

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRAN

&

THE HONOURABLE MR. JUSTICE P.G. AJITHKUMAR

WEDNESDAY, THE 3<sup>RD</sup> DAY OF AUGUST 2022 / 12TH SRAVANA, 1944

DBP NO.39 OF 2022

IN THE MATTER OF TRAVANCORE DEVASWOM BOARD - SABARIMALA  
SREE DHARMA SASTHA TEMPLE - MATTER PERTAINING TO BANNING  
THE PILGRIMS FROM ENTERING THE PAMPA RIVER - SUO MOTU  
PROCEEDINGS INITIATED BASED ON A NEWS ITEM APPEARED IN  
HINDU DAILY ON 03.08.2022 - REG.

PETITIONER:

SUO MOTU

RESPONDENTS:

- 1 STATE OF KERALA,  
REPRESENTED BY PRINCIPAL SECRETARY TO GOVERNMENT,  
REVENUE (DEVASWOM DEPARTMENT), SECRETARIAT,  
THIRUVANANTHAPURAM - 695 001.
- 2 TRAVANCORE DEVASWOM BOARD,  
REPRESENTED BY ITS SECRETARY, NANTHENCODE,  
KAWDIAR POST, THIRUVANANTHAPURAM, PIN-695 003.
- 3 THE DEVASWOM COMMISSIONER, TRAVANCORE DEVASWOM  
BOARD, DEVASWOM BUILDINGS, NANTHANCODE, KAWDIAR  
POST, THIRUVANANTHAPURAM - 695 003.
- 4 EXECUTIVE OFFICER,  
SABARIMALA DEVASWOM, DEVASWOM BOARD BUILDING  
NANTHANCODE, THIRUVANANTHAPURAM - 695 003.

- 5 THE DISTRICT COLLECTOR,  
COLLECTORATE, PATHANAMTHITTA-689 645
- 6 DISTRICT MEDICAL OFFICER (HEALTH) ,  
CHITTOOR, PATHANAMTHITTA, KERALA - 689 645.
- 7 DISTRICT FIRE OFFICER,  
FIRE AND RESCUE SERVICES, PATHANAMTHITTA-689 645.
- 8 SUPERINTENDENT OF POLICE,  
PATHANAMTHITTA - 689645.
- 9 THE CIRCLE INSPECTOR OF POLICE,  
PAMBA POLICE STATION, SABARIMALA, PIN - 689 662.
- 10 KERALA STATE ROAD TRANSPORT CORPORATION,  
REPRESENTED BY ITS MANAGING DIRECTOR, TRANSPORT  
BHAVAN, FORT P.O., THIRUVANANTHAPURAM - 695 023.

BY ADVS.  
GOVERNMENT PLEADER  
SC, TRAVANCORE DEVASWOM BOARD - TDB  
SC, KERALA STATE ROAD TRANSPORT CORPORATION -  
KSRTC

OTHER PRESENT :

SR. S. RAJMOHAN, GOVERNMENT PLEADER.

SRI. G. BIJU, STANDING COUNSEL, TRAVANCORE  
DEVASWOM BOARD

SRI. N. RAGHURAJ, AMICUS CURIAE, SABARIMALA  
SPECIAL COMMISSIONER

THIS DEVASWOM BOARD PETITION HAVING COME UP FOR  
ADMISSION ON 03.08.2022, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:

**ORDER**

**Anil K. Narendran, J.**

This DBP is registered *suo motu* based on a news item that appeared today (03.03.2022) in Hindu Daily, which is to the effect that with less than 24 hours left for the Sabarimala Sree Dharma Sastha Temple to open for the annual Niraputhari festival, Travancore Devaswom Board officials on 02.08.2022 braved heavy rain to complete the arrangements for the devotees. With the Pampa river remaining turbulent, a high-level meeting convened by the District Collector, Pathanamthitta on 02.03.2022, decided to ban the pilgrims from entering the Pampa river at Pampa-Triveni and in other bathing ghats. The District Collector, as the Chairperson of the District Disaster Management Authority, also chaired a meeting to review the arrangements for Niraputhari festival in the wake of the orange alert that was sounded for Pathanamthitta district on 02.08.2022, 03.08.2022 and 04.08.2022.

2. Today, when this DBP is taken up for consideration at 12.45. a.m., the learned Senior Government Pleader, on instructions, would submit that the District Administration, the Fire and Rescue Service Department and also the Police have

already made necessary arrangements for crowd management during Niraputhari festival, which is scheduled to be held on 04.08.2022. The entry of pilgrims will be permitted today evening and as usual, there will be restriction regarding movement of pilgrims from Nilakkal to Pamba in between 10.00 p.m. to 12.00 midnight.

3. The learned Standing Counsel for Travancore Devaswom Board would submit that the Board has already made necessary arrangements for Niraputhari festival. The entry of pilgrims is regulated through Virtual-Q and spot booking facility is provided at Nilakkal.

4. The learned Standing Counsel for KSRTC would submit that for Nilakkal-Pamba Chain Service the Corporation has provided 11 buses. Three buses are now being operated for the Chain Service.

5. Having considered the submissions made by the learned Senior Government Pleader, learned Standing Counsel for Travancore Devaswom Board, learned Standing Counsel for KSRTC and also the learned Amicus Curiae for the Special Commissioner, Sabarimala, we deem it appropriate to direct the 5<sup>th</sup> respondent District Collector, who is the Chairperson of the

District Disaster Management Authority, to monitor the issues in connection with Niraputhari festival in Sabarimala, since orange alert has already been declared for Pathanamthitta District on 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> of August. In case of any exigencies, appropriate decisions shall be taken by the District Disaster Management Authority. Any decision taken by the said authority imposing restriction on entry of pilgrims shall be communicated to the Special Commissioner, Sabarimala, Executive Officer, Sabarimala and also to KSRTC. The KSRTC shall provide sufficient number of buses for Nilakkal-Pamba chain services depending upon the number of pilgrims and shall ensure that there is no overcrowding of passengers in the buses. The 8<sup>th</sup> respondent Superintendent of Police and also the 9<sup>th</sup> respondent Circle Inspector of Police shall take necessary steps to ensure that no vehicles are parked on the side of the road from Nilakkal to Pamba under any circumstances.

With the aforesaid directions, this DBP is disposed of. It would be open to the Special Commissioner, Sabarimala, to file a report before this Court, if found necessary.

Sd/-

**ANIL K. NARENDRAN, JUDGE**

Sd/-

**P.G. AJITHKUMAR, JUDGE**