

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

WP(C).No. 6639 of 2015 (D)

PETITIONER(S) :-

JAYAPRAKASH
S/O.BHARGAVI THAMBAI, 385
PALISSERY HOUSE, WADAKKANCHERRY, THRISSUR.

BY ADVS.SRI.M.P.ASHOK KUMAR
SRI.P.C.GOPINATH
SMT.BINDU SREEDHAR
SMT.R.S.MANJULA

RESPONDENT(S) :-

1. THE COCHIN DEVASWOM BOARD
REP.BY ITS SECRETARY, DEVASWOM BOARD BUILDING
THRISSUR 680 001.
2. SRI. SELVARAJ
SUB INSPECTOR OF POLICE, NEDUPUZHA POLICE STATION
THRISSUR DISTRICT - 680007.
3. SRI. VELAYUDHAN
ADDITIONAL SUB INSPECTOR OF POLICE
NEDUPUZHA POLICE STATION, THRISSUR DISTRICT - 680007.
4. THE COMMISSIONER OF POLICE, THRISSUR - 680 001.
5. SRI.SUDHAKARAN KARTHA
PANAMUKKATH MALIYEKKAL HOUSE, KANIMANGALAM
THRISSUR DISTRICT - 680 027.

R4 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR
BY SRI.KRISHNA MENON, SC, COCHIN DEVASWOM BOARD
SRI.G.RAJAGOPAL, SC, CDB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1 - PHOTOCOPY OF THE JUDGMENT DATED 9-2-2011 IN WPC.NO.7496/2010.

EXT.P2 - PHOTOCOPY OF THE JUDGMENT DATED 1-4-2011 IN SLP NO.7748/2011.

EXT.P3 - PHOTOCOPY OF THE COCHIN DEVASWOM BOARD ORDER DATED 8-3-2011.

EXT.P4 - PHOTOCOPY OF THE LETTER DATED 15-12-2014.

EXT.P5 - PHOTOCOPY OF THE JUDGMENT IN WPC.35123/14 DATED 20-12-2014.

EXT.P6 - PHOTOCOPY OF THE NOTICE DATED 30-01-2015 ISSUED BY THE CONTROLLING INSPECTOR OF COCHIN DEVASWOM BOARD.

EXT.P7 - PHOTOCOPY OF THE IA 111/2015 IN COC 134/15.

EXT.P8 - PHOTOCOPY OF THE COMPLAINT DATED 28-02-2015.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

**ASHOK BHUSHAN, Ag. C.J &
A.M. SHAFFIQUE, J.**

W.P.(C) No.6639 of 2015

Dated this the 3rd day of March 2015

J U D G M E N T

Shaffique, J.

The petitioner, who claims to have been the Trustee of Valiyalukkal group of temples, has approached this Court alleging harassment by police. It is inter alia contended that the police has interfered in the civil dispute and the orders passed by the Devaswom Board. According to the petitioner, the order of the Devaswom Board is regarding the management of the temple and being a civil dispute, the police was not expected to interfere in the matter. It is alleged that respondent Nos.2 and 3 came to the temple and took the keys, which, according to the petitioner, amounts to harassment.

2. Learned counsel appearing for the first respondent submits that on 27.2.2015, the Devaswom Board had issued an order treating Sudhakaran Kartha as the Trustee and he was asked to take charge immediately. It is based on the said proceedings that the 5th respondent has taken charge of the temple.

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3. Having regard to the aforesaid factual situation, we do not think that this is a case of harassment by the police. If the petitioner is removed from the position of Trustee, he is entitled to challenge the same in the appropriate proceedings.

With the above observation, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE