- EXHIBIT R 2 [C] A TRUE COPY OF THE STATEMENT DATED 30.05.2026(SIC) GIVEN BY THE SECURITY OFFICER OF THE UNIVERSITY TO THE VICE CHANCELLOR
- EXHIBIT R 2 [D] A TRUE COPY OF THE STATEMENT DATED 30.06.2025 SUBMITTED BY DR.AJITHA S., PRO(I/C) TO THE VICE CHANCELLOR
- EXHIBIT R 2 [E] A TRUE COPY OF THE STATEMENT DATED 30.06.2025 SUBMITTED BY THE SECTION OFFICER TO THE VICE CHANCELLOR
- EXHIBIT R 2 [F] A TRUE COPY OF THE REPRESENTATION SUBMITTED BY 16 SYNDICATE MEMBERS BEFORE THE VICE CHANCELLOR WITH THE REQUISITION TO CONVENE THE MEETING OF THE SYNDICATE URGENTLY TO DISCUSS AND FINALIZE THE STATEMENT OF FACTS TO BE FILED IN WP(C) NO. 24724 /2025 BEFORE THE HON'BLE HIGH COURT OF KERALA
- EXHIBIT R 2 [G] A TRUE COPY OF THE REPORT SOUGHT BY VICE CHANCELLOR AN IMMEDIATE REPORT FROM THE THEN REGISTRAR -IN -CHARGE AS PER E-MAIL COMMUNICATION DATED 06.07.2025 AT 10.08 P.M.
- EXHIBIT R 2 [H] A TRUE COPY OF THE SCREENSHOT OF THE MAIL DATED 07.07.2025 ALONG WITH A COPY OF THE



REPORT DATED 07.07.2025 SUBMITTED BY THE
VICE CHANCELLOR TO THE CHANCELLOR

EXHIBIT R 2 [I] A TRUE COPY OF THE NOTE TO THE REGISTRAR (IN
CHARGE) DATED 07.07.2025 ISSUED BY THE VICE
CHANCELLOR PLACING DR.MINI DEJO KAPPEN IN
FULL ADDITIONAL CHARGE OF THE POST OF
REGISTRAR

EXHIBIT R 2 [J] A TRUE COPY OF I.A.NO.1 OF 2025 IN W.P.(C)
NO. 24724 OF 2025 FILED BY THE PETITIONER

EXHIBIT R 2 [K] A TRUE COPY OF THE REPRESENTATION DATED
01.08.2025 SUBMITTED BY THE KERALA
UNIVERSITY STAFF ASSOCIATION BEFORE THE VICE
CHANCELLOR

EXHIBIT R 2 [L] A TRUE COPY OF THE REPRESENTATION DATED NIL
SUBMITTED BY THE KERALA UNIVERSITY STAFF
UNION BEFORE THE VICE CHANCELLOR

EXHIBIT R 2 [M] A TRUE COPY OF THE E-MAIL DATED 01.08.2025
SUBMITTED BY THE KERALA UNIVERSITY EMPLOYEES
SANGH TO THE VICE CHANCELLOR

EXHIBIT R 2 [N] A TRUE COPY OF THE SCREENSHOT OF WHICH ALONG
WITH THE ATTACHMENT

EXHIBIT R 2 [O] A TRUE COPY OF THE SCREENSHOT OF THE E-MAIL
COMMUNICATION DATED 03.08.2025 FORWARDED
FROM THE LEGAL SECTION OF THE UNIVERSITY TO
THE STANDING COUNSEL

EXHIBIT R 2 [P] A TRUE COPY OF THE STATEMENT OF FACTS
FORWARDED FROM THE LEGAL SECTION OF THE
UNIVERSITY TO THE STANDING COUNSEL ALONG
WITH EXHIBIT R2(O) COMMUNICATION

RESPONDENT EXHIBITS

Exhibit R5(a) A TRUE COPY OF THE COMPLAINT DATED
06.07.2025 SUBMITTED BY THE APPLICANT BEFORE
THE HON'BLE CHANCELLOR OF THE 1ST RESPONDENT
UNIVERSITY