

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN
&
THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON
Tuesday, the 25th day of June 2024 / 4th Ashadha, 1946
DBP NO. 44 OF 2024**

IN THE MATTER OF TRAVANCORE DEVASWOM BOARD & COCHIN DEVASWOM BOARD - REGARDING THE CONSTITUTION OF HIGH POWER COMMITTEE FOR THE IMPLEMENTATION OF SABARIMALA MASTER PLAN, APPOINTMENT OF SPECIAL COMMISSIONER, SABARIMALA, APPOINTMENT OF OMBUDSMAN FOR TRAVANCORE DEVASWOM BOARD & COCHIN DEVASWOM BOARD AND ALSO MATTERS IN RELATION TO THE *(APPOINTMENT OF CHIEF COMMISSIONER, IN THE ABSENCE OF AN ELECTED BOARD IN THE TRAVANCORE DEVASWOM BOARD AND COCHIN DEVASWOM BOARD) AND ALSO APPOINTMENT OF DEVASWOM COMMISSIONERS - SUO MOTU PROCEEDINGS INITIATED- REG

***THE WORDS "APPOINTMENT OF PRESIDENT AND MEMBERS OF THE TRAVANCORE DEVASWOM BOARD AND COCHIN DEVASWOM BOARD" ARE CORRECTED AS ABOVE AS PER ORDER DATED 21/05/2024 IN DBP.NO.44/2024**

PETITIONER:

SUO MOTU



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, KOWDIAR POST,
THIRUVANANTHAPURAM - 695003.**
- 3. THE COCHIN DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, ROUND NORTH, THRISSUR - 680001.**
- 4. THE DEPUTY DIRECTOR
STATE AUDIT DEPARTMENT, TRAVANCORE DEVASWOM BOARD AUDIT,
NANTHANCODE, THIRUVANANTHAPURAM - 695003**

5. THE DEPUTY DIRECTOR
STATE AUDIT DEPARTMENT, COCHIN DEVASWOM BOARD AUDIT,
THRISSUR - 680001.
6. THE HIGH POWER COMMITTEE FOR IMPLEMENTATION OF
SABARIMALA MASTER PLAN, REPRESENTED BY ITS MEMBER SECRETARY,
TRAVANCORE DEVASWOM BOARD, NANTHANCODE, THIRUVANANTHAPURAM,
KERALA - 695003.

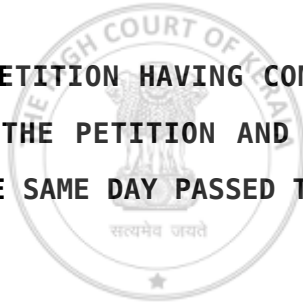
BY SRI.S.RAJMOHAN, SENIOR GOVERNMENT PLEADER

BY STANDING COUNSEL FOR TRAVANCORE DEVASWOM BOARD

BY STANDING COUNSEL FOR COCHIN DEVASWOM BOARD

BY SMT.SAYUJYA RADHAKRISHNAN, FOR HIGH POWER COMMITTEE FOR
IMPLEMENTATION OF SABARIMALA MASTER PLAN

THE DEVASWOM BOARD PETITION HAVING COME UP FOR ORDERS AGAIN ON
25/06/2024, UPON PERUSING THE PETITION AND THIS COURT'S ORDER DATED
21/06/2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING.



ANIL K. NARENDRAN & HARISANKAR V. MENON, JJ.

DBP No.44 of 2024

Dated this the 25th day of June, 2024

ORDER

Anil K. Narendran, J.

This DBP is registered *suo motu*, in terms of the directions contained in the judgment of this Court dated 25.03.2024 in O.P.No.3821 of 1990, in the matter of Travancore Devaswom Board and Cochin Devaswom Board - regarding the constitution of High Power Committee for Implementation of Sabarimala Master Plan, appointment of Special Commissioner, Sabarimala, appointment of Ombudsman for Travancore Devaswom Board and Cochin Devaswom Board and also matters in relation to the appointment of Chief Commissioner, in the absence of an elected Board in the Travancore Devaswom Board and Cochin Devaswom Board and also appointment of Devaswom Commissioners.

2. O.P.No.3821 of 1990 was registered *suo motu*, vide order dated 11.04.1990 in the matter of Travancore Devaswom Board and Cochin Devaswom Board, on the illegalities, embezzlements and irregularities in the administration noticed during consideration of audit reports. In that original petition, various orders have been passed by this Court in respect of

temples under the management of the Travancore Devaswom Board and Cochin Devaswom Board. Orders have been passed regarding the constitution of High Power Committee for implementation of Sabarimala Master Plan, appointment of a District Judge as Special Commissioner, Sabarimala, appointment of an Ombudsman for Travancore Devaswom Board and Cochin Devaswom Board. Orders have also been passed in the matter of appointment of the Chief Commissioner, in the absence of an elected Board in Travancore Devaswom Board and Cochin Devaswom Board.

3. Sri.M. Manoj, the Special Commissioner, Sabarimala, who is holding the post of Enquiry Commissioner and Special Judge (Vigilance), Kottayam (Additional District and Sessions Judge – III, Kottayam), has filed SSCR No.16 of 2024 pointing out that his tenure and posting as the Special Commissioner, Sabarimala will end on 28.06.2024. He was initially appointed as the Special Commissioner, Sabarimala, while working as Additional District and Sessions Judge – IV, Pathanamthitta, vide order dated 29.07.2016 in SSCR No.3 of 2016. Thereafter, by the order dated 21.05.2018 in SSCR No.6 of 2018, he was directed to function as the Special Commissioner, Sabarimala, simultaneously

discharging the duties as Additional District and Sessions Judge – VI, Kollam, until further orders. Vide order dated 28.06.2022 in SSCR No.8 of 2022, his tenure as the Special Commissioner, Sabarimala was extended for a period of two years and he was directed to function as Special Commissioner, Sabarimala, simultaneously discharging the duties of the Enquiry Commissioner and Special Judge, Kottayam (Additional District and Sessions Judge-III, Kottayam).

4. Today, when SSCR No.16 of 2024 came up for consideration, Registry was directed to list this DBP along with that SSCR at 02.00 p.m.

5. Heard the learned Senior Government Pleader for respondents 1, 4 and 5, the learned Standing Counsel for Travancore Devaswom Board for the 2nd respondent, the learned Standing Counsel for the 6th respondent High Power Committee and also the learned Amicus Curiae for Special Commissioner, Sabarimala.

6. Having considered the averments in the report, i.e., SSCR No.16 of 2024, filed by Sri.M.Manoj, the Special Commissioner, Sabarimala, who is holding the post of Enquiry Commissioner and Special Judge (Vigilance), Kottayam (Additional

DBP No.44 of 2024

District and Sessions Judge – III, Kottayam), and the submissions made at the Bar, we find that Sri.M.Manoj, who is continuing as the Special Commissioner, Sabarimala from the year 2016 onwards can be relieved, with effect from 28.06.2024, upon expiry of his term of appointment. In his place, we deem it appropriate to appoint Sri.Jayakrishnan R., who is presently discharging the duties of Special Judge for Trial of Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Case, Kottarakkara, as the Special Commissioner, Sabarimala, with effect from 29.06.2024 for a period of two years, who shall simultaneously discharge his duties as Special Judge for Trial of Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Case, Kottarakkara.

7. After taking charge as the Special Commissioner, Sabarimala, Sri.Jayakrishnan R., shall file a report before this Court, through the learned Amicus Curiae, which shall be numbered as SSCR and listed before the Devaswom Bench.

List this DBP on 26.06.2024 in terms of the earlier order dated 21.06.2024.

Sd/-

ANIL K. NARENDRAN, JUDGE

Sd/-

HARISANKAR V. MENON, JUDGE

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