

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).11295/2011

(From the judgement and order dated 31/01/2011 in 36487/2009 of The HIGH COURT OF KERALA AT ERNAKULAM)

WPC No.

SRI MARTHANDA VARMA AND ANR.
VERSUS

Petitioner(s)

T.P. SUNDARA RAJAN AND ORS.

Respondent(s)

(With prayer for interim relief)

WITH SLP(C) NO. 12361 of 2011

(With prayer for interim relief and office report)

Date: 02/05/2011 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. K.K. Venugopal, Sr. Adv.
Mr. Parameswaran N., Adv.
Mr. Gopal Sankaranayanan, Adv.
Mr. Shyam Mohan, Adv.
Mr. B.V. Deepak, Adv.
Mr. P.B. Krishnan, Adv.
Mr. P.B. Subramanian, Adv.
for M/s. T.T.K. Deepak & Co.,Adv.

For Respondent(s) Mr. M. Balagovindan, Adv.
Mr. T.K. Anandpadmanabhan, Adv.
Mr. Vipin Nair, Adv.
Mr. P.B. Suresh, Adv.
for M/s. Temple Law Firm,Adv.

UPON hearing counsel the Court made the following
O R D E R

Issue notice.

Mr. P.B. Suresh, learned counsel of
M/s. Temple Law Firm, accepts notice for
respondent No.1 (T.P. Sundara Rajan).

Interim stay of direction (i) of the
2

impugned judgment which directs taking over the assets and management of Sree Padmanabhaswamy Temple, Thiruvananthapuram.

Interim stay of directions (ii) to (iv) of the impugned judgment subject to the following interim directions:
(a) There shall be a detailed inventory of the articles/valuables/ornaments in Kallaras described as (a) to (f) in the Second Schedule to the Plaint in O.S. No.625/2007 on the file of the Sub-Judge, Thiruvananthapuram. The

inventory shall be held in the presence of the following observers:-

(i) Two observers appointed by this Court namely, Justice M.N. Krishnan and Justice C.S. Rajan, retired Judges of Kerala High Court.

(ii) The first petitioner and second petitioner.

(iii) A senior officer of the State Government, namely the Secretary, Devaswom Department or his nominated representative.

(iv) A senior officer nominated by the Secretary, Department of Archeology, Ministry of Culture, Government of India, who is stationed at Kerala.

(v) The PIL petitioner (first respondent).

Justice M.N. Krishan shall be in charge

3

of organising the inventory, fixing of schedules. The entire expenditure of inventory shall be met by the petitioners. He is also authorised to seek police security at the time of such inventory. The observers shall decide upon the procedure and documentation of the inventory including videographing and photographing the articles.

(b) In regard to the articles in Kallaras (c) and (d) used for regular rituals and the ornaments etc. in Kallaras (e) and (f) said to be in the custody of Periya Nambi and Thekkedom Nambi, the existing practices, procedures and rituals may be followed in regard to the opening and closing of the Kallaras and using the articles therein. As far as Kallaras (a) and (b), which is reportedly not opened for more than a century, they shall be opened only for the purpose of making inventory of the articles and then closed and sealed again.

(c) The inventory shall be filed in this Court and copies of the inventory be given to all participating parties and observers.

(d) The existing temple security shall be further strengthened by additional security from the local police.

(e) The first petitioner and his family shall be entitled to participate in all temple festivals and rituals as hitherto before.

Let a copy of this order be sent to
Justice M.N. Krishnan, Justice C.S. Rajan, the

4

Secretary Devaswom Department, State of Kerala
and the Secretary, Department of Archeology,
Government of India for due implementation.

List in August, 2011 for further orders.

(Ravi P. Verma)
Court Master

(M.S.Negi)
Court Master