

Sajith Kumar T Vs Travancore Devaswom Board

Court: High Court Of Kerala

Date of Decision: Jan. 24, 2025

Acts Referred: Constitution of India, 1950 " Article 226

Travancore-Cochin Hindu Religious Institutions Act, 1950 " Section 31A(3)

Hon'ble Judges: Anil K.Narendran, J; Muralee Krishna S., J

Bench: Division Bench

Advocate: A.S.Sangeetha, G. Santhosh Kumar

Final Decision: Dismissed

Judgement

Anil K. Narendran, J.

1. The petitioners, who are the devotees of Thaliyadichapuram Sree Mahadeva Temple, which is a temple under the management of the 1st

respondent Travancore Devaswom Board, have filed this writ petition under Article 226 of the Constitution of India, seeking a writ of mandamus

commanding the 3rd respondent Devaswom Commissioner to extend the term of the Temple Advisory Committee of that temple, for the purpose of

constructing Valiyambalam, Nadappura and Balikkalpura. The petitioners have also sought for a relief in respect of registration of the property

covered by Ext.P5 sale deed, in order to see that it is registered in the name of the 1st respondent Travancore Devaswom Board.

2. The averments in the writ petition would show that petitioners 1 and 2 are the President and Vice President respectively of the Temple Advisory

Committee of Thaliyadichapuram Sree Mahadeva Temple, which is constituted as per the Bye-laws (Rules) framed under sub-section (3) of Section

31A of the Travancore-Cochin Hindu Religious Institutions Act, 1950. Paragraph 8 of the writ petition contains certain allegations against the former

President of the Temple Advisory Committee. The names of the former President and the Secretary of the Temple Advisory Committee are also

mentioned in the statement of facts.

3. When the writ petition contains specific allegations against certain individuals, those persons should be arrayed as the respondents.

4. After arguing for some time, the learned counsel for the petitioners seeks permission to withdraw this writ petition, without prejudice to the right of

the petitioners to file a fresh writ petition with proper pleadings and reliefs, with proper parties in the party array.

Based on the aforesaid submission made by the learned counsel for the petitioners, this writ petition is dismissed as withdrawn; however, without

prejudice to the aforesaid right of the petitioners.