

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN  
&

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

WP(C) .No. 26207 of 2013 (A)  
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PETITIONER(S) :  
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P.NARAYANAN,  
EX.SECRETARY,  
PATTUVAM KUNHIMATHILAKAM-VALIAMATHILAKAM  
KSHETRA SEWA SAMITHI, PATTUVAM P.O.  
KANNUR DIST.

BY ADVS.SMT.VIDHYA. A.C  
SRI.A.C.VENUGOPAL

RESPONDENT(S) :  
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1. THE COMMISSIONER,  
THE MALABAR DEVASWOM BOARD, HOUSE FED COMPLEX  
ERANHIPALAM P.O., KOZHIKODE.

\* 2. THE ASST. COMMISSIONER,  
MALABAR DEVASWOM BOARD, THIRUVANGAD P.O.,  
THALASSERY.

\* ADDRESS OF R2 CORRECTED AS

ASSISTANT COMMISSIONER,  
MALABAR DEVASWOM BOARD,  
NILESWAREM P.O.,  
KASARAGOD DISTRICT.

AS PER ORDER DATED 04.04.2014  
IN I.A.NO.4845 OF 2014

3. THE HEREDITARY TRUSTEE,  
CHIRAKKAL KOVILAKAM DEVASWOM, KANNUR DIST.

4. EXECUTIVE OFFICER,  
CHIRAKKAL KOVILAKAM DEVASWOM, KANNUR DIST.

\*\*ADDL.R5 T.V.REMA, W/O.CHANDU,  
KRISHNA KRIPA,  
NEAR TRICHAMBARAM SREE KRISHNA KSHETRAM,  
P.O.TALIPARAMBA, KANNUR DISTRICT.

WPC26207/13

\*\*ADDL.R6            T.V.UMMA, W/O.RAVINDRAN.  
                      --DO--            --DO--

\*\*ADDL.R7            T.V.HYMA, W/O.RAMADASAN,  
                      --DO--            --DO--

\*\*ADDL.R8            T.V.RAVINDRAN, S/O.NARAYANAN NAIR,  
                      --DO--            --DO--

\*\*ADDL.R9            T.V.RAJAGOPALAN, S/O.NARAYANAN NAIR,  
                      --DO--            --DO--.

\*\* (ADDITIONAL RESPONDENT NOS.5 TO 9 ARE IMPEADED AS PER ORDER  
DATED 10.06.2015 ON I.A.NO.4887 OF 2014) .

R1 & R2    BY ADV. SRI.V.KRISHNA MENON, SC,  
                      MALABAR DEVASWOM BOARD

R1 & R2    BY ADV. SRI.K.R.SUNIL, SC,  
                      MALABAR DEVASWOM BOARD

R3 & R4    BY ADV. SRI.MAHESH V RAMAKRISHNAN  
ADDL.R5 TO R9    BY ADV. SRI.RAJIT

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 10-06-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS  
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EXT.P1: COPY OF NOTICE DATED 1/1/2013 ISSUED BY THE EXECUTIVE OFFICER, CHIRAKKAL KOVILAKAM DEVASWOM.

EXT.P2: COPY OF MINUTES OF THE MEETING DATED 11/1/2013 PRESIDED BY TRUSTEE OF CHIRAKKAL KOVILAKAM DEVASWOM.

EXT.P3: COPY OF ORDER DATED 23/1/2012 ISSUED BY THE EXECUTIVE OFFICER, CHIRAKKAL KOVILAKAM DEVASWOM.

EXT.P4: PHOTOCOPY OF ORDER DATED 13/3/13 ISSUED BY THE EXECUTIVE OFFICER, CHIRAKKAL KOVILAKAM DEVASWOM.

EXT.P5: COPY OF REPRESENTATION DATED 17/4/2013 SUBMITTED BY PETITIONER TO THE 1ST RESPONDENT.

EXT.P6: COPY OF MINUTES OF THE MEETING DATED 12/5/2013 CONDUCTED BY PATTUVAM VALIYAMATHILAKAM AND KUNHIMATHILAM KSHETRA SEWA SAMITHI.

EXT.P7: COPY OF REPRESENTATION DATED 20/5/2013 SUBMITTED BY PETITIONER TO THE 1ST RESPONDENT.

EXT.P8 : COPY OF LETTER DATED 07.08.2013 OF THE ASSISTANT COMMISSIONER, MALABAR DEVASWOM BOARD, KASARAGOD, NEELESWARAM.

RESPONDENT(S) ' EXHIBITS  
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ANNEXURE A : COPY OF LETTER NO.A3-1979/2013 (MDB) DATED 7.8.2013.

ANNEXURE-B : COPY OF LETTER NO.H5/2387/2013 MDB DATED 11.10.2013.

//TRUE COPY//

PA TO JUDGE.

THOTTATHIL B.RADHAKRISHNAN &  
SUNIL THOMAS, JJ.

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WP(C) No.26207 of 2013  
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Dated this the 10<sup>th</sup> day of June, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

Heard.

This amended writ petition stands seeking a direction to the fourth respondent to comply with the directions of the second respondent as contained in Ext.P8 letter and to forbid the fourth respondent from allowing the members of Rajarajeswari Trust to interfere with the administration of the temple in question. Valiyamathilakam Kshetram and Kunjimathilakam Kshetram are under the control of the fourth respondent Executive Officer. It is submitted on behalf of the fourth respondent that the ornaments and other belongings referable to the deity are in his custody and are maintained under proper accounts. It is also submitted by the learned counsel for respondent Nos. 3 and 4 that Rajarajeswari Trust is only a private institution in the form of a Trust created by

the members of a family and the purpose is to pull funds to augment support for the requirements of the temple. It is submitted on their behalf that the said trust does not interfere, in any manner, with the management or administration of the temple or its wealth and assets. Recording this, we direct that the fourth respondent will do the needful to secure that the aforesaid fact situation continues. This writ petition is ordered accordingly.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(SUNIL THOMAS, JUDGE)

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