

Sabarimala Ayyappaswami Temple Alangad Yoga Vs State Of Kerala

Court: High Court Of Kerala

Date of Decision: Jan. 10, 2025

Hon'ble Judges: Amit Rawal, J; P. V. Balakrishnan, J

Bench: Division Bench

Advocate: K.S.Sajeev Kumar, Bismi T.A., Ramesh.P.N., Mohandas K.Chacko, Sukesan P.S., Ansila C.A., G.Biju, T K Vipindas

Final Decision: Disposed Of

Judgement

Amit Rawal, J.

1. The petitioner namely Sabarimala Ayyappaswami Temple Alangad Yogam along with three(3) other groups namely Āçâ,~Ā"Alangad Yogam

Sabarimala Swami Bhakta Jana SanghamĀçâ,~, Āçâ,~Ā"Sree Sabarimala Dharma Sastha Alangad YogamĀçâ,~ and Āçâ,~Ā"Alangad Yogam TrustĀçâ,~ in the

previous round of litigation raised their grievance for holding Alangad Pettathullal by permitting them to use original Golaka and Kodi in the respective

possessions in the ceremonies connected with Erumeli Pettathullal. In one of the judgments, the Division Bench of this Court in W.P.(C)No.22367 of

2021 on 31.12.2021 had directed the Dewaswom Board to conduct the function with permission to different sansthas for using Golaka and other items

in the performance of festival called Erumeli Pettathullal. In one of the litigations in Regular Second Appeal Nos.532 of 2012, 645 of of 2012 and W.P.

(C)No.10870 of 2013 decided on 30.10.2013, this Court had granted the permission to the Board to allow the privileges enjoyed by Alangad Yogam

during Pettathullal till the framing of the proper scheme. Suit for framing the scheme as per the contention has been dismissed and appeal is

contemplated to be filed.

2. The petitioner has sought the indulgence of this Court with the following prayers:

1. Issue a writ of mandamus or any other appropriate writ order or direction in directing the Devaswom Board and other Statutory Authorities to permit the petitioner

and its members hailing from Alangad to carry Golaka, flag, Chilambu etc. without any obstructions in the procession related to Petta Thullal commencing from

Alangad and then to Erumeli to be proceeded to Sabarimala Sannidhanam with all its Divine customary rites from 11th of January till 17th of January 2025 until a

scheme is formulated.

2. Issue a writ of mandamus or any other appropriate writ order or direction to the respondents in permitting the petitioner to carryout all the rituals and participate in

Pamba Sandhya, Pamba Vilaku, Pandheerunazhi Nivedhyam at Sannidhanam and Malikapurathu Thalam etc with all equal rights, in relation to Erumeli Petta Thullal.

3. to direct the Devaswom Commissioner, 4th respondent herein to consider Exhibit P5 and take necessary steps to see that all precautionary measures are taken to

the petitioner carrying Golaka, flag, Chilambu etc. without any obstructions in the procession related to Petta Thullal commencing from Alangad and then to Erumeli

to be proceeded to Sabarimala Sannidhanam with all its Divine customary rites from 11th of January till 17th of January 2025.

4. To dispense with the filing of the translated version of the vernacular documents.

3. As far as prayer No.1 is concerned, representation has been made to the Devaswom Board for permitting them to carry out the customary rites

from 11th January to 17th of January, 2025 till the formulation of the scheme. In W.P.(C)No.815 of 2018 quad hoc the Alangad Pettathullal, an earlier

round of litigation was launched by an association of persons and one Ambadath Tharavadu the elected Periyon was directed to lead Alangad Erumeli

Pettathullal and only the Golaka and Flag of Ambadath family was allowed to be carried out. One Sankaran Venugopal Kambilly was also allowed to

carry out the Golaka and Administrative Officer was directed to issue passes to every person who approaches him with a desire to take part in the

Alangad Pettathullal after verification of credentials. But the said direction was only for a period of one(1) year and similar directions can be

considered for the next year depending upon the manner in which the event is held. Again another round of litigation as noticed above had arisen in

W.P.(C)No. 22367 of 2021 and vide judgment dated 31.12.2021 by relying upon the judgment dated 09.01.2018 in W.P. (C)No.815 of 2018, relief was

rejected.

4. In order to bring a quietus amongst the four(4) sects noticed above,

Ã, i) all the four(4) sects will be allowed demonstrate their Golaka, Flag, Sword, Churika and other items which are essential for the rituals in

connection of Makaravilakku festival and will not indulge into any vandalism, fighting, insinuation or any acrimonious activity against each other.

ii) Devaswom Board will hold function with aforesaid participation and make appropriate arrangement for carrying out the aforementioned

processions.

iii) Local SP is directed to provide police protection to all the four(4) groups in order to prevent any untoward incident and after the performance of

the festival and provide security arrangement for devotees also.

iv) Devaswom Board is directed to hold a conciliation between all the aforementioned four(4) sects to arrive at an amicable settlement.

5. Registry is directed to communicate copy of this order to the Special Commissioner at Sabarimala appointed by this Court, to ensure compliance of

the aforesaid directions and make all possible security arrangements for holding the function commencing from 10.1.2025 to 17.01.2025.

Writ petition with aforementioned directions stands disposed off.