

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE SHIRCY V.

&

THE HONOURABLE MRS. JUSTICE M.R.ANITHA

THURSDAY, THE 26TH DAY OF MAY 2022 / 5TH JYAISHTA, 1944

RP NO. 378 OF 2021

AGAINST THE ORDER/JUDGMENT IN WP(C) 20495/2019 OF HIGH COURT OF
KERALA

REVIEW PETITIONERS/RESPONDENT NOS. 1 AND 2 IN WP(C) :

- 1 STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN-695 001.
- 2 SECRETARY TO GOVERNMENT, DEVASWOM DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN 695 001.
BY ADV M.R.SREELATHA- SPL.GOVERNMENT PLEADER (FINANCE)

RESPONDENTS/PETITIONER & RESPONDENT NOS. 3 TO 5 IN WO(C) :

- 1 BIJESH KUMAR M., S/O. GOPALAKRISHNAN, MARATH HOUSE,
THAMARAYOOR P.O., GURUVAYUR, PIN - 680 505.
- 2 GURUVAYUR DEVASWOM COMMISSIONER, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN-695 001.
- 3 GURUVAYUR DEVASWOM MANAGING COMMITTEE,
GURUVAYUR DEVASWOM, GURUVAYUR - 680 101,
REPRESENTED BY ITS ADMINISTRATOR.
- 4 THE ADMINISTRATOR, GURUVAYUR DEVASWOM,
GURUVAYUR - 680101.

ADV.T.K.VIPINDAS

. ADV.M.A ABDUL HAKKIM ADV.R.KRISHNARAJ

ADV.S.SANAL KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 24.03.2022, ALONG WITH RP.316/2021, 308/2021 AND CONNECTED CASES, THE COURT ON 26.05.2022 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE SHIRCY V.

&

THE HONOURABLE MRS. JUSTICE M.R.ANITHA

THURSDAY, THE 26TH DAY OF MAY 2022 / 5TH JYAISHTA, 1944

RP NO. 316 OF 2021

AGAINST THE ORDER/JUDGMENT IN WP(C) 10169/2020 OF HIGH COURT OF
KERALA

REVIEW PETITIONER/RESPONDENT NO.4 IN W.P(C) :

THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
REVENUE DEPARTMENT (DEVASWOM), SECRETARIAT,
THIRUVANANTHAPURAM-695001.

BY ADV M.R.SREELATHA -SPL.G.P

RESPONDENTS/PETITIONER & RESPONDENT NOS. 1 TO 3 IN WP(C) :

- 1 ANIL KUMAR K.N., AGED 51 YEARS,
S/O. G. NARAYANAN PILLAI, AMBIKA VILAS, SOUTH
VAZHAKULAM, ALUVA-683105, ERNAKULAM DISTRICT,
- 2 GURUVAYOOR DEVASWOM MANAGING COMMITTEE
REPRESENTED BY ITS ADMINISTRATOR,
GURUVAYOOR DEVASWOM BOARD, EAST NADA, GURUVAYOOR-
680101, THRISSUR DISTRICT.
- 3 THE COMMISSIONER,
GURUVAYOOR DEVASWOM BOARD, EAST NADA, GURUVAYOOR-
680101, THRISSUR DISTRICT.
- 4 THE ADMINISTRATOR
GURUVAYOOR DEVASWOM BOARD, EAST NADA, GURUVAYOOR-
680101, THRISSUR DISTRICT.

BY ADV.T.K.VIPINDAS

ADV.M.ABDUL HAKKIM

ADV.R.KRISHNARAJ

ADV.S.SANAL KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 24.03.2022, ALONG WITH RP.378/2021 AND CONNECTED CASES, THE COURT ON 26.05.2022 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE SHIRCY V.

&

THE HONOURABLE MRS. JUSTICE M.R.ANITHA

THURSDAY, THE 26TH DAY OF MAY 2022 / 5TH JYAISHTA, 1944

RP NO. 308 OF 2021

AGAINST THE ORDER/JUDGMENT IN WP(C) 9808/2020 OF HIGH COURT OF
KERALA

REVIEW PETITIONERS/RESPONDENT NOS.1, 2 AND 7 IN WP(C) :

- 1 STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF DEVASWOM, GOVERNMENT OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM-695 562.
 - 2 THE CHIEF SECRETARY TO GOVERNMENT
GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
 - 3 THE DISTRICT COLLECTOR, OFFICE OF THE DISTRICT
COLLECTOR, COLLECTORATE, THRISSUR-680 003.
- BY ADV M.R.SREELATHA -SPL.G.P

RESPONDENTS/PETITIONER & RESPONDENT NOS. 3 TO 6 IN WP(C) :

- 1 PRADEEP R.S, ALIAS HARI PALOD,
AGED 43 YEARS, S/O. RAVEENDRAN NAIR, ROHINI PLAVARA
HOUSE, PALODE NANNIYOD P.O., NEDUMANGAD,
THIRUVANANTHAPURAM-695 562.
- 2 GURUVAYOOR DEVASWOM MANAGING COMMITTEE
REPRESENTED THROUGH ADMINISTRATOR, GURUVAYOOR DEVASWOM,
GURUVAYOOR P.O., THRISSUR DISTRICT-680 101.
- 3 THE ADMINISTRATOR, GURUVAYOOR DEVASWOM,
GURUVAYOOR P.O., THRISSUR-680 101.

4 THE CHAIRMAN,
GURUVAYOOR DEVASWOM MANAGING COMMITTEE, GURUVAYOOR
DEVASWOM, GURUVAYOOR P.O., THRISSUR DISTRICT-680 101.

5 THE COMMISSIONER, GURUVAYOOR DEVASWOM, GURUVAYOOR P.O.,
THRISSUR DISTRICT-680 101.

BY ADV.T.K.VIPINDAS

ADV.M.ABDUL HAKKIM

ADV.R.KRISHNARAJ , ADV.S.SANAL KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
24.03.2022, ALONG WITH RP.378/2021 AND CONNECTED CASES, THE COURT
ON 26.05.2022 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE SHIRCY V.

&

THE HONOURABLE MRS. JUSTICE M.R.ANITHA

THURSDAY, THE 26TH DAY OF MAY 2022 / 5TH JYAISHTA, 1944

RP NO. 313 OF 2021

AGAINST THE ORDER/JUDGMENT IN WP(C) 9904/2020

REVIEW PETITIONER/RESPONDENT NO.3 IN W.P(C)

STATE OF KERALA

REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695 001.

BY ADV.M.R.SREELATHA SPL.G P

RESPONDENT/PETITIONER AND RESPONDENT NOS.1 AND 2 IN W.P(C)

- 1 M.R. ARUNKUMAR KARANAVAR,
AGED 46 YEARS
S/O RADHAKRISHNA KARANAVAR, PANAGATTETH HOUSE,
PILAPUZHA, HARIPPAD P.O.690 514.
- 2 GURUVAYOOR DEVASWOM MANAGING COMMITTEE,
REPRESENTED BY ITS ADMINISTRATOR, GURUVAYOOR DEVASWOM,
GURUVAYOOR P.O.680 101, THRISSUR
- 3 THE COMMISSIONER,
GURUVAYOOR DEVASWOM, GURUVAYOOR-680 101, THRISSUR

BY ADV.T.K.VIPINDAS
ADV.M.ABDUL HAKKIM
ADV.R.KRISHNARAJ , ADV.S.SANAL KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
24.03.2022 ALONG WITH RP.378/2021 AND CONNECTED CASES, THE COURT
ON 26.05.2022 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE SHIRCY V.

&

THE HONOURABLE MRS. JUSTICE M.R.ANITHA

THURSDAY, THE 26TH DAY OF MAY 2022 / 5TH JYAISHTA, 1944

RP NO. 348 OF 2021

AGAINST THE ORDER/JUDGMENT IN WP(C) 9802/2020 OF HIGH COURT OF
KERALA

REVIEW PETITIONER/RESPONDENT NO.1 IN W.P(C)

STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT, DEPARTMENT
OF DEVASWOM, KERALA GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.

BY ADV M.R.SREELATHA- SPL.GP

RESPONDENTS/PETITIONER AND RESPONDENT NOS.2 AND 3 IN W.P(C)

- 1 PRASANNA KUMAR.P.,
NAVANEETHAM, NADUVATTOM P.O., PALLIPPAD, HARIPPAD,
ALAPPUZHA-690 512.
- 2 GURUVAYOOR DEVASWOM MANAGING COMMITTEE,
REPRESENTED BY ITS ADMINISTRATOR, GURUVAYOOR DEVASWOM
BOARD, GURUVAYOOR-680 101.
- 3 COMMISSIONER, GURUVAYOOR DEVASWOM BOARD,
DEVASWOM BUILDING, GURUVAYOOR-680 101.

BY ADV.T.K.VIPINDAS

ADV.M.ABDUL HAKKIM

ADV.R.KRISHNARAJ , ADV.S.SANAL KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
24.03.2022, ALONG WITH RP.378/2021 AND CONNECTED CASES, THE COURT
ON 26.05.2022 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE SHIRCY V.

&

THE HONOURABLE MRS. JUSTICE M.R.ANITHA

THURSDAY, THE 26TH DAY OF MAY 2022 / 5TH JYAISHTA, 1944

RP NO. 332 OF 2021

AGAINST THE ORDER/JUDGMENT IN WP(C) 9805/2020 OF HIGH COURT OF
KERALA

REVIEW PETITIONER/RESPONDENT NO.1 IN WP(C)

STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY,
THIRUVANANTHAPURAM -695001

BY ADV.M.R. SREELATHA, SPL.GOVERNMENT PLEADER

RESPONDENTS/PETITIONER AND RESPONDENT NO.2 AND 3 IN W.P(C)

1 K.S.R.MENON AGED 66 YEARS, S/O. LATE G.K NAIR,
RESIDING AT A1 A7, PERIYAR HERMITAGE,
COMPANIPADI, ALUVA, ERNAKULAM, PIN -683016

2 GURUVAYOOR DEVASWOM, REPRESENTED BY ITS ADMINISTRATOR
SREE PADMAM, EAST NADA, GURUVAYOOR, THRISSUR
DISTRICT PIN 680101

3 GURUVAYOOR DEVASWOM MANAGING COMMITTEE,
REPRESENTED BY ITS CHAIRMAN, OFFICE OF THE MANAGING
COMMITTEE, SREE PADMAM, EAST NADA, GURUVAYOOR,
THRISSUR DISTRICT, PIN - 680101

BY ADV.T.K.VIPINDAS

ADV.M.ABDUL HAKKIM

ADV.R.KRISHNARAJ , ADV.S.SANAL KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 24.03.2022, ALONG WITH RP.378/2021 AND CONNECTED CASES, THE COURT ON 26.05.2022 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE SHIRCY V.

&

THE HONOURABLE MRS. JUSTICE M.R.ANITHA

THURSDAY, THE 26TH DAY OF MAY 2022 / 5TH JYAISHTA, 1944

RP NO. 314 OF 2021

AGAINST THE ORDER/JUDGMENT IN WP(C) 9887/2020 OF HIGH COURT OF

KERALA

REVIEW PETITIONER/RESPONDENT NO.1 IN W.P(C)

THE STATE OF KERALA
REPRESENTED BY CHIEF SECRETARY TO THE GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.

BY ADV M.R.SREELATHA, SPL.GOVERNMENT PLEADER

RESPONDENTS/PETITIONER AND RESPONDENT NOS.2 TO 4 IN W.P(C)

- 1 MOHANKUMAR B
AGED 59 YEARS
S/O LATE BALANKUTTY, LAKSHMI VILAS, BUNGLAW,
CHAKKUMKANDAM P.O.PALUVOI (VIA) THRISSUR-689 522.
- 2 THE GURUVAYUR DEVASWOM COMMISSIONER,
OFFICE OF THE GURUVAYUR DEVASWOM COMMISSIONER,
THIRUVANANTHAPURAM-695 001.
- 3 THE GURUVAYUR DEVASWOM,
REPRESENTED BY ITS ADMINISTRATOR, SREE PADMAM, EAST
NADA, GURUVAYUR, THRISSUR, PIN-680 101
- 4 THE GURUVAYUR DEVASWOM MANAGING COMMITTEE,
REPRESENTED BY ITS CHAIRMAN, OFFICE OF THE MANAGING
COMMITTEE, SREE PADMAM, EAST NADA, GURUVAYUR, THRISSUR,
PIN-680 101.

BY ADV.T.K.VIPINDAS

ADV.M.ABDUL HAKKIM

ADV.R.KRISHNARAJ , ADV.S.SANAL KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 24.03.2022, ALONG WITH RP.378/2021 AND CONNECTED CASES, THE COURT ON 26.05.2022 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE SHIRCY V.

&

THE HONOURABLE MRS. JUSTICE M.R.ANITHA

THURSDAY, THE 26TH DAY OF MAY 2022 / 5TH JYAISHTA, 1944

RP NO. 317 OF 2021

AGAINST THE ORDER/JUDGMENT IN WP(C) 9765/2020 OF HIGH COURT OF
KERALA

REVIEW PETITIONER/RESPONDENT NO.1 IN W.P(C)

THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO THE
GOVERNMENT, DEPARTMENT FOR DEVASWOM, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695001.

BY ADV M.R.SREELATHA-SPL. GOVERN PLEADER

RESPONDENTS/PETITIONER AND RESPONDENT NOS.2 TO 4 IN W.P(C)

- 1 A.NAGESH, S/O. GOPALAKRISHNAN, ATTOUR HOUSE,
THALAVANIKKARA,
KONIKARA P.O., THRISSUR -680306
- 2 SREE GURUVAYOOR DEVASWOM COMMITTEE,
GURUVAYOOR, REPRESENTED BY THE CHAIRMAN,
OFFICE OF THE MANAGING COMMITTEE, GURUVAYOOR DEVASWOM
COMMITTEE, GURUVAYOOR-680101.
- 3 SREE GURUVAYOOR DEVASWOM,
REPRESENTED BY THE ADMINISTRATOR, GURUVAYUR
DEVASWOM, GURUVAYOOR-680101.
- 4 THE COMMISSIONER,
GURUVAYOOR DEVASWOM, GURUVAYOOR.P.O,
THRISSUR DISTRICT-680101.

BY ADV.T.K.VIPINDAS

ADV.M.ABDUL HAKKIM

ADV.R.KRISHNARAJ , ADV.S.SANAL KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 24.03.2022, ALONG WITH RP.378/2021 AND CONNECTED CASES, THE COURT ON 26.05.2022 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE SHIRCY V.

&

THE HONOURABLE MRS. JUSTICE M.R.ANITHA

THURSDAY, THE 26TH DAY OF MAY 2022 / 5TH JYAISHTA, 1944

RP NO. 349 OF 2021

AGAINST THE ORDER/JUDGMENT IN WP(C) 9888/2020 OF HIGH COURT OF

KERALA

REVIEW PETITIONERS/RESPONDENT NOS.1 AND 2 IN W.P(C)

1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

2 THE SECRETARY TO THE GOVERNMENT,
DEVASWOM DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.

BY ADV M.R.SREELATHA, SPL.GOVERNMENT PLEADER

RESPONDENTS/PETITIONER AND RESPONDENT NOS.3 TO 12 IN W.P(C)

1 BIJESH KUMAR M.,
AGED 38 YEARS, S/O. GOPALAKRISHNAN,
MARATH HOUSE, THAMARAYOOR P.O., GURUVAYOOR, PIN-680505.

2 THE GURUVAYUR DEVASWOM COMMISSIONER,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695001.

3 GURUVAYUR DEVASWOM MANAGING COMMITTEE,
GURUVAYUR DEVASWOM, GURUVAYUR-680 101, REPRESENTED BY
ITS ADMINISTRATOR.

4 THE ADMINISTRATOR,
GURUVAYUR DEVASWOM, GURUVAYUR-680101.

- 5 K.B. MOHANDAS,
ADVOCATE, T.C.37/1432, KOOLIYATTU VALAPPIL HOUSE,
UDAYA, CIVIL LINES ROAD, POOTHOLE P.O., CHUNGAM,
THRISSUR, PIN-680004.
- 6 A.V. PRASANTH,
AKAMPADI HOUSE, BRAHMAKULAM P.O.,
THRISSUR, PIN-680104.
- 7 K. AJITH
MUNDODITHARA, VADAKKENADA, VAIKKOM P.O., PIN-686141.
- 8 K.V. SHAJI,
KIZHAKKAPURATHU VEEDU, CHENGAL, KALADY P.O.,
ERNAKULAM, PIN-683574.
- 9 E.P.R. VESALA,
PANKAJALAYAM, CHATTUKAPRA P.O., KANNUR, PIN-670592.
- 10 BRAHMASREE,
MALLISSERI PARAMESWARAN NAMBOOTHIRIPPADU,
MALLISSERIMANA, GURUVAYOOR, PIN-680101.
- 11 SESIR S.V.,
ADMINISTRATOR, GURUVAYOOR DEVASWOM,
GURUVAYOOR, PIN-680101.
- BY ADV.T.K.VIPINDAS
ADV.M.ABDUL HAKKIM
ADV.R.KRISHNARAJ , ADV.S.SANAL KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
24.03.2022, ALONG WITH RP.378/2021 AND CONNECTED CASES, THE COURT
ON 26.05.2022 PASSED THE FOLLOWING:

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

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE SHIRCY V.

&

THE HONOURABLE MRS. JUSTICE M.R.ANITHA

THURSDAY, THE 26TH DAY OF MAY 2022 / 5TH JYAISHTA, 1944

RP NO. 275 OF 2021

**AGAINST THE ORDER/JUDGMENT IN WP(C) 9780/2020 OF HIGH COURT OF
KERALA**

REVIEW PETITIONERS/RESPONDENT NOS.1 & 2 IN WP(C) :

1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY TO THE
GOVERNMENT, DEPARTMENT FOR DEVASWOM,
GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM, PIN-695001.

2 THE CHIEF SECRETARY TO THE GOVERNMENT,
GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM, PIN-695001.

BY ADV M.R.SREELATHA, SPL.GOVERNMENT PLEADER

RESPONDENTS/PETITIONER & RESPONDENT NOS. 3 TO 6 IN WP(C) :

1 R.V.BABU, S/O.VISWANATHAN, GENERAL SECRETARY,
HINDU AIKYA VEDI KERALA (REG.NO.TVM/TC/1332-2017),
RESIDING AT NALINAM, MOOKAMBIKA ROAD,
NORTH PARAVOOR, ERNAKULAM, KERALA-683513.

2 GURUVAYOOR DEVASWOM MANAGING COMMITTEE,
REPRESENTED THROUGH ADMINISTRATOR,
GURUVAYOOR DEVASWOM, GURUVAYOOR.P.O,
THRISSUR DISTRICT, PIN-680101.

3 THE ADMINISTRATOR,
GURUVAYOOR DEVASWOM, GURUVAYOOR.P.O,
THRISSUR DISTRICT, PIN-680 101.

4 THE CHAIRMAN,
GURUVAYOOR DEVASWOM MANAGING COMMITTEE,
GURUVAYOOR DEVASWOM, GURUVAYOOR.P.O,
THRISSUR DISTRICT, PIN-680101.

5 THE COMMISSIONER,
GURUVAYOOR DEVASWOM, GURUVAYOOR.P.O,
GURUVAYOOR DISTRICT, PIN-680101.

BY ADVS.
SAJITH KUMAR V.
VIVEK A.V.

BY ADV.T.K.VIPINDAS

ADV.M.ABDUL HAKKIM

ADV.R.KRISHNARAJ , ADV.S.SANAL KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
24.03.2022, ALONG WITH RP.378/2021 AND CONNECTED CASES, THE COURT
ON 26.05.2022 PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

&

THE HONOURABLE MRS. JUSTICE SHIRCY V.

&

THE HONOURABLE MRS. JUSTICE M.R.ANITHA

THURSDAY, THE 26TH DAY OF MAY 2022 / 5TH JYAISHTA, 1944

RP NO. 354 OF 2021

AGAINST THE ORDER/JUDGMENT IN WP(C) 9800/2020 OF HIGH COURT OF
KERALA

REVIEW PETITIONERS/RESPONDENT NOS. 4 TO 6 IN WP(C):

- 1 THE STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT OF
KERALA,
SECRETARIAT, THIRUVANANTHAPURAM,
THIRUVANANTHAPURAM DISTRICT, PIN-695001.
- 2 THE PRINCIPAL SECRETARY,
FINANCE TREASURY DEPARTMENT, GOVERNMENT OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM,
THIRUVANANTHAPURAM DISTRICT, PIN-695001.
- 3 THE DISTRICT COLLECTOR,
COLLECTORATE, CIVIL LINES ROAD, KALYAN NAGAR,
AYYANTHOLE, THRISSUR, THRISSUR DISTRICT-680003.

BY ADV M.R.SREELATHA, SPL.GOVERNMENT PLEADER

RESPONDENTS/PETITIONER & RESPONDENT NOS.1 TO 3 AND 7 IN WP(C):

- 1 KERALA KSHETHRA SAMRAKSHANA SAMITHI,
REG.NO.142/77, JAYAPRAKASH NARAYAN ROAD, KOZHIKODE,
KOZHIKODE DISTRICT, PIN-673002,
REPRESENTED BY ITS GENERAL SECRETARY (NARAYANAN
KUTTY.K, S/O. KUNHUNNI NAIR, AGED 65, MADATHIL HOUSE,
VALORINGAL, PUNNAPPALA POST,
VANDLOOR VIA, MALAPPURAM DISTRICT-679328).

- 2 THE GURUVAYOOR DEWASOM MANAGING COMMITTEE,
REPRESENTED BY ITS ADMINISTRATOR, GURUVAYOOR DEVASWOM,
GURUVAYOOR, THRISSUR DISTRICT, PIN-680101.
- 3 THE COMMISSIONER,
GURUVAYOOR DEVASWOM, GURUVAYOOR, THRISSUR DISTRICT,
PIN-680101.
- 4 ADVOCATE .K.B.MOHANDAS,
CHAIRMAN, GUVURAYOOR DEVASWOM,
TC 37/1432, KOOLIYATTUVALAPPIL HOUSE,
UDAYA, POOTHOLE, THISSUR, THRISSUR DISTRICT-680004.
- 5 THE STATE BANK OF INDIA,
EAST NADA BRANCH, GURUVAYOOR, THRISSUR DISTRICT-680101.
REPRESENTED BY ITS BRANCH MANAGER.

BY ADV.T.K.VIPINDAS

ADV.M.ABDUL HAKKIM

ADV.R.KRISHNARAJ , ADV.S.SANAL KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
24.03.2022, ALONG WITH RP.378/2021 AND CONNECTED CASES, THE COURT
ON 26.05.2022 PASSED THE FOLLOWING:

COMMON ORDER

Dated this the 26th day of May, 2022

[RP Nos.378/2021, 316/2021, 308/2021, 313/2021, 348/2021, 332/2021, 314/2021, 317/2021, 349/2021, 275/2021, 354/2021]

Shircy V, J.

A devotee/worshipper of Lord Gurvayurappan preferred a Writ Petition as W.P(C)No.20495 of 2019 challenging the correctness and legality of certain administrative decisions of the Guruvayur Devaswom Managing Committee (for short 'G.D.M.C'). Some other writ petitions were also filed by different persons seeking similar reliefs. Taking note of the conflicting views in W.P(C)No.19035 of 2019 and in C.K Rajan's case (AIR 1994 Kerala 179) an order of reference was made by the Division Bench on 24.09.2019 for consideration by a Full Bench. The Full Bench treating W.P(C)No.20495 of 2019,

as the leading case considered all the other writ petitions also seeking similar reliefs and answered the reference by a common order dated 18.12.2020. Feeling aggrieved and dissatisfied with the common order of the Full Bench in the writ petitions, the above review petitions are filed.

2. Heard Adv.M.R.Sreelatha, Spl.Government Pleader, for the review petitioners, Adv.T.K.Vipindas, Adv.M.A Abdul Hakkim, Adv.S.Sanal Kumar and Adv.R.Krishnaraj, the learned counsel for the respondents.

3. W.P(C) No.20495 of 2019 was filed by a devotee of Guruvayoor temple challenging certain administrative orders with a prayer to set aside the decision of 'G.D.M.C' to donate Rs.5 crores to the Chief Minister's Distress Relief Fund (C.M.D.R.F for short).

4. W.P.(C)No.19035 of 2019 was filed by a devotee of Guruvayurappan and a member of a Hindu Service

organization registered under the Trust Act challenging the decision of G.D.M.C to donate Rs.5 crores to the C.M.D.R.F. The facts of the case would reveal that during the year 2018 there was an unprecedented heavy flood and landslides in Kerala causing havoc throughout the State and thousands of people have been evacuated from their residence and many people have lost their life and savings in the calamity. Then the G.D.M.C decided to contribute an amount of Rs. 5 crores to C.M.D.R.F to help and rehabilitate the needy and deserving people. The decision of the Committee was ratified by the Commissioner of Guruvayur Devaswom. The said decision was challenged by a devotee by filing the writ petition. It was dismissed by a Division Bench by a judgment dated 25.07.2019. While dismissing the writ petition the Division Bench observed in paragraph No.10 and 11 as follows:

“10. Section 27 thus deals with the authority of the Committee to incur expenditure for certain purposes. Going by the said provision, the Committee may, after making adequate provision for the purposes referred to in sub-section (2) of Section 21, incur expenditure out of the funds of the Devaswom on all or any of the purposes mentioned under Clauses (a) to (g) therein. The very caption of the Section, “Authority of Committee to incur expenditure for certain purposes” would prima facie indicate that the Section dealt with the authority to incur expenditures not exhaustively, but for certain purposes only. True that head-note cannot be conclusive and cannot be taken as determinative of the scope of power imbedded in an empowering provision in a statute. Certainly, in that regard, the contents of the relevant provision have to be analysed. But before that, one aspect has to be taken note of. Section 27, as already noted, deals with the authority of the Committee to incur expenditure for certain purposes and it is not a provision specifically prohibiting incurring of expenses for any other purpose. In such circumstances, if there is nothing in Clauses (a) to (g) in Section 27 of the Act indicating that the Committee got authority only to incur expenses in respect of the purposes very specifically mentioned under Clauses (a) to (g) thereunder, then the word 'certain purposes' used in the head-note of Section 27 can be taken as a clear indicative of the non-exhaustive

nature of items/issues wherein the Committee can have authority to use the funds of the Devaswom. We may hasten to add that we are not indicating that the Committee is having power to doll out the funds of the Devaswom in any manner they like. In the decision in Dr.Ramesh Yeshwant Prabhoo v. Prabhakar Kashinath Kunte and others (AIR 1996 SC 1113), the Apex Court held that ordinarily Hindutwa is understood as a way of life or a state of mind and it is not equated with or understood as religious Hindu Fundamentalism. Further, it was held "the word 'Hindutva' is used and understood as a synonym of 'Indianisation' i.e., development of uniform culture by obliterating the differences between all the cultures co-existing in the country." Hindu religion is said to have born out of the principles of Sanathana Dharma. Hinduism is all about bestowing attention to everything with great reverence and perceiving what best can be done. All the aforesaid matters are to be borne in mind while considering the aforesaid question.

11. Taking into account all such circumstances, we are of the considered view that this is not a case where this Court should exercise the discretionary jurisdiction under Article 226 of the Constitution of India to interfere with contribution made by the 2nd respondent, which was ratified by the 3rd respondent, for the aforesaid purpose and to direct the 1st respondent to return the same with interest to Guruvayur Devaswom Fund."

5. C.K.Rajan's case (AIR 1994 Kerela 179) was a public interest litigation initiated on a complaint addressed to a learned Judge of this court who was then heading the Devaswom Bench. Among so many allegations raised regarding the administration of the temple it was also alleged that though the Managing committee was not authorised to donate funds of the Devaswom for any purpose, donations were made without any authority to the Federation Cup Football Tournament, Chief Minister's Relief Fund, Matha Sauhardha Sammelan, Saksharatha etc. Regarding the said payments, the Division Bench observed that the payments will not come within the scope of Section 27 of the Guruvayur Devaswom Act, 1978 (Act of 1978 for short) and Section 27 does not authorize the managing committee to make such payments. Though the judgment in C.K.Rajan's case was challenged before the Hon'ble Supreme Court at the instance of G.D.M.C., the decision

of the Division Bench was confirmed in the Judgment reported as Guruvayur Devaswom Managing Committee v. Rajan [**2003 (7) SCC 546**].

6. The point deduced by the Full Bench for consideration on the basis of the order of reference in W.P.(C) No. 20495 of 2019 is whether the G.D.M.C and the commissioner have the authority under the Act of 1978 to part with Devaswom funds to C.M.D.R.F as done as per Exts. P1, P2, P4 and P5 under challenge. So the legality of the administrative decision of G.D.M.C with reference to the various provisions of the Act of 1978 especially with Section 27, was required to be resolved by a Full Bench in view of the conflict in the aforesaid decisions.

7. By the common order dated 18.12.2020 the Full Bench after elaborately considering the various provisions of Guruvayur Devaswom Act 1978 especially clauses (a) to (g) of Section 27 observed that none of the

provisions of the Act, authorizes the G.D.M.C or the Administrator or the Commissioner to contribute or part with or give away in any manner any amount from the funds belonging to Guruvayoor Devaswom either to C.M.D.R.F or to any Government agency. Further it was observed that without noticing the ratio in C.K.Rajan's case and the legal implication of certain relevant provisions of the Act, the Division Bench refused to interfere with the decision of G.D.M.C contributing the amount to C.M.D.R.F and dismissed W.P.(C) No.19035 of 2019.

In paragraph No.95 it was observed as follows:

“95. On a reading of the judgments in C.K Rajan's case and in W.P.(C) No.19035 of 2019, it will be clear that the pronouncement in C.K.Rajan's case touching on the interpretation of Section 27 of the Act of 1978 was not considered in the later decision. Therefore, we have no hesitation to hold that the later decision was rendered per incuriam”.

8. The reference was answered observing that the view adopted by the Division Bench in W.P(C) No.19035 of 2019 interpreting Section 27 of the Act of 1978 is legally unsound and unsustainable. Overruling the decision of the Division Bench, the Full Bench returned the Writ petition for disposal by the Division Bench. The concluding paragraph of the common order of the Full Bench is reproduced below for the sake of convenience:

“96. *****

(I) All the properties, including movable and immovable properties and money, dedicated to or endowed in the name of Lord Guruvayurappan or any property acquired in any manner by Guruvayur Devaswom shall vest in the idol of Lord Guruvayurappan, consecrated in Sree Krishna Temple, Guruvayur.

(II) G.D.M.C constituted under Section 3 of the Act of 1978 is legally bound to administer, control and manage all the properties belonging to Guruvayur Devaswom in accordance with the provisions of the said Act. The Administrator and the Commissioner shall also function within the frame work of the statute.

(III) The legal status of G.D.M.C constituted under Section 3 of the Act of 1978 is that of a trustee in management of

the Devaswom properties and the Committee is duty bound to scrupulously follow the stipulations contained in the Act of 1978. Unless a contrary intention, either expressly or by necessary implication, arises from the provisions of the statute in any particular subject or context, G.D.M.C is legally bound to administer and manage the Devaswom and its properties in accordance with the settled legal principles relating to the administration of Hindu Religious Trusts.

(IV) G.D.M.C being the trustee in management of Devaswom properties, is legally bound to perform its duties with utmost care and caution. In view of the settled legal principles that the trustees cannot delegate their powers and duties to any other person, we hold that G.D.M.C cannot delegate its powers, functions and duties under the Act of 1978 to the State Government or any other entity.

(V) None of the provisions in the Act of 1978, including Section 27, authorises G.D.M.C or the Administrator or the Commissioner to contribute or part with or give away in any manner any amount from the funds belonging to Guruvayur Devaswom, either to C.M.D.R.F or to any other Governmental agency, for any purpose specified under the Act of 1978, including Section 27 of the Act, since it is the non-negotiable obligation of G.D.M.C, as a trustee, to perform the duties and obligations enumerated therein all by itself or, in an exigency, directly under its supervision and control through other means.

(VI) Section 27(c) of the Act of 1978 relating to medical

relief, water supply and other sanitary arrangements for the worshippers and pilgrims cannot be read and understood detached from that part in the clause relating to the construction of buildings for the accommodation of worshipers and pilgrims. Scope of Section 27(c) cannot be widened so as to provide medical relief, water supply and other sanitary arrangements as contemplated under the impugned decisions/orders.

(VII) View adopted by the Division Bench in W.P(C) No.19035 of 2019 on Section 27 of the Act of 1978 is legally unsound and unsustainable. We overrule the decision.

(VIII) The Registry shall post all the Writ Petitions for hearing and disposal in accordance with the roster.”

9. The said common order is sought to be reviewed by the review petitioners. The review applications are opposed by the original petitioners/respondents. We have considered the rival submissions in detail to ascertain whether there is any scope to justify the exercise of review jurisdiction. It is vehemently contended by the review petitioners, ie; the respondents 1 and 2 in W.P(C)No.20495 of 2019 and the respective respondents in the other writ petitions that the Full Bench has erred in

holding that Section 27 of the Act of 1978 does not authorize G.D.M.C in donating money for the benefit of worshippers beyond a particular geographical limit. The narrow interpretation given by the Full Bench to Section 27 of the Act is not correct as victims throughout the State includes the worshippers of Lord Guruvayurappan. The next argument raised is that for ritualistic functions of the temple, articles such as flowers, jaggery, rice etc are sourced from people spanning all localities and the flood and Covid 19 have affected its' production. It is vehemently submitted that the Guruvayur Sree Krishna Temple Committee owes a duty to contribute and mitigate the losses caused by acts of God in times of distress. State had used distress fund to reconstruct places of worship for public welfare. Donating funds to C.M.D.R.F by G.D.M.C is in tune with the duties vested on the committee under Section 10(b) and (g) of the Act of 1978. Therefore, the donations made by G.D.M.C are in

tune with Section 27(c) read with the duties of the Devaswom under Section 10(b) and (g) of the Act of 1978.

10. The learned counsel for the review petitioners further submitted that under the Disaster Management Act, 2005 also, the decisions of the Committee donating money to the C.M.D.R.F to help the needy and deserving population affected by the flood of 2018 and the ongoing havoc of Covid 19 pandemic, are not liable to be interfered with. As donations are intended to help the needy people including Guruvayur worshippers and pilgrims who faced extreme difficulties, the decisions of G.D.M.C are strictly in tune with Section 27 read with the duties of the Devaswom under Section 10(b) and (g) of the Act of 1978.

11. At the outset, it is to be noted such a ground was not raised in the review petitions. So, in short, the said argument was without pleadings. Still we make it

clear that there was no requisition by the National Authority or State Executive Committee or District authority to the G.D.M.C for any donation of funds to meet the contingency/emergency.

12. An argument was also raised by the learned counsel appearing for the review petitioners, that the Government cannot be compelled, in the existing circumstances, to refund the amounts voluntarily donated to the account of C.M.D.R.F. with interest as noticed in the order of reference.

13. We notice that there is no such direction, issued by the Full Bench and the Full Bench has only answered the question with regard to the power of the G.D.M.C. to make the donation to the C.M.D.R.F. Moreover, we also notice that the said arguments raised by the learned Special Government Pleader does not find a place in the pleadings raised in the review petition. We, therefore, find it unnecessary to consider the said contention.

14. It is doubtless that the G.D.M.C can function only in accordance with the provisions of the Act of 1978, a special act constituted for the proper administration of the Guruvayur Devaswom. It is also necessary to observe that Chapter IV of the Act deals with Budget, Accounts and Audit. So also it is significant to note that there is nothing to show that the committee has acted in terms of Section 21 (1) and the commissioner as per the terms of Section 21 (3) of the Act of 1978 before taking a decision to donate the funds of Devaswom to C.M.D.R.F. It is appropriate to observe that G.D.M.C is holding the status of a trustee and is bound to act strictly as per the provisions of the Act of 1978.

15. Being relevant for adjudication of the present petitions, it would be apt to reiterate the relevant provision of the Code of Civil Procedure.

Section 114 of the Code of Civil Procedure reads thus:

“114. Review - Subject as aforesaid, any person considering himself aggrieved,

(a) by a decree or order from which an appeal is allowed by this Code, but from which no appeal has been preferred,

(b) by a decree or order from which no appeal is allowed by this Code, or.

(c) by a decision on a reference from a Court of Small Causes, may apply for a review of judgment to the Court which passed the decree or made the order, and the Court may make such order thereon as it thinks fit.”

16. Order XLVII Rule 1 of the CPC relates to the jurisdiction of the Court to review its' judgment. The said provision reads as hereunder:

“1. Application for review of judgment – (1)
Any person considering himself aggrieved-

(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,

(b) by a decree or order from which no appeal is allowed, or

(c) by a decision on a reference from a Court of Small Causes,

and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence was not within his knowledge or could not be

produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order.

(2) A party who is not appealing from a decree or order may apply for a review of judgment notwithstanding the pendency of an appeal by some other party except where the ground of such appeal is common to the applicant and the appellant, or when, being respondent, he can present to the Appellate Court the case on which he applies for the review.

[Explanation- The fact that the decision on a question of law on which the judgment of the Court is based has been reversed or modified by the subsequent decision of a superior Court in any other case, shall not be a ground for the review of such judgment.]

17. A reading of the relevant provision makes it abundantly clear that the scope of review is very limited and only if there is any 'error apparent on the face of the record' the court can exercise its powers of review and modify its judgment. As per the settled position of law

laid down by the Supreme Court in a catena of decisions, the power of review can be exercised to correct an error apparent on the face of record. Some decisions quite relevant for our purpose are cited below.

18. In **Satyanarayan Laxminarayan Hegde and others v. Mallikarjun Bhavanappa Tirumale** [1960 KHC 567] it was observed in paragraph 17 as follows:

“An error which has to be established by a long drawn process of reasoning on points where there may conceivably be two opinions can hardly be said to be an error apparent on the face of the record.....”

19. In **M/s. Thungabhadra Industries Ltd. v. The Government of Andhra Pradesh represented by the Deputy Commissioner of Commercial Taxes, [AIR 1964 (SC 1372)]**, it was observed as follows:

“11. A review is by no means an appeal in disguise whereby an erroneous decision is reheard and corrected, but lies only for patent error. We do not consider that this furnishes a suitable occasion for dealing with this difference exhaustively or in any great detail, but it would

suffice for us to say that where without any elaborate argument one could point to the error and say here is a substantial point of law which stares one in the face, and there could reasonably be no two opinions entertained about it, a clear case of error apparent on the face of the record would be made out."

20. In **Chandra Kanta v. Sheikh Habib** (1975 KHC 905) it was held as follows;

" A review of a judgment is a serious step and reluctant resort to it is proper only where a glaring omission or patent mistake or like grave error has crept in earlier by judicial fallibility."

21. A similar view was taken in **Smt. Meera Bhanja v. Nirmala Kumari Choudhury** [AIR 1995 SC 455] wherein it was held as:

"12. In our view the aforesaid approach of the Division Bench dealing with the review proceedings clearly shows that it has overstepped its jurisdiction under Order 47 R.1, CPC. By merely styling the reasoning adopted by the earlier Division Bench as suffering from a patent error. It would not become a patent error or error apparent in view of the settled legal position indicated by us earlier. In substance,

the review Bench has reappreciated the entire evidence, sat almost as Court of appeal and has reversed the findings reached by the earlier Division Bench. Even if the earlier Division Bench findings regarding C.S. Plot No.74 were found to be erroneous, it would be no ground for reviewing the same, as that would be the function of an appellate court. Learned counsel for the respondent was not in a position to point out how the reasoning adopted and conclusion reached by the Review Bench can be supported within the narrow and limited scope of Order 47, R.1, CPC. Right or wrong, the earlier Division Bench judgment had become final so far as the High Court was concerned. It could not have been reviewed by reconsidering the entire evidence with a view to finding out the alleged apparent error for justifying the invocation of review powers. Only on that short ground, therefore, this appeal is required to be allowed."

22. Same view was taken in **Parsion Devi and others v. Sumitri Devi and others [((1997) 8 SCC 715]** as under :

"9. Under Order 47 Rule 1 CPC a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47 Rule 1 CPC. In exercise of

the jurisdiction under Order 47 Rule 1 CPC it is not permissible for an erroneous decision to be "reheard and corrected". A review petition, it must be remembered has a limited purpose and cannot be allowed to be "an appeal in disguise".

23. In **Lily Thomas V. Union of India** (2000 KHC 536) it was observed in paragraph 58 as :

"58.Error contemplated under the rule must be such which is apparent on the face of the record and not an error which has to be fished out and searched. It must be error of inadvertence. No such error has been pointed out by the learned counsel appearing for the parties seeking review of the judgment. The only arguments advanced were that the judgment interpreting S.494 amounted to violation of some of the fundamental rights. No other sufficient cause has been shown for reviewing the judgment. The words "any other sufficient reason appearing in O.47 R.1 CPC" must mean "a reason sufficient on grounds at least analogous to those specified in the rule" as was held in *Chhaju Ram v. Neki* (AIR 1922 PC 112) and approved by this Court in *Moran Mar Basselios Catholics v. Most Rev. Mar Poulouse Athanasius* (AIR 1954 SC 526). Error apparent on the face of the proceedings is an error which is based on clear ignorance or disregard of the provisions in law. In *T.C Basappa v.*

T.Nagappa (AIR 1954 SC 440) this Court held that such error is an error which is a parent error and not a mere wrong decision”.

24. In **Kamlesh Verma v. Mayawati and Others** [(2013) 8 SCC 320], it was held as follows:

“14. Review of the earlier order cannot be done unless the court is satisfied that material error, manifest on the face of the order, undermines its soundness or results in miscarriage of justice.”

In paragraphs 17 to 19 it was held as follows:

“17. In a review petition, it is not open to the Court to reappreciate the evidence and reach a different conclusion, even if that is possible. Conclusion arrived at on appreciation of evidence cannot be assailed in a review petition unless it is shown that there is an error apparent on the face of the record or for some reason akin thereto.

18. Review is not rehearing of an original matter. The power of review cannot be confused with appellate power which enables a superior court to correct all errors committed by a subordinate court.....

19. Review proceedings are not by way of an appeal and have to be strictly confined to the scope and ambit of Order 47 Rule 1 CPC. In review jurisdiction, mere disagreement with the view of the judgment cannot be the ground for invoking the same.....”

25. In **N.Anantha Reddy v. Anshu Kathuria and others** [(2013) 15 SCC 534] very same view was taken and it was held as follows:

“6.....The review jurisdiction is extremely limited and unless there is mistake apparent on the face of the record, the order/judgment does not call for review. The mistake apparent on record means that the mistake is self-evident, needs no search and stares at its face. Surely, review jurisdiction is not an appeal in disguise. The review does not permit rehearing of the matter on merits.”

26. Coming back to the facts of the case it is pertinent to note that the review petitioners mainly contended that the Full Bench has committed an error by holding that the scope of Section 27(c) of the Act 1978 cannot be widened so as to provide medical relief, water supply and other sanitary arrangements for the worshippers and pilgrims, located away from a reasonable distance of the temple premises. It is submitted that as far as a worshipper /pilgrim is concerned his geographical proximity has no significance at all and the

benefit necessarily must go into or lean in favour of others also. It has to be noted that on sound reasoning based on the provisions of the Act, the Full Court observed that Section 27(c) consists of 2 parts, of which first clause deals with the medical relief, water supply and sanitary arrangements for the worshippers and pilgrims and the second clause relates to the construction of the building for their accommodation. Therefore, the 1st part cannot be detached from the 2nd part which relates to the construction for accommodation of the pilgrims. The plain language of the provision gives a definite meaning that, it is to provide convenient accommodation for the worshippers when they visit the temple to offer prayers. Providing convenient accommodation to pilgrims and worshippers are, to facilitate them to offer prayers in the temple and for that constructions are required. Obviously, the said clause cannot be treated as one meant for the benefit of

worshippers of lord Guruvayurappan as millions of worshippers are residing all over the country. It would be too far-fetched to give such an interpretation to the said clause. Devotees who repose faith on lord Guruvayurappan are spread all over the country. Therefore, the scope of Section 27(c) cannot be widened as pointed out by the learned Government Pleader for the State. If the contention of the learned Government Pleader is accepted, it will be against the principles of precedent in view of the ratio in C.K Rajan's case. (See State of U.P. v Ajay Kumar Sharma (2016)15 SCC289)

27. So also, on a true interpretation of Section 10(b) of the Act of 1978 which is simple, clear and precise, G.D.M.C has to provide facilities for proper performance of worships by the worshippers. The words in Section 10(g) is also unambiguous that the committee is bound to do all such things as may be incidental and conducive to the efficient management of the affairs of Devaswom and

the convenience of worshippers. What is made clear by the order is that, as the committee has been constituted as per Section 3 of the Act, the committee can administer, control and manage Devaswom in accordance with the provisions of the Act and the same has to be applied strictly. G.D.M.C has to act scrupulously in terms of the provisions of the Act.

28. In short, what is echoed in the common order of the Full Bench, noticing or following the ratio in C.K.Rajan's case, is that the movables, the immovable properties, the money dedicated or endowed in the name of Lord Guruvayurappan shall vest in the idol of Guruvayurappan consecrated in Sree Krishna Temple Guruvayur and the status G.D.M.C is that of a trustee in management of devaswom properties and as such is bound to perform its duties and act as per the provisions of the Act, 1978. It is also clarified that the view adopted by the Division Bench in W.P.(C) No.19035 of 2019 on

Section 27 of the Act 1978 without considering the legal implication of certain provisions of the Act is unsustainable for the reasons enunciated therein. The said answer to the reference made by the Full Bench mainly following the ratio in C.K.Rajan's case and the principles of precedent, could not be termed as an error apparent on the face of the record which warrants correction/modification by allowing the review petitions. The essence of repeated pronouncements made by the Apex Court on the subject affirms that a review jurisdiction is very narrow and limited and reconsideration or reappreciation or rehearing of matter on merits are not permitted. Applying the law laid down in the aforesaid decisions regarding the jurisdiction of review applications, to the facts of the case on hand, we find that none of the reasons projected in support of the review petitions would make out any error apparent on the face of the record to justify an interference by

exercising the review jurisdiction.

29. Therefore, we find that all the review petitions preferred by the respondents 1 and 2, the State Government, are without any merits and are liable to be dismissed.

Accordingly, all the review petitions stand dismissed.

Sd/-

ANU SIVARAMAN

JUDGE

Sd/-

SHIRCY V.

JUDGE

Sd/-

M.R. ANITHA

JUDGE