



2025:KER:31682

O.P. (KAT) No.180 of 2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR.JUSTICE P. KRISHNA KUMAR

FRIDAY, THE 11TH DAY OF APRIL 2025 / 21ST CHAITHRA, 1947

OP(KAT) NO. 180 OF 2025

**AGAINST THE ORDER DATED 10.10.2024 IN OA (EKM)
NO.667 OF 2022 OF KERALA ADMINISTRATIVE TRIBUNAL AT
THIRUVANANTHAPURAM (ADDITIONAL BENCH, ERNAKULAM)**

PETITIONER/APPLICANT IN OA:

**K.R. SMITHA, AGED 52 YEARS, D/O K. BHANUMATHY,
JUNIOR SUPERINTENDENT, OFFICE OF THE DISTRICT
EDUCATION OFFICER, DOWN HILL, MALAPPURAM - 676
501 RESIDING AT KUNNATH HOUSE, PUZHITHARA,
KOTTAKKAL, MALAPPURAM., PIN - 676 503**

BY ADV J.G.SYAMNATH

RESPONDENTS/RESPONDENTS IN OA:

- 1 STATE OF KERALA, REPRESENTED BY THE SECRETARY TO
GOVERNMENT, GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN -
695 001**
- 2 THE DIRECTOR OF GENERAL EDUCATION, JAGATHY,
THIRUVANANTHAPURAM., PIN - 695 014**
- 3 THE DEPUTY DIRECTOR OF EDUCATION, DOWN HILL,
MALAPPURAM., PIN - 676 519**



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SUNILKUMAR KURIAKOSE GP

**THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP
FOR ADMISSION ON 11.04.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**



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J U D G M E N T

A. Muhamed Mustaque, J.

The petitioner, challenging disciplinary action, approached the Kerala Administrative Tribunal. The Tribunal found that the petitioner had not invoked the appellate remedy, and relegated the petitioner to approach the appellate forum for challenging that disciplinary action. If that be the case, we need not interfere with the matter, as the petitioner has not exhausted her statutory remedy.

With liberty to approach the appellate forum, this original petition is disposed of.

Sd/-

**A.MUHAMED MUSTAQUE
JUDGE**

Sd/-

**P. KRISHNA KUMAR
JUDGE**

PR



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APPENDIX OF OP(KAT) 180/2025

PETITIONER ANNEXURES

Annexure-A1	TRUE COPY OF THE MEMO OF CHARGES NO. VB6/7757/19/DGE (II) DATED 04-01-2020 FROM THE 2ND RESPONDENT TO THE APPLICANT
Annexure-A2	TRUE COPY OF THE WRITTEN OBJECTION DATED 21-01-2020 FROM THE APPLICANT TO THE 2ND RESPONDENT
Annexure-A3	TRUE COPY OF THE LETTER NO. GEN. EDN. DPT. C-3/21/2020/GEN.EDN.DPT DATED 26-03-2021 FROM THE 1ST RESPONDENT TO THE 2ND RESPONDENT
Annexure-A4	TRUE COPY OF THE PROCEEDINGS NO.D1/1978/2021/DGE DATED 04-05-2021 OF THE 2ND RESPONDENT
Annexure-A5	TRUE COPY OF THE LETTER NO.VB/3/7757/2019/DGE DATED 20-07-2021 FROM THE 2ND RESPONDENT TO THE 1ST RESPONDENT
Annexure-A6	TRUE COPY OF THE ORDER IN O.A.(EKM) NO. 1501/2021 DATED 23-09-2021 OF THE KERALA ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH, ERNAKULAM
Annexure-A7	TRUE COPY OF THE ORDER IN O.A.(EKM) NO. 1501/2021 DATED 2-12-2021 OF THE KERALA ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH, ERNAKULAM
Annexure-A8	TRUE COPY OF THE ORDER NO. 5654/2021/GEN.EDN.DPT. DATED 04-12-2021 OF THE 1ST RESPONDENT
Annexure-A9	TRUE COPY OF THE PROCEEDINGS NO. VB3/7757/2019/DGE DATED 08-12-2021 OF THE 2ND RESPONDENT



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Annexure-A10	TRUE COPY OF THE ORDER DATED 22-12-2021 IN OA(EKM) NO. 2037/2021 BEFORE THE KERALA ADMINISTRATIVE TRIBUNAL, ADDL. BENCH, ERNAKULAM
Annexure-A11	TRUE COPY OF THE ENQUIRY REPORT NO. V.B3/7757/2019/DGE DATED 21-02-2022 FROM THE 2ND RESPONDENT
Annexure-A12	TRUE COPY OF THE SHOW CAUSE NOTICE NO. V.B.3/7757/2019/DGE DATED 05-04-2022 FROM THE 2ND RESPONDENT
Annexure-A13	TRUE COPY OF THE LETTER DATED 29-04- 2022 FROM THE APPLICANT TO THE 2ND RESPONDENT
Annexure-A14	TRUE COPY OF THE PROCEEDINGS NO. V.B.3/7757/2019/DGE DATED 10-05-2022 FROM THE 2ND RESPONDENT
Annexure-R2 (a)	TRUE COPY OF THE HEARING NOTICE NO. VB3/7757/2019/DGE DATED 04-05-2022 OF THE DIRECTORATE OF GENERAL EDUCATION
Annexure-R2 (b)	TRUE COPY OF RECEIPT GIVEN BY SRI.VIPIN S. DATED 03-05-2022
Exhibit-P1	A TRUE COPY OF THE ORDER DATED 10.10.2024 OF THE KERALA ADMINISTRATIVE TRIBUNAL (ADDITIONAL BENCH, ERNAKULAM) IN O.A. (EKM) NO. 667 OF 2022
Exhibit-P2	A TRUE COPY OF THE ORIGINAL APPLICATION AND ITS ANNEXURES DATED 10.10.2024 OF THE KERALA ADMINISTRATIVE TRIBUNAL (ADDITIONAL BENCH, ERNAKULAM) IN O.A. (EKM) NO. 667 OF 2022