

**Extend Proper Facilities To Sabarimala Pilgrims During Mandala-Makaravilakku Festival: Kerala HC To Devaswom Boards**

**2022 LiveLaw (Ker) 587**

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**ANIL K. NARENDRAN & P.G. AJITHKUMAR, JJ.**

**SSCR No. 20 of 2022; 10 November, 2022**

**SUO MOTU versus STATE OF KERALA**

*By Sr. Government Pleader For R1 To R5 by S. Manu, Deputy Solicitor General of India for R6, Standing Counsel for Travancore Devaswom Board For R2 To R4, N. Raghuraj, Amicus Curiae for Sabarimala Special Commissioner, K.P. Sudheer, Standing Counsel for Addl.R7, R. Lakshminarayan, Standing Counsel for Addl.R8, T.K. Vipindas, Standing Counsel for Addl.R9*

**ORDER**

**Anil K. Narendran, J.**

This report of the Special Commissioner, Sabarimala, is regarding the steps to be taken to provide adequate facilities to Sabarimala pilgrims at the Edathavalams for the Mandala-Makaravilakku festival season of the year 1198 ME (2022-23).

**2.** Heard the learned Standing Counsel for Travancore Devaswom Board, the learned Standing Counsel for Cochin Devaswom Board, the learned Standing Counsel for Guruvayur Devaswom Managing Committee and also the learned Deputy Solicitor General of India for the Ministry of Railways.

**3.** The list of 52 Sabarimala Edathavalams in the temples managed by Travancore Devaswom Board is as under;

I	<b>Kottarakkara Group</b>	
	1.	P.D.Manikanteswaram Devaswom
	2.	Vettikavala Devaswom
	3.	Pattazhi Devaswom (New one)
II	<b>Punalur Group</b>	
	1.	Puthiyidom Devaswom
	2.	Thrikkodesom Devaswom
	3.	Aaryankavu Devaswom
	4.	Achankovil Devaswom
	5.	Kulathupuzha Devaswom
	6.	Thrikkodeswara Devaswom
	7.	Kannangara Devaswom
III	<b>Karunagappally Group</b>	
	1.	Sasthamkotta Devaswom
	2.	Padayanarkulangara Devaswom
IV	<b>Ambalappuzha Group</b>	
	1.	Ambalappuzha Devaswom

	2.	Thakazhy Devaswom
	3.	Mullackal Devaswom
	4.	Chali Narayanapuram Devaswom
V	<b>Harippad Group</b>	
	1.	Harippad Devaswom
	2.	Pathirakulangara
VI	<b>Aranmula Group</b>	
	1.	Chengannoor Devaswom
	2.	Omallur Devaswom
	3.	Panthalam Valiyakoyikkal Devaswom
	4.	Ranni-Perunadu Devaswom
	5.	Vadasserikkara Devaswom
	6.	Ayirur Puthiyakavu Devaswom
	7.	Vettoor Aayiravally Devaswom
	8.	Prayar Devaswom
	9.	Muringamangalam Devaswom
	10.	Odamon Devaswom
VII	<b>Kottayaa, Group</b>	
	1.	Thirunakkara Devaswom
	2.	Thaliyil Devaswom
VIII	<b>Ettumanoor Group</b>	
	1.	Ettumanoor Devaswom
	2.	Kaduthuruthy Devaswom
	3.	Vellappattu Devaswom
	4.	Keezhthadiyoor Devaswom
IX	<b>Vaikkom Group</b>	
	1.	Vaikkom Devaswom
	2.	Udayamperoor Devaswom
	3.	Thuravoor Devaswom
X	<b>Thrikkaariyoor Group</b>	
	1.	Keezhillam Devaswom
	2.	Arakkulam Devaswom
XI	Paravoor Group	

	1.	Aluva Mahadeva Kshethram
	2.	Kothakulangara Devaswom
	3.	Kannankulangara Devaswom
	4.	Aluva Sreekrishna Swami Kshethram
XII	<b>Mundakkayam Group</b>	
	1.	Erumeli Chirakkadavu Devaswom
	2.	Chirakkadavu Devaswom
	3.	Peerumedu Devaswom
	4.	Vandipperiyar Sathram
	5.	Chenappadi Devaswom
	6.	Kodungoor Devaswom
XIII	<b>Ullur Group</b>	
	1.	O.T.C. Hanuman Swami Kshethram
XIV	<b>Neyyattinkara Group</b>	
	1.	Kottaram Devaswom
	2.	Parassala Devaswom

The learned Standing Counsel for Travancore Devaswom Board would submit that the Board will provide Annadanam in all Edathavalams during Mandala-Makaravilakku festival season of 1198 ME (2022-23).

**4.** The list of 2 Sabarimala Edathavalams in the temples managed by Cochin Devaswom Board is as under;

1.	Mudikkode Temple
2.	Chirangara Temple

The learned Standing Counsel for Cochin Devaswom Board would submit that, in addition to the above 2 Sabarimala Edathavalams, facilities for Sabarimala pilgrims are provided in the following 5 temples;

1.	Chottanikkara
2.	Kodungalloor
3.	Sree Vadakkunnathan
4.	Kurumalikkavu
5.	Thiruvanchikulam

**5.** The learned Standing Counsel for Guruvayur Devaswom Managing Committee would submit that, as stated in the affidavit filed on behalf of the 9<sup>th</sup> respondent, the following arrangements are made in Guruvayur Sree Krishna Temple during Mandala-Makaravilakku festival of 1198 ME (2022-23);

1.	To open the Temple at 3.30 pm which will enable more devotees to have darsan.
2.	A separate Darsan Queue for Sabarimala Pilgrims

3.	Vazhipadu and Nivedyam Counter will function for more hours to cater to the needs of Sabarimala Pilgrims.
4.	For 'Maalayidal' and 'Kettunira', experienced Guru Swamies have been selected and a list has been prepared to assist Sabarimala pilgrims on their request.
5.	A separate counter will be opened for the sale of 'Kettunira' items at a fair and reasonable price.
6.	Free food will be distributed in the morning, afternoon, evening and night for the Pilgrims.
7.	Additional arrangements will be made in the temple premises for drinking water.
8.	Toilet facilities would be provided for the Pilgrims on East Nada and West Nada.
9.	QR code system will be arranged to provide Vazhipadu rates, its location, etc., for the information of the pilgrims.
10.	For small vehicles, apart from Multi Level Car Parking System, additional parking space will be provided at Panchajanyam and the space behind Hospital. In emergent situations, during holidays, the ground of Sree Krishna School can also be arranged.
11.	For Heavy vehicles, Maya Bus Stand area will be arranged for parking, apart from the present parking area.
12.	The security grill in the temple premises will be refixed to strengthen it.
13.	Additional Security arrangements will be made in the temple pond premises and ensure that the pilgrims from other States are not duped by strangers.
14.	Announcements will be made in English, Tamil, Hindi, Kannada and Telugu for the benefit of pilgrims.
15.	More tube lights will be provided in Devaswom roads to provide light during night.
16.	Arrangements will be made in North Nadappura for Sabarimala Pilgrims to place their 'Viri'.
17.	Display and directions boards will be installed in major locations.
18.	Emergency Medicine Wing of Guruvayur Medical Centre will function 24 hours during the Sabarimala season.
19.	Ambulance facility will be provided in Temple Nadas.
20.	All temple employees have been instructed to behave politely and with respect to Sabarimala pilgrims.

**6.** In view of the provisions under Section 15A of the Travancore-Cochin Hindu Religious Institutions Act, 1950, it shall be the duty of the Travancore Devaswom Board to see that the regular traditional rites and ceremonies according to the practice prevalent in the religious institutions are performed promptly and to establish and maintain proper facilities in the temples for the devotees.

**7.** Similarly, in view of the provisions under Section 73A of the said Act, it shall be the duty of the Cochin Devaswom Board to see that the regular traditional rites according to the practice prevalent in the religious institution are performed promptly; and to establish and maintain proper facilities in major temples for the devotees.

**8.** Section 31A of the Act deals with the formation of Temple Advisory Committees in the temples under the management of the Travancore Devaswom Board. Similarly, Section 76A of the Act deals with formation of Temple Advisory Committees in the temples under the Cochin Devaswom Board.

**9.** In **Chandu K. v. Travancore Devaswom Board [2021 (3) KHC 379]** a Division Bench of this Court held that, with the insertion of Section 31A to the Travancore Cochin Hindu Religious Institutions Act, the formation of Temple Advisory Committees in temples has

become statutory. In **Sunil Kumar C. and others v. Travancore Devaswom Board and others [2022 (4) KLT 324]**, a Division Bench of this Court, in which both of us were parties, noticed that the provisions under Section 31A of the Act contemplate the constitution of a Temple Advisory Committee in the temples under the management of the Travancore Devaswom Board, which is assigned with various duties as per the Rules framed thereunder.

**10.** In view of the statutory provisions referred to above and also the law laid down in the decisions referred to supra, the 2<sup>nd</sup> respondent Travancore Devaswom Board and the additional 7<sup>th</sup> respondent Cochin Devaswom Board have a statutory duty to ensure that proper facilities are provided to Sabarimala pilgrims in the temples under its management, which are identified as Sabarimala Edathavalams. The Temple Advisory Committees of those temples, which are identified as Sabarimala Edathavalams and also other temples, which are identified by the concerned Devaswom to provide facilities to Sabarimala Pilgrims during Mandala-Makaravilakku festival season, have a statutory duty to render necessary assistance to the concerned Sub Group Officer/Devaswom Officer in providing proper facilities to Sabarimala pilgrims in the respective temples.

**11.** As per the provisions under Section 10 of Guruvayur Devaswom Act, 1978, it shall be the duty of the Committee, subject to the custom and usage in the temple, to arrange for the proper performance of the rites and ceremonies in Guruvayur Sree Krishna Temple and the subordinate temples; and to provide facilities for the proper performance of worship by the worshippers. In view of the statutory provisions referred to above, the 9<sup>th</sup> respondent Guruvayur Devaswom Managing Committee has a statutory duty to ensure that proper facilities are provided to Sabarimala pilgrims in Guruvayur Sree Krishna Temple.

**12.** In the above circumstances, we deem it appropriate to direct the 2<sup>nd</sup> respondent Travancore Devaswom Board and the additional 7<sup>th</sup> respondent Cochin Devaswom Board to ensure that proper facilities are provided to Sabarimala pilgrims in the temples under its management, which are identified as Sabarimala Edathavalams and also other temples which are identified by the concerned Devaswom Board to provide facilities to Sabarimala Pilgrims during Mandala-Makaravilakku festival season of 1198 ME (2022-23). The Temple Advisory Committees of those temples, which are identified as Sabarimala Edathavalams, and also other temples which are identified by the concerned Devaswom Board to provide facilities to Sabarimala Pilgrims during MandalaMakaravilakku festival season, shall render necessary assistance to the concerned Sub Group Officer/Devaswom Officer in providing proper facilities to Sabarimala pilgrims in the respective temples. The 9<sup>th</sup> respondent Guruvayur Devaswom Managing Committee shall also ensure that proper facilities are provided to Sabarimala pilgrims in Guruvayur Sree Krishna Temple. The concerned Assistant Devaswom Commissioner in the temples under the management of Travancore Devaswom Board and Cochin Devaswom Board and the concerned Deputy Administrator in Guruvayur Sree Krishna Temple shall conduct periodical inspections in those temples, in order to ensure that proper facilities are provided to Sabarimala pilgrims, during Mandala Makaravilakku festival season of 1198 ME (202223).

**13.** Any deficiencies or shortfalls noticed in such inspections, in the facilities provided to Sabarimala pilgrims during MandalaMakaravilakku festival season of 1198 ME (2022-23), shall be brought to the notice of this Court by the concerned Assistant Devaswom Commissioner/Deputy Administrator, through the learned Standing Counsel of the concerned Devaswom, for necessary orders.

List this matter for further orders on 15.11.2022.