

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE SUNIL THOMAS

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

WP(C).No. 2605 of 2015 (A)

PETITIONER:

K.K.OMANAKUTTAN AGED 51 YEARS
S/O.LATE K.V.KARUNAKARAN NAIR
RESIDING AT RAJESWARI VILSOM, ARPOOKARA EAST
KOTTAYAM DISTRICT.

BY ADVS.SRI.P.JAYABAL MENON
SRI.JAGAN ABRAHAM M. GEORGE

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY, MINISTRY OF DEVASWOM
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM. 695 001.

2. TRAVANCORE DEVASWOM BOARD
NANTHANCOD, KOWDIAR POST, THIRUVANANTHAPURAM 695 003
REPRESENTED BY ITS SECRETARY.

3. THE ARPOOKARA TEMPLE ADVISORY COMMITTEE
ARPOOKARA SREE SUBRAMANIA SWAMY TEMPLE, ARPOOKARA
KOTTAYAM DISTRICT
REPRESENTED BY ITS PRESIDENT. 686 008.

4. THE PRESIDENT
ARPOOKARA SREE SUBRAMANIA SWAMY TEMPLE, ARPOOKARA
KOTTAYAM DISTRICT
REPRESENTED BY ITS PRESIDENT. 686 008.

5. THE SECRETARY
ARPOOKARA SREE SUBRAMANIA SWAMY TEMPLE, ARPOOKARA
KOTTAYAM DISTRICT
REPRESENTED BY ITS PRESIDENT. 686 008.

R2 BY ADV. SRI.M.V.S.NAMBOOTHIRI, SC, TRAVANCORE DEVASWOM BOARD
R3-R5 BY ADV. SRI.K.P.SREEKUMAR
GOVERNMENT PLEADER FOR R1 :ADV.SRI.R RENJITH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS:

EXHIBIT P1. COPY OF THE NOTIFICATION ISSUED BY THE 2ND RESPONDENT BEARING NO.ROC-1809/09/N.S DATED 30.11.11.

EXHIBIT P2. COPY OF THE PERFORMANCE REPORT AND THE INCOME AND EXPENDITURE REPROT ISSUED BY THE 3RD RESPONDENT.

EXHIBIT P3. COPY OF THE MINUTES OF THE MEETING OF THE 3RD RESPONDENT DATED 20.10.13.

EXHIBIT P4. COPY OF THE REPLY ISSUED BY THE SUB GROUP OFFICER IN CHARGE OF ARPOOKARA DEVASWOM OFFICE BEARING NO.224 DATED 05.12.14.

EXHIBIT P5. COPY OF THE REPORT FILED BY THE HONOURABLE DEVAWOM OMBUDSMAN BEFORE THIS HONOURABLE COURT IN COMPLAINT NOS.101 AND 135 OF 2014 IN TDB REPORT NO.15.

EXHIBIT P6. TRUE COPY OF THE LETTER BEARING NO.3097 DATED 21.02.2015 ISSUED BY the PUBLIC INFORMATION OFFICER OF THE TRAVANCORE DEVASWOM BOARD

RESPONDENT(S) ' EXHIBITS:NIL

True Copy /

P.A. to Judge

**THOTTATHIL B. RADHAKRISHNAN &
SUNIL THOMAS, JJ.**

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W.P(C).No.2605 of 2015

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Dated this the 27th day of May, 2015

JUDGMENT

Thottathil B. Radhakrishnan, J.

The allegations in this writ petition are pointedly against the 3rd respondent, Temple Advisory Committee. The allegation is that renovation of the Thiruvabharanam was done without maintaining requisite accounts and that no bank account was opened by the TAC as required. These are all matters which would fall within the supervisory domain of the Travancore Devaswom Board. Its such control over TACs is indisputable. Equally, the TDB can cause the account of every TAC to be audited and if acts of malpractices and misappropriation are detected, it is within the duties of the TDB to take appropriate action. We, therefore, do not proceed to consider the rival contentions between the petitioner and the third respondent, though it is submitted on behalf of respondent Nos.3 and 4 that duly audited accounts are maintained. We leave open all issues and direct the TDB to look into the complaint of the

petitioner and take such action, if any, as may be necessary, within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is ordered accordingly.

Sd/-

THOTTATHIL B. RADHAKRISHNAN
Judge

Sd/-

SUNIL THOMAS
Judge

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