

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN
&
THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

DBP.No. 7 of 2015 ()

APPLICANT/PETITIONER:

COCHIN DEVASWOM BOARD,
REP. BY ITS SECRETARY,
COCHIN DEVASWOM BOARD, THRISSUR

BY ADV. SMT.M.K.PUSHPALATHA,SC,COCHIN DEVASWOM BOARD

RESPONDENT:

DEPUTY DIRECTOR,
LOCAL FUND AUDIT,
(C.D.) AUDIT, THRISSUR

BY SR. GOVERNMENT PLEADER SRI.A.RENJITH

THIS DEVASWOM BOARD PETITION HAVING BEEN FINALLY HEARD ON
20-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.N.RAVINDRAN & ANIL K.NARENDRA, JJ.

D.B.P. No.7 of 2015

Dated this the 20th day of January, 2015

ORDER

P.N.Ravindran, J.

This petition arises out of an application filed by the Secretary, Cochin Devaswom Board in this Court as Petition No.97 of 2014 for permission to execute the work of effecting repairs to Chuttambalam of Peruvannamala Siva Temple after confirming the tender submitted by Sri.K.K.Asokan, Kunnathully House, Edakalathur at 47% above the estimate rate. The Honourable Ombudsman to whom the petition was forwarded has taken note of the fact the temple advisory committee had in the year 2013 requested for repairs to the temple structure, that the temple advisory committee was not willing to take up the work, that pursuant to the tender, two tenders were received and that the tender submitted by Sri.K.K.Asokan is the lowest being 47% above the estimate rate. The Honourable Ombudsman has also reported that the local fund audit has objected to the work being awarded at more than 10% above the estimate rate. The report however discloses that such an objection was raised in view of a Government circular issued in the year 2010. The PWD rate has since been revised and the rate now adopted is the 2012 schedule of rates.

In such circumstances, we are of the opinion that the permission sought by the Cochin Devaswom Board should be granted. That apart, the work involved is repair to the Chuttambalam of Peruvanmala Siva Temple. If the repair works are not carried out, the Chuttambalam will further deteriorate leading to additional expenditure at a later point of time.

We accordingly allow the petition and permit the Cochin Devaswom Board to effect repairs to the Chuttambalam of Peruvanmala Siva Temple at 47% above the estimate rate. The Executive Engineer, Cochin Devaswom Board, Thrissur, shall after the work is completed, file a report in this Court within two weeks from the date on which the work is completed.

**P.N.RAVINDRAN,
(JUDGE)**

**ANIL K.NARENDRA,
(JUDGE)**

vps