

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 1067 of 2015 (G)

PETITIONER(S):

1. G.RAMANKUTTY NAIR,
S/O.GOVINDA PILLAI.G., NADAVANTHIL HOUSE, KIZHAKKUMMURI
KAVUMBHAGOM P.O., THRIUVALLA-2,
PATHANAMTHITTA DISTRICT.
2. V.SREEKUMAR
S/O.M.VASUDEVAN NAIR, KONGARETTU HOUSE, MATHILBHAGOM
THIRUVALLA-2, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.S.SUBHASH CHAND

RESPONDENT(S):

1. THE TRAVANCORE DEVASWOM BOARD
OFFICE OF THE TRAVANCORE DEVASWOM BOARD BUILDINGS
NANDANCODE, THIRUVANANTHAPURAM-695 001
REPRESENTED BY ITS SECRETARY.
2. THE DEVASWOM COMMISSIONER
OFFICE OF THE TRAVANCORE DEVASWOM COMMISSIONER
DEVASWOM BOARD BUILDINGS, NANDANCODE
THIRUVANANTHAPURAM-695 001
3. THE ASSISTANT DEVASWOM COMMISSIONER
OFFICE OF THE ASSISTANT DEVASWOM COMMISSIONER
THIRUVALLA GROUP, THIRUVALLA-689 101.
4. THE SUB GROUP OFFIER
OFFICE OF THE SUB GROUP OFFICER, THIRUVALLA DEVASWOM
THIRUVALLA-689 101.
5. THE TEMPLE ADVISORY COMMITTEE OF SREE VALLABHA MAHA TEMPLE
THIRUVALLA, OFFICE OF THE TEMPLE ADVISORY COMMITTEE OF SREE
VALLABHA MAHA TEMPLE, THIRUVALLA 689101
REPRESENTED BY ITS SECRETARY.
6. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF DEVASWOM, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM-695 001.

7. THE DEPUTY DEVASWOM COMMISSIONER (ADMINISTRATION)
OFFICE OF THE DEVASWOM COMMISSIONER
DEVASWOM BOARD BUILDINGS, NANDANCODE
THIRUVANANTHAPURAM-695 001

8. THE CHIEF VIGILANCE OFFICER
TRAVANCORE DEVASWOM BOARD, DEVASWOM BUILDINGS
NANDANCODE, THIRUVANANTHAPURAM-695 001.

R5 BY ADV. SRI.SAJITH KUMAR V.
R5 BY ADV. SRI.P.K.ANTONY
R1-R4,R7,R8 BY ADV. SRI.D.SREEKUMAR, SC, TDB
R5 BY ADV. SRI.K.GOPALAKRISHNA KURUP (SR.)
BY SR. GOVERNMENT PLEADER SRI.A.RENJITH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1.TRUE COPY OF THE BYE-LAWS PUBLISHED U/S.35 OF THE TRAVANCORE COCHIN HINDU RELIGIOUS INSTITUTIONS ACT, 1950.
- EXT.P2.TRUE COPY OF THE PROCEEDINGS DATED 7/11/2014 PASSED BY RESPONDENT NO.7.
- EXT.P3.TRUE COPY OF THE COMPLAINT DATED 25/11/2014 SUBMITTED BY PETITIONER NO.2 BEFORE RESPONDENT NO.1 BOARD.
- EXT.P4.TRUE COPY OF THE REPORT DATED 5/3/2014 SUBMITTED BY RESPONDENT NO.2 BEFORE THIS HONOURABLE COURT IN WPC NO.3206/2014.
- EXT.P5.TRUE COPY OF THE SHOW CAUSE NOTICE DATED 21/5/2014 ISSUED BY RESPONDENT NO.2 TO RESPONDENT NO.5.
- EXT.P6.TRUE COPY OF THE COMPLAINT DATED 28/10/2014 SUBMITTED BEFORE RESPONDENT NO.8
- EXT.P7.TRUE COPY OF THE COMPLAINT DATED 16/8/2014 SUBMITTED BY PETITIONER NO.2 BEFORE RESPONDENT NO.4.
- EXT.P8.TRUE COPY OF THE COMPLAINT DATED 10/12/2014 SUBMITTED BY PETITIONER NO.2 BEFORE RESPONDENT NO.3
- EXT.P9.TRUE COPY OF ONE SUCH JOINT COMPLAINT DATED 27/10/2014 SUBMITTED BEFORE RESPONDENT NO.2
- EXT.P10.TRUE COPY OF THE REPRESENTATION DATED 6/1/2015 SUBMITTED BY THE PETITIONER BEFORE RESPONDENT NO.1 SEEKING CANCELLATION OF EXT.P2 PROCEEDINGS AND TO CONDUCT FRESH ELECTION TO THE TEMPLE ADVISORY COMMITTEE OF SREE VALLABHA MAHA TEMPLE, THIRUVALLA.

RESPONDENT(S)' EXHIBITS

- | | |
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| EXHIBIT-R5(a) | TRUE COPY OF THE PROGRAMME NOTICE OF THE ANNUAL FESTIVAL OF SREEVALLABHA TEMPLE FOR THE YEAR 2015 |
| EXHIBIT-R5(b) | TRUE COPY OF THE CIRCULAR DTD 6.3.2014 ISSUED BY THE 2ND RESPONDENT |
| EXHIBIT-R5(c) | TRUE COPY OF THE EXPLANATION DTD 24.6.2014 SUBMITTED BY THE 5TH RESPONDENT |

//TRUE COPY//

P.S. TO JUDGE

vps

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

W.P.(C) No.1067 of 2015

Dated this the 4th day of March, 2015

J U D G M E N T

P.N.Ravindran, J.

The petitioners, who are devotees of Sree Vallabha Maha Temple, Thiruvalla, have filed this writ petition mainly challenging Ext.P2 proceedings dated 7.11.2014 issued by the Deputy Devaswom Commissioner, Travancore Devaswom board, Thiruvananthapuram whereby term of the Temple Advisory Committee was extended by a period of six months. The Temple Advisory Committee was constituted on 4.12.2012. Its term came to an end on 3.12.2014. By the impugned order, the term of the committee was extended for a further period of six months.

2. Though various contentions are raised, when the writ petition came up for hearing today, Sri.K.Gopalakrishna Kurup, learned Senior Advocate appearing for the 5th respondent submitted that notwithstanding the fact that the term of office has been extended by a further period of six months, as the extension of term was sought for the purpose of holding the annual festival which was held on 2.3.2015, the Temple Advisory Committee is agreeable to demit office on 15.3.2015. In the light of the aforesaid submission,

we are of the opinion that no purpose will be served by going into the merits of the rival contentions at this stage.

We accordingly dispose of the writ petition recording the undertaking made and given on behalf of the 5th respondent that the 5th respondent will demit office on 15.3.2015 and with a direction to the competent authority among the respondents to constitute a new Temple Advisory Committee in accordance with the guidelines governing the field expeditiously and in any event within 30 days from 15.3.2015. The contentions of both sides on the merits are kept open. The learned counsel appearing for the Travancore Devaswom Board is permitted to take back the files leading to Ext.P2.

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

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

vps