

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

WP(C).No. 10691 of 2014 (J)

PETITIONERS:

1. P.SREEDHARAN NAMBISAN,
S/O.DEVAKI BRAHMANI AMMA, SREESADAN, NAMBISAN COLONY,
DOWN HILL P.O., MALAPPURAM-676 519.
2. K.M.C.NARAYANAN NAMBOOTHIRI,
THANTHRI, THRIPURANTHAKA DEVASWOM, KUTTALLOOR MANA,
RAMAPURAM, MALAPPURAM DISTRICT.
3. M.P.UNNIKRISHNAN NAMBISAN,
S/O.PARVATHI BRAHMANI AMMA, KRIPA, THRIKKUTTISSERI,
VIA NADUVANNOOR, VAKAYAD P.O.,
KOZHIKODE DISTRICT-673 614.

BY ADVS.DR.K.P.KYLASANATHA PILLAY (SR.)
SMT.SREEDEVI KYLASANATH
SMT.RENJU

RESPONDENTS :

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY, DEVASWOM DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAURAM.
2. THE COMMISSIONER,
MALABAR DEVASWOM BOARD, CIVIL STATION,
KOZHIKODE PIN-673 001.
3. THE DEPUTY COMMISSIONER,
MALABAR DEVASWOM BOARD, CIVIL STATION,
KOZHIKODE PIN-673 001.

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ADDL.R4:- THRIPURANTHAKA DEVASWOM,
REPRESENTED BY ITS EXECUTIVE OFFICER,
MALAPPURAM – 676 505.

(ADDL.R4 IS IMPEADED AS PER ORDER DTD.29-8-14 IN IA.11003/14)

ADDL.R4 BY ADV. SRI.K.MOHANAKANNAN
ADDL.R4 BY ADV. SMT.A.R.PRAVITHA
ADDL.R4 BY ADV. SMT.D.S.THUSHARA
R2 & 3 BY ADV. SRI.PARTHASARATHY.B, SC, MALABAR DEVASWOM BOARD
ADDL--R4 BY ADV. SRI.MAHESH V RAMAKRISHNAN
BY SR.GOVERNMENT PLEADER SRI.A.RENJITH
BY SRI.V.KRISHNA MENON, SC, MALABAR DEVASWOM BOARD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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

W.P.(C).No.10691 of 2014

Dated this the 19th day of January, 2015

JUDGMENT

P.N.Ravindran, J.

The third petitioner is the hereditary trustee of Sree Tripuranthaka Temple and the second petitioner is the Thanthri of the said temple. The first petitioner is the person nominated by the third petitioner for appointment as the Fit Person. The Deputy Commissioner, Malabar Devaswom Board declined to accept the appointment of the first petitioner as the Fit Person on the ground that the third petitioner has not been recognized as the hereditary trustee. The instant appeal is filed challenging Ext.P8 letter sent by the Deputy Commissioner, Malabar Devaswom Board in that regard and seeking an order directing respondents 2 and 3 to appoint the first petitioner as the Fit Person of the hereditary trustee of Tripuranthaka Devaswom. The petitioners also seek a declaration that the first petitioner is entitled to be appointed as the Fit Person by the hereditary trustee of Sree Tripuranthaka Temple.

When the writ petition was taken up for hearing today, learned standing counsel for the Malabar Devaswom Board submitted that the Deputy Commissioner, Kozhikode has, as per proceedings dated 16-1-2015 approved the appointment of the first petitioner as the Fit Person for a period of one year from 1-5-2014. A copy of the proceedings dated 16-1-2015 was handedover to us for perusal and the same is incorporated in the records. In such circumstances, as the grievance of the petitioner stands redressed, we are of the opinion that no further orders are called for in this writ petition. The writ petition is accordingly closed as infructuous, reserving liberty with the petitioners to institute other appropriate proceedings if they are aggrieved by the terms and stipulations in the proceedings dated 16-1-2015.

P.N.RAVINDRAN, JUDGE

ANIL K.NARENDRAN, JUDGE

skj