



WP(C) No. 25645 of 2021

2026:KER:75371

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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

TUESDAY, THE 29TH DAY OF SEPTEMBER 2026 / 7TH ASWINA, 1948

WP(C) NO. 25645 OF 2021

PETITIONER:

**S. J. R. KUMAR,
AGED 67 YEARS
S/O. LATE K. SRIDHARAN PILLAI, RESIDING AT PARK
VILLA, K.V.62, PANAMPILLY NAGAR, COCHIN-682 036.**

**BY ADVS.
SHRI. M. K. SUMOD
SMT. VIDYA M. K.
SHRI. SUDHIR NAMBIAR P. V.
SMT. REMA T. P.
SMT. THUSHARA. K
SMT. MEERA S GOPAN**

RESPONDENT:

- 1 THE TRAVANCORE DEVASWOM BOARD,
DEVASWOM HEAD QUARTERS, NANDANCODE,
KAWDIAR POST, THIRUVANANTHAPURAM-695 003,
REPRESENTED BY ITS SECRETARY.**
- 2 THE DEVASWOM COMMISSIONER,
DEVASWOM HEAD QUARTERS, NANDANCODE,
KAWDIAR POST, THIRUVANANTHAPURAM-695 003.**



- 3 THE COMMISSIONER,
COMMISSIONERATE OF FOOD SAFETY KERALA,
OFFICE OF THE COMMISSIONER OF FOOD SAFETY,
THYCAUD P.O., THIRUVANANTHAPURAM-695 014.
- 4 ADDL.R4: M/S.VARDHAN AGRO PROCESSING LIMITED,
1049, DATTA CHOWK, PUSESAWALI, TAL-KHATAV,
SATARA, MAHARASHTRA, PIN - 415512 REPRESENTED BY
ITS MANAGING DIRECTOR, MOB:9561508888,
E-MAIL:CUSTOMERCARE@VARDHANAGRO.COM/VARDHANAGRO1@
GMAIL.COM.
- 5 ADDL.R5: M/S.SOUTHERN AGRO TECH INDIA PRIVATE
LIMITED, 14/3D, PERUMBI, CHIRANGARA,
KORATTY, THRISSUR DISTRICT PIN - 680308,
REPRESENTED BY IS MANAGING DIRECTOR
- [ADDL.R4 & R5 ARE IMPEADED AS PER ORDER DATED
25.11.2021 IN IA 2/2021 IN WPC NO.25645/2021]
- 6 ADDL.R6: UNION OF INDIA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF COMMERCE, MINISTRY OF COMMERCE
AND INDUSTRY, GOVERNMENT OF INDIA,
UDYOG BHAVAN, NEW DELHI -110011.
- 7 ADDL.R7: THE AGRICULTURAL AND PROCESSED FOOD
PRODUCTS EXPORT DEVELOPMENT AUTHORITY, 3RD FLOOR,
NCUI BUILDING 3, SIRI INSTITUTIONAL AREA,
AUGUST KRANTI MARG, (OPP. ASIAD VILLAGE,) ,
NEW DELHI - 110016 REPRESENTED BY THE CHAIRMAN.

[ADDL.R6 & R7 ARE IMPEADED AS PER ORDER DATED
14.12.2021 IN IA 4/2021 IN WPC NO. 25645/2021]

BY ADVS.

SRI.G. BIJU, SC, TRAVANCORE DEVASWOM BOARD
SRI. K. R. SUNIL, SPL GOVERNMENT PLEADER
SRI.S.A.ANAND
SRI.O.D.SIVADAS
SRI.RAHUL VENUGOPAL, CGC



WP(C) No. 25645 of 2021

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**SRI.S.SUBHASH CHAND
SRI.P.R.ASHOK KUMAR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 29.09.2026, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**

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

The petitioner is a devotee of Lord Ayyappa. He has approached this Court complaining of the action on the part of respondent Nos. 1 and 2 in procuring Halal Certified Jaggery for the preparation of Prasadam, including Aravana and Unniyappam, at Sabarimala Temple, allegedly in violation of the rituals and customs prevailing in the Hindu community. According to the petitioner, the use of spoiled Halal Certified Jaggery powder would pose health hazards to innocent devotees. He further asserts that the use of Halal Certified Jaggery, which, according to him, is prepared in accordance with the religious practices of another religion, and offering the same to the deity, would amount to a serious violation of the religious customs and rituals followed at the Temple from time immemorial.

2. The petitioner states that the 3rd respondent, the Commissioner, Commissionerate of Food Safety, has established laboratory facilities at Pamba for testing the quality of food materials supplied to Sabarimala. However, despite the availability of such infrastructure, the Devaswom Board proceeded to purchase Halal Certified Jaggery.



3. It is stated that the Devaswom Board procures jaggery powder through an e-tender process. According to the petitioner, notwithstanding the tender process, the tenderer supplied spurious jaggery and is liable to be proceeded against under the provisions of the Food Safety and Standards Regulation, 2011. It is further alleged that, in the present case, jaggery was supplied in plastic bags in clear violation of the conditions stipulated in Ext. P2 tender. The petitioner also asserts that the administration failed to ensure that the jaggery supplied strictly conformed to the standards prescribed under the Food Safety and Standards Regulation, 2011.

4. It is on the basis of these assertions that the Writ Petition has been filed, seeking issuance of appropriate directions to the respondents to ensure that only Satwik and pure materials of high quality are used in the preparation of Nivedyam and Prasadam for Lord Ayyappa at Sabarimala Temple. The petitioner has also sought a direction to the respondents to confiscate the impure and spoiled Halal Jaggery so as to prevent the same from being sold or distributed for consumption by the public. The petitioner has further sought initiation of an enquiry into the alleged violation of the tender conditions.

5. The Writ Petition was filed on 17.11.2021.

6. By order dated 17.11.2021, this Court directed the Special Commissioner, Sabarimala, to submit a report. The respondents were also directed to place their respective counter affidavits on record.



7. In the statement filed by the learned Standing Counsel for the Travancore Devaswom Board, for and on behalf of respondent Nos. 1 and 2, it is stated that during the year 2019-2020 (1195 M.E.), the contract for the supply of jaggery to Sabarimala was awarded to Vardhan Agro Processing Limited, Maharashtra. The said company supplied 19,96,034 kilograms of jaggery powder during the Mandala-Makaravilakku Festival of 1195 M.E. up to Chithira Attavishesham. During the said season, 16,59,094 kilograms of jaggery was utilised. However, owing to the COVID-19 protocol, regulations and restrictions, the number of devotees permitted for darshan was limited. Consequently, Aravana and Appam were required only in limited quantities, resulting in the balance quantity of jaggery remaining at Sannidhanam for a considerable period. In April 2021, the Executive Officer, Sabarimala, requested the Food Safety Commissioner to test the jaggery powder stored at Sannidhanam and to report whether the same could be utilised for the preparation of Vazhipadu. Samples were accordingly forwarded on 27.04.2021. The samples were tested at the Government Analyst's Laboratory and were certified as satisfactory.

8. It is further stated that, in September 2021, samples were again taken from the remaining old stock to ascertain whether the same could still be utilised for the preparation of Vazhipadu. On analysis, it was found that the jaggery was not suitable for preparation of Vazhipadu. Since there was no facility available at Sannidhanam or Pamba for disposing of the old stock, which was



approximately 3.5 lakh kilograms, the unusable jaggery was auctioned so as to clear the godown and make space for the storage of fresh jaggery. Accordingly, the old stock, amounting to 3,36,940 kilograms, was auctioned to Southern Agro Tech India Pvt. Limited, Thrissur. It is stated that the auction notice clearly specified that the stock was not suitable for the preparation of Vazhipadu. It is also stated that the prohibition on sale was applicable only to articles intended for human consumption.

9. It is further stated that, during 2021, the contract for the supply of jaggery was awarded to M/s. S.P. Sugar and Agro Private Limited, Maharashtra, being the lowest bidder. The said company commenced supply from April 2021 onwards, and the jaggery supplied by it has been utilised at Sannidhanam. M/s. S.P. Sugar and Agro Private Limited supplied approximately 5 lakh kilograms of jaggery, out of which 2,76,652 kilograms had been taken to the main store at Sabarimala and 2,11,716 kilograms remained in stock as on 20.11.2021.

10. It is further stated that all stock received at Pamba is tested by the Food Safety Department and is accepted into the Pamba Godown only after obtaining the requisite clearance. The jaggery powder is packed in food grade plastic packaging in order to preserve its quality, as jaggery is prone to fermentation when exposed to moisture. It is also stated that, in the jaggery supplied by Vardhan Agro Processing Limited during 2019, a few packets bore



the label "Halal JUH/HRC/437/2018". An enquiry was conducted with the supplier company regarding the Halal marking, whereupon it was stated that the company exports jaggery and that, for exporting the product to Arab countries, Halal certification was necessary. It was further stated that the company had obtained the Halal certification for that purpose and that the certification was intended as an assurance of compliance with prescribed quality standards. All allegations to the contrary were denied.

11. The Special Commissioner, Sabarimala, has also filed a clarification report before this Court. It is stated therein that the Chief Vigilance Officer of the Travancore Devaswom Board had visited the factory of Vardhan Agro Processing Limited during the tender and auction process to assess its capability to supply the requisite quantity of jaggery to Sabarimala. It is stated that, upon enquiry with the manufacturer, the manufacturer had informed that, for the purpose of exporting jaggery to certain Middle Eastern countries, a Halal declaration was required and that, for this reason, the said certificate was affixed to the packaging. The report submitted by the designated Food Safety Officer states that the declaration of Halal certification on the packaging does not contravene the provisions of the Food Safety Standards Act, 2006.

12. The petitioner has filed a reply affidavit to the statement submitted by respondent Nos. 1 and 2. It is stated therein that there is no justification for



using Halal Certified Jaggery in the preparation of Nivedyam in a Hindu Temple which follows Tantric rituals and customs.

13. We had directed the Special Commissioner to place before this Court the statements relating to the receipt of samples at the quality testing laboratory at Pamba. On a careful perusal of the analysis reports placed before us, we find that the jaggery was tested by the Food Safety Laboratory with regard to parameters including moisture content and total sugar, with invert sugar along with the relevant remarks. The test results reveal that the jaggery supplied by Vardhan Agro Processing Limited was satisfactory in terms of the parameters tested.

14. We have carefully considered the submissions advanced by the learned counsel appearing for the parties and have perused the entire records placed before us.

15. Essentially, the grievance of the petitioner is that the Travancore Devaswom Board purchased jaggery from a particular concern in Maharashtra and that some of the jaggery so supplied bore a label indicating that it was Halal certified. The specific contention of the petitioner is that the use of jaggery bearing a Halal certification, which, according to the petitioner, signifies that the product has been prepared in accordance with the religious beliefs and practices of another community, would render the material unsuitable as Satwik or pure material for being offered to Lord Ayyappa.



16. On going through the statement filed by the Devaswom Board, we find that the procedure adopted by the Devaswom Board for procuring such a large quantity of jaggery is through an e-tender process. Pursuant to the said process, Vardhan Agro Processing Limited emerged as the L1 bidder and was required to supply 19,96,034 kilograms of jaggery powder. From the statement filed before us, it is evident that the said company also exports jaggery to certain Middle Eastern countries and that it was for the purpose of such exports that the packaging bore the Halal certification marking. Ideally, the Travancore Devaswom Board ought to have exercised greater care to ensure that the quantity of jaggery supplied by the manufacturer did not bear symbols, markings or declarations that could give rise to an apprehension of conflict with the religious customs and practices followed at the Temple. However, having regard to the analysis reports placed before us, we find that the quality of the jaggery supplied was satisfactory and that the testing did not reveal the presence of any substance or element which would render it unsuitable for use in the preparation of Prasadam.

17. Having regard to the stand taken by the Devaswom Board, the materials placed on record, the results of the quality testing conducted by the competent authorities, and the undertaking given by the Devaswom Board that greater care would be exercised in future, we are of the view that the Writ Petition can be disposed of by directing the Travancore Devaswom Board to



exercise due care and caution in future and to incorporate appropriate and necessary conditions in the e-tender documents so as to ensure that the materials procured for the preparation of Nivedyam and Prasadam are in conformity with the prescribed quality standards as well as the religious customs and requirements applicable to the Temple.

The Writ Petition is disposed of.

Sd/-
RAJA VIJAYARAGHAVAN V
JUDGE

Sd/-
K. V. JAYAKUMAR
JUDGE

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**APPENDIX OF WP(C) NO. 25645 OF 2021****PETITIONER EXHIBITS**

Exhibit P1	A TRUE COPY OF THE NEWSPAPER REPORTS DATED 16.11.2021 IN BREAKING NEWS KERALA.
Exhibit P1 A	A TRUE COPY OF THE NEWSPAPER REPORTS DATED 16.11.2021 IN NAVAKERALA NEWS.
Exhibit P1 B	A TRUE COPY OF THE NEWSPAPER REPORTS DATED 16.11.2021 IN EAST COAST DAILY.
Exhibit P1 C	A TRUE COPY OF THE NEWS REPORT DATED 17.11.2021 IN JANMABHOOMI DAILY.
Exhibit P2	A TRUE COPY OF THE E-TENDER NOTIFICATION NO.ROC 35/2021/SAB DATED 15.07.2021 FOR SUPPLYING JAGGERY POWDER AT PAMPA ISSUED BY THE 2ND RESPONDENT.
Exhibit P3	A TRUE COPY OF THE RELEVANT PAGES OF THE DETAILS REGARDING SOUTHERN AGRO TECH INDIA PVT.LTC., DOWNLOADED FROM HTTPS://CONNECT2INDIA.COM
Exhibit P4	A TRUE COPY OF THE RELEVANT PAGES OF THE NATIONAL INDUSTRIAL CLASSIFICATION DOWNLOADED FROM THE WEBSITE OF GOVERNMENT OF INDIA, MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION.
Exhibit P5	A TRUE COPY OF THE SCREENSHOT OF THE TWEET DATED 27/12/2020 FROM THE OFFICIAL TWITTER ACCOUNT OF APEDA.
Exhibit P6	A TRUE COPY OF THE NEWS REPORT DATED 05/01/2021 PUBLISHED IN THE INDIAN EXPRESS ONLINE EDITION.