



2025:KER:33035

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 8TH DAY OF APRIL 2025 / 18TH CHAITHRA, 1947

WP(C) NO. 10535 OF 2025

PETITIONER:

SANTHOSH WARRIER
AGED 52 YEARS
S/O.LATE. SANKUNNI WARRIER KOTTUVAD WARRIER,
KONGORPILLI P.O., KOONAMMAVU, ERNAKULAM, PIN -
683518

BY ADVS.RESMI A.
SREERAGH C.R.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO
GOVERNMENT REVENUE (DEVASWOM) DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,
PIN - 695001
- 2 TRAVANCORE DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, DEVASWOM HEAD
QUARTERS, NANDANCODE, THIRUVANANTHAPURAM, PIN -
695003
- 3 THE DEVASWOM COMMISSIONER
TRAVANCORE DEVASWOM BOARD, DEVASWOM BUILDINGS,
NANTHANCODE, THIRUVANANTHAPURAM, PIN - 695005
- 4 THE ASSISTANT DEVASWOM COMMISSIONER
OFFICE OF THE ASSISTANT COMMISSIONER TRAVANCORE
DEVASWOM BOARD, KANNANKULANGARA, PARAVUR GROUP,
NORTH PARAVUR, PIN - 683513
- 5 THE SUB GROUP OFFICER
OFFICE OF THE THE SUB GROUP OFFICER PERUVARAM



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MAHA DEVA TEMPLE DEVASWOM, PERUVARAM ,NORTH
PARAVUR,ERNAKULAM, PIN - 683513

6 THE TEMPLE ADVISORY COMMITTEE
PERUVARAM SREE MAHADEVA KSHETHRAM,
PERUVARAM ,NORTH PARAVUR,ERNAKULAM REPRESENTED BY
ITS SECRETARY, PIN - 683513

7 PADINJARE NADA VILAKKU COMMITTEE
PERUVARAM SREE MAHADEVA KSHETHRAM PERUVARAM,
NORTH PARAVUR P.O.,ERNAKULAM-683 513 REPRESENTED
BY ITS SECRETARY SRI. AJIL VARIKKASSERY.
VARIKKASSEI HOUSE,PERUVARAM P.O. NORTH PARAVUR,
ERNAKULAM, PIN - 683513

*ADDL.R8 THE STATION HOUSE OFFICER,
NORTH PARAVUR POLICE STATION, ERNAKULAM, PIN-
683513

*ADDL.R9 THE SENIOR DEPUTY DIRECTOR
KERALA STATE AUDIT DEPARTMENT, TRAVANCORE
DEVASWOM BOARD AUDIT, NANTHANCODE, KOWDIAR POST
THIRUVANANTHAPURAM 695003

*ADDL.R10 THE CHIEF VIGILANCE AND SECURITY OFFICER
(SUPERINTENDET OF POLICE),TRAVANCORE DEVASWOM
BOARD, NANTHANCODU, THIRUVANANTHAPURAM 695033.
ARE SUO MOTU IMPEADED AS ADDL R8 TO R10 AS PER
ORDER DATED 28/03/2025 IN WP(C)NO.10535 OF 2025

BY ADVS. KUMARI SANGEETHA S NAIR
SRI.SREEJITH CK

SRI. S. RAJMOHAN, SR. GP;
SRI. G. SANTHOSHKUMAR, SC, TDB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08.04.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

**JUDGMENT****Anil K. Narendran, J.**

The petitioner, who is a devotee of Peruvaram Sree Mahadeva Temple, North Paravur, which is a temple under the management of the 2nd respondent Travancore Devaswom Board, has filed this writ petition under Article 226 of the Constitution of India, seeking a writ of mandamus commanding the 2nd respondent Board to promptly take action to prevent the 7th respondent Padinjare Nada Vilakku Committee and its associates from conducting parallel Vilakku festival within the premises of Peruvaram Sree Mahadeva Temple; and a writ of mandamus commanding the 2nd respondent Board to implement appropriate measures to prohibit parking of vehicles in the temple property so as to ensure that the parking of vehicles of the devotees of Peruvaram Sree Mahadeva Temple is not obstructed. The document marked as Ext.P1 is a copy of the cash receipt dated 03.05.2024 issued by the 7th respondent Padinjare Nada Vilakku Committee, after collecting Rs.1,000/- from M/s.Krishna Steels as donation for Thiruvulsavam-2024 (Annual Festival) of Peruvaram Sree Mahadeva Temple. Ext.P1 receipt dated 03.05.2024 issued



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by the 7th respondent Vilakku Committee is extracted hereunder;



2. The documents marked as Ext.P2 series are a few photographs of the lamps put up by the 7th respondent Vilakku Committee in Padinjare Nada (Western Nada) of Peruvaram Sree Mahadeva Temple, during the annual festival of the year 2024. The said photographs are extracted hereunder;



In the writ petition, it is alleged that the persons associated with the 7th respondent Vilakku Committee collected money from the devotees and general public for arranging lamps, without any authorisation from the 2nd respondent Travancore Devaswom



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Board. The said lamps were put up at the Padinjare Nada of Peruvaram Sree Mahadeva Temple. In addition to that, the 7th respondent Vilakku Committee made arrangements for 'Para Nirakkal' in the Padinjare Nada of the temple and collected money from the devotees. The document marked as Ext.P3 is a copy of the photograph taken on 05.05.2024, showing the arrangements made by the 7th respondent Vilakku Committee for 'Para Nirakkal' in the Padinjare Nada of Peruvaram Sree Mahadeva Temple. The said photograph is extracted hereunder;



3. The document marked as Ext.P4 is a complaint dated 26.12.2024 made by the petitioner before the Secretary of the 2nd respondent Travancore Devaswom Board against the parallel Vilakku festival conducted in the Padinjare Nada of Peruvaram Sree Mahadeva Temple by the 7th respondent Vilakku Committee and also against illegal parking of vehicles in the Devaswom land.



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Ext.P5 is a copy of similarly worded complaint dated 26.12.2024 made by the petitioner before the 3rd respondent Devaswom Commissioner. The document marked as Ext.P6 is a photograph showing the condition of the road in front of the Padinjare Nada of Peruvaram Sree Mahadeva Temple, with broken interlock tiles, etc. causing difficulty to the devotees.

4. On 28.03.2025, when this writ petition came up for admission, the learned Senior Government Pleader took notice on admission for 1st respondent and also for additional respondents 8 and 9 and the learned Standing Counsel for Travancore Devaswom Board for respondents 2 to 5 and also for the additional 10th respondent. Urgent notice on admission by special messenger was ordered to respondents 6 and 7, returnable by 01.04.2025. On a query made by this Court, the learned Standing Counsel for Travancore Devaswom Board submitted that in Peruvaram Sree Mahadeva Temple there is a Temple Advisory Committee constituted under Section 31A of the Travancore-Cochin Hindu Religious Institutions Act, 1950. The learned Standing Counsel made available for the perusal of this Court a copy of the complaint dated 28.04.2024 made by the 4th respondent Assistant Devaswom Commissioner, Paravur Group before the additional 8th



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respondent Station House Officer, against unauthorised activities, including collection of money by the 7th respondent Padinjare Nada Vilakku Committee. The said complaint reads thus;

“തിരുവിതാംകൂർ ദേവസ്വം ബോർഡിന്റെ ഭരണത്തിൻ കീഴിലുള്ള പാവൂർ ഗ്രൂപ്പിലെ പെരുവാരം സബ്ഗ്രൂപ്പിൽപ്പെട്ട പെരുവാരം മഹാദേവ ക്ഷേത്രത്തിലെ തിരുവുത്സവ തോടനുബന്ധിച്ച് പടിഞ്ഞാറേ നടയിൽ വിളക്ക് കമ്മറ്റി എന്ന വ്യാജേന ചില ആളുകൾ ക്ഷേത്രത്തിന്റെ പേരിൽ കൂപ്പണുകൾ അച്ചടിച്ച് ഭക്തജനങ്ങളെ കബളിപ്പിച്ച് വൻ പിരിവ് നടത്തുന്നതായി ശ്രദ്ധയിൽപ്പെട്ടിട്ടുണ്ട്. ക്ഷേത്രോത്സവവുമായി ബന്ധപ്പെട്ട് അസിസ്റ്റന്റ് കമ്മീഷണർ ഓഫീസിൽ നിന്നും മുദ്രപതിപ്പിച്ച് നൽകുന്ന കൂപ്പണുകൾ ഉപയോഗിച്ച് ക്ഷേത്രോപദേശസമിതിക്ക് മാത്രമേ ഭക്തജനങ്ങളിൽ നിന്ന് സംഭാവന സ്വീകരിക്കുവാൻ തിരുവിതാംകൂർ ദേവസ്വം ബോർഡ് അനുമതി നൽകിയിട്ടുള്ളൂ. ക്ഷേത്രോപദേശസമിതി അല്ലാത്ത യാതൊരു കമ്മറ്റിക്കോ, ആളുകൾക്കോ ക്ഷേത്രത്തിന്റെ പേരിൽ സംഭാവന സ്വീകരിക്കുവാൻ സാധ്യമല്ല. ആയതിനാൽ പെരുവാരം ദേവസ്വത്തിന്റെ പേരിൽ അനധികൃത പിരിവ് നടത്തുന്ന പടിഞ്ഞാറേനട വിളക്കുകമ്മറ്റിക്കെതിരെ നടപടി സ്വീകരിക്കുന്നതിലേക്കായി താൽപര്യപ്പെടുന്നു.”

5. By the order dated 28.03.2025, the learned Senior Government Pleader was directed to get instructions from the additional 8th respondent Station House Officer as to the action taken on the aforesaid complaint dated 28.04.2024 made by the 4th respondent Assistant Devaswom Commissioner against unauthorised activities, including collection of money by the 7th respondent Padinjare Nada Vilakku Committee. The learned Standing Counsel for Travancore Devaswom Board submitted that the Board has already ordered enquiry by its Vigilance Wing, on



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the report made by the 4th respondent Assistant Devaswom Commissioner. The learned Standing Counsel sought time to get instructions on the outcome of that enquiry.

6. On 01.04.2025, when this writ petition came up for consideration, the 6th respondent Temple Advisory Committee of Peruvaram Sree Mahadeva Temple and the 7th respondent Padinjare Nada Vilakku Committee entered appearance through their respective counsel. The learned Senior Government Pleader sought further time to get instructions from the additional 8th respondent Station House Officer as to the action taken on the complaint dated 28.04.2024 made by the 4th respondent Assistant Devaswom Commissioner.

7. The learned Standing Counsel for Travancore Devaswom Board has filed a counter affidavit dated 03.04.2025 on behalf of respondents 2 to 5 and additional 10th respondent, producing therewith Exts.R2(a) to R2(c) documents. The 6th respondent Temple Advisory Committee has filed a counter affidavit dated 05.04.2025. The 7th respondent Padinjare Nada Vilakku Committee has also filed a counter affidavit dated 07.04.2025.

8. Heard arguments of the learned counsel for the



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petitioner, the learned Senior Government Pleader for the 1st respondent and also for additional respondents 8 and 9, the learned Standing Counsel for Travancore Devaswom Board for respondents 2 to 5 and also for the additional 10th respondent, the learned counsel for the 6th respondent Temple Advisory Committee and also the learned counsel for the 7th respondent Padinjare Nada Vilakku Committee.

9. Travancore-Cochin Hindu Religious Institutions Act, 1950, enacted by the State Legislature, provides for the administration, supervision and control of incorporated and unincorporated Devaswoms and of other Hindu Religious Endowments and Funds. Peruvaram Sree Mahadeva Temple is an incorporated Devaswom in Schedule I of the said Act.

10. 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, 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;



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(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. 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.

11. Section 31A of the Act deals with the formation of the Temple Advisory Committees. As per sub-section (1) of Section 31A of the Act, a Committee for each temple in the name 'Temple Advisory Committee' (name of the temple) may be constituted in order to ensure participation of Hindu devotees. As per sub-section (2) of Section 31A, the Temple Advisory Committee constituted under sub-section (1) may be approved by the Board. As per sub-section (3) of Section 31A, the composition of an Advisory Committee under sub-section (1) shall be in such manner as may be prescribed by the rules made by the Board, not inconsistent with any practice prevailing, if any. In terms of sub-



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section (3) of Section 31A of the Act, the Travancore Devaswom Board framed Rules for the formation of Temple Advisory Committees in the temples under the management of the Board.

12. As held by a Division Bench of this Court in **Major Vellayani Devi Temple Advisory Committee v. State of Kerala [2023 (2) KHC 290]**, in which one among us [Anil K. Narendran, J.] was a party, in view of the provisions of the Travancore-Cochin Hindu Religious Institutions Act, the Travancore Devaswom Board is duty bound to see that the regular traditional rites and ceremonies according to the practice prevalent in the temples under its management are performed promptly; and to establish and maintain proper facilities in the temples for the devotees. Subject to the provisions of Part I of the Act and the Rules made thereunder, the Board shall manage the properties and affairs of Devaswoms and arrange for the conduct of the daily worship and ceremonies and of the festivals in the temples according to the usage. The Temple Advisory Committee of a temple under the management of the Travancore Devaswom Board, which consists of devotees who fall under the eligibility criteria prescribed in Clause (3) of the Rules framed under sub-section (3) of Section 31A of the Act, is duty-bound to render



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necessary assistance to the Board and its officials for the smooth functioning of the temple activities and festivals according to the usage. The law laid down in the said decision was reiterated in **Rajalekshmi P. v. State of Kerala [2023 (3) KHC 491]**.

13. Peruvaram Sree Mahadeva Temple is a major Siva Temple under the management of the 2nd respondent Travancore Devaswom Board. The Upadevatas of the temple include Lord Ganapathi, Lord Ayyappa and Goddess Sree Parvati, sitting behind Lord Siva towards Padinjare Nada. The 6th respondent is the Temple Advisory Committee of Peruvaram Sree Mahadeva Temple, constituted under Section 31A of the Act, which consists of the devotees who fall under the eligibility criteria prescribed in Clause (3) of the Rules framed under sub-section (3) of Section 31A of the Act.

14. The specific stand taken in the counter affidavit filed on behalf of respondents 2 to 5 and the additional 10th respondent is that the 7th respondent Padinjare Nada Vilakku Committee is illegally conducting Vilakku festival in Peruvaram Sree Mahadeva Temple, without obtaining any permission from the Travancore Devaswom Board. The 7th respondent Vilakku Committee is collecting huge amounts from the devotees without any sealed



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coupons issued by the Board. Moreover, the Vilakku festival conducted by the 7th respondent Vilakku Committee is posing serious threat to the safety of the devotees. The 4th respondent Assistant Devaswom Commissioner, upon knowing about the illegal collection of amounts from the devotees, preferred Ext.R2(a) complaint dated 28.04.2024 against the 7th respondent Vilakku Committee, before the additional 8th respondent Station House Officer, North Paravur Police Station. However, instead of registering a crime, the 8th respondent insisted for an amicable settlement of the issue. When the said issue was brought to the notice of the Devaswom Board, a Vigilance inquiry was ordered in the matter. The additional 10th respondent Chief Vigilance and Security Officer (Superintendent of Police) submitted Ext.R2(b) report dated 13.06.2024, enclosing therewith the report of the Vigilance Sub Inspector, North Zone. Accordingly, the 3rd respondent Devaswom Commissioner vide Order ROC No.20757/24/VIG dated 05.11.2024 instructed the 4th respondent Assistant Devaswom Commissioner to act in accordance with the recommendations contained in Ext.R2(b) Vigilance report. The annual festival of the temple for the year 1200ME (2025) is from 23.04.2025 till 02.05.2025 and Valiyavilakku is scheduled to be



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held on 01.05.2025. Since the 7th respondent Vilakku Committee is taking steps to continue with the illegal activities, the 5th respondent Sub Group Officer has preferred Ext.R2(c) complaint dated 03.04.2025 before the additional 8th respondent Station House Officer.

15. Regarding unauthorised parking of vehicles in the Devaswom land of Peruvaram Sree Mahadeva Temple, it is stated in the said counter affidavit that even though 'No parking' board has been erected in the Devaswom property, vehicles are being parked unauthorisedly, causing much hardship to the devotees. In Ext.R2(c) complaint dated 03.04.2025 submitted before the additional 8th respondent Station House Officer, the 5th respondent Sub Group Officer has pointed out the illegal parking of vehicles in the Devaswom land.

16. In **Chandu K. v. Travancore Devaswom Board [2021 (3) KHC 379]** a Division Bench of this Court held that, with the insertion of Section 31A to the Travancore Cochin Hindu Religious Institutions Act the formation of Temple Advisory Committees in temples has become statutory. In the said decision, the Division Bench noticed that the Travancore Devaswom Board, in exercise of the rule making power under clause (a) of sub-



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section (2) of Section 35 of the Act, has framed the Rules for the formation of Temple Advisory Committees in temples under the Travancore Devaswom Board and this Court has approved the draft bye-laws by the order dated 03.11.2011 in DBA No. 153 of 2009.

17. Clause (18) of the said Rules, which deals with prohibitions, reads thus;

“18.നിരോധനം

ക്ഷേത്ര ഉപദേശകസമിതിയോ, അംഗങ്ങളോ ക്ഷേത്ര സന്ദർശകരിൽ നിന്നും ക്ഷേത്രത്തിനുള്ളിൽ വച്ച് യാതൊരു പണപിരിവുകളും നടത്താൻ പാടില്ല. ക്ഷേത്രോപദേശകസമിതിയുടെ ചുമതലയിൽ ക്ഷേത്രത്തിനുള്ളിൽ നടക്കുന്ന ചടങ്ങുകളുടെ വേദികളിൽ പണം സമാഹരിക്കുന്നതിന് കാണിക്കാവണമെന്നോ, പാത്രങ്ങളോ വെയ്ക്കാൻ പാടില്ലാത്തതാണ്. ക്ഷേത്രവികസന കാര്യങ്ങൾക്ക് വേണ്ടി ഡിപ്പാർട്ടുമെന്ററെ അനുവാദത്തോടുകൂടി കൂപ്പണുകൾ അച്ചടിക്കുമ്പോൾ നിശ്ചിതതുക രേഖപ്പെടുത്തിയ കൂപ്പണുകൾ മാത്രമേ അച്ചടിക്കാൻ പാടുള്ളൂ. അസിസ്റ്റന്റ് ദേവസ്വം കമ്മീഷണറുടെ മുദ്ര പതിപ്പിക്കാത്ത രസീതുകൾ യാതൊരു കാരണവശാലും പണപ്പിരിവിന് ഉപയോഗിക്കാൻ പാടില്ല. ഇതിന് വിരുദ്ധമായ പ്രവർത്തനങ്ങൾ ശ്രദ്ധയിൽപ്പെട്ടാൽ സാമ്പത്തിക ക്രമക്കേടായി പരിഗണിച്ച് നിലവിലുള്ള നിയമങ്ങൾ അനുസരിച്ച് കർശന നടപടികൾ സ്വീകരിക്കാനുള്ള അധികാരം ബോർഡിന് ഉണ്ടായിരിക്കുന്നതാണ്. ഉപദേശകസമിതിയിലെ ഭാരവാഹിത്വത്തിലും അംഗത്വത്തിലും ഉൾപ്പെടുന്ന ഒരു വ്യക്തിക്ക് തുടർച്ചയായി രണ്ടു കമ്മിറ്റിയുടെ കാലാവധിയിൽ കൂടുതൽ സമിതിയിൽ തുടരാൻ അർഹത ഉണ്ടായിരിക്കുന്നതല്ല. തിരുവിതാംകൂർ ദേവസ്വം ബോർഡിന്റേ ഭരണാധികാരത്തെയും നിയന്ത്രണാധികാരത്തെയും സമിതിക്കോ, സമിതിയിലെ അംഗങ്ങൾക്കോ ചോദ്യം ചെയ്യാൻ യാതൊരു അവകാശവും ഉണ്ടായിരിക്കുന്നതല്ല. ദേവസ്വം ബോർഡിന്റേ ഭരണത്തിലുള്ള ക്ഷേത്രത്തിലെ ഉപദേശകസമിതിയിൽ അംഗമായിട്ടുള്ള ഒരാൾക്ക് അതേകാലയളവിൽ ബോർഡ് ഭരണത്തിലുള്ള മറ്റ്



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ക്ഷേത്രങ്ങളിലേയോ ഏതെങ്കിലും സ്വകാര്യ ക്ഷേത്രങ്ങളിലേയോ
ഉപദേശകസമിതിയിലോ മറ്റു ഭരണസമിതിയിലോ അംഗമായിരിക്കാൻ
അർഹത ഉണ്ടായിരിക്കുന്നതല്ല.” (underline supplied)

18. Clause (18) of the said Rules prohibits the Temple Advisory Committee or its members from collecting funds in connection with any ceremonies in the temple by placing kanikkavanchi or hundies. When coupons are printed for collecting money in connection with any development activities in the temple, with the approval of the Department, only coupons for the specified amount shall be printed. No receipts without the seal of the Assistant Commissioner shall be used for collecting money.

19. The provisions under Clause (18) of the Rules framed under sub-section (3) of Section 31A of the Act provides sufficient safeguards to prevent illegal collection of money by the Temple Advisory Committee constituted in temples under the management of the Travancore Devaswom Board. Clause (18) of the Rules prohibits the Temple Advisory Committee or its members from collecting funds in connection with any ceremonies in the temple by placing kanikkavanchi or hundies. When coupons are printed in connection with any development activities in the temple, with the approval of the Department, only coupons for the specified amount shall be printed. Further, no receipts without the



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seal of the Assistant Commissioner shall be used for collecting money. In view of the prohibition contained in Clause (18) of the Rules, even a Temple Advisory Committee, constituted under Section 31A of the Act, cannot collect money from the devotees in connection with 'Para Nirakkal' in a temple under the management of the Travancore Devaswom Board. No committee other than the Temple Advisory Committee constituted under Section 31A of the Act, which consists of devotees who fall under the eligibility criteria prescribed in Clause (3) of the Rules, shall have any activity in a temple under the management of the Travancore Devaswom Board in connection with the daily worship, ceremonies and festivals.

20. The stand taken in the counter affidavit filed by the 7th respondent Padinjare Nada Vilakku Committee is that the said committee is constituted by the devotees of the temple, including the nearby residents, who used to donate oil for lighting the lamps in Peruvaram Sree Mahadeva Temple. The said committee is usually formed during the onset of the annual festival of the temple, by convening a meeting. In that meeting, the President, Secretary and other members of the committee are being elected. The object of the formation of such a committee is to organise



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'Padinjare Nada Vilakku' in connection with the annual festival of the temple in a grand manner. After the festival is over, the committee ceased to exist. In the counter affidavit, it is stated that the members of the 6th respondent Temple Advisory Committee and also the employees of the 2nd respondent Travancore Devaswom Board are supporting the activities of the 7th respondent Vilakku Committee in connection with 'Padinjare Nada Vilakku'. The 7th respondent Vilakku Committee is accepting voluntary donations from those who are interested in participating in 'Padinjare Nada Vilakku'. There is no complaint from any devotees that the 7th respondent Vilakku Committee has collected funds claiming affiliation with the temple in a forceful manner. Another committee by name Kizhakke Nada Vilakku Committee is conducting 'Kizhakke Nada Vilakku' in the Kizhakke Nada (Eastern Nada) of Peruvaram Sree Mahadeva Temple, during the annual festival. The 7th respondent Padinjare Nada Vilakku Committee lit the lamps on the 9th day of the annual festival, whereas Kizhakke Nada Vilakku Committee lit the lamps on the 10th day of the annual festival. Valiya Vilakku in connection with the annual festival of the temple is conducted inside the Chuttambalam, whereas the Vilakku Committees lit their lamps outside the Chuttambalam.



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21. The stand taken in the counter affidavit filed by the 6th respondent Temple Advisory Committee is that the 7th respondent Padinjare Nada Vilakku Committee is illegally conducting Vilakku in the Padinjare Nada of Peruvaram Sree Mahadeva Temple and they are unauthorisedly collecting money from the devotees. The said committee is putting up several lamp stands in Padinjare Nada, posing threat to the safety of the devotees. During the annual festival of the year 1199ME (2024), the 7th respondent Vilakku Committee installed a sculpture of Lord Narasimha and organised 'Para Nirakkal' in front of that installation. They collected funds for 'Para Nirakkal' after making announcements through mike and issued receipts to the devotees.

22. In view of the provisions contained in Section 31A of the Act and the Rules made under sub-section (3) of Section 31A, no committee other than the 6th respondent Temple Advisory Committee constituted under Section 31A of the Act, which consists of devotees who fall under the eligibility criteria prescribed in Clause (3) of the Rules, shall have any activity in Peruvaram Sree Mahadeva Temple under the management of the 2nd respondent Travancore Devaswom Board in connection with the daily worship, ceremonies and festivals. In view of the



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prohibition contained in Clause (18) of the Rules, even the 6th respondent Temple Advisory Committee cannot collect money from the devotees in connection with 'Para Nirakkal' in the said temple. When collection of money from the devotees in connection with any ceremonies or development activities in a temple under the management of the Travancore Devaswom Board is legally permissible only against sealed coupons/receipts issued to the Temple Advisory Committee by the Assistant Commissioner, with the approval of the Board, the collection of money from the devotees by the 7th respondent Padinjare Nada Vilakku Committee, in connection with Vilakku festival or 'Para Nirakkal' in Peruvaram Sree Mahadeva Temple is per se arbitrary and patently illegal. When such illegal collection of money from the devotees by the 7th respondent Vilakku Committee, during the annual festival of the year 1199ME (2024), was brought to the notice of the additional 8th respondent Station House Officer, by submitting Ext.R2(a) complaint dated 28.04.2024 made by the 4th respondent Assistant Devaswom Commissioner, the Police ought to have taken action on that complaint, in accordance with law. Regarding the annual festival for the year 1200ME (2025), which is scheduled to be held from 23.04.2025 till 02.05.2025, the 5th respondent Sub Group



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Officer has already submitted Ext.R2(c) complaint dated 03.04.2025 before the additional 8th respondent Station House Officer.

Having considered the pleadings and materials on record and also the submissions made at the Bar, we deem it appropriate to dispose of this writ petition with a declaration that no committee other than the 6th respondent Temple Advisory Committee constituted under Section 31A of the Act, shall have any activity in Peruvaram Sree Mahadeva Temple, which is under the management of the 2nd respondent Travancore Devaswom Board, in connection with the daily worship, ceremonies and festivals, including the annual festival for the year 1200ME (2025), which is scheduled to be held from 23.04.2025 till 02.05.2025. The 6th respondent Temple Advisory Committee shall render necessary assistance to the Board and its officials for the smooth conduct of the annual festival and the activities connected therewith, according to the usage of that temple. Any collection of money from the devotees by the 6th respondent Temple Advisory Committee, in connection with the annual festival, shall be with the prior approval of the Board, against sealed coupons issued by the Assistant Commissioner. The 7th respondent Padinjare Nada



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Vilakku Committee or any committee other than the 6th respondent Temple Advisory Committee shall have no connection whatsoever with the annual festival of Peruvaram Sree Mahadeva Temple for the year 1200ME (2025). In case of unauthorised activities by any such committees, including collection of money from the devotees, the 4th respondent Assistant Devaswom Commissioner or the 5th respondent Sub Group Officer shall submit a complaint before the additional 8th respondent Station House Officer, in which event, the said respondent shall take immediate action on that complaint in accordance with law. In case of unauthorised parking of vehicles in the Devaswom land of Peruvaram Sree Mahadeva Temple, on a complaint being made, the 8th respondent Station House Officer shall take necessary action in accordance with law.

Sd/-

ANIL K. NARENDRAN, JUDGE

Sd/-

MURALEE KRISHNA S., JUDGE

Dxy



APPENDIX OF WP(C) 10535/2025

PETITIONER EXHIBITS

- EXHIBIT P1 A TRUE COPY OF CASH RECEIPT DATED
03.05.2024 GIVEN BY PADINJARE NADA
VILAKKU COMMITTEE TO KRISHNA STEELS
- EXHIBIT P2 TRUE COPIES OF PHOTOGRAPHS SHOWING
LIGHTENING OF LAMPS IN THE WESTERN
GOPURA NADA OF PERUVARAM SREE MAHADEVA
TEMPLE DATED 05.05.2024
- EXHIBIT P3 A TRUE COPY OF PHOTOGRAPH DATED
05.05.2024 SHOWING ' PARA
NIRAYKKAL' ' IN THE WESTERN GOPURA NADA
OF PERUVARAM SREE MAHA DEVA TEMPLE
- EXHIBIT P4 A TRUE COPY OF COMPLAINT SENT BY THE
PETITIONER TO THE 2ND RESPONDENT DATED
26.12.2024
- EXHIBIT P5 A TRUE COPY OF COMPLAINT SENT BY THE
PETITIONER TO THE 3RD RESPONDENT DATED
26.12.2024
- EXHIBIT P6 A TRUE COPY OF PHOTOGRAPH SHOWING THE
DETERIORATED CONDITION OF ROAD IN THE
WESTERN NADA OF PERUVARAM SREE MAHADEVA
TEMPLE DATED 23.10.2024

RESPONDENT EXHIBITS

- EXHIBIT-R2 (A) TRUE COPY OF THE COMPLAINT DATED
28/04/2024 REFERRED BY THE 4TH
RESPONDENT TO THE 8TH RESPONDENT.
- EXHIBIT-R2 (B) TRUE COPY OF THE VIGILANCE REPORT DATED
13/06/2024 SUBMITTED TO THE PRESIDENT OF
THE TDB.
- EXHIBIT-R2 (C) TRUE COPY OF THE COMPLAINT DATED
03/04/2025 REFERRED BY THE 5TH
RESPONDENT