



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRAN

&

THE HONOURABLE MR. JUSTICE MURALEE KRISHNA S.

TUESDAY, THE 11TH DAY OF MARCH 2025 / 20TH PHALGUNA, 1946

SSCR NO. 59 OF 2024

*IN THE MATTER OF TRAVANCORE DEVASWOM BOARD - SABARIMALA
SPECIAL COMMISSIONER REPORT - SM. NO. 59/2024 - REPORT
SUBMITTED BY THE SPECIAL COMMISSIONER, SABARIMALA REGARDING
THE PROPOSAL OF RELOCATING BHASMAKULAM TO NEAR THE
KOPRAPURA (EAST NORTH OF THE TEMPLE) AND TO CONSTRUCT A CENTRE
ON THE SIDE OF THE TREKKING PATH OF PILGRIMS TO PLACE THE
STATUE OF LORD GANAPATHY. -SUO MOTU PROCEEDINGS INITIATED-
REG:.*

PETITIONER:

SUO MOTU

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO
GOVERNMENT, REVENUE (DEVASWOM) DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM 695 001
- 2 THE TRAVANCORE DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, NANTHANCODE,
KAWDIAR POST, THIRUVANANTHAPURAM 695 003



- 3 THE DEVASWOM COMMISSIONER
TRAVANCORE DEVASWOM BOARD, DEVASWOM BUILDINGS,
NANTHANCODE, THIRUVANANTHAPURAM 695 005
- 4 EXECUTIVE OFFICER
SABARIMALA, SABARIMALA P.O.,
PATHANAMTHITTA 689 662
- 5 CHIEF VIGILANCE & SECURITY OFFICER
(SUPERINTENDENT OF POLICE)
TRAVANCORE DEVASWOM HEAD QUARTERS,
NANTHANCODE, KAWDIAR POST,
THIRUVANANTHAPURAM 695 003
- 6 CHIEF ENGINEER
MARAMATH WING, TRAVANCORE DEVASWOM BOARD,
NANTHANCODE, KOWDIAR POST,
THIRUVANANTHAPURAM 695 003
- *7 THE HIGH POWER COMMITTEE FOR THE IMPLEMENTATION
OF SABARIMALA MASTER PLAN
REPRESENTED BY ITS CHAIRMAN, TRAVANCORE DEVASWOM
BOARD, NANTHANCODE, THIRUVANANTHAPURAM - 695 003
(IS IMPEADED AS ADDITIONAL R7 VIDE ORDER DATED
21.08.2024 IN SSCR 59 OF 2024)
- **8 THE DEPUTY DIRECTOR
PERIYAR TIGER RESERVE, WEST DIVISION, PEERMADE
P.O., IDUKKI - 685 531 (IS SUO MOTU IMPEADED AS
ADDITIONAL 8TH RESPONDENT VIDE ORDER DATED
11.09.2024 IN SSCR.NO.59 OF 2024.)
- ***9 CHIEF POLICE CO-ORDINATOR
[ADDITIONAL DIRECTOR GENERAL OF POLICE (POLICE
HEADQUARTERS)] SABARIMALA, PATHANAMTHITTA, PIN-
689713;
CHIEF POLICE COORDINATOR (ADDITIONAL DIRECTOR
GENERAL OF POLICE (LAW AND ORDER), SABARIMALA,
PATHANAMTHITTA, PIN-689713
(IS SUO MOTU CORRECTED AS ABOVE VIDE ORDER DATED
13.11.2024 IN SSCR.NO.59 OF 2024 AND ADDL.R9 IS
SUO MOTU IMPEADED VIDE ORDER DATED 17.10.2023 IN
SSCR 59 OF 2024)



SSCR No.59 of 2024
&
HPCR(S)No.2 of 2024

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2025:KER:21458

BY ADV G.BIJU

OTHER PRESENT:

SRI. S. RAJMOHAN, SR. GP;
SRI. G. BIJU, SC, TDB;
SMT. SAYUJYA RADHAKRISHNAN, AMICUS CURIAE

THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME
UP FOR ADMISSION ON 11.03.2025, ALONG WITH HPCR(S).2/2024,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



SSCR No.59 of 2024
&
HPCR(S)No.2 of 2024

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2025:KER:21458

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRAN

&

THE HONOURABLE MR.JUSTICE MURALEE KRISHNA S.

TUESDAY, THE 11TH DAY OF MARCH 2025 / 20TH PHALGUNA, 1946

HPCR(S) NO. 2 OF 2024

PETITIONER:

THE HIGH POWER COMMITTEE FOR IMPLEMENTATION OF
SABARIMALA MASTER PLAN
REPRESENTED BY ITS CHAIRMAN, TRAVANCORE
DEVASWOMBOARD, NANTHANCODE, THIRUVANANTHAPURAM.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO
GOVERNMENT, REVENUE (DEVASWOM) DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 2 THE TRAVANCORE DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, NANTHANCODE,
KAWDIAR POST, THIRUVANANTHAPURAM-695003.
- 3 THE DEVASWOM COMMISSIONER
TRAVANCORE DEVASWOM BOARD,
DEVASWOM BUILDING, S NANTHANCODE,
THIRUVANANTHAPURAM, PIN-695005.
- 4 EXECUTIVE OFFICER,
SABARIMALA, SABARIMALA.P.O.,
PATHANAMTHITTA-689662



- 5 CHIEF VIGILANCE & SECURITY OFFICER
(SUPERINTENDENT OF POLICE)
TRAVANCORE DEVASWOM HEAD QUARTERS, NANTHANCODE,
KAWDIAR POST, THIRUVANANTHAPURAM-695003.
- 6 CHIEF ENGINEER,
MARAMATH WING, TRAVANCORE DEVASWOM BOARD,
NANTHANCODE, KOWDIAR POST,
THIRUVANANTHAPURAM-695003.
- 7 THE DEPUTY DIRECTOR,
PERIYAR TIGER RESERVE, WEST DIVISION,
PEERMADE.P.O., IDUKKI-685531.
- *8 CHIEF POLICE CO-ORDINATOR
[ADDITIONAL DIRECTOR GENERAL OF POLICE (POLICE
HEADQUARTERS)] SABARIMALA,
PATHANAMTHITTA, PIN-689713

CHIEF POLICE COORDINATOR (ADDITIONAL DIRECTOR
GENERAL OF POLICE (LAW AND ORDER),
SABARIMALA, PATHANAMTHITTA, PIN-689713 (IS SUO
MOTU CORRECTED AS ABOVE AS PER ORDER DATED
13.11.2024 IN HPCR(S)NO.2 OF 2024)
(ADDL R8 IS SUO MOTU IMPEADED VIDE ORDER DATED
17.10.2024 IN HPCR 2 OF 2024)

THIS HIGH POWER COMMITTEE REPORT (SABARIMALA) HAVING
COME UP FOR ADMISSION ON 11.03.2025, ALONG WITH SSCR.59/2024,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



ORDER

Anil K. Narendran, J.

The issue involved in this SSCR and HPCR(S) relates to re-location of 'Bhasmakulam at Sabarimala Sannidhanam and placing the statue of Lord Ganapathy on the side of the trekking path.

2. On 21.08.2024, when SSCR No.59 of 2024 came up for consideration, this Court passed the following order;

"The High Power Committee for the Implementation of Sabarimala Master Plan, represented by its Chairman, Travancore Devaswom Board, Nanthancode, Thiruvananthapuram – 695 003 is suo motu impleaded as the additional 7th respondent.

2. This report filed by the Special Commissioner, Sabarimala is regarding the proposal of the Travancore Devaswom Board for relocating Bhasmakulam at Sabarimala Sannidhanam to Koprakkalam in between Valiyanadapanthal and Sabari Guest House and also placing an idol of Lord Kanana Ganapathy on the side of the trekking path.

3. In the report, the Special Commissioner, Sabarimala has pointed out that the proposed constructions are without obtaining permission from the High Power Committee for the implementation of Sabarimala Master Plan. At the place identified for placing the idol of Lord Kanana Ganapathy, the trekking path is not having



sufficient width for locating that idol. A few photographs of the Bhasmakkulam, the idol of Lord Kanana Ganapathy and also the place where that idol is proposed to be located form part of the report.

4. Today, when this matter is taken up for consideration, the learned Standing Counsel for Travancore Devaswom Board has made available for the perusal of this Court a written instructions dated 20.08.2024 from the 4th respondent Executive Officer, Sabarimala.

5. On a specific query made by this Court, the learned Standing Counsel for Travancore Devaswom Board would submit that the proposal regarding relocating the idol of Lord Kanana Ganapathy has already been intimated to the additional 7th respondent High Power Committee. On 16.08.2024, however, the proposal regarding the shifting of Bhasmakkulam is yet to be intimated to the High Power Committee.

6. The learned Senior Government Pleader, on instructions, from the 1st respondent would submit that for the renovation of the Bhasmakkulam at Sabarimala Sannidhanam, more than Rs.1 Crore from the plan fund of the State was spent two years back, through the High Power Committee. In addition to that, the Government has already sanctioned Rs.70 lakhs for installing a water purification plant for Bhasmakkulam.

7. After referring to the written instructions received from the 4th respondent Executive Officer, the learned Standing Counsel for Travancore Devaswom Board would submit



that proposal for shifting Bhasmakkulam was informed to the Special Commissioner, Sabarimala on 12.08.2024.

8. The learned Amicus Curiae for Special Commissioner, Sabarimala, would submit that as stated in the report, the Special Commissioner was informed about the proposal for shifting Bhasmakkulam only on 18.08.2024, by way of a written communication, which he received at 6.30 a.m. Immediately, thereafter, this report was filed before this Court on 19.08.2024.

9. On a query made by this Court, the learned Standing Counsel for Travancore Devaswom Board would submit that at present, no activities are going on at Sabarimala Sannidhanam in connection with the shifting of Bhasmakkulam or relocating the idol of Lord Kanana Ganapathy.

10. Having considered the report of the Special Commissioner, Sabarimala and also the submissions made at the Bar, we deem it appropriate to pass an interim order restraining the Board from proceeding further with the proposed shifting of Bhasmakkulam or relocating the idol of Lord Kanana Ganapathy at Sabarimala Sannidhanam, for a period of one month.

11. The learned Standing Counsel for the 2nd respondent Travancore Devaswom Board and the learned Standing Counsel for the additional 7th respondent High Power Committee seek two weeks' time to file affidavits on behalf of the Board and the High Power Committee.

12. Registry to incorporate a copy of the order of this



Court dated 30.06.2023 in SSCR No.13 of 2023 in the
Judges papers in this SSCR.

3. An affidavit dated 11.09.2024 has been placed on record on behalf of the 2nd respondent Travancore Devaswom Board, producing therewith Annexures R2(a) to R2(c) documents. The document marked as R2(c) is a copy of the minutes of the meeting of the High Power Committee for Implementation of Sabarimala Master Plan held on 29.08.2024. Paragraph VIII of that minutes reads thus;

"VIII. Relocating Bhasmakulam and Shifting the Ganapthy Idol to Jyothinagar, Sabarimala.

Hon'ble High Court of Kerala has issued an interim order on 21.08.2024 based on the report of the Special Commissioner, Sabarimala in SSCR No. 59 of 2024 in which the HPC was directed to file a statement regarding the matter. Accordingly, as directed by the Chairman, meeting of the Technical Committee was held on 27.08.2024 to discuss the issue and the minutes of the Technical Committee meeting was placed before the HPC. Regarding the shifting of Bhasmakulam, the Technical Committee opined that even though the new location is as per the Master Plan which directs that wells or ponds may be located in the North-East, a comprehensive proposal incorporating the deviations from already approved Layout Plan along with financial implication of loss etc. needs to be considered



before granting the approval. It was decided to report this to the Hon'ble High Court. Regarding the shifting of the Ganapathy Idol, the Technical Committee recommended the proposal based on certain observations. It was decided to place the recommendations of the Technical Committee before the High Court along with a report of the HPC on the subject. The HPC noted that these matters were not placed before the HPC by the TDB before."

4. On 03.10.2024, when this SSCR came up for consideration, the learned Senior Counsel for the additional 7th respondent High Power Committee for the Implementation of Sabarimala Master Plan submitted that another meeting of the Technical Committee was held on 20.09.2024. It is also submitted that a report of the Chairman of the High Power Committee, with specific reference to page Nos.59 and 60, Volume II, Module IV of the Master Plan document, shall also be placed on record, within two weeks. The learned Senior Government Pleader submitted that an affidavit sworn to by the additional 8th respondent Deputy Director, Periyar Tiger Reserve, West Division, shall be placed on record within two weeks.

5. During the pendency of this SSCR, the High Power Committee for Implementation of Sabarimala Master Plan filed the



above HPCR(S), in terms of the directions contained in the order of this Court dated 03.10.2024 in the SSCR. In HPCR(S) No.2 of 2024, the Chairman of the High Power Committee has stated that the proposal regarding the shifting of 'Bhasmakulam' and relocation of that statue of Lord Ganapathy was not placed for consideration before the High Power Committee, by the Travancore Devaswom Board, before the filing of the report (SSCR No.59 of 2024) by the Special Commissioner, Sabarimala.

6. In SSCR No.59 of 2024, the additional 8th respondent Deputy Director, Periyar Tiger Reserve, West Division has filed an affidavit dated 07.10.2024. Paragraphs 6 and 7 of the said affidavit read thus;

"6. It is submitted that, the proposed location of the Ganapathy Idol installation is on the forest land leased to TDB in 1965. The land has been leased for the purpose of arranging facilities to the pilgrims; not for installation and consecration of new temple/ Mandapam.

7. Further, it is submitted that installation of Ganapathy Idol in the present proposed location will attract the piling proceedings to Sannidhanam and vice versa, which will result in large scale gathering of pilgrims in a small space, in Chandranandan road particularly. It is the common practice and custom to offer coconut breaking to Ganapathy



and there is every chance that the pilgrims would offer the same at the current proposed location. This would result in clogging of pilgrims and every possible chance of eventualities and even a stampede; as the proposed location is so narrow and close to the Chandranandan Road, which is very crucial in to and fro movement of pilgrims, men and materials to Sannidhanam." (underline supplied)

7. The report dated 15.10.2024 of the Chairman of the High Power Committee for Implementation of Sabarimala Master Plan, in HPCR(S) No.2 of 2024 reads thus;

"1. The Special Commissioner, Sabarimala has filed a report as S.M.No.59 of 2024, containing suggestions with respect to the proposal of the Travancore Devaswom Board (TDB) to re-locate Bhasmakulam near to the Kopra Pura (East North) of the Temple and to construct a center on the side of the trekking path of pilgrims to place the statue of Lord Ganapathy. Pursuant to the report referred above, this Hon'ble Court initiated suo motu proceedings numbered as SSCR No.59 of 2024 in which the High Power Committee for implementation of Sabarimala Master Plan ('the HPC for short') is arrayed as the 7th respondent. When the above SSCR came up for consideration on 21.08.2024 this Hon'ble Court, after hearing the Standing Counsel for TDB, the learned Government Pleader and the Amicus Curiae for the Special Commissioner, Sabarimala, issued an interim order, restraining the TDB from proceeding further with the proposed shifting of Bhasmakulam and re-location of the



idol of Lord Kanana Ganapathy at Sabarimala Sannidhanam, for a period of one month. It is submitted in this regard that the proposal regarding the shifting of Bhasmakulam and the relocation of the Statue of Lord Kanana Ganapathi was not placed for the consideration of the HPC by the TDB before S.M.No.59 of 2024 was filed by the Special Commissioner, Sabarimala.

2. After the interim order of this Hon'ble Court dated 21.08.2024 referred above, a meeting of the Technical Committee of the HPC was held on 27.08.2024 to consider the proposal of TDB to re-locate the Bhasmakulam from the existing position near to Kopra Pura and regarding the construction of Mandapam for placing Ganapathy Idol at Jyothinagar, Chandranandan Road, Sabarimala. The Technical Committee, after due deliberations, came to the conclusion that "a comprehensive proposal incorporating the deviations from the already approved lay out plan, along with financial implications of loss of pilgrim accommodation requirement of additional water, maintaining costs, and provisions for discharge/treatment of waste water disposal need to be considered before the approval. The proposal also should include costs maintenance of the insisting Bhasmakulam, which is part of the water feature in the approved lay out plan". As regards the Mandapam for placing Ganapathy idol, the Technical Committee accepted the proposal of TDB, subject to the approval of the HPC. A true photocopy of the Minutes of the Special Meeting of the Technical Committee on 27.08.2024 is produced herewith



and marked as Annexure-I.

3. Subsequently, Annex-I Minutes was placed in the meeting of the HPC held on 29.08.2024 as Item No.VIII in which the issue pertaining to relocation of Bhasmakulam and shifting of Ganapathy idol was discussed in detail. After due deliberations, the HPC resolved to report the recommendations of the Technical Committee of HPC in the matter before this Hon'ble Court. A true photocopy of the Minutes of the HPC meeting dated 29.08.2024 is produced herewith and marked as Annex II.

4. The Standing Counsel for HPC later raised a query regarding certain aspects mentioned in Annex-I Minutes, particularly with respect to the stipulations in Sabarimala Master Plan pertaining to the shifting the Bhasmakulam. On the oral direction of the Chairman, HPC, another meeting of Technical Committee of HPC was held on 20.09.2024 in virtual mode. In the said meeting, the proposal submitted by the TDB in this regard was considered with reference to the relevant Master Plan document. Page Nos. 59 and 60 of Vol. 2 Module - 4 Built Fabric Analysis of the Sabarimala Master Plan contains General Guidelines regarding the location for storing water at Sabarimala Sannidhanam. In the General Guidelines prepared as per Vasthu Sasthra it is stated that "Water related activities including its storage and treatment should come up in the north east zone. Underground water tanks should be planned in the north and north east directions. Overhead tank should be on the West side. Tanks on the North or the East zones are also



permissible. But underground or ground level water should never be stored in the West or South West directions". The General Guidelines further stipulates that "A bore well or constructed well for a water source should be located in the North or the North East directions. Ponds also should be in North East". A true photocopy of Page Nos.59 and 60 of Vol. 2 Module - 4 Built Fabric Analysis of the Sabarimala Master Plan is produced herewith and marked as Annexure III. The Technical Committee of HPC, after considering all the aspects including Annex-III, came to the conclusion that the proposal of the TDB to re-locate the Bhasmakulam from the West Side to North East side do not violate General Guidelines. A true photocopy of the Minutes of the Virtual Meeting of the Technical Committee held on 20.09.2024 is produced herewith and marked as Annexure-IV.

5. Subsequently an urgent meeting of HPC was called on 11.10.2024 to consider Annex-V Minutes of the Technical Committee. However, 11.10.2024 was declared as holiday by the Government later. Hence the meeting of HPC which was originally scheduled to 11.10.2024, was adjourned to 14.10.2024. In the meeting of HPC held in virtual mode on 14.10.2024, Annex-IV Minutes was discussed in the light of the relevant portions of the Sabarimala Master Plan. After detail discussion, the HPC resolved to accept the recommendation of the Technical Committee reflected in Annex IV Minutes. A true photocopy of the Minutes of the meeting of the HPC held on 14.10.2024 is produced herewith and marked as Annexure-V."



8. By the order dated 17.10.2024, this Court suo motu impleaded the Chief Police Coordinator [Additional Director General of Police (Police Headquarters)], Sabarimala, as additional 9th respondent in the SSCR and as additional 8th respondent in HPCR(S). The learned Senior Government Pleader sought time to file an affidavit sworn to by the Chief Police Coordinator, Sabarimala.

9. The learned Senior Government Pleader has filed an affidavit dated 07.10.2024 sworn to by the 8th respondent Deputy Director, Periyar Tiger Reserve (West Division). Paragraphs 3 to 9 of that affidavit read thus;

"3. It is submitted that, while convening the meeting of the High-Power Committee on Sabarimala Master Plan on 29.08.2024 at Thiruvananthapuram, along several other matters the relocation of Bhasmakkulam and Idol of Lord Ganapathy, currently placed in the Valiya Nadapanthal at Sannidhanam have been came for discussion as it was presented by the President, and members of the TDB. The Executive Officer, Sabarimala has requested vide letter E.O.P.No.719/24/SAB dated 18.08.2024 requesting permission to fell a tree standing close to the proposed relocation site of Ganapathy Idol. While examining the matter, it became clear that the proposed location of



Ganapathy Idol installation is a point on the right side of the Chandranandan Road, near to the confluence point of Chandranandan Road and traditional trek path from Saramkuthi, at Sannidhanam. This is a narrow piece of land having a width of less than 5 meters, in between the Chandranandan road and Saramkuthi traditional route.

4. Further, on examining the proposal it became clear that the proposed spot is very much close to the 7 meter only width Chandranandan road. This road is being extensively used for the pilgrim movement and plying tractor, ambulance service intermittently during the pilgrimage days. Besides, this location is just opposite to the point where, the proposed exit bridge from Malikappuram is confluence with Chandranandan Road.

5. It is learned from the discussion happened in the HPC meeting that, in the lay out plan of the Sannidhanam, which is being prepared by the team from Architecture Department of College of Engineering, Trivandrum entrusted vide GO(MS)No.171/2020/RD dated 24.06.2020, there is no such provision of Ganapathy Mandapam or Temple-like structures in the present proposed location.

6. It is submitted that, the proposed location of the Ganapathy Idol installation is on the forest land leased to TDB in 1965. The land has been leased for the purpose of arranging facilities to the pilgrims; not for installation and consecration of new temple/Mandapam.

7. Further, it is submitted that installation of Ganapathy Idol in the present proposed location will attract the pilgrims



proceedings to Sannidhanam and vice versa, which will result in large scale gathering of pilgrims in a small space, in Chandranandan road particularly, It is the common practice and custom to offer coconut breaking to Ganapathy and there is every chance that the pilgrims would offer the same at the current proposed location. This would result in clogging of pilgrims and every possible chance of eventualities and even a stampede; as the proposed location is so narrow and close to the Chandranandan Road, which is very crucial in to and fro movement of pilgrims, men and materials to Sannidhanam.

8. It is submitted that, the Sabarimala Master Plan, Volume -II, Mode-3; Landscape, Para 5.7.5 prescribes a guideline for provision of facilities along Pampa-Sannidhanam trek route, wherein it states that *"at places where commercial uses are provided, they should be planned in such a way that allowed width of the route is not masked by spilled over-activities from such areas. Design/siting of these units should be carefully carried out to segregate spillovers into the main pilgrim trek areas. The width should be increased by 1.5m in a areas to allow for dead width. he Inge of longer adjoining shopping frontage or double loaded corridors a minimum of 6m should be maintained. In case if the single lane of 3-meter trek path is insufficient to cater to pilgrim traffic multiple such lanes with free median in between should be provided"*.

9. Thus, it is submitted that, the proposed point to relocate Ganapathy Idol is not suitable, and this activity doesn't have



any connection with the religious, cultural and customary practices of Sabarimala Temple and more over such an attempt is contradiction to the Sabarimala Master Plan Concept. In this circumstance, it is necessary to impleading the proceedings of the SSCR No.59/ of 2024 and submit the above facts to the Hon'ble Court to protect the interest of the Government. Hence, it is requested to initiate necessary procedures to implead into the proceedings of this case and further necessary procedures."

10. The learned Senior Government Pleader has also filed a report dated 31.10.2024 of the additional 9th respondent Chief Police Coordinator, Sabarimala. Paragraphs 3 to 6 of that affidavit read thus;

"3. In this context, it is most respectfully submitted that the proposed relocation site for Bhasmakkulam, near Koprappura, serves as a primary vantage point for viewing the Makara Vilakku. This area generally accommodates approximately 2,000 pilgrims assembling to witness the celestial light on Makara Vilakku day. If the Bhasmakkulam be relocated to this proposed site, the congregation of devotees at this location during Makara Vilakku could result in overcrowding and potentially lead to any unforeseen incident.

4. Furthermore, the proximity of the proposed Bhasmakkulam site to the Nadappanthal is likely to attract a large number of pilgrims seeking a holy bath, thereby impeding the smooth movement of devotees and effective



crowd management in the Nadappanthal area. The constrained topography of this location further exacerbates the risk of stampede.

5. It is most humbly submitted that the proposed site for installing the statue of Lord Ganapathy currently operates as 'Chukkuvellappura', providing drinking water to devotees. Additionally, this area functions as a blocking point to regulate pilgrim flow during peak rush periods. A toilet block, also serving pilgrims in lengthy queues, would require demolition if the center for the Lord Ganapathy statue is established there. Moreover, if the Idol of Lord Ganapathy be installed here, devotees are expected to perform coconut-breaking rituals. It is pertinent to note that the proposed site serves as a divergence point of the inflow and outflow of the pilgrims and thus, any additional congregation for prayer or breaking coconut rituals would critically disrupt the crowd management system at Sannidhanam.

6. In light of the above stated facts, it is most respectfully submitted that the current status quo of the temple premises be maintained, as the proposed relocation of Bhasmakkulam and the placement of the Lord Ganapathy statue would definitely affect the smooth inflow and outflow of pilgrims."

11. On 20.01.2025, when these matters came up for consideration, the learned Standing Counsel for Travancore Devaswom Board sought time to file an affidavit on behalf of the



2nd respondent Board, in reply to the report dated 31.10.2024 of the additional 9th respondent Chief Police Coordinator, Sabarimala.

12. On 05.02.2025, the learned Standing Counsel filed an affidavit dated 05.02.2025 sworn to by the Secretary of the Travancore Devaswom Board. Paragraphs 3 to 9 of that affidavit read thus;

"3. It is submitted that the Sthapathy of the Travancore Devaswom Board submitted a proposal regarding the constructions in Sabarimala to the Board on 29.04.2024. One of the main item in the proposal is to relocate the Bhasmakulam to the northeast direction. According to him, the western side is completely untidy, and the Bhasmakulam located on the western side is not being used by the Santhikkars or for taking water to the temple.

4. The Sthapathy prepared a detailed plan for the construction of a new Bhasmakulam at the newly proposed site. An estimate was also prepared. The Hydrocare Industries submitted details of a water treatment plant. All the estimates and reports were forwarded to the High Power Committee. Along with this another proposal to install a Ganapathy idol on the southern side was also submitted.

5. It is submitted that the Technical Committee of the High Power Committee for the implementation of Sabarimala Master Plan convened on 27.08.2024 discussed the issue pertaining to the relocation of the Bhasmakulam and the shifting of the Ganapathy idol. After due deliberations, the



High Power Committee decided to report the recommendation to this Hon'ble Court as per Annexure R2(b). The Technical Committee opined that the new location aligns with the Master Plan, which mentions that wells or ponds may be located in the North East and the movement of pilgrims is not affected in having the Bhasmakulam in the proposed location. The High Power Committee meeting convened on 29.08.2024 endorsed the view of the Technical Committee.

6. It is submitted that on 20.09.2024 a virtual meeting of the Technical Committee of the High Power Committee was convened to discuss the relocation of Bhasmakulam at Sabarimala. The Technical Committee after detailed deliberation observed that the proposal of the Travancore Devaswom Board to relocate the Bhasmakulam to the North East side will not violate the preferable locations of wells or ponds as per Vasthusathra indicated in the Master Plan document.

7. Thereafter a virtual meeting of the High Power Committee was convened on 14.10.2024 to discuss the relocation of Bhasmakulam. The High Power Committee was satisfied that the recommendation is in accordance with the guidelines of Sabarimala Master Plan document. The High Power Committee observed that the Master Plan guidelines related to temple complex are based on Panchaprakara & Thantrasamuchaya and resolved to accept the recommendation of the Technical Committee. True copy of the minutes of the virtual meeting of the High Power



Committee for the Implementation of Sabarimala Master Plan held on 14.10.2024 is produced herewith and marked as Annexure-R2(d).

8. It is respectfully submitted that Shri. S. Shyamsundar IPS, Inspector General of Police (South Zone), Thiruvananthapuram, the representative of the Addl. 9th respondent attended the meeting of the High Power Committee held on 14.10.2024, which resolved to accept the recommendation of the Technical Committee to relocate the Bhasmakulam to North East side. He did not raise any objections at that time or express any concerns as stated in Para 3 of the report submitted by the Addl.9th respondent, Moreover the expert technical committee has found the movement of pilgrims is not affected in the proposed location. The concern raised by the Addl.9th respondent is that the proposed area accommodates approximately 2,000 pilgrims assembling to witness the celestial light on Makaravilakku day and further, the topography of this location further exacerbates the risk of stampede. Hence it is only appropriate to avoid assembling pilgrims in this location on Makaravilakku day. Therefore the objection raised is unsustainable.

9. It is respectfully submitted that Sri. K.G. Anilkumar, CMD, ICL Fincorp Ltd., agreed to bear all the expenses in connection with the relocation of the Bhasmakulam and the provision for an adequate water treatment plant. Thus, there will not be any financial burden on the Board in this regard."



13. Along with a memo dated 03.03.2025, the learned Senior Government Pleader filed a report dated 03.03.2025 of the additional 9th respondent Chief Police Coordinator, Sabarimala. Paragraphs 3 to 5 of that affidavit read thus;

"3. It is most respectfully submitted that, in the report dated 31.10.2024, this respondent highlighted the potential challenges to crowd management that may arise due to the proposed relocation of *Bhasmakkulam* to the vicinity of *Koprappura* (East-North of the temple). However, the Travancore Devaswom Board (hereinafter referred to as the TDB) has duly considered the implications of this relocation, particularly with respect to the traditional *Makara Vilakku* viewing by pilgrims at *Koprakkalam* and the regulated movement of devotees through *Nadappanthal*. The TDB has further assured that an alternative site shall be designated near the proposed location of *Bhasmakkulam*, ensuring an unobstructed and secure celestial viewing for pilgrims during *Makara Vilakku*.

4. It is further submitted that the *TDB* has also provided assurance that a dedicated and non-intersecting pathway shall be established to facilitate the seamless movement of pilgrims to and from the proposed *Bhasmakkulam*, without impeding the flow of devotees traversing through *Nadappanthal*.

5. It is most humbly submit that the proposed site for installing the statue of Lord Ganapathy currently operates as '*Chukkuvellappura*', providing drinking water to



devotees. Additionally, this area functions as a blocking point to regulate pilgrim flow during peak rush periods. A toilet block, also serving pilgrims in lengthy queues, would require demolition if the center for the Lord Ganapathy statue is established there. Moreover, if the Idol of Lord Ganapathy be installed here, devotees are expected to perform coconut-breaking rituals. It is pertinent to note that the proposed site serves as a divergence point of the inflow and outflow of the pilgrims; thus, any additional congregation for prayer or breaking coconut rituals would critically disrupt the crowd management system at Sannidhanam."

14. Today, when these matters are taken up for consideration, the learned Standing Counsel for Travancore Devaswom Board has filed an affidavit dated 07.03.2025 sworn to by the Secretary of the 2nd respondent Board, wherein it is stated that the Board has now decided not to proceed with the shifting of Ganapathi idol from the Nadappanthal to Jyothinagar. Paragraphs 3 and 4 of that affidavit read thus;

"3. It is submitted that the Sthapathy of the Travancore Devaswom Board submitted a proposal regarding the constructions in Sabarimala to the Board on 29.04.2024. One of the main items in the proposal is to relocate the Bhasmakulam to the northeast direction, which is the location for wells or ponds as per vastu shastra indicated in



the master plan document. The original temple pond was lying adjacent to the Malikappuram fly over, a portion of which was reclaimed for the construction of the fly over and the remnant is still there. Photograph of the old temple pond portion existing now is produced herewith and marked as Annexure-R2(e). The present Bhasmakkulam is located on the western side of the Sreekovil of the Sabarimala Sree Dharma Sastha Temple. Photograph of the existing temple pond is produced herewith and marked as Annexure-R2(f). Photograph of the proposed location for the Bhasmakkulam is produced herewith and marked as Annexure-R2(g).

4. It is submitted that the Sthapathy has also suggested to place the idol of Ganapathy situated in the stage of Nadapanthal to a new location at Jyothinagar. The Board forwarded the two proposals to the High Power Committee. Now the Board has decided not to proceed with the shifting of Ganapathy idol from Nadapanthal to Jyothinagar. The Board respectfully prays that this Hon'ble Court may be pleased to grant permission to proceed with the construction of Bhasmakulam in the proposed location, so that the construction can be commenced and the same could be completed before the next festival season."

15. Heard the learned Senior Government Pleader for the 1st respondent State and also for the Deputy Director, Periyar Tiger Reserve (West Division) and the Chief Police Coordinator, Sabarimala, the learned Standing Counsel for Travancore Devaswom Board for the Board and its officials, the learned



Standing Counsel for the High Power Committee for the implementation of Sabarimala Master Plan and also the learned Amicus Curiae for the Special Commissioner, Sabarimala.

16. Travancore-Cochin Hindu Religious Institutions Act, 1950, enacted by the State Legislature, makes provision for the administration, supervision and control of incorporated and unincorporated Devaswoms and of other Hindu Religious Endowments and Funds. As per the provisions under Section 3 of the Act, the administration of incorporated and unincorporated Devaswoms shall vest in Travancore Devaswom Board. Sabarimala Devaswom is an incorporated Devaswom mentioned in Schedule I of the Act, under Chengannur Group, Pathanamthitta Taluk.

17. Section 15A of the Act, inserted by Act 5 of 2007, with effect from 12.04.2007, deals with the duties of the Board. As per Section 15A of the Act, it shall be the duty of the Board to perform the following functions, namely, (i) to see that the regular traditional rites and ceremonies according to the practice prevalent in the religious institutions are performed promptly; (ii) to monitor whether the administrative officials and employees and



also the employees connected with religious rites are functioning properly; (iii) to ensure proper maintenance and upliftment of the Hindu religious institutions; (iv) to establish and maintain proper facilities in the temples for the devotees.

18. Section 31 of the Act deals with the management of Devaswoms. As per Section 31, subject to the provisions of Part I and the rules made thereunder, the Board shall manage the properties and affairs of the Devaswoms, both incorporated and unincorporated as heretofore, and arrange for the conduct of the daily worship and ceremonies and of the festivals in every temple according to its usage.

19. In view of the provisions of Section 15A and 31 of the Travancore-Cochin Hindu Religious Institutions Act, the Travancore Devaswom Board is duty-bound to see that regular traditional rites and ceremonies according to the practice prevalent in Sabarimala are performed promptly; to monitor whether the administrative officials and the employees, and also the employees connected with religious rites are functioning properly; and to establish and maintain proper facilities in Sabarimala for the pilgrims. The Board shall manage the



properties and affairs of Sabarimala Devaswom and arrange for the conduct of the daily worship and ceremonies and of the festivals in Sabarimala according to the usage.

20. Sabarimala is situated in a difficult forest terrain prone to natural disasters. Sabarimala and its vicinity are a Special Security Zone under Section 83(1) of the Kerala Police Act, 2011, vide G.O.(Ms.)No.74/2024/Home dated 14.10.2024 issued by the State Government, in order to exercise the powers under Section 83(2) of the said Act, to ensure a safe, secure and hassle-free pilgrimage. The management of Virtual-Q system for Sabarimala darshan is governed by the directions contained in the order of this Court in **Suo Motu v. Travancore Devaswom Board and others [2022 (7) KHC SN 5]**. As directed in that order, verification of Virtual-Q tickets and other related matters are the responsibilities of the Kerala Police, as part of crowd management.

21. As already noticed hereinbefore, in the affidavit dated 07.03.2025 sworn to by the Secretary of the 2nd respondent Travancore Devaswom Board, it is stated that the Board has now decided not to proceed with the shifting of Ganapathi idol from the Nadappanthal to Jyothinagar.



22. Insofar as the shifting of Bhasmakulam is concerned, the stand taken in paragraph 3 of the affidavit dated 07.03.2025 is that the Sthapathy of the Board submitted a proposal regarding the constructions in Sabarimala to the Board on 29.04.2024. One of the main items in the proposal is to relocate the Bhasmakulam to the northeast direction, which is the location for wells or ponds as per vastu shastra indicated in the master plan document. The original temple pond was lying adjacent to the Malikappuram flyover, a portion of which was reclaimed for the construction of the flyover and the remnants are still there. The photograph of the portion of the old temple pond, which is now existing, is marked as Annexure R2(e). The photograph of the present Bhasmakulam located on the western side of the Sreekovil is marked as Annexure R2(f). The photograph of the proposed location for Bhasmakulam is marked as Annexure R2(g).

23. As already noticed hereinbefore, paragraph (viii) of Annexure R2(c) minutes of the meeting of the High Power Committee for Implementation of Sabarimala Master Plan held on 29.08.2024 deals with relocation of Bhasmakulam. As evident from the said minutes, which is also marked as Annexure II in



HPCR(S) No.2 of 2024, the Technical Committee in the meeting held on 27.08.2024 opined that the new location for shifting Bhasmakulam is as per the Master Plan, which directs that wells or ponds may be located in the north-east zone. The document marked as Annexure III in the said HPCR(S) is a true copy of page Nos.59 and 60 of Volume 2 Module-4 Built Fabric Analysis of Sabarimala Master Plan. The specific stand taken in the report dated 15.10.2024 of the Chairman of the High Power Committee is that the Technical Committee of the High Power Committee, after considering all the aspects, including Annexure III, came to the conclusion that the proposal of the Board to relocate Bhasmakulam from the west side to north-east side does not violate the general guidelines. The document marked as Annexure IV is the minutes of the meeting of the Technical Committee held on 20.09.2024. The said minutes was discussed in the meeting of the High Power Committee held on 14.10.2024. As evident from Annexure V minutes of the meeting held on 14.10.2024, after detailed discussion, the High Power Committee resolved to accept the recommendation of the Technical Committee reflected in Annexure IV minutes. The said recommendation in Annexure V



minutes is reproduced hereunder;

"1. Relocation of Bhasmakulam and Shifting the Ganapathy Idol to Jyothinagar, Sannidhanam Sabarimala.

The Technical Committee had earlier submitted recommendation regarding the subject matter and the same was approved by the High Power Committee. When the approval was forwarded to the Standing Counsel of HPC, certain clarifications were sought. Therefore, the Chairman, HPC was directed to convene a meeting of the Technical Committee to consider the matter. Accordingly, in a virtual meeting of the Technical Committee held on 20.09.2024, the Technical Committee decided to forward their recommendations with clarifications. The HPC considered the same and was satisfied that the recommendation is in accordance with the Guidelines of the Sabarimala Master Plan document. HPC observed that the Master Plan guidelines related to temple complex are based on Panchaprakara and Thanthrasamuchaya. As such, the HPC resolved to accept the recommendation of the Technical Committee. The HPC further decided to forward the resolution/note of the HPC with the recommendation of the Technical Committee along with the copies of the relevant pages (59 and 60) of Vol.II Module 4 Built Fabric Analysis of the Sabarimala Master Plan document."

24. Having considered the pleadings and materials on record and also the submissions made at the Bar, we deem it appropriate to dispose of this SSCR and HPCR(S) by permitting the Travancore Devaswom Board to relocate Bhasmakulam at



Sabarimala Sannidhanam, in terms of the recommendation made by the High Power Committee for Implementation of Sabarimala Master Plan in Annexure V minutes dated 14.10.2024. The stand taken in the affidavit dated 07.03.2025 sworn to by the Secretary of the 2nd respondent Board that the Board has now decided not to proceed with the shifting of Ganapathi Idol from Nadappanthal to Jyothinagar is recorded.

The entire income and expenditure in this regard shall be subjected to audit by the Senior Deputy Director, Kerala State Audit Department, Travancore Devaswom Board Audit, even if the work is undertaken on sponsorship, under the supervision of the Maramath wing of the Travancore Devaswom Board, in view of the law laid down by this Court in **Arjunan T.N. v. President, Temple Advisory Committee and others [2012 (4) KHC 155]** and reiterated in **Murukan K.K. v. Travancore Devaswom Board [2025 (1) KHC SN 17]**.

Sd/-

ANIL K. NARENDRAN, JUDGE

Sd/-

MURALEE KRISHNA S., JUDGE



APPENDIX OF SSCR 59/2024

RESPONDENT ANNEXURES

Annexure-R2 (a)	True copy of the opinion of the Tantri, Sri. Kandararu Rajeevaru dated 16.8.2024
Annexure-R2 (b)	True copy of the minutes of the meeting of the Technical Committee held on 27.08.2024
Annexure-R2 (c)	True copy of the minutes of the meeting of the High Power Committee for Implementation of Sabarimala Master Plan held on 29.08.2024
Annexure R2 (d)	True copy of the minutes of the virtual meeting of the High Power Committee for the Implementation of Sabarimala Master Planheld on 14.10.2024
Annexure R2 (e)	Photograph of the old temple pond portion existing now
Annexure R2 (f)	Photograph of the existing temple pond
Annexure R2 (g)	Photograph of the proposed location for the Bhasmakkulam