

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN  
&  
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

**WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937**

**WP(C).No. 10686 of 2015 (I)**  
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**PETITIONER(S):**  
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1. P.N DINKAR, AGED 32,  
S/O.P.P.NITHYANANTHA NAIK, PRESIDENT OF  
ADMINISTRATIVE COMMITTEE OF THIRUMALA  
SREE VENKITESWARA SWAMI TEMPLE,  
THAZHATHANGADY, RESIDING AT P  
ADIPURAMADAM HOUSE, THAZHETHANGADI P.O.,  
KOTTAYAM TALUK, KOTTAYAM DISTRICT.
2. T.G.SURESH BABU, AGED 54, S/O.GOPALA RAO,  
BHARANADHIKARY OF THE ADMINISTRATIVE COMMITTEE  
OF THIRUMALA SREE VENKITESWARA SWAMI TEMPLE,  
THAZHATHANGADY, RESIDING AT THRIKOVIL HOUSE,  
ARPOOKKARA VILLAGE, KOTTAYAM TALUK,  
KOTTAYAM DISTRICT.

**BY ADVS.SRI.VARGHESE C.KURIAKOSE  
SRI JOY JOSEPH  
SRI.P.J.JOSE**

**RESPONDENT(S):**  
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1. STATE OF KERALA, REP.BY SECRETARY,  
DEPARTMENT OF HOME AFFAIRS,  
SECRETARIAT, TRIVANDRUM - 695001.
2. THE SUPERINTENDENT OF POLICE, KOTTAYAM,  
O/O. OF THE SUPERINTENDENT OF POLICE,  
KOTTAYAM - 686001.
3. THE DEPUTY SUPERINTENDENT OF POLICE,  
KOTTAYAM, D/O. OF THE DSP, KOTTAYAM - 686001.
4. THE CIRCLE INSPECTOR OF POLICE,  
KOTTAYAM WEST POLICE CIRCLE,  
CIRCLE OFFICE, KOTTAYAM - 686003.

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5. THE SUB INSPECTOR OF POLICE,  
KOTTAYAM WEST POLICE STATION,  
KOTTAYAM - 686003.
6. RAJ NAIK, AGED 58, S/O.NARASIMHA NAIK,  
ROHINI, MALAPPANPARAMBIL,  
THAZHATHANGADY P.O., KOTTAYAM TALUK,  
KOTTAYAM DISTRICT - 686005.
7. SAJEEV A.PAI, AGED 50, S/O.ANANTHA PAI,  
ANANTHAVIHAR, THAZHATHANGADY P.O.,  
KOTTAYAM TALUK, KOTTAYAM DISTRICT - 686005.

R1 TO R5 BY SENIOR GOVT. PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 01-04-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

mbr/

**APPENDIX**

**PETITIONER(S)' EXHIBITS:**

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- EXHIBIT P1- TRUE PHOTOSTAT COPY OF THE SCHEME FORMULATED BY THE PRINCIPAL SUB COURT KOTTAYAM THROUGH THE FINAL DECREE PASSED IN I.A.NO.1147/85 IN O.S. NO.151/77 WITH ENGLISH TRANSLATION.
- EXHIBIT P2- TRUE PHOTOSTAT COPY OF THE DECISION OF THE ADMINISTRATIVE COMMITTEE DATED 14/01/2013 WITH ENGLISH TRANSLATION.
- EXHIBIT P3- TRUE PHOTOSTAT COPY OF THE MINUTES OF THE POTHUYOGAM DATED 10/03/2013 WITH ENGLISH TRANSLATION.
- EXHIBIT P4- TRUE PHOTOSTAT COPY OF MINUTES DATED 02/06/2014 WITH ENGLISH TRANSLATION.
- EXHIBIT P5- TRUE PHOTOSTAT COPY OF PLAINT IN O.S. NO.130/2013.
- EXHIBIT P6- COPY OF FESTIVAL PROGRAMME NOTICE WITH ENGLISH TRANSLATION.
- EXHIBIT P7- TRUE PHOTOSTAT COPY OF PETITION BEFORE THE RESPONDENT NO.2 SEEKING POLICE PROTECTION, DULY ACKNOWLEDGED.
- EXHIBIT P8- TRUE PHOTOSTAT COPY OF PETITION BEFORE THE RESPONDENT NO.3 SEEKING POLICE PROTECTION.
- EXHIBIT P9- TRUE PHOTOSTAT COPY OF PETITION BEFORE THGE RESPONDENT NO.4 SEEKING POLICE PROTECTION.
- EXHIBIT P10- TRUE PHOTOSTAT COPY OF PETITION BEFORE THE RESPONDENT NO.5 SEEKING POLICE PROTECTION.
- EXHIBIT P11- TRUE PHOTOSTAT COPY OF RECEIPT ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P12- TRUE PHOTOSTAT COPY OF RECEIPT ISSUED BY THE 5TH RESPONDENT.

**RESPONDENT(S)' EXHIBITS:** - NIL

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/TRUE COPY/

P.S. TO JUDGE

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**ASHOK BHUSHAN, CJ  
& A.M.SHAFFIQUE, J.**

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**W.P.C.No.10686 of 2015**

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Dated this the 1<sup>st</sup> day of April 2015

**J U D G M E N T**

**Shaffique,J**

Petitioners, claiming to be the President and Bharanadhikari of the administrative committee of Thirumala Sreevenkiteswara Swami Temple, has approached this Court inter alia contending that a festival is being celebrated from 22/04/2015 to 27/04/2015. It is submitted that there had been some dispute with respondents 6 and 7. Though respondents 6 and 7 were elected as Administrative Committee members, it is contended that they have lost their position by their fault. Petitioners apprehend that during the festival, respondents 6 and 7 may create some law and order situation to disrupt the festival activities. It is submitted that though they had filed Exts.P7 to P10 complaints with police authorities, so far no action has been taken. It is apprehended that police may not render necessary assistance during the conduct of the festival. Hence they have approached this Court.

2. Having regard to the nature of the order we intend to pass, we do not think that it is necessary to issue notice to respondents 6 and 7.

3. The learned Government Pleader, on instructions, would submit that being a festival conducted in a temple, necessary police force would be available to ensure maintenance of law and order.

4. We make it clear that we do not intend to enter into any controversy regarding the right of the petitioners as well as respondents 6 and 7 in relation to them being members or non-members of the Administrative Committee. We only observe that if there is any law and order situation in the matter relating to conduct of festival in the said temple, police shall ensure maintenance of law and order.

With these observations, this writ petition is disposed of.

(sd/-)

**(ASHOK BHUSHAN, CHIEF JUSTICE)**

(sd/-)

**(A.M.SHAFIQUE, JUDGE)**

jsr





