
(2021) 01 KL CK 0529
In the High Court Of Kerala
Case No : Writ Petition (C) No. 26295 Of 2020

N. Pramod

APPELLANT

Vs

Malabar Devaswom Board And Ors

RESPONDENT

Date of Decision : 22-01-2021

Acts Referred:

Citation : (2021) 01 KL CK 0529

Hon'ble Judges : C.T. Ravikumar, J;K. Haripal, J

Bench : Division Bench

Advocate : V.M. Krishnakumar, R. Lakshmi Narayanan

Final Decision : Dismissed

Judgement

C.T. Ravikumar, J

1. The petitioner who is a devotee of Sree Annapoorneswari Temple, Vadakke Gramam in Puthukkode filed this writ petition seeking the following

prayers:-

â??i. Issue a writ in the nature of mandamus commanding the respondents to provide the order relating to the replacement of the committee namely

'Puthukkode Annapoorneswary Seva Samithi

ii. Issue a writ in the nature of mandamus commanding the respondents to provide the details of the action taken against the committee namely

'Puthukkode Annapoorneswari Seva Samithi.'

iii. Issue a writ in the nature of mandamus commanding the respondents to provide the details about the gold and silver ornaments of the temple.â??

2. Evidently, the main prayers is for issuance of writ in the nature of mandamus commanding the respondents to provide order replacing the

Committee namely 'Puthukode Annapoorneswari Seva Samithi' as also to provide the petitioner the details of the action taken against the said

Committee. In this context it is to be noted that earlier the petitioner had approached this Court by filing WP(C)No.16806 of 2020. One of the prayers

sought for in the said writ petition was for issuance of a writ of mandamus commanding the Malabar Devaswom Board to take steps to stop

functioning of the 5th respondent namely Sree Annapoorneswary Seva Samithi. He raised various allegations against the functioning of the said

Committee. The petitioner has raised allegations therein that the said Committee collected huge amount from the devotees and with respect to its

expenditure no proper accounts were maintained and at any rate, the accounts were submitted for audit. Taking note of the fact that the Malabar

Devaswom Board called for records relating to transactions effected by the said Committee and on receipt of records such transactions are being

scrutinized we disposed of the writ petition with appropriate directions. Ext.P2 is the judgment passed thereon and it is dated 17.08.2020. Taking note

of the aforesaid aspects it was directed thereunder that the documents secured should be subjected to scrutiny and further appropriate action, if any

required, shall be taken by the Board, in accordance with law.

3. It is also relevant to note that the learned standing counsel appearing for the Malabar Devaswom Board then submitted that the said Committee

namely, 'Puthukode Annapoornasweri Seva Samithi' was replaced by a new committee as per proceedings dated 26.12.2019 of the Assistant

Commissioner. The said fact was also recorded in Ext.P2 judgment. The petitioner did not have a case that the said Committee was not actually

replaced. In such circumstances, there is absolutely no justification for the petitioner to come with this writ petition seeking prayer Nos.1 and 2, as

extracted hereinbefore. Prayer No.3 is for issuance of a writ of mandamus commanding the respondents to provide the details about the gold and

silver ornaments of the temple. Absolutely we have no hesitation to hold that the petitioner is not justified in seeking such a prayer and he is not

entitled to get the details of gold or silver ornaments. Providing such materials to a third party may pose threat to the security of the temple. On

scrutiny, we could not file any bonafide allegation of misappropriation of gold and silver ornaments. In such circumstances, on a careful perusal of the

pleadings of the petitioner and the reliefs sought for, we are of the considered view that this writ petition is liable to fail and the petitioner is not entitled to any of the reliefs sought for.

In the said circumstances, this writ petition is liable to fail and accordingly, it is dismissed.