



WP(C) NO. 12196 OF 2025

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2025:KER:25362

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRAN

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THE HONOURABLE MR. JUSTICE MURALEE KRISHNA S.

TUESDAY, THE 25<sup>TH</sup> DAY OF MARCH 2025 / 4TH CHAITHRA, 1947

WP(C) NO. 12196 OF 2025

PETITIONERS:

- 1 SREEKUMAR MANKUZHY,  
AGED 52 YEARS,  
S/O M NARAYANANKUTTY MENON, RESIDING AT SHREYAS HOUSE,  
RAJAJI ROAD, ERNAKULAM TREASURER HINDU SEVA KENDRAM  
REG. NO.563/IV/2019 68/991, 2ND FLOOR, THARAKANS  
COMPLEX, K.K.PADMANABHAN ROAD, ERNAKULAM NORTH.P.O.,  
KOCHI, PIN - 682018.
- 2 ANOOP V.S.,  
AGED 39 YEARS,  
S/O SADANANDAN, VATTAPARAMBIL HOUSE, AMBAYATHODE P.O.,  
KOTTIYOOR, KANNUR, PIN - 670651.

BY ADVS.  
R.KRISHNA RAJ  
R.PRATHEESH (ARANMULA)  
E.S.SONI  
SREERAJA V.  
LAXMI PRIYAA N.P.

RESPONDENTS:

- 1 STATE OF KERALA  
REVENUE (DEVASWOM) DEPARTMENT, KERALA GOVERNMENT  
SECRETARIAT, THIRUVANANTHAPURAM REPRESENTED BY ITS  
SECRETARY TO GOVERNMENT, PIN - 695001.
- 2 MALABAR DEVASWOM BOARD,  
HOUSEFED COMPLEX ERANHIPALAM P.O., KOZHIKODE  
REPRESENTED BY ITS SECRETARY, PIN - 673003.



- 3 THE COMMISSIONER,  
MALABAR DEVASWOM BOARD, HOUSEFED COMPLEX,  
ERANHIPALAM P.O., KOZHIKODE, PIN - 673003.
- 4 THE EXECUTIVE OFFICER,  
MRUDANGA SAILESWARI TEMPLE MRUDANGA SAILESWARI TEMPLE  
ROAD MUZHAKUNNU P.O. PERAVOOR, KANNUR,  
KEARALA, PIN - 670673.
- 5 TRUSTEE BOARD,  
MRUDANGA SAILESWARI TEMPLE MRUDANGA SAILESWARI TEMPLE  
ROAD, MUZHAKUNNU P.O. PERAVOOR, KANNUR, KEARALA  
REPRESENTED BY ITS CHAIRMAN, PIN - 670673.
- 6 SREE MRUDUNGA SAILESWARI KSHETHRA PORKKALI KALASA  
COMMITTEE,  
MRUDANGA SAILESWARI TEMPLE MRUDANGA SAILESWARI TEMPLE  
ROAD MUZHAKUNNU P.O. PERAVOOR, KANNUR, KEARALA  
REPRESENTED BY ITS CONVENER, PIN - 670673.

OTHER PRESENT:

SRI. S. RAJMOHAN, SR. GOVERNMENT PLEADER  
SMT. R. RANJANIE, SC, MDB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
25.03.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



## **J U D G M E N T**

### **Anil K. Narendran, J.**

The petitioners have filed this writ petition under Article 226 of the Constitution of India, seeking a writ of mandamus restraining the respondents from conducting 'Samootha Nombuthura' and 'Sneha Sangamam' as part of ifthar feast in the auditorium of Sree Mrudanga Saileswari Temple, as evidenced by Ext.P1 notice, on 26.03.2025 or on any future dates. The petitioners have also sought for a writ of mandamus commanding respondents 1 to 4 to strictly follow the provisions of Hindu Places of Public Worship (Authorisation of Entry) Act, 1965 and the Rules made thereunder and restrain the entry of non-Hindus into Mrudanga Saileswari Temple, which is a controlled institution under the Malabar Devaswom Board.

2. On 24.03.2025, when this writ petition came up for admission, the learned Senior Government Pleader took notice on admission for the 1<sup>st</sup> respondent and the learned Standing Counsel for Malabar Devaswom Board for respondents 2 and 3. Urgent notice on admission by special messenger was ordered to respondents 4 to 6, returnable by today (25.03.2025) at 2.00 p.m.



3. Today, when this writ petition is taken up for consideration, respondents 4 and 6 entered appearance through counsel. Notice issued to the 5<sup>th</sup> respondent Trustee Board of Mrudanga Saileswari Temple returned with an endorsement "such Trust does not exist". It is pointed out that the term of non-hereditary trustees in the Board of Trustees of the temple had expired.

4. Heard the learned counsel for the petitioner, the learned Senior Government Pleader for the 1<sup>st</sup> respondent State, the learned Standing Counsel for Malabar Devaswom Board for respondents 2 and 3 and the respective counsel for the 4<sup>th</sup> respondent Executive Officer of the temple and the 6<sup>th</sup> respondent Kalasa Committee of the temple.

5. The submission made by the learned counsel for the petitioner is that, as evident from Ext.P1 notice, 'Samootha Nombuthura' and 'Sneha Sangamam' is going to be conducted in the auditorium of Mrudanga Saileswari Temple on 26.03.2025 at 6.00 p.m. As per the said notice, it is conducted by Mrudanga Saileswari Temple and the 6<sup>th</sup> respondent Kalasa Committee of the temple.



6. The learned counsel for the 4<sup>th</sup> respondent Executive Officer would submit that the Board of Trustees of Mrudanga Saileswari Temple consists of non-hereditary trustees. Their term expired in December, 2024. The submission made by the learned counsel for the 4<sup>th</sup> respondent Executive Officer is that the Executive Officer of the temple has not granted permission to anyone to conduct 'Samootha Nombuthura' and Sneha Sangamam' on 26.03.2025 in the temple auditorium. Further, the activity of the 6<sup>th</sup> respondent Kalasa Committee is confined to installation of golden flag mast and renovation of the Sreekovil of Porkkali Bhagavathi. The said committee cannot conduct such an activity on 26.03.2025 in the temple auditorium.

7. The learned Standing Counsel for Malabar Devaswom Board and also the learned counsel for the 4<sup>th</sup> respondent Executive Officer would point out the provisions in Circular No.HRH5/8246/2006 dated 15.06.2007 issued by the Commissioner of the erstwhile Hindu Religious and Charitable Endowments (Administration) Department and the learned counsel for the petitioners would point out the decision of this Court in **Hindu Seva Kendram v. State of Kerala [2023 (3)**



**KHC 258 (DB)]**, as per which the constitution of committees in temples, which are controlled institutions under the Malabar Devaswom Board, should be for a specified purpose of conducting annual festival for the year, to undertake renovation work, etc. Therefore, the activities of the 6<sup>th</sup> respondent Kalasa Committee has to be confined to the works relating to installation of golden flag mast and renovation of the Sreekovil of Porkkali Bhagavathi. Such a committee cannot conduct 'Samootha Nombuthura' and 'Sneha Sangamam' in the temple auditorium.

8. During the course of arguments, the learned counsel for the petitioners would point out the provisions contained in the Kerala Hindu Places of Public Worship (Authorisation of Entry) Act, 1965, and the Rules made thereunder.

9. On the above aspect, the learned counsel for the 4<sup>th</sup> respondent Executive Officer would point out that as in the case of Sabarimala, devotees from all religions are having 'Darshan' at Mrudanga Saileswari Temple.

10. We do not propose to consider the rival contentions on the above aspect in this proceedings, since the grievance of the petitioners regarding the conduct of 'Samootha Nombuthura' and



'Sneha Sangamam' in the auditorium of Mrudanga Saileswari Temple on 26.03.2025, stands redressed based on the stand taken by the 4<sup>th</sup> respondent Executive Officer that the said respondent has not granted permission to anyone to conduct 'Samootha Nombuthura' and 'Sneha Sangamam' on 26.03.2025 in the auditorium of Mrudanga Saileswari Temple.

In such circumstances, this writ petition is disposed of recording the aforesaid stand taken by the 4<sup>th</sup> respondent Executive Officer. It is for the 2<sup>nd</sup> respondent Malabar Devaswom Board and the 4<sup>th</sup> respondent Executive Officer to take necessary steps to ensure that the activities of the 6<sup>th</sup> respondent Kalasa Committee are confined to the installation of golden flag mast and renovation of Sreekovil of Porkkali Bhagavathi, in view of the provisions contained in Circular No.HRH5/8246/2006 dated 15.06.2007.

Sd/-

**ANIL K. NARENDRAN, JUDGE**

Sd/-

**MURALEE KRISHNA S., JUDGE**

DSV/-



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APPENDIX OF WP(C) 12196/2025

PETITIONERS' EXHIBITS

Exhibit P-1

TRUE COPY OF THE POSTER ANNOUNCING THE  
CONDUCT OF IFTAR PARTY IN THE TEMPLE ON  
26.03.2025 DATED NIL