IN THE HIGH COURT OF KERALA AT ERNAKULA

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRAN

&

THE HONOURABLE MR. JUSTICE MURALEE KRISHNA S.

TUESDAY, THE 18TH DAY OF MARCH 2025 / 27TH PHALGUNA, 1946

SSCR NO. 3 OF 2025

(IN THE MATTER OF TRAVANCORE DEVASWOM BOARD-SABARIMALA SPECIAL COMMISSIONER REPORT-S.M.NO.3/2025- REPORT REGARDING THE PERIODICAL STATUS REPORT OF THE CHIEF VIGILANCE OFFICER,TRAVANCORE DEVASWOM BOARD SUBMITTED AS PER THE DIRECTION OF THE HON'BLE HIGH COURT IN DBP.NO.2/2022 DATED 14/02/2022-SUO MOTU PROCEEDINGS INITIATED-REG)

PETITIONER/S:

SUO MOTU

RESPONDENT/S:

1 **STATE OF KERALA**
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT, REVENUE(DEVASWOM) DEPARTMENT, GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM-695001

2 **DEPUTY DIRECTOR**
LOCAL FUND AUDIT, TRAVANCORE DEVASWOM BOARD, THIRUVANANTHAPURAM-695003

3 **THE TRAVANCORE DEVASWOM BOARD,**
REPRESENTED BY ITS SECRETARY, NANTHANCODE, KAWDIAR POST,THIRUVANANTHAPURAM-695003

4 **THE DEVASWOM COMMMISSIONER**
TRAVANCORE DEVASWOM BOARD, DEVASWOM BUILDINGS, NANTHANCODE, THIRUVANANTHAPURAM,PIN -695005

5 EXECUTIVE OFFICER
SABARIMALA, SABARIMALA P.O, PATHANAMTHITTA-689662

6 CHIEF VIGILANCE SECURITY OFFICER (SUPERINTENDENT OF POLICE-VIGILANCE)
TRAVANCORE DEVASWOM HEAD QUARTERS, NANTHANCODE, KAWDIAR POST,THIRUVANANTHAPURAM-695003

BY ADV G.BIJU

SRI. S. RAJMOHAN, SR. GP; SRI. G. BIJU, SC, TDB; SMT. SAYUJYA RADHAKRISHNAN, AMICUS CURIAE

THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME UP FOR ADMISSION ON 18.03.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

Anil K. Narendran, J.

The Special Commissioner, Sabarimala, has filed this report enclosing therewith the periodical status report of the Chief Vigilance and Security Officer (Superintendent of Police), Travancore Devaswom Board, in respect of 243 instances of vigilance inspections conducted based on complaints, surprise checks and other enquiries conducted by the Vigilance Wing of the Board regarding malpractices, misconduct, unauthorised absence of temple staff, Devaswom officials, etc., malpractices, irregularities, etc., by the Temple Advisory Committees in the temples under the management of the Board. Among the 243 instances, grave irregularities, 20 in number, are enumerated in paragraph 2 of the report of the Special Commissioner, Sabarimala, in a tabular form.

2. On 29.01.2025, when this SSCR came up for consideration, the learned Standing Counsel for the Travancore Devaswom Board was directed to place on record an affidavit sworn to by the Secretary of the Board regarding the procedure that is being followed by the Board, in terms of the directions contained in

Paragraph 23 of the order of this Court dated 09.07.2024 in SSCR No.28 of 2023, with respect to the reports of the Chief Vigilance and Security Officer, which are addressed to the President of the Board.

3. Pursuant to the direction contained in the order dated 29.01.2025, an affidavit dated 28.02.2025 sworn to by the Secretary of the Travancore Devaswom Board is placed on record, on 03.03.2025. Paragraphs 4 to 7 of that affidavit read thus;

> "4. It is submitted that the Superintendent of Police (Vigilance) is functioning under the direct control of the President of the Travancore Devaswom Board. The reports prepared by the Chief Vigilance Officer are directly given to the President of the Board. After the order in SSCR 28/2023, all the reports received, except a few, were submitted before the Board. The Board is the disciplinary authority in respect of employees above the cadre of Junior Superintendent. The Devaswom Commissioner and the Chief Engineer are the disciplinary authorities in the cases of officers up to the level of Junior Superintendent
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> 5. After receipt of the order dated 09/07/2024 in SSCR 28/2023, the Board directed the officials to place all the vigilance reports before the Board without delay. Accordingly all endeavors are taken to place the vigilance reports before the Board within a period of one month and on matters which require immediate action the reports are placed before the Board at the earliest. A total of around 147 reports were

received after 09/07/2024, and the Board has considered the reports except a few. Steps have already been taken to place the rest also before the Board. Action was taken on most of the reports, and in 15 reports, the Board's interference is required. The Board is considering all the reports received in terms of the direction issued by this Hon'ble Court and necessary action is being taken as per law.

6. The Board considers the reports and in cases wherein the Board itself has to take action, the same will be done by the Board and the rest will be forwarded to the appropriate authorities for further action. In the cases of allegations against Temple Advisory Committees, the Board will consider the reports and direct the Devaswom Commissioner to take appropriate action.

7. It is respectfully submitted that the Board could not complete the proceedings on all the reports received after the order in SSCR 28/2023 since the President and Board Members were engaged in various activities connected with the Sabarimala Mandalam Makaravilakku Festival 1200 ME. However, the Board will consider and take decision on all the reports submitted by the Superintendent of Police (Vigilance & Security) without delay. It is expected that the Board will be able to consider the reports received so far within a period of three months."

4. Heard the learned Senior Government Pleader for respondents 1 and 2, the learned Standing Counsel for Travancore Devaswom Board for respondents 3 to 6 and also the learned Amicus Curiae for the Special Commissioner, Sabarimala.

5. Travancore-Cochin Hindu Religious Institutions Act, 1950 enacted by the State Legislature makes provision for the administration, supervision and control of incorporated and unincorporated Devaswoms and of other Hindu Religious Endowments and Funds. As per sub-section (3) of Section 1 of the Act, substituted by the Kerala Adaptation of Laws Order, 1956, Part I of the Act shall extend to Travancore, Part II of the Act shall extend to Cochin and Part III of the Act shall extend to the whole of the State of Kerala, excluding the Malabar District. Clause (a) of Section 2 of the Act defines the term 'Board' to mean the TDB constituted under Chapter II of the Act in accordance with the covenant. Clause (c) of Section 2 defines the term 'incorporated Devaswoms' to mean the Devaswoms mentioned in Schedule I, and 'unincorporated Devaswoms' to mean those Devaswoms including Hindu Religious Endowments whether in or outside Travancore which were under the management of the Ruler of Travancore and which have separate accounts of income and expenditure and are separately dealt with.

6. Chapter II of the Act deals with the Travancore Devaswom. Section 3 of the Act deals with vesting of administration in Board. As per Section 3, the administration of

incorporated and unincorporated Devaswoms and of Hindu Religious Endowments and all their properties and funds as well as the fund constituted under the Devaswom Proclamation, 1097 M.E. and the surplus fund constituted under the Devaswom (Amendment) Proclamation, 1122 M.E. which were under the management of the Ruler of Travancore prior to the first day of July, 1949, except the Sree Padmanabhaswamy Temple, Sree Pandaravaka properties and all other properties and funds of the said temple, and the management of all institutions which were under the Devaswom Department shall vest in the Travancore Devaswom Board.

7. Section 15 of the Act deals with vesting of jurisdiction in the Board. As per sub-section (1) of Section 15, subject to the provisions of Chapter III of Part I, all rights, authority and jurisdiction belonging to or exercised by the Ruler of Travancore prior to the first day of July, 1949, in respect of Devaswoms and Hindu Religious Endowments shall vest in and be exercised by the Board in accordance with the provisions of this Act. As per sub-section (2) of Section 15, the Board shall exercise all powers of direction, control and supervision over the incorporated and unincorporated Devaswoms and Hindu Religious Endowments

under their jurisdiction.

8. Section 15A of the Act, inserted by Act 5 of 2007, with effect from 12.04.2007, deals with duties of the Board. As per Section 15A, it shall be the duty of the Board to perform the following functions, namely, (i) to see that the regular traditional rites and ceremonies according to the practice prevalent in the religious institutions are performed promptly; (ii) to monitor whether the administrative officials and employees and also the employees connected with religious rites are functioning properly; (iii) to ensure proper maintenance and upliftment of the Hindu religious institutions; (iv) to establish and maintain proper facilities in the temples for the devotees. Section 16 of the Act deals with supervision and control by the Board. As per Section 16, the Board shall, subject to the provisions of Part I of the Act, exercise supervision and control over the acts and proceedings of all officers and servants of the Board and of the Devaswom Department.

9. Section 24 of the Act deals with maintenance of Devaswoms, etc., out of Devaswom Fund. As per Section 24, the Board shall, out of the Devaswom Fund constituted under Section 25, maintain the Devaswoms mentioned in Schedule I [i.e.

incorporated Devaswoms], keep in a state of good repair the temples, buildings, and other appurtenances thereto, administer the said Devaswoms in accordance with recognised usages, make contributions to other Devaswoms in or outside the State and meet the expenditure for the customary religious ceremonies and may provide for the educational upliftment, social and cultural advancement and economic betterment of the Hindu community.

10. Section 27 of the Act deals with Devaswom properties. As per Section 27, immovable properties entered or classed in the revenue records as Devaswom Vaga or Devaswom Poramboke and such other Pandaravaga lands as are in the possession or enjoyment of the Devaswoms mentioned in Schedule I after the 30th Meenam, 1097 corresponding to the 12th April, 1922, shall be dealt with as Devaswom properties. The provisions of the Land Conservancy Act of 1091 (IV of 1091) shall be applicable to Devaswom lands as in the case of Government lands. Section 31 of the Act deals with management of Devaswoms. As per Section 31, subject to the provisions of Part I and the rules made thereunder, the Board shall manage the properties and affairs of the Devaswoms, both incorporated and unincorporated as heretofore, and arrange for the conduct of the daily worship and

ceremonies and of the festivals in every temple according to its usage.

11. In **Ram Mohan Das v. Travancore Devaswom Board and others [1975 KLT 55]** a learned Single Judge of this Court held that, under Section 31 of the Travancore-Cochin Hindu Religious Institutions Act the Travancore Devaswom Board shall manage the properties and affairs of the Devaswoms, both incorporated and unincorporated and arrange for the conduct of the daily worship and ceremonies and of the festivals in every temple according to its usage. The position of the Board in regard to the Devaswoms - incorporated and unincorporated - is analogous to that of trustees. Any improper act of the Trustees could be questioned by a worshipper.

12. In **M.V. Ramasubbiar v. Manicka Narasimachara [(1979) 2 SCC 65],** in the context of Sections 49, 51 and 52 of the Trusts Act, 1882, the Apex Court explained the nature of the fiduciary position of the trustee and his duties and obligations. It is duty of the trustees of the property to be faithful to the Trust and execute any document with reasonable diligence in the manner of an ordinary prudent man of business would conduct his own affairs. A trustee could not therefore occasion any loss to the

Trust and it is his duty to sell the property, if at all that was necessary, to best advantage. Paragraph 4 of that decision reads thus;

> "4. There is some controversy on the question whether Defendant 1 made an outright purchase of the suit property for and on behalf of the trust for Rs 21,500 on April 19, 1959, or whether he intended to purchase it for himself and then decided to pass it on to the trust, for defendants have led their evidence to show that the property was allowed to be sold for Rs 21,500, which was less than its market value, as it was meant for use by the trust and that Defendant 1 was not acting honestly when he palmed off the property to his son soon after by the aforesaid sale deed Ext.B13 dated July 14, 1960. The fact, however, remains that Defendant 1 was the trustee of the property, and it was his duty to be faithful to the trust and to execute it with reasonable diligence in the manner an ordinary prudent man of business would conduct his own affairs. He could not therefore occasion any loss to the trust and it was his duty to sell the property, if at all that was necessary, to best advantage. It has in fact been well recognised as an inflexible rule that a person in a fiduciary position like a trustee is not entitled to make a profit for himself or a member of his family. It can also not be gainsaid that he is not allowed to put himself in any such position in which

a conflict may arise between his duty and personal interest, and so the control of the trustee's discretionary power prescribed by Section 49 of the Act and the prohibition contained in Section 51 that the trustee may not use or deal with the trust property for his own profit or for any other purpose unconnected with the trust, and the equally important prohibition in Section 52 that the trustee may not, directly or indirectly, buy the trust property on his own account or as an agent for a third person, cast a heavy responsibility upon him in the matter of discharge of his duties as the trustee. It does not require much argument to proceed to the inevitable further conclusion that the Rule prescribed by the aforesaid sections of the Act cannot be evaded by making a sale in the name of the trustee's partner or son, for that would, in fact and substance, indirectly benefit the trustee. Where therefore a trustee makes the sale of a property belonging to the trust, without any compelling reason, in favour of his son, without obtaining the permission of the court concerned, it is the duty of the court, in which the sale is challenged, to examine whether the trustee has acted reasonably and in good faith or whether he has committed a breach of the trust by benefitting himself from the transaction in an indirect manner. The sale in question has therefore to be viewed with suspicion and the High Court committed an error of law in ignoring this important aspect of the law although it had a direct bearing on

the controversy before it." (underline supplied)

13. In **A.A. Gopalakrishnan v. Cochin Devaswom Board [(2007) 7 SCC 482]** a Three-Judge Bench of the Apex Court held that the properties of deities, temples and Devaswom Boards are required to be protected and safeguarded by their trustees/ archakas/shebaits/employees. Instances are many where persons entrusted with the duty of managing and safeguarding the properties of temples, deities and Devaswom Boards have usurped and misappropriated such properties by setting up false claims of ownership or tenancy, or adverse possession. This is possible only with the passive or active collusion of the authorities concerned. Such acts of 'fence eating the crops' should be dealt with sternly. The Government, members or trustees of boards/trusts, and devotees should be vigilant to prevent any such usurpation or encroachment. It is also the duty of courts to protect and safeguard the properties of religious and charitable institutions from wrongful claims or misappropriation.

14. In **Travancore Devaswom Board v. Mohanan Nair [(2013 (3) KLT 132]** a Division Bench of this Court noticed that in **A.A. Gopalakrishnan [(2007) 7 SCC 482]** the Apex Court emphasised that it is the duty of the courts to protect and

safeguard the interest and properties of the religious and charitable institutions. The relevant principles under the Hindu law will show that the Deity is always treated similar to that of a minor and there are some points of similarity between a minor and a Hindu idol. The High Court therefore is the guardian of the Deity and apart from the jurisdiction under Section 103 of the Land Reforms Act, 1957 viz. the powers of revision, the High Court is having inherent jurisdiction and the doctrine of parens patriae will also apply in exercising the jurisdiction. Therefore, when a complaint has been raised by the Temple Advisory Committee, which was formed by the devotees of the Temple, about the loss of properties of the Temple itself, the truth of the same can be gone into by the High Court in these proceedings.

15. In **Rajani P. Kuttan and another v. State of Kerala and others [2021 (6) KHC 513]** a Division Bench of this Court noticed that among the 1250 Temples managed by the Travancore Devaswom Board, only 60 major Temples are self-sufficient and the rest are being managed utilising the surplus income from Sabarimala Devaswom. The total number of sanctioned posts in various categories in the Travancore Devaswom Board is 5692 and the total number of pensioners is 5749. The major source of

revenue of the Travancore Devaswom Board is the income received by way of offering by the devotees, the amount received from vazhipadu and the revenue generated through the auction of temple premises for various activities in connection with rituals and festivals in the Temples. Paragraph 59 of the said decision reads thus:

> "59. The Financial position of the Devaswom Board:- The competent officer of the Devaswom Board filed an affidavit dated 14.06.2021 stating its financial position. It is submitted that there are 1250 temples under the Administrative Control of the Devaswom Board. The total number of sanctioned posts in various categories in the Devaswom Board is 5692, and the total number of pensioners is 5749. It is further submitted that the major sources of revenue of the Devaswom Board are the income received by way of offerings from devotees, the amount received from vazhipadu, and the revenue generated through the auction of the temple premises for various activities in connection with rituals and festivals in the temples. Besides this, the Devaswom Board gets an approximate sum of 14 crores per annum by way of the rent of the buildings owned by it. The annual contribution from the State Government under Article 290A of the Constitution of India is Rs.80 lakhs. It is further submitted that among the 1250 temples managed by the Devaswom Board, only 60 major temples are self-sufficient, and the rest are being managed utilising the surplus income from Sabarimala

> Devaswom. Now, due to the spread of the Covid-19 pandemic, the temples remain closed, and the major source of income has come down. The Devaswom Board is finding it difficult even to pay the salary of the existing employees. The pleadings regarding the financial position of the Devaswom Board in the affidavit dated 14.06.2021 have not been controverted by the petitioners." (underline supplied)

16. In **Suo Motu v. State of Kerala and others [2022 (2) KHC 411]** this Court held that, in view of the provisions under the Travancore-Cochin Hindu Religious Institutions Act and also the law laid down in the decisions referred to supra, the Travancore Devaswom Board is duty bound to ensure proper administration, supervision and control of Sabarimala Devaswom, which is an incorporated Devaswom mentioned in Schedule I of the said Act, under the Chengannur Group. The Board has a statutory duty to monitor whether its administrative officials and employees and also the employees connected with religious rites are functioning properly. The Board is duty bound to exercise proper supervision and control over the acts and proceedings of all officers and servants and to manage the properties and affairs of Sabarimala Devaswom and conduct daily worships and ceremonies and also festivals in the temple according to its usage. Position of the Board in this regard is analogous to that of trustees, as held by this Court

in **Ram Mohan Das [1975 KLT 55]**. Any improper act of the trustees could be questioned by a worshiper. The Board and those entrusted with the duty of managing the properties and affairs of Sabarimala Devaswom are duty bound to protect the properties of the deity from any wrongful claims, theft or misappropriation. Any such wrongful claims, theft or misappropriation with the passive or active collusion of the authorities concerned, which are acts of 'fence eating the crops' should be dealt with sternly. Since the deity being a perpetual minor, this Court is having inherent jurisdiction to protect and safeguard the interest and properties of the deity and the doctrine of parens patriae will also apply in the exercise of such jurisdiction.

17. The Special Commissioner, Sabarimala has filed two reports, namely, SSCR Nos.28 of 2023 and 10 of 2024, pursuant to the directions contained in the order of this Court dated 14.02.2022 in DBP No.2 of 2022. Paragraph No.33 of the order dated 14.02.2022 reads thus:

> "33. Having considered the pleadings and materials on record and also the submissions made by the learned Senior Government Pleader, the learned Standing Counsel for Travancore Devaswom Board and also the learned counsel for the additional 6th respondent, we deem it appropriate to

dispose of this DBP with the following directions;

(i) As expeditiously as possible, at any rate, within one month from the date of this order, the 2nd respondent shall obtain a list from the State Police Chief, of most efficient and upright Police Officers, from among those who have opted for deputation to the Vigilance Wing of the Travancore Devaswom Board. Based on the recommendation made by the State Police Chief, the 2nd respondent shall issue necessary orders, within a further period of two weeks, posting sufficient number of Police officers on deputation to the Vigilance Wing of the Board.

(ii) Immediately on receipt of the request made by the Travancore Devaswom Board for posting a Police officer on deputation as Chief Vigilance Officer in its Vigilance Wing, the 2nd respondent shall obtain the name(s) of most efficient and upright Police officer(s) and thereafter issue necessary orders posting a Police officer as the Chief Vigilance Officer in the Vigilance Wing of the Board, on deputation.

(iii) In order to ensure that the post of Chief Vigilance Officer in the Vigilance Wing of the Travancore Devaswom Board and also other posts in the Vigilance Wing, which are to be filled up by Police officers on deputation, are not lying vacant, at any point of time, the Travancore Devaswom Board is directed to forward requests to the 2nd respondent for deploying suitable

incumbents on deputation, at least three months before the expiry of the term of deputation of the existing incumbents. Based on such request, the 2nd respondent shall obtain a list from the State Police Chief, of most efficient and upright Police officers from among those who have opted for deputation to the Vigilance Wing of the Travancore Devaswom Board. Based on the recommendation made by the State Police Chief, the 2nd respondent shall issue necessary orders posting sufficient number of Police officers on deputation to the Vigilance Wing of the Board and such orders shall be issued before the expiry of the period of deputation of the existing incumbents.

(iv) The posting of Chief Vigilance Officer and other Police officers in the Vigilance Wing of the Travancore Devaswom Board shall be reported to the Special Commissioner, Sabarimala, by the Secretary of the Travancore Devaswom Board. On the posting of Chief Vigilance Officer in the Vigilance Wing of the Board, the Special Commissioner, Sabarimala, shall submit a report before this Court.

(v) The Chief Vigilance Officer in the Vigilance Wing of the Travancore Devaswom Board shall submit periodical status reports of the cases, once in six months, to the Special Commissioner, Sabarimala. Such status reports of the Chief Vigilance Officer shall be placed before the

Devaswom Bench, along with the report of the Special Commissioner.

(vi) Regarding the corruption alleged in the submission of the fake food bills at Sabarimala Guest House and irregularities alleged in the construction of toilets, the Vigilance Wing of the Travancore Devaswom Board shall conduct inquiry and submit report before the Travancore Devaswom Board, within a period of four months, for necessary action. The outcome of such inquiry shall be reported to the Special Commissioner, Sabarimala, who shall file a report before the Devaswom Bench."

18. By the order dated 09.07.2024, SSCR Nos.28 of 2023 and 10 of 2024 were disposed of. Paragraphs 20 to 23 of the order read thus;

"20. As already noticed in the order dated 20.05.2024 in SSCR No.10 of 2024, the reports of the Chief Vigilance and Security Officer in Serial Nos.23, 32, 33 35 and 37 are in respect of instances in which temple employees in the temples under the management of the Travancore Devaswom Board were found in drunken condition in the temple premises.

21. The State Legislature enacted the Kerala Hindu Places of Public Worship (Authorisation of Entry) Act, 1965 to make better provisions for the entry of all classes and sections of Hindus into places of public worship. In exercise of the powers conferred under Section 4 of the Act to make

regulations for the maintenance of order and decorum and the due performance of rites and ceremonies in places of public worship, the State Government made the Kerala Hindu Places of Public Worship (Authorisation of Entry) Rules, 1965. In view of the provisions contained in clause (d) of Rule 3 of the said Rules, a drunken person shall not be entitled to enter or offer worship in any place of public worship or bath in or use the waters of any sacred tank, well, spring or water course appurtenant to a place of public worship, whether situate within or outside the precincts thereof, or any sacred place including a hill or hillrock or a road, street or pathway which is requisite for obtaining access to the place of public worship.

22. In view of the provisions contained in Rule 3 of the Kerala Hindu Places of Public Worship (Authorisation of Entry) Rules, 1965, a drunken person shall not be entitled to enter or offer worship in any place of public worship or bath in or use the waters of any sacred tank, well, spring or watercourse appurtenant to a place of public worship whether situates within or outside the precincts thereof or any sacred place including a hill or hillock or a road, street, or pathway which is requisite for obtaining access to the place of public worship.

23. Having considered the pleadings and materials on record and also the submissions made at the Bar in the light of the statutory provisions referred to hereinbefore and the decisions referred to supra, we hold that the Travancore Devaswom Board is duty bound to take action against its employees and others, when misconducts, misappropriation, etc. are pointed out in the reports of the

Chief Vigilance and Security Officer (Superintendent of Police), who is heading the Vigilance Wing of the Board. The Board is duty bound to exercise proper supervision and control over the acts and proceedings of all officers and employees and to manage the properties and affairs of both incorporated and unincorporated Devaswoms under its management, according to its usage. The Board, being the trustee in management of the properties and affairs of both incorporated and unincorporated Devaswoms, has to state cogent reasons for brushing aside the recommendations made by the Chief Vigilance and Security Officer, pointing out any misconducts, misappropriation, etc. by the officers and employees of the Board. The orders passed by the Board should reflect proper application of mind, which should be manifest from that order itself. The reports by the Chief Vigilance and Security Officer shall be placed before the Board, at the appropriate time, without any delay, and the Board has to take necessary action on such reports, strictly in accordance with law. The President and Members of the Board shall exercise reasonable diligence in such matters, in the manner of an ordinary prudent man of business would conduct his own affairs. The position of the President and Members of the Board in this regard is analogous to that of trustees, in view of the law laid down by this Court in **Ram Mohan Das [1975 KLT 55]**, any improper act of the trustees, which would amount to breach of trust, could be questioned by a worshipper. In order to ensure that the reports of the Chief Vigilance and Security Officer are placed before the Board for its decision,

directions, etc. at the appropriate time, without any delay, the following directions are issued;

(i) The reports of the Chief Vigilance and Security Officer, which are addressed to the President of the Board, shall be placed before the Board, at the earliest, at any rate, within a period of one month from the date of that report, for taking necessary action.

(ii) The reports of the Chief Vigilance and Security Officer, which requires immediate interference, shall be placed before the Board immediately on receipt of the same, at any rate, in the next meeting of the Board.

(iii) The action taken report prepared by the Secretary of the Board, along with the reports of the Chief Vigilance and Security Officer (Superintendent of Police), shall be filed before this Court in 1st week of January and 1st week of June, which shall be numbered as DBA and listed before the Devaswom Bench, immediately on receipt of such reports, for appropriate orders.

(iv) The State of Kerala, represented by the Principal Secretary to Government, Revenue (Devaswom) Department and the Deputy Director, Kerala State Audit Department, Travancore Devaswom Board Audit shall be arrayed as respondents in such DBAs.

(v) If found necessary, the Devaswom Bench may refer the matter to the learned Ombudsman for enquiry and report, and the report of the learned Ombudsman shall be placed before the Devaswom Bench for appropriate orders."

19. From the affidavit dated 28.02.2025 sworn to by the

Secretary of the Travancore Devaswom Board, we notice that the action taken report prepared by the Secretary of the Board in terms of the directions contained in paragraph 23(iii) of the order of this Court dated 09.07.2024 in SSCR Nos.28 of 2023 and 10 of 2024, along with the reports of the Chief Vigilance and Security Officer (Superintendent of Police), was not filed before this Court in the first week of January, 2025.

20. The learned Standing Counsel for Travancore Devaswom Board would submit that the action taken report prepared by the Secretary of the Board, along with the reports of the Chief Vigilance and Security Officer (Superintendent of Police), shall be placed on record within a period of 10 days, in which the status of the pending reports shall be mentioned. The learned Standing Counsel would submit that taking note of the volume of work undertaken by the Board and its officials during Mandala-Makaravilakku festival seasons at Sabarimala, the time limit stipulated in paragraph 23(iii) of the order dated 09.07.2024 in SSCR Nos.28 of 2023 and 10 of 2024 may be modified as first week of March and first week of August respectively, instead of first week of January and first week of June.

In such circumstances, this SSCR is disposed of by directing

the Board and its officials to ensure strict compliance of the directions contained in paragraph 23 of the order of this Court dated 09.07.2024 in SSCR Nos.28 of 2023 and 10 of 2024, in letter and spirit, subject to the modification as above. The action taken reports in terms of the aforesaid order shall be filed in the first week of March and the first week of August, respectively, which shall be numbered as DBA and listed before the Division Bench dealing with Devaswom matters.

Sd/-
ANIL K. NARENDRAN
JUDGE

Sd/-
MURALEE KRISHNA S.
JUDGE

MC/20.3