



2026:KER:78524

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

MONDAY, THE 12TH DAY OF OCTOBER 2026 / 20TH ASWINA, 1948

WP(C) NO. 29289 OF 2026

PETITIONERS:

- 1 **RAVI E
AGED 61 YEARS
S/O. PARAMESWARAN NAMBOOTHIRI,
EDAMARATH MANA, TRUSTEE,
SREE MANATHALA SHIVA-PARVATHI TEMPLE,
NIRAMARUTHUR P.O., TIRUR,
MALAPPURAM, PIN - 676109**

- 2 **K. T. KESHAVANKUTTY
AGED 53 YEARS
S/O. GOPALAN NAIR,
KIZHAKKE THAMARAPALLY,
SREE MANATHALA SHIVA-PARVATHI TEMPLE,
NIRAMARUTHUR P.O., TIRUR,
MALAPPURAM, PIN - 676109**

BY ADV. SRI.K.PRAVEEN KUMAR

RESPONDENTS:

- 1 **STATE OF KERALA
REPRESENTED BY THE FOREST AND WILDLIFE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001**

- 2 **THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HEAD
OF FOREST FORCE,
FOREST HEAD QUARTERS, NANDAVANAM,
VAZHUTHACAUD, THIRUVANANTHAPURAM, PIN - 695014**

- 3 **THE ADDITIONAL CHIEF CONSERVATOR OF FORESTS
(ADMINISTRATION) AND CHIEF WILDLIFE WARDEN,
FOREST HEAD QUARTERS,
THIRUVANANTHAPURAM, PIN - 695014**



- 4 THE ASSISTANT CONSERVATOR OF FORESTS,
SOCIAL FORESTRY DIVISION, B-1 BLOCK,
CIVIL STATION (PO), MALAPPURAM, PIN - 676505
- 5 THE DISTRICT COMMITTEE
CONSTITUTED UNDER RULE 10 OF THE KERALA CAPTIVE
ELEPHANT (MANAGEMENT AND MAINTENANCE) RULES, 2012,
REPRESENTED BY ITS CONVENER, ASSISTANT CONSERVATOR
OF FORESTS, SOCIAL FORESTRY DIVISION, B-1 BLOCK,
CIVIL STATION(PO), MALAPPURAM, PIN - 676505
- 6 THE CHAIRMAN (DISTRICT COLLECTOR),
DISTRICT COMMITTEE, CONSTITUTED UNDER RULE 10 OF
THE KERALA CAPTIVE ELEPHANT (MANAGEMENT AND
MAINTENANCE) RULES, 2012, CIVIL STATION (PO),
MALAPPURAM, PIN - 676505

BY AD. R. UNNIKRISHNAN,
SENIOR GOVERNMENT PLEADER (FOREST)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
12.10.2026, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



BECHU KURIAN THOMAS, J.

W.P(C) No.29289 of 2026

Dated this the 12th day of October, 2026

JUDGMENT

Petitioners seek for a direction to register the Sree Manathala Shiva-Parvathi Temple under the Kerala Captive Elephants (Management and Maintenance) Rules, 2012 (hereinafter referred to as 'the Rules'). The petitioners also seek for a declaration that the respondents are duty-bound to register the Temple and grant permission to the petitioners to conduct the elephant procession in connection with the Temple festival, notwithstanding the expiry of the time limit prescribed in Exhibit-P4.

2. The first petitioner claims to be the Trustee of Sree Manathala Shiva-Parvathi Temple at Tirur, Malappuram, while the second petitioner claims to be a devotee and the President of the said Temple. According to the petitioners, they have been parading elephants for the last several years and have continued to do so during festivals even after the commencement of the Rules. In the meantime, the Supreme Court, by its judgment in ***Wildlife Rescue and Rehabilitation Centre and Ors. v. Union of India and Ors.*** [(2016) 1 SCC 716], issued certain directions, including a direction that the Temples or the Devaswoms should register themselves with the District



Committee within a period of six weeks from 18.08.2015. According to the petitioners, due to various reasons, they could not register the Temple with the District Committee. In the meantime, after the expiry of the timeline prescribed by the Supreme Court, the Government issued an order dated 20.04.2022 permitting registration of elephants parades and directing strict implementation of the Supreme Court's order by 31.05.2022. The petitioners could not register the Temple even within the extended time. Subsequently, in 2026, the second petitioner submitted an application to the Minister for Forests, Government of Kerala, seeking registration of the aforesaid Temple for the purpose of parading elephants. However, by Exhibit-P5, the third respondent declined the request, and hence, the petitioners have approached this Court seeking the reliefs mentioned earlier.

3. A statement has been filed on behalf of the fourth respondent stating that many Temples could not register within the prescribed timeline and that, pursuant to the Government Order, an additional 84 applications were received by 31.05.2022, and registration was granted to those applicants. It is further stated that, altogether, 320 Temples/Devaswoms/Nercha Committees have been registered with the District-Level Committee in Malappuram District alone, while despite the grant of several opportunities, the Temple represented by the petitioners had not submitted any application. It is



further stated that there are only 392 captive elephants available in Kerala, according to a survey conducted and thus sought dismissal of the writ petition.

4. A reply statement has been filed on behalf of the petitioners, pointing out that the Supreme Court had only directed the implementation of the Rules and did not strictly indicate that the time limit for registration could not be extended. It is further stated that a sympathetic consideration of the matter would not cause any prejudice, especially in the light of the Government Order issued in 2022.

5. I have heard Sri. K. Praveen Kumar, the learned counsel for the petitioners and Sri. R. Unnikrishnan, the learned Senior Government Pleader (Forest).

6. The Temples were not required to be registered under the Rules. However, the Supreme Court, in **Wildlife Rescue and Rehabilitation Centre** (supra), directed the registration of the Temples. The following observations in the above judgment are relevant:

“13. At this juncture, a question arose whether the temples or the Devaswom shall get themselves registered with the district committee so that there would be effective and proper control. We think that they should be registered with the Committee and accordingly is directed that the registration shall be done within a period of six weeks from today. The temple and Devaswom shall, apart from other



formalities, also mention how many elephants it is going to use in any festival. It will be the obligation of the State to see that the registration is carried out. It shall be the duty of the State, the District Committee, Management of the Devaswom, the Management of the Temple and the owners of the elephants to see that no elephant is meted with any kind of cruelty and, if it is found, apart from being lodging of criminal prosecution, they shall face severe consequences which may include confiscation of the elephants to the State.”

7. A reading of the above observations indicates that, though the Supreme Court held that registration of the Temple or the Devaswom is necessary for effective and proper control, the timeline fixed therein is only six weeks from 18.08.2015. A purpose is evident from the timeline fixed. The said time limit cannot be extended either by this Court or by the Government. Though Exhibit-P4 order was issued by the Government, the said order has not been challenged, and therefore, its correctness or otherwise cannot be gone into at this juncture.

8. Be that as it may, though the petitioners have sought a direction to dispose of the representation submitted by them to the Minister of Forests produced as Exhibit-P6, I am of the view that such a direction would serve no purpose, in the light of the categorical observation of the Supreme Court regarding the timeline. Without any extension of time granted by the Supreme Court in view of the binding



direction in the judgment in **Wildlife Rescue and Rehabilitation Centre** (supra), it is not proper for this Court either to direct such delayed registration or even to direct consideration of an application to extend the time for registration.

In such circumstances, I find no merit in the writ petition, and it is dismissed.

Sd/-
BECHU KURIAN THOMAS
JUDGE

jka/12.10.26.



APPENDIX OF WP(C) NO. 29289 OF 2026

PETITIONER EXHIBITS

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| Exhibit P1 | TRUE COPY OF THE RELEVANT PORTION OF BROCHURE |
| Exhibit P2 | TRUE COPY OF THE ORDER DATED 18.08.2015 IN WRIT PETITION (CIVIL) NO. 743/2014 |
| Exhibit P3 | TRUE COPY OF THE ORDER NO. C-89/2026 DATED 29.01.2026 ISSUED BY THE 4TH RESPONDENT |
| Exhibit P4 | TRUE COPY OF G.O. (MS.) NO. 19/2022/F&LD DATED 20.04.2022 |
| Exhibit P5 | TRUE COPY OF THE SAID LETTER BEARING NO. KEDHQ/2092/2026/CWW/WL13 DATED 25.03.2026 ISSUED BY THE 3RD RESPONDENT |
| Exhibit P6 | TRUE COPY OF THE REPRESENTATION DATED 09.07.2026 |

RESPONDENT ANNEXURES

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| Annexure R4(a) | TRUE COPY OF THE LETTER DATED 29.01.2026 |
| Annexure R4(b) | TRUE COPY OF THE ORDER GO.(MS) NO. L9/2022/F AND WLD DATED 20/04/2022 |