

IN THE HIGH COURT OF KERALAAT ERNAKULAM

PRESENT:

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

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

DBP.No. 156 of 2014 ()

(SUO MOTU PROCEEDINGS)

PETITIONER:

THE DEVOTEES OF VALIYANIKKAD BHAGAVATHY TEMPLE,
KUMARAMANGALAM, REPRESENTED BY:

1. M.K.SOMANATH, PRESIDENT,
TEMPLE ADVISORY COMMITTEE.
2. C.C.KRISHNAN, SECRETARY,
TEMPLE ADVISORY COMMITTEE.

SRI PRAMACHANDRAN (AMICUS CURIAE)

RESPONDENT:

THE SECRETARY, TRAVANCORE DEVASWOM BOARD,
NANTHENCODE, THIRUVANANTHAPURAM.

BY ADV. SRI.M.V.S.NAMBOOTHIRI, SC, TRAVANCORE DEVASWOM BOARD
BY SR.GOVERNMENT PLEADER SRI A.RANJITH

THIS DEVASWOM BOARD PETITION HAVING BEEN FINALLY HEARD ON
02-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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

D.B.P.No.156 OF 2014

DATED THIS THE 2nd DAY OF MARCH, 2015

ORDER

ANIL K.NARENDRAN, J.

The Honourable Ombudsman has filed T.D.B.Report No.176 of 2014 in Complaint No.365 of 2014 to bring to the notice of this Court a case of alleged theft and vandalism committed in Valliyanikkad Bhagavathy Temple in Thrikkariyoor Group of the Travancore Devaswom Board.

2. Going by the report filed by the Honourable Ombudsman, within a period of one month, two thefts had taken place in Valliyanikkad Bhagavathy Temple. It is suggested in the report that this Court may direct the Superintendent of Police, Idukki, to constitute a special investigation team to enquire about the theft and vandalism committed in the temple. It is also suggested that the Devaswom Commissioner may be directed to post sufficient staff as is allowed in the staff strength of the temple without delay so that such activities will not be repeated in future.

3. By order dated 23.2.2015, this Court directed the District Police Chief, Idukki, to file a report on before 2.3.2015 setting out the steps taken to investigate the crimes registered by the police pursuant to the theft and vandalism committed in Valliyanikkad Bhagavathy Temple. Pursuant to the said order, a report dated 'nil' has been submitted on

behalf of the District Police Chief, Idukki, in which it is stated that on receipt of notice in DBP No.156 of 2014, a Special Investigation Team was constituted under the command and control of Inspector of Police, Thodupuzha, vide order dated 16.2.2015 of the District Police Chief, Idukki, that based on the said order, the Inspector of Police, Thodupuzha, took up the investigation, verified the inspection conducted by the subordinate officers and conducted further investigation. It is stated that, as part of the investigation the Inspector of Police contacted the members of the Temple Advisory Committee and collected the evidence they tendered and that he also questioned other witnesses to collect evidence with regard to the commission of the offence. Going by the aforesaid report, it is seen that the temple is situated in a remote place having no nearby residents and there are no lighting arrangements in the temple premises to protect the valuables from the eyes of crooks. The report further states that the investigation in the case is progressing under the Special Investigation Team to trace the stolen property and also to arrest the accused persons involved in the crime. It has also been stated that the Special Investigation Team constituted for the investigation of Crime No.1944/2014 will take all efforts to detect the case through all possible ways.

4. We heard the learned Standing Counsel for the Travancore

Devawsom Board, the learned Senior Government Pleader appearing for the District Police Chief, Idukki, and also the learned Amicus Curiae representing the Honourable Ombudsman.

5. Going by the report filed on behalf of the District Police Chief, Idukki, a Special Investigation Team has already been constituted under the command and control of the Inspector of Police, Thodupuzha to investigate into Crime No.1944/2014, for tracing the stolen property and also to arrest the persons involved in the crime. Since the investigation of the case is progressing under the Special Investigation Team, we find it appropriate to close this D.B.P., recording the aforesaid statement made on behalf of the District Police Chief, Idukki.

In the result, D.B.P.No.156 of 2014 is closed, recording the statement filed on behalf of the District Police Chief, Idukki, who shall file a report before the Honourable Ombudsman regarding the progress of the investigation, not later than three months from the date of this order.

Sd/-

P.N.RAVINDRAN, JUDGE

Sd/-

ANIL K.NARENDRAN, JUDGE

dsn