



2025:KER:86782

WP(C) No. 41785 of 2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V
&
THE HONOURABLE MR. JUSTICE K. V. JAYAKUMAR
THURSDAY, THE 13TH DAY OF NOVEMBER 2025 / 22ND KARTHIKA, 1947

WP (C) NO. 41785 OF 2025

PETITIONER:

V. SHYAMOHAN
AGED 42 YEARS
S/O VELAYUDHAN NAIR, HAVING ADDRESS AT C-84, GOLF VIEW
APARTMENTS, SAKET, NEW DELHI, PIN - 110017

BY ADVS.
SRI. MATHEW A KUZHALANADAN
SHRI. KURIAKOSE VARGHESE
SMT. SRADHAXNA MUDRIKA
SHRI. NABEEL B.A.
SHRI. CHERIYIL SANIL JOHN

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
REVENUE (DEVASWOM) DEPARTMENT, THIRUVANANTHAPURAM,
PIN - 695001

- 2 THE DISTRICT POLICE CHIEF,
OFFICE OF THE DISTRICT POLICE CHIEF,
PATHANAMTHITTA, PIN - 689645



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3 TRAVANCORE DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, DEVASWOM HEAD QUARTERS,
NANDANCODE, THIRUVANANTHAPURAM, PIN - 695003

4 PRINCIPAL CHIEF CONSERVATOR OF FORESTS
4. OFFICE OF PRINCIPAL CHIEF CONSERVATOR OF FORESTS,
THIRUVANANTHAPURAM, PIN - 695014

5 THE SPECIAL COMMISSIONER
(APPOINTED BY THE HON'BLE HIGH COURT OF KERALA)
SABARIMALA TEMPLE COMPLEX, PATHANAMTHITTA DISTRICT,
KERALA, PIN - 689645

6 THE EXECUTIVE OFFICER,
SABARIMALA, PAMPA TRIVENI P.O, PATHANAMTHITTA,
PIN - 689670

OTHER PRESENT:

SRI.S.RAJMOHAN, SR. GP
SRI. G. BIJU, SC TDB.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR FINAL HEARING ON 13.11.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



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"CR"**JUDGMENT****Raja Vijayaraghavan V., J.**

The petitioner, a lawyer and devoted follower of Lord Ayyappa, complains that although he has secured a Virtual Queue (e-pass) for darshan at Sabarimala on 17.11.2025, there has been no proper public notification regarding the opening of the Traditional Route (Kanana Patha) from Erumeli to Sannidhanam. He states that authorities have indicated that the route will be opened only on 17.11.2025, which would make it impossible for him and other pilgrims holding e-passes for the same day to undertake the customary forest trek. He contends that unless the path is opened by at least 15.11.2025, devotees like him will be forced to abandon the pilgrimage. The petitioner also highlights the lack of timely and transparent communication from the Travancore Devaswom Board and the Forest Department, noting that the official portal does not clearly notify the date of opening of the Kanana Patha, causing hardship and frustrating the legitimate expectations of pilgrims who prepare rigorously for the traditional journey. It is in the above backdrop that this



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writ petition has been filed seeking the following reliefs:

- (i) To issue a writ, order, or direction directing the respondents not to cause any hindrance to the petitioner and other pilgrims undertaking the Sabarimala pilgrimage through the Traditional Route (Erumeli–Sabarimala Route) from 15.11.2025, so as to reach Sannidhanam when the temple opens for the Mandala season of 2025;
- (ii) To issue a writ, order, or direction restraining the respondents from placing unreasonable restrictions that may hinder the peaceful pilgrimage of devotees through the Traditional Route (Erumeli–Sannidhanam) in a manner undermining their right to freely practice their faith and beliefs;
- (iii) To issue directions to the respondents to publish, at least thirty days prior to commencement of the Mandala–Makaravilakku season, official notifications and circulars detailing the schedule of opening of the Sabarimala Temple and the Erumeli–Sabarimala Route;
- (iv) To ensure strict compliance with the directions of this Hon'ble Court in SSCR No. 79 of 2024.

2. The petitioner has also sought interim relief interdicting the respondents from imposing unreasonable restrictions that may hinder or disrupt the peaceful pilgrimage of devotees through the Traditional Route from Erumeli to Sannidhanam, thereby safeguarding their right to freely practice and manifest their religious beliefs.



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3. When the matter came up for consideration on 07.11.2025, this Court directed the respondents to obtain instructions.

4. On 12.11.2025, the learned Government Pleader submitted that the Travancore Devaswom Board, after consulting the District Collectors of the three Districts through which the route passes and obtaining inputs from the Forest Department, decided that the Kanana Patha shall be opened on 17.11.2025, coinciding with the commencement of the Mandala-Makaravilakku season, in conformity with long-established practice.

5. A detailed statement was filed by the 4th respondent as directed by this Court. It is stated that the Sabarimala Dharma Shastha Temple is situated deep within the evergreen forests of the Periyar Tiger Reserve, an area of National importance, conferred with the status of Reserve Forest and Wildlife Sanctuary due to its rich biodiversity and high conservation value. All routes to the temple pass through this ecologically sensitive Reserve, spanning the districts of Kottayam, Idukki, and Pathanamthitta. Permission to use the "Kanana Patha" is granted annually from the first day of Vrischikam to Makaravilakku, strictly in accordance



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with the approved Tiger Conservation Plan (2022–2032) and following a coordinated consultation among the concerned District Collectors and Divisional Forest Officers. The 4th respondent further states that the pilgrimage management activities are undertaken through Participatory Forest Management practices, with eight Thavalams operated by the SAPP (Swamy Ayyappan Poomkavana Punarudharana), an Eco-Development Committees (EDC) along the Koikkalkkavu–Pampa traditional trek route. These EDCs provide eco-friendly camping, food, and sanitation facilities as per their approved microplans. Establishing these facilities requires extensive preparation and logistics support, including transporting men and materials to remote Thavalams within dense forest terrain. Accordingly, these Thavalams can become operational only from 17.11.2025. It is stated that in light of the judgment of this Court dated 22.12.2022 in W.P.(C) No. 40899 of 2022, and consistent with the approved Tiger Conservation Plan, the entry of pilgrims through the Traditional Route is strictly regulated for reasons of safety and wildlife protection. The operational timings and guidelines are disseminated through the "Ayyan" Mobile App launched by the Periyar Tiger Reserve management. The claim of the petitioner that such information is not



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made public was expressly denied.

6. Dr. Mathew Kuzhalnadan, the learned counsel appearing for the petitioner, contended that the failure to notify the opening of the Traditional Route in advance amounts to a violation of the rights of pilgrims such as the petitioner. He submitted that no unreasonable restrictions can be imposed on devotees seeking to perform the pilgrimage peacefully through the customary path . According to him, the restrictions placed by the respondents would infringe the rights of the petitioner and other pilgrims under Article 14 and 25 of the Constitution of India.

7. The learned Government Pleader and the learned Standing Counsel for the TDB submitted that the Sabarimala Temple is located in the heart of the Periyar Tiger Reserve, surrounded by dense forests inhabited by tigers, elephants, bison, wild boar, bears, and leopards. The Erumeli–Pampa route, spanning approximately 35–45 kilometres of rugged terrain and requiring nearly eight hours of continuous trekking, traverses highly sensitive wildlife corridors. For these reasons, the route is strictly regulated by the Forest Department to prevent ecological degradation and human-wildlife conflict. Entry is permitted only during daylight hours,



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typically between 7:00 a.m. and 2:00–3:00 p.m., and pilgrims must pass through multiple forest check-posts and designated resting shelters (Viri). The learned counsel also referred to the tragic stampede of 2011, in which hundreds of devotees lost their lives due to overcrowding, underscoring the necessity of multi-departmental coordination involving the police, health services, forest guards, fire and rescue teams, and the NDRF. It was emphasized that such measures are indispensable to ensure the safety of pilgrims and the protection of the forest ecosystem. Finally it is submitted that the operational timings and guidelines are disseminated through the "Ayyan" Mobile App launched by the Periyar Tiger Reserve management and the assertions to the contrary are incorrect.

8. We have carefully considered the submissions of both sides. The principal prayer of the petitioner is to synchronize the opening of the Kanana Patha with the opening of the temple on 17.11.2025. As the Nada is scheduled to open on 17.11.2025, with the consent of both sides, we have taken up this matter for final hearing.

9. At the outset, we notice that the issue raised in this petition stands squarely covered in **C.N. Madhusoodanan v. State of Kerala**¹,

¹ 2022 KHC OnLine 8093



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wherein this Court, upon considering reports from the District Police Chief and the Deputy Director of the Periyar Tiger Reserve, held that restrictions on the timing and regulation of trekking through the forest route are essential for ensuring the safety of pilgrims and conservation of the Reserve. The Court further observed that the Reserve, being a protected area, such restrictions warrant no interference.

10. It is undisputed that the Traditional Route traverses an ecologically fragile region of significant biodiversity. Although only a small fraction of the approximately 50 lakh pilgrims visiting Sabarimala each year undertake this long forest trek, even that limited number poses considerable logistical and ecological challenges. It is a matter of concern that no restrictions whatsoever are presently imposed on the number of persons permitted to traverse the Kanana Patha to reach Pamba. When groups comprising hundreds of pilgrims move through this sensitive terrain, serious damage is caused to the Periyar Tiger Reserve. Notwithstanding intensive monitoring, pilgrims may stray from designated paths, engage in cooking, construct temporary resting places using twigs and other forest produce, disturb wildlife, and carry non-biodegradable materials such as plastic. There have been reported instances of elephants



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dying after ingesting plastic waste, underscoring the grave environmental consequences of unregulated access. Numerous incidents of human-animal conflict have also been recorded, with unsuspecting pilgrims losing their lives upon inadvertently entering the habitat of wild animals. The accumulation of waste, deforestation, forest fires, and other forms of environmental degradation remain persistent threats, exacerbated by the continued reliance of pilgrims on forest resources for fuel and temporary shelter.

11. We have no doubt in our mind that the protection of the environment is a paramount consideration. We find it difficult to accept the contention advanced by the petitioner that the respondents should sync the entry permit given to the petitioner with the opening of the Kanana Patha. The Reserve Forest is not a transit route. It is a living ecosystem that the State is constitutionally bound to conserve. Past tragedies in 1999 and 2011, leading to the loss of hundreds of lives, reveal the catastrophic risks of unmanaged pilgrimages. In addition, unpredictable weather, the difficult terrain, and the necessity for coordination among the Collectors of Pathanamthitta, Idukki, and Kottayam, each heading their respective District Disaster Management Authorities, make it imperative for the TDB,



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District Administration and Forest Department to exercise extreme caution and regulate access.

12. The introduction of the Virtual Queue system after the 2011 tragedy was a crowd management measure, aimed at preventing congestion and ensuring safety at Sannidhanam. Though it primarily governs the entry through Pamba, it necessarily would indirectly affect the movement of devotees along the forest route as well. However, the larger risks of stampedes, medical emergencies, or human-wildlife encounters in such terrain justifies the restrictions imposed.

13. We are of the considered view that the safety of pilgrims and the preservation of the Periyar Tiger Reserve demand strict adherence to the carrying capacity of (i) the Sannidhanam precincts, (ii) the approach and queue management corridors, and (iii) the feeder nodes at Pamba and along the Traditional Route. The term "carrying capacity" would mean the maximum number of pilgrims who can be accommodated at any given time or per hour without causing unacceptable risks to life, public order, or the environment. The respondents are accordingly advised to determine and notify the maximum number of pilgrims who may be permitted to



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traverse the Traditional Path on any given day.

14. The determination of carrying capacity is a technical exercise which, if not already undertaken, must be carried out by the Travancore Devaswom Board in coordination with the District Police, Health Services, Disaster Management Authorities, and the Forest Department. This determination shall be based on scientific parameters such as topography, crowd density thresholds, emergency evacuation capabilities, and ecological sensitivity.

15. In light of past tragedies and in keeping with the Precautionary Principle, the respondents would be well advised to:

- (a) Publish, before the commencement of each Mandala–Makaravilakku season, the computed carrying capacity (including peak simultaneous presence and hourly throughput) for Sannidhanam and each feeder node, along with contingency down-rating for adverse weather or emergency conditions;
- (b) Issue dynamic advisories, including temporary suspensions or restricted time windows, when crowd densities approach cautionary



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thresholds;

- (c) employ appropriate technological systems to monitor, in real time, the number of persons present at Sannidhanam and to record those remaining beyond the permissible time limits;
- (d) maintain a real-time integrated control room, if not already operational, linking the Travancore Devaswom Board, Police, Health Services, Forest Department, and NDRF, to continuously monitor footfall, queue lengths, and medical incidents, and to trigger phased holds whenever necessary; and
- (e) reflect the above data and advisories on public-facing platforms, including the Virtual Queue portal and the Ayyan mobile application, thereby enabling pilgrims to plan their routes and timings responsibly.

16. We are not persuaded by the petitioner's contention that the deferment of the opening of the 'Kanana Patha' infringes upon his religious freedom. Article 25 of the Constitution guarantees freedom of religion, but it is subject to public order, morality, and health. The duty of the State to



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safeguard lives and preserve the environment constitutes a reasonable restriction under this provision. The avowed desire of the pilgrim is to have darshan of Lord Ayyappa and perform the holy rituals. The mode of reaching the temple can be seen as a means to an end, not the end itself. The vast majority of Ayyappa devotees today reach Sabarimala by other routes without any doctrinal impropriety, which would mean that while the traditional route is hallowed by custom, it is not mandated as per any religious tenets or scriptures. There is no scriptural injunction that one must only arrive via Erumeli forest to fulfill the pilgrimage. Rather, it was a logistical necessity when there were no roads or access and a respected tradition. Under no circumstances, can the mode of access to a temple be construed as an essential religious practice. In **Nar Hari Sastri and Ors. vs. Shri Badrinath Temple Committee**², it was held by a Three Judge Bench of the Apex Court that the right of entry into a public temple is, however, not an unregulated or unrestricted right. It is open to the trustees of a public temple to regulate the time of public visits and fix certain hours of the day, during which alone, members of the public would be allowed access to the shrine. The temple authorities would always be competent to make and enforce rules to ensure good order and decency of

² (1952) 1 SCC 689



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worship and prevent overcrowding in a temple. Good conduct or orderly behavior is always an obligatory condition of admission into a temple.

17. As observed above, the opening of the Kanana Patha necessitates coordinated action across multiple departments, including the Police, Health Services, Forest Guards, Fire and Rescue personnel, and the NDRF. It was only after comprehensive inter-departmental consultation and due diligence that the date for opening the Kanana Patha was finalised as 17.11.2025, to coincide with the opening of the temple. This decision has also been duly reflected in the Ayyan mobile application for the information of all pilgrims. In these circumstances, it is incumbent upon the petitioner to plan and coordinate his travel in accordance with the established schedule. He cannot insist that the Patha be opened to align solely with his personal convenience, disregarding the larger administrative, logistical, and safety considerations involved.

18. Before parting, we deem it appropriate to remind the petitioner that the ethos of Sabarimala is deeply rooted in the sacred chant "Tat Tvam Asi", a Sanskrit mahāvākya meaning "That art Thou" or "You are That." This profound declaration, originating from the Chandogya



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Upanishad, encapsulates the essence of Advaita Vedanta, that the individual self (Ātman) is one with the ultimate reality (Brahman). The principle of 'Tat Tvam Asi' enjoins reverence for all forms of life, emphasizing unity and interconnectedness between human beings, nature, and the divine. Protecting the forest and preserving the sanctity of the Periyar Tiger Reserve, therefore, harmonize with, rather than contradict, the spiritual philosophy that underpins Lord Ayyappa's abode at Sabarimala.

19. In view of the discussion above, we hold that there is no reason to interfere with the strict regulatory controls imposed by the competent authorities to ensure the safety of pilgrims, conservation of wildlife, and the ecological integrity of the Periyar Tiger Reserve.

This Writ Petition is dismissed.

Sd/-

**RAJA VIJAYARAGHAVAN V,
JUDGE**

Sd/-

**K.V. JAYAKUMAR,
JUDGE**



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APPENDIX OF WP(C) 41785/2025

PETITIONER EXHIBITS

Exhibit P1 A TRUE COPY OF THE VIRTUAL BOOKING COUPON OF THE PETITIONER DATED 17.11.2025

Exhibit P2 A TRUE COPY OF THE NEWSPAPER ARTICLE 'ANNUAL PILGRIMAGE TO SABARIMALA BEGINS AMID RAIN, COVID-19 CURBS' PUBLISHED BY ONMANORAMA ON 14.11.2021

Exhibit P3 A TRUE COPY OF THE NEWSPAPER ARTICLE 'POLICE STOP SABARIMALA PILGRIMS FROM TREKKING VIA KARIMALA FOREST ROUTE READ MORE' PUBLISHED BY MATHRUBHUMI ON 22.12.2021

Exhibit P4 A TRUE COPY OF THE NEWSPAPER ARTICLE 'SABARIMALA: KARIMALA FOREST PATH TO BE OPEN FROM DEC 30' PUBLISHED BY MATHRUBHUMI ON 23.12.2021

Exhibit P5 A TRUE COPY OF THE 2023-2024 CALENDAR AS DISPLAYED BY THE TRAVANCORE DEVASWOM BOARD ON THEIR WEBSITE

Exhibit P6 A TRUE COPY OF THE NEWSPAPER ARTICLE 'KERALA GOVT EASES CURBS ON TREKKING THROUGH FOREST PATH TO SABARIMALA TEMPLE' PUBLISHED BY THE NEW INDIAN EXPRESS ON 24.12.2023

RESPONDENT ANNEXURES

Annexure R4(a) True copy of the map showing trek routes through PTR to Sabarimala.