



2023:KER:54601

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE ANIL K.NARENDRAN
&

THE HONOURABLE MRS.JUSTICE SOPHY THOMAS
FRIDAY, THE 15TH DAY OF SEPTEMBER 2023 / 24TH BHADRA, 1945
SSCR NO.24 OF 2023

IN THE MATTER OF TRAVANCORE DEVASWOM BOARD - SABARIMALA SPECIAL
COMMISSIONER REPORT - SM NO.24/2023 - REPORT SUBMITTED BY THE SPECIAL
COMMISSIONER SABARIMALA REGARDING THE CALLING FOR ADVISORIES, IF
NECESSARY FROM THE DIRECTORATE OF HEALTH SERVICES, STATE OF KERALA IN
VIEW OF THE RECENT NIPAH VIRUS OUTBREAK IN KOZHIKODE DISTRICT, AS THE
SABARIMALA TEMPLE OPENS FOR KANNIMASAPOOJA FROM 17/09/2023 TILL
22/09/2023- SUO MOTU PROCEEDINGS INITIATED - REG.

PETITIONER:

SUO MOTU

RESPONDENTS:

- 1 STATE OF KERALA, REPRESENTED BY THE PRINCIPAL SECRETARY TO
GOVERNMENT, REVENUE (DEVASWOM) DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN- 695 001
- 2* DEPARTMENT OF HEALTH & FAMILY WELFARE, GOVERNMENT OF KERALA, 6TH
FLOOR, SECRETARIAT ANNEXE - II, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695001, REPRESENTED BY ITS SECRETARY
(CORRECTED)

*THE DESCRIPTION OF THE 2ND RESPONDENT IS CORRECTED AS "HEALTH
SECRETARY, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT
SECRETARIAT, 6TH FLOOR, ANNEX-2, THIRUVANANTHAPURAM, PIN-695
001" BY THE ORDER DATED 15.09.2023.
- 3 DIRECTOR OF HEALTH SERVICES, DIRECTORATE OF HEALTH SERVICES,
GENERAL HOSPITAL JUNCTION, THIRUVANANTHAPURAM, PIN- 695 035
- 4 DISTRICT MEDICAL OFFICER, COLLECTORATE BUILDING, COLLECTORATE,
PATHANAMTHITTA, KERALA, INDIA, PIN- 689645
- 5 THE DISTRICT MEDICAL OFFICER OF HEALTH KOZHIKODE, 5/ 283 A,
WAYANAD ROAD, ERANHIPAALAM, MALABAR HOSPITAL, CIVIL STATION,
PALATTUTHAZHAM, KOZHIKODE, KERALA, PIN-673020
- 6 THE TRAVANCORE DEVASWOM BOARD, REPRESENTED BY ITS SECRETARY,
NANTHANCODE, KAWDIAR POST, THIRUVANANTHAPURAM, PIN- 695 003
- 7 THE DEVASWOM COMMISSIONER, TRAVANCORE DEVASWOM BOARD, DEVASWOM
BUILDINGS, NANTHANCODE, THIRUVANANTHAPURAM, PIN -695 005
- 8 THE EXECUTIVE OFFICER, SABARIMALA, TRAVANCORE DEVASWOM BOARD,
NANTHANCODE, THIRUVANANTHAPURAM, PIN- 695003

R BY SRI. S. RAJMOHAN, SR. GP, SRI. G. BIJU, SC, TDB, SRI. N.
RAGHURAJ, AMICUS CURIAE

THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME UP FOR
ADMISSION ON 15.09.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**ORDER****Anil K. Narendran, J.**

The Special Commissioner has filed this report calling for advisories, if necessary, from the Directorate of Health Services, Kerala in view of the recent Nipah Virus outbreak in Kozhikode District, as Sabarimala Temple opens for Kannimasa Pooja from 17.09.2023 till 22.09.2023.

2. When this matter came up for consideration today at 10.15 a.m., this Court directed the learned Senior Government Pleader and also the learned Standing Counsel for Travancore Devaswom Board to get instructions.

3. When this matter is taken up again at 12.30 p.m., the learned Standing Counsel for Travancore Devaswom Board, on instructions, would submit that, so far the total virtual queue booking during Kannimasa pooja is 34,860.

4. The learned Senior Government Pleader, on instructions, from the 2nd respondent Health Secretary, Health and Family Welfare Department would submit that the areas in Kozhikode District, where there is recent Nipah Virus outbreak, are declared as containment zones and there is complete restriction in the movement of persons within the containment zone. All persons,



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who had contacts with the those affected by Nipah Virus, have already been identified and they are also under quarantine.

5. Having considered the submissions made at the Bar, we deem it appropriate to direct the 2nd respondent Health Secretary, if found necessary, to issue advisory to Sabrimala pilgrims during Kannimasa Pooja from 17.09.2023 to 22.09.2023, with intimation to the Special Commissioner, Sabarimala and also the 8th respondent Executive Officer, Sabarimala.

With the above direction, this SSCR is disposed of.

Sd/-

ANIL K. NARENDRAN, JUDGE

Sd/-

SOPHY THOMAS, JUDGE

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