

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V
&
THE HONOURABLE MR. JUSTICE K. V. JAYAKUMAR**

Monday, the 8th day of December 2025 / 17th Agrahayana, 1947

SSCR NO. 29 OF 2025

**IN THE MATTER OF TRAVANCORE DEVASWOM BOARD - SABARIMALA SPECIAL COMMISSIONER
REPORT - SM.NO. 29/2025 - REPORT REGARDING THE STEPS TO BE TAKEN TO PROVIDE
ADEQUATE FACILITIES TO SABARIMALA PILGRIMS AT THE EDATHAVALAMS FOR THE MANDALAM
MAKARAVILAKKU FESTIVAL SEASON 2025-2026 (1201 M.E.) - SUO MOTU PROCEEDINGS
INITIATED - REG:**

PETITIONER:

SUO MOTU

RESPONDENTS:

- 1. UNION GOVERNMENT, MINISTRY OF RAILWAYS,
REPRESENTED BY THE DIVISIONAL RAILWAY MANAGER,
(THIRUVANANTHAPURAM DIVISION), THIRUVANANTHAPURAM - 695001**
- 2. STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT,
REVENUE (DEVASWOM) DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695001**
- 3. TRAVANCORE DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, NANTHANCOD, KAWDIAR POST,
THIRUVANANTHAPURAM - 695003**
- 4. DEVASWOM COMMISSIONER,
TRAVANCORE DEVASWOM BOARD, DEVASWOM BUILDINGS, NANTHANCOD,
THIRUVANANTHAPURAM - 695003**
- 5. EXECUTIVE OFFICER SABARIMALA,
PAMPA TRIVENI P.O., PATHANAMTHITTA - 689670**
- 6. EXECUTIVE MAGISTRATE,
OFFICE OF THE SABARIMALA SPECIAL COMMISSIONER, SABARIMALA,
PATHANAMTHITTA, PIN - 689713**

7. SECRETARY,
DISTRICT TOURISM PROMOTION COUNCIL (DTPC), KODIMATHA,
KOTTAYAM - 686013
8. COCHIN DEVASWOM BOARD
REP. BY ITS SECRETARY, ROUND NORTH, THRISSUR - 680001
9. MALABAR DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, HOUSEFED COMPLEX, ERANHIPALAM,
KOZHIKODE - 673006
10. GURUVAYUR DEVASWOM MANAGING COMMITTEE,
GURUVAYUR DEVASWOM, GURUVAYUR, PIN - 680101,
REPRESENTED BY ITS ADMINISTRATOR
11. ERUMELI GRAMA PANCHAYATH
REPRESENTED BY SECRETARY SH 44, ERUMELI, KOTTAYAM - 686509
12. DISTRICT COLLECTOR, COLLECTORATE, ALAPPUZHA - 688001
13. DISTRICT POLICE CHIEF, MUKHAM PURAYIDOM, CIVIL STATION WARD,
ALAPPUZHA 688012
14. CHENGANNUR MUNICIPALITY
REP. BY ITS SECRETARY, CHENGANNUR, ALAPPUZHA - 689121
15. DIVISIONAL MANAGER,
SOUTHERN RAILWAY, THIRUVANANTHAPURAM DIVISION
16. STATION MASTER, CHENGANNUR RAILWAY STATION
17. STATION MASTER ,ERNAKULAM SOUTH RAILWAY STATION
18. ADMINISTRATIVE OFFICER, ERUMELI DEVASWOM
19. DISTRICT POLICE CHIEF, KOTTAYAM
20. DISTRICT COLLECTOR, KOTTAYAM
21. STATION HOUSE OFFICER, ERUMELI POLICE STATION
22. STATION HOUSE OFFICER,
ERNAKULAM TOWN NORTH (KASABA) POLICE STATION, CHITTOOR ROAD,
KACHERIPADY, ERNAKULAM - 682018
23. COMMISSIONER OF POLICE, KOCHI CITY
24. EXECUTIVE MAGISTRATE,
PORUMKAL KADAVU ROAD, ERUMELI, KOTTAYAM - 686509

***ADDL.R25 IMPEADED**

25. ***THE EXECUTIVE ENGINEER, MINOR IRRIGATION DEPARTMENT,
PATHANAMTHITTA
*IS SUO MOTU IMPEADED AS ADDL.25TH RESPONDENT AS PER ORDER
DATED 07/11/2025 IN SSCR.NO.29/2025**

***ADDL.R26 TO R32 IMPEADED**

26. **SUBIN T.T.,
THATTADATH HOUSE, ERUMELI P.O., KOTTAYAM DISTRICT, PIN-686509**
27. **SOMARAJAN V.K.,
VAZHIMANGAKATHU VEEDU, ERUMELI P.O., KOTTAYAM DISTRICT,
PIN-686509**
28. **R.JAYARAJAN,
GEETHA BHAVAN, ERUMELI PO, KOTTAYAM DISTRICT, PIN-686509**
29. **K.R.SOJI,
KARIMANAKUNNEL, ERUMELI PO, KOTTAYAM DISTRICT, PIN-686509**
30. **SHIJO K.S.,
KULANGARA HOUSE, ERUMELI PO, KOTTAYAM DISTRICT, PIN-686509**
31. **NIZAR P.A.,
PUTHEN VEEDU, ERUMELI PO, KOTTAYAM DISTRICT, PIN-686509**
32. **HAKKIM P.A.,
PATTANI PEEDIKA HOUSE, ERUMELI PO, KOTTAYAM DISTRICT, PIN-686509
*ARE SUO MOTU IMPEADED AS ADDITIONAL RESPONDENTS 26 TO 32 VIDE
ORDER DATED 12.11.2025 IN IA 1/25 IN SSCR.NO.29/2025**

***ADDL.R33 TO R34 IMPEADED**

33. **IDEAL ENTERPRISES,
GROUND FLOOR, XXVII/33, VENDUVAZHY, KOTHAMANGALAM,
ERNAKULAM – 686691**
34. **KERALA ENVIRO INFRASTRUCTURE LIMITED – LABORATORY,
INSIDE FACT-CD CAMPUS, AMBALAMEDU, KOCHI – 682303
*ARE SUO MOTU IMPEADED AS ADDITIONAL RESPONDENTS 33 AND 34
AS PER ORDER DATED 03/12/2025 IN SSCR.NO.29/2025**

***ADDITIONAL R35 TO R37 IMPEADED-**

35. CENTRAL DRUGS STANDARD CONTROL ORGANISATION,
REPRESENTED BY THE DRUGS CONTROLLER GENERAL OF INDIA,
FDA BHAVAN, ITO KOTLA ROAD, NEW DELHI – 110002
36. KERALA STATE DRUGS AND FOOD CONTROL ADMINISTRATION,
REPRESENTED BY THE DRUGS CONTROLLER, RED CROSS ROAD,
VANCHIYOOR P.O., THIRUVANANTHAPURAM – 695035
37. KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, PATHANAMTHITTA, REPRESENTED BY
THE ENVIRONMENTAL ENGINEER, OPPOSITE GENERAL HOSPITAL,
K.K. NAIR ROAD, PATHANAMTHITTA DISTRICT

***ARE SUO MOTU IMPEADED AS ADDITIONAL R35 TO R37 AS PER
ORDER DATED 05.12.2025 IN SSCR 29/2025**

***ADDITIONAL R38 IMPEADED**

38. SRI. P.U ASHRAF
PUTHENPURACKAL COIR MART, MUNDAKAYAM-ERUMELI ROAD,
MUDAKAYAM, ERUMELI, KERALA -686509
- *IS SUO MOTU IMPEADED AS ADDL.38TH RESPONDENT AS PER ORDER
DATED 08/12/2025 IN SSCR.NO.29/2025**

BY SRI.S.RAJMOHAN, SENIOR GOVERNMENT PLEADER
BY DEPUTY SOLICITOR GENERAL OF INDIA
BY SRI.G.BIJU, SC, TRAVANCORE DEVASWOM BOARD
BY STANDING COUNSEL FOR COCHIN DEVASWOM BOARD
BY STANDING COUNSEL FOR MALABAR DEVASWOM BOARD
BY STANDING COUNSEL FOR GURUVAYOOR DEVASWOM MANAGING COMMITTEE
BY SMT.CHITHRA CHANDRASEKHARAN, SC, ERUMELY GRAMA PANCHAYATH
BY SRI.HARIDAS V.N., SC, CHENGANNUR MUNICIPALITY

**BY SMT.SAYUJYA RADHAKRISHNAN, AMICUS CURIAE FOR SABARIMALA
SPECIAL COMMISSIONER**

BY SRI.V.PREMCHAND, FOR ADDL.R26 TO R32

**BY ADVS.BABU JOSEPH KURUVATHAZHA, ARCHANA K.S. AND
NOEL EALIAS FOR R34**

BY DEPUTY SOLICITOR GENERAL OF INDIA FOR ADDL.R35

**BY SRI.T.NAVEEN, STANDING COUNSEL FOR KERALA STATE
POLLUTION CONTROL BOARD**

SRI.BABU CHERUKARA,ANZAR BASHEER ,JAYACHANDRAN R.COUNSEL FOR R33

**THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME UP FOR
ORDERS AGAIN ON 08/12/2025, UPON PERUSING THE REPORT AND THIS COURT'S
ORDER DATED 05/12/2025, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**



RAJA VIJAYARAGHAVAN V., & K.V. JAYAKUMAR, JJ.

SSCR No. 29 of 2025

Dated this the 8th day of December, 2025

ORDER

Raja Vijayaraghavan V, J.

When the matter was taken up for consideration, the additional 33rd respondent appeared through counsel and filed a counter affidavit.

2. In the counter affidavit, it is stated that the said respondent is primarily engaged in the business of raincoats. Upon learning of a requirement for organic KumKum, he contacted KJK Traders, Mumbai, from whom he claims to have purchased approximately 3 tonnes of KumKum. The material so purchased was thereafter handed over to one Sri. P. U. Ashraf, who runs an establishment by the name "Puthenpurackal Coirmart" at Erumeli. According to the respondent, the KumKum purchased is manufactured using maize starch, food-grade colours, and natural rose aroma, and is not synthetic. He has also produced certain laboratory reports of Intertek, which, according to him, were furnished by KJK Traders, Mumbai. It is further submitted that more than one tonne of the KumKum remains stored in the godown of Puthenpurackal Coir Mart at Erumeli.

3. On examining the bills produced, we find that the KumKum purchased by the 33rd respondent from KJK Traders was supplied in 50 kg bags. The analysis report produced by the respondent, purportedly issued by Intertek, pertains only to small sealed packets of Green, Pink, Yellow, Orange, and Blue "Rang Barse Holi Colours". It does not appear to us that the said laboratory report has any connection with, or bears any relevance to, the wholesale sacks delivered to the 33rd respondent by KJK Traders. Even otherwise, insofar as the analysis report issued by the 34th respondent is concerned, the parameters tested relate exclusively to the category "Pollution and Environment [Waste Water (Effluents/Sewage)]", which is wholly irrelevant and inapplicable to the testing of KumKum intended for direct application on the human body.

4. From the photographs placed before us, it is evident that most of the vendors are selling KumKum kept openly in large vessels, sacks, and bags. Under Rule 34 of the Cosmetics Rules, 2020, every cosmetic must display, on both the inner and outer labels, the name and full address of the manufacturer, the list of ingredients, batch number, manufacturing date, expiry date, and a declaration of conformity with applicable BIS Standards. Evidence of compliance with IS:10999 is also mandatory. The sale of unlabelled and unpackaged KumKum is therefore in direct violation of the Legal Metrology (Packaged Commodities) Rules, 2011, the Cosmetics Rules, 2020, and BIS Standard IS:10999.

5. The learned counsel appearing for the Erumeli Grama Panchayat submitted that, apart from the indiscriminate sale of KumKum by various individuals, several pilgrims from outside the State are also carrying KumKum with them. The local authority shall make earnest efforts to sensitise and educate the pilgrims by authorising Health Inspectors and other officers to advise them against carrying synthetic KumKum and against washing it into the Valiyathodu and Manimala rivers.

6. Having considered the submissions advanced, we find that more than one tonne of KumKum is stored in the premises of Puthenpurackal Coir Mart, Mundakayam–Erumeli Road, Mundakayam, Erumeli, Kerala – 686509, owned by Sri. P. U. Ashraf.

7. We constitute a team comprising the Drugs Inspector, Zone-I, Kottayam; the Drugs Inspector, Zone-I, Pathanamthitta; and Deputy Controller (Flying Squad), Legal Metrology, Kottayam, to immediately inspect the premises of Puthenpurackal Coir Mart and to draw adequate samples of the KumKum stored therein in accordance with the prescribed procedure. The samples collected shall be forwarded to a recognised and accredited laboratory, and the analysis report shall be placed before this Court at the earliest.

8. There will be a direction to the competent authorities under the Drugs and Cosmetics Act, 1940 and the Legal Metrology Department to ensure

that unlabelled and unpackaged KumKum is not sold in violation of the Legal Metrology (Packaged Commodities) Rules, 2011, the Cosmetics Rules, 2020, and BIS Standard IS:10999.

9. The Environmental Engineer, Kerala State Pollution Control Board, Pathanamthitta (Respondent No. 37), shall conduct routine inspections and shall also place before this Court the analysis report obtained in respect of the samples collected pursuant to our earlier directions.

10. We suo motu implead Sri. P. U. Ashraf, Puthenpurackal Coir Mart, Mundakayam–Erumeli Road, Mundakayam, Erumeli, Kerala – 686509, as additional 38th respondent. Issue notice to the additional 38th respondent.

Post on 17.12.2025.

sd/-
RAJA VIJAYARAGHAVAN V,
JUDGE

sd/-
K.V. JAYAKUMAR,
JUDGE

PS/8/12/25