

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE MURALEE KRISHNA S.

Monday, the 18th day of November 2024 / 27th Karthika, 1946

SSCR NO. 78 OF 2024

IN THE MATTER OF TRAVANCORE DEVASWOM BOARD - SABARIMALA SPECIAL COMMISSIONER
REPORT - SM.NO.78/2024 - REPORT SUBMITTED BY THE SPECIAL COMMISSIONER,
SABARIMALA REGARDING THE FUNCTIONING OF THE SAFE ZONE PROJECT, SABARIMALA DURING
MANDALA - MAKARAVILAKKU FESTIVAL SEASON 1200 M.E (2024-25) - SUO MOTU
PROCEEDINGS INITIATED - REG:

PETITIONER:

SUO MOTU

RESPONDENTS:



1. THE UNION OF INDIA,
REPRESENTED BY SECRETARY (RT & H), MINISTRY OF ROAD,
TRANSPORT AND HIGHWAYS, PARIVARAN BHAVAN, PARLIAMENT STREET,
NEW DELHI-110001
2. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN -695001
3. THE SECRETARY TO GOVERNMENT,
TRANSPORT DEPARTMENT, GOVERNMENT SECRETARIATE,
THIRUVANANTHAPURAM-695001
4. PRINCIPAL SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001

5. PRINCIPAL SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001
6. TRANSPORT COMMISSIONER,
TRANSPORT COMMISSIONERATE, IIND FLOOR, TRANS TOWER,
THYCADU P.O., VAZHUTHAKADU, THIRUVANANTHAPURAM-695014
7. ROAD SAFETY COMMISSIONER,
KERALA ROAD SAFETY AUTHORITY, TRANS TOWERS, VAZHUTHAKKAD,
THIRUVANANTHAPURAM-695104
8. CHIEF ENGINEER, PROJECTS,
KERALA STATE TRANSPORT PROJECT (KSTP), PROJECT MANAGEMENT TEAM,
TC11/339, SREEBALA BUILDING, KESTON ROAD, NANTHANCODE,
KOWDIAR P.O., TRIVANDRUM-695003
9. PROJECT DIRECTOR,
NATIONAL HIGHWAY AUTHORITY OF INDIA (NHAI), TC 36/574-1,
KRISHNAN KRIPA, PALULANGARA JUNCTION, PALKULANGARA,
THIRUVANANTHAPURAM-695024
10. KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR, TRANSPORT BHAVAN,
FORT P.O., THIRUVANANTHAPURAM-695035
11. THE STATE POLICE CHIEF,
POLICE HEAD QUARTERS, VAZHUTHAKKAD, THIRUVANANTHAPURAM-695010
12. THE DISTRICT POLICE CHIEF, PATHANAMTHITTA -689645
13. THE TRAVANCORE DEVASWOM BOARD,
REPRESENTED BY ITS SECRETARY, NANTHANCODE, KAWDIAR POST,
THIRUVANANTHAPURAM-695003
14. THE DEVASWOM COMMISSIONER,
TRAVANCORE DEVASWOM BOARD, DEVASWOM BUILDINGS, NANTHANCODE,
THIRUVANANTHAPURAM, PIN - 695005

***ADDL.R15 TO R17 IMPEADED**

15. THE DEPUTY TRANSPORT COMMISSIONER,
SOUTH ZONE, KUDAPPANAKUNNU, THIRUVANANTHAPURAM – 695 043
 16. THE REGIONAL TRANSPORT OFFICER (ENFORCEMENT), KOTTAYAM – 686 630
 17. THE REGIONAL TRANSPORT OFFICER (ENFORCEMENT), IDUKKI - 685 608
- *ARE SUO MOTU IMPEADED AS ADDITIONAL RESPONDENTS 15 TO 17 VIDE
ORDER DATED 15/11/2024 IN SSCR.NO.78/2024**

BY DEPUTY SOLICITOR GENERAL OF INDIA

SRI.S.RAJMOHAN, SENIOR GOVERNMENT PLEADER

BY SRI.P.SANTHOSH KUMAR, SPECIAL GOVT.PLEADER (TRANSPORT)

BY STANDING COUNSEL FOR TRAVANCORE DEVASWOM BOARD

BY M/S. DEEPU THANKAN, UMMUL FIDA, LAKSHMI SREEDHAR, VINEETHA

BOSE, CINDIA S. and GAYATHRI G., Advocates for R10 (KSRTC)

BY STANDING COUNSEL FOR NATIONAL HIGHWAY AUTHORITY OF INDIA

BY SMT.SAYUJYA RADHAKRISHNAN, AMICUS CURIAE FOR SABARIMALA

SPECIAL COMMISSIONER

**THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME UP FOR
ORDERS AGAIN ON 18/11/2024, UPON PERUSING THE REPORT AND THIS COURT'S
ORDERS DATED 15/11/2024, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

ANIL K. NARENDRAN & MURALEE KRISHNA S., JJ.

SSCR No.78 of 2024

Dated this the 18th day of November, 2024

ORDER

Anil K. Narendran, J.

The Special Commissioner, Sabarimala has filed an additional report in this SSCR enclosing therewith a report dated 17.11.2024 of the Nodal Officer, Motor Vehicles Department (Safe Zone Project), Elavunkal, regarding an incident in which a KSRTC low-floor bus bearing registration No.KL-15/A-1748, which was not carrying any passengers, was destroyed in fire on 17.11.2024 between Planthode and Pothenkuzhy in Nilakkal-Pamba route. The said bus was deployed by KSRTC for Nilakkal-Pamba chain service. On a preliminary enquiry, it is assumed that the reason for the fire is an electrical short circuit. Quick Response Team from the Motor Vehicles Department reached the place immediately after the incident and restored vehicular traffic.

2. The 12th respondent District Police Chief, Pathanamthitta has also filed a report dated 17.11.2024 in SSCR No.79 of 2024 regarding the said incident, enclosing therewith FIR in Crime No.149 of 2024 of Pamba Police Station registered under Section

306(1)(c)(FA) of the Kerala Police Standing Order; Annexure R3(2) letter dated 17.11.2024 of the Station House Officer, Pamba Police Station addressed to the Special Officer, KSRTC, Pamba; and Annexure R3(3) letter dated 17.11.2024 of the Station House Officer, Pamba addressed to the Motor Vehicles Inspector, Ranni.

3. The learned Standing Counsel for the KSRTC, on instructions, would submit that the vehicle, which is destroyed in fire is the one registered in the year 2016 and the fitness certificate of the vehicle is valid up to 25.12.2028. KSRTC is conducting an enquiry into the cause of the accident. The report of the concerned officer shall be placed on record by 19.11.2024.

4. On 17.11.2024, another accident occurred involving a contract carriage bearing registration No.TN-5/BB-6788 carrying pilgrims from Tamil Nadu which occurred at Attivalavu in between Erumeli and Kanamala road. The learned Senior Government Pleader seeks time to place on record reports of the concerned Enforcement Officer on the above aspect.

5. By the order dated 19.11.2022 in SSCR No.23 of 2022, this Court directed the Police and the Enforcement Wing of the Motor Vehicles Department to ensure strict compliance of the directions contained in the orders of this Court in that SSCR, in

letter and spirit, in respect of all motor vehicles, including the vehicles carrying Sabarimala pilgrims. The concerned officers in the Enforcement Wing of the Motor Vehicles Department, within the area of the respective Edathavalams/Temples in which facilities are provided for Sabarimala pilgrims are directed to give awareness to drivers of the vehicles carrying Sabarimala pilgrims, especially contract carriages and other vehicles from the neighbouring State, as to the road conditions and also the safe practice that has to be followed in order to avoid any untoward incidents in the Ghat sector of the roads leading to Pamba. They are also directed to take measures to sensitize the erring drivers.

6. Having considered the submissions made at the Bar, we deem it appropriate to direct the 6th respondent Transport Commissioner, through the concerned Enforcement Officers in the Motor Vehicles Department, including those in the Safe Zone Project, to ensure strict compliance of the directions contained in the orders of this Court.

7. The Special Commissioner, Sabarimala has filed a report regarding installation of streetlights from Naranamthodu to Elavunkal.

8. Registry to incorporate the same in Judges' papers of

this SSCR, after serving a copy of the same to the learned Senior Government Pleader and also the respective Standing Counsel.

List this report for further consideration on 19.11.2024.

**Sd/-
ANIL K. NARENDRAN, JUDGE**

**Sd/-
MURALEE KRISHNA S., JUDGE**

Scl/

