

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

RP.No. 145 of 2015 () IN WP(C).1192/2015

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AGAINST THE ORDER/JUDGMENT IN WP(C) 1192/2015 of HIGH COURT OF KERALA
DATED 19-01-2015**

REVIEW PETITIONER/PETITIONER:

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SREE DHARMA SASTHA TEMPLE ADVIOSRY COMMITTEE AGED 45 YEARS
PERUMBAVOOR, REPRESENTED BY ITS SECRETARY
AJAYAKUMAR K.P., S/O K.PANKAJAKSHA PILLAI
KONGORPILLY HOUSE, NEAR KSRTC PERUMBAVOOR
PIN:683 542.**

BY ADV. SRI.R.DIVAKARAN

RESPONDENTS/RESPONDENTS:

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- 1. TRAVANCORE DEVASWOM BOARD
OFFICE OF THE DEVASWOM BOARD, DEVASWOM BUILDING
NANDANCODE, THIRUVANANTHAPURAM
PIN:695 001, REPRESENTED BY ITS SECRETARY**
 - 2. DEVASWOM COMMISSIONER
TRAVANCORE DEVASWOM BOARD
OFFICE OF THE DEVASWOM COMMISSIONER, DEVASWOM BOARD
THIRUVANANTHAPURAM, PIN:695 001.**
 - 3. ASSISTANT COMMISSIONER
THRIKKARIYOOR SUB GROUP OF T.D.B. THRIKKARIYOOR
ERNAKULAM, PIN:683 542.**
 - 4. SUB GROUP OFFICER
SREE DHARMA SASTHA TEMPLE, PERUMBAVOOR, PIN:683 542.**

BY SRI.D.SREEKUMAR, SC, TDB

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 13-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

RPNo. 145 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE A1: COPY OF THE REPRESENTATION DATED 22.1.2015.

RESPONDENTS' ANNEXURES: NIL

/TRUE COPY/

P.A. TO JUDGE

VPV

P.N.RAVINDRAN & ANIL K.NARENDRA, JJ.
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R.P.No.145 of 2015
in
W.P.(C)No.1192 of 2015
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Dated this the 13th day of February, 2015

ORDER

P.N.Ravindran, J.

The prayer in this application is to review the judgment delivered by this Court on 19.1.2015 dismissing W.P.(C)No.1192 of 2015. By the impugned judgment, we held that the ground put forward in Ext.P4 representation and in the writ petition to seek continuance in office is not a ground contemplated by bye-law 11 of the bye-laws framed by the Travancore Devaswom Board in exercise of the power conferred on it under section 31A of the Travancore Cochin Hindu Religious Institutions Act, 1950.

2. The main ground raised in the review petition is that the term of the committee will expire only on 19.3.2015, the next committee can be elected only thereafter and therefore, as the next annual festival is to be celebrated in the temple from 7.4.2014 to 14.4.2015, the committee may be premitted to continue in office till the annual festival is over.

3. It is nowhere stated in the bye-laws of the Travancore Devaswom Board that steps to constitute a new committee can be taken only after the term of the committee in office expires. It is

open to the Travancore Devaswom Board to take such steps as are required in accordance with the bye-laws to see that a new committee is in a position to assume office on the date on which the term of the committee in office comes to an end. That apart, the conduct of the annual festival which falls on 7.4.2015 cannot stand in the way of the Travancore Devaswom Board from taking steps to constitute a fresh temple advisory committee. It is only if a fresh advisory committee cannot be constituted that the question of permitting the committee in office to remain in office for a further term arises. That apart, it is evident from the impugned judgment as also Ext.P4 representation that the committee now in office seeks continuance not for the purpose of conducting the festival but to recoup the loss incurred by it by conducting the festival during the previous year. We had in the impugned judgment held that this Court cannot permit the temple advisory committee now in office to continue in office so as to enable it to recoup the loss.

We therefore find no grounds to entertain the review petition. The review petition fails and it is accordingly dismissed.

Sd/-
P.N.RAVINDRAN
JUDGE

Sd/-
ANIL K.NARENDRA
JUDGE