

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR.JUSTICE MURALEE KRISHNA S.

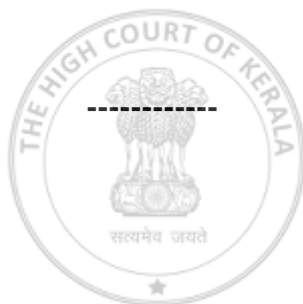
Monday, the 2nd day of December 2024 / 11th Agrahayana, 1946

SSCR NO. 79 OF 2024

IN THE MATTER OF TRAVANCORE DEVASWOM BOARD - SABARIMALA SPECIAL COMMISSIONER
REPORT - SM.NO.79/2024- REPORT REGARDING THE PREPARATIONS AND ACTION PLANS TO BE
MADE BY THE TRAVANCORE DEVASWOM BOARD, THE OTHER DEPARTMENTS OF THE STATE OF
KERALA AND THE KERALA POLICE FOR PROVIDING AMENITIES AND FACILITIES TO THE
SABARIMALA PILGRIMS AND FOR EFFECTIVE CROWD MANAGEMENT FOR THE ENSUING MADALA
MAKARAVILAKKU FESTIVAL 1200 M.E. COMMENCING ON 16/11/2024 - SUO MOTU PROCEEDINGS
INITIATED -REG:

PETITIONER:

SUO MOTU



RESPONDENTS:

1. STATE OF KERALA, REP.BY ITS SECRETARY TO GOVERNMENT,
REVENUE (DEVASWOM) DEPARTMENT, THIRUVANANTHAPURAM-695001
2. STATE POLICE CHIEF
POLICE HEAD QUARTERS, VAZHUTHACAUD, THIRUVANANTHAPURAM-695010
3. THE DISTRICT POLICE CHIEF, PATHANAMTHITTA-689645
4. THE DISTRICT COLLECTOR, COLLECTORATE, PATHANAMTHITTA,
KERALA -689645
5. PRINCIPAL CHIEF CONSERVATOR OF FORESTS,
THIRUVANANTHAPURAM-695014

6. DEPUTY DIRECTOR, PERIYAR WEST DIVISION, PEERUMEDU,
IDUKKI -685531
7. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANAGING DIRECTOR, TRANSPORT BHAVAN,
FORT P.O., THIRUVANNATHAPURAM-695035
8. KERALA WATER AUTHORITY
REPRESENTED BY ITS MANAGING DIRECTOR, JALABHAVAN,
VELLAYAMBALAM-695033
9. DIRECTOR GENERAL, KERALA FIRE & RESCUE SERVICES HEADQUARTERS,
FIRE FORCE JUNCTION, PULIMOODU P.O., THIRUVANANTHAPURAM-695001
10. DEPUTY EXCISE COMMISSIONER
EXCISE DIVISION OFFICE, 1ST FLOOR, DEVASWOM BOARD BUILDING,
PATHANAMTHITTA-689645
11. THE TRAVANCORE DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, NANTHANCODE, KAWDIAR POST,
THIRUVANANTHAPURAM -695003
12. DEVASWOM COMMISSIONER
TRAVANCORE DEVASWOM BOARD, NANTHANCODE, KAWDIAR POST,
THIRUVANNATHAPURAM-695003
13. THE EXECUTIVE OFFICER
SABARIMALA, PAMPA TRIVENI P.O., PATHANAMTHITTA-689670
14. THE CHIEF POLICE COORDINATOR
(ADDITIONAL DIRECTOR GENERAL OF POLICE (POLICE HEAD QUARTERS)
SANNIDHANAM, SABARIMALA, PATHANAMTHITTA, PIN-689713
*ADDL.R15 TO R17 IMPEADED
15. THE DISTRICT COLLECTOR,
COLLECTORATE, IDUKKI, KUYILIMALA, PAINAV P.O., IDUKKI-685 603
16. THE SUPERINTENDING ENGINEER,
KERALA WATER AUTHORITY, PUBLIC HEALTH CIRCLE, THIRUVALLA,
PATHANAMTHITTA-689 101

17. THE TRANSPORT COMMISSIONER,
KERALA, TRANSPORT COMMISSIONERATE, VAZHUTHACAUD,
THIRUVANANTHAPURAM-695 014
*ARE SUO MOTU IMPEADED AS ADDITIONAL RESPONDENTS 15 TO 17 VIDE
ORDER DATED 14/11/2024 IN SSCR.NO.79/2024
*ADDL.R18 IMPEADED
18. THE SPECIAL OFFICER (DISTRICT TRANSPORT OFFICER),
KSRTC, PAMBA, PIN – 689 662
*IS SUO MOTU IMPEADED AS ADDITIONAL 18TH RESPONDENT VIDE ORDER
DATED 15/11/2024 IN SSCR.NO.79/2024
*ADDL.R19 IMPEADED
19. THE DISTRICT COLLECTOR, COLLECTORATE, KOTTAYAM-686 002
*IS SUO MOTU IMPEADED AS ADDITIONAL 19TH RESPONDENT VIDE ORDER
DATED 02/12/2024 IN SSCR.NO.79/2024

BY DEPUTY SOLICITOR GENERAL OF INDIA

BY SRI.S.RAJMOHAN, SENIOR GOVERNMENT PLEADER

BY SRI.NAGARAJ NARAYANAN, SPECIAL GOVT.PLEADER (FOREST)

BY SRI.G.BIJU, SC, TRAVANCORE DEVASWOM BOARD

BY SRI.DEEPU THANKAN, SC, KERALA STATE ROAD TRANSPORT
CORPORATION

BY SRI.JOSHY V.V., SC, KERALA WATER AUTHORITY

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

THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME UP FOR
ORDERS AGAIN ON 02/02/2024, UPON PERUSING THE REPORT, AND THIS COURT'S
ORDER DATED 29/11/2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ANIL K. NARENDRA & MURALEE KRISHNA S., JJ.

SSCR No.79 of 2024

Dated this the 2nd day of December, 2024

ORDER

Anil K. Narendran, J.

The learned Senior Government Pleader, on instructions from the 14th respondent Chief Police Co-ordinator, Sabarimala, would submit that yesterday (01.12.2024) the total footfall at Sabarimala was 67,469 and the tail end of the queue was within the Nadapanthal. Today (02.12.2024), 29,169 pilgrims had darshan by 9.00 a.m. and the tail end of the queue is within the Nadapanthal. Crowd management is under control at Sannidhanam, Pamba and Nilakkal.

2. The learned Senior Government Pleader, on instructions from the 4th respondent District Collector, Pathanamthitta, the additional 15th respondent District Collector, Idukki and the additional 19th respondent District Collector, Kottayam, who are the Chairman/Chairperson of the District Disaster Management Authority at Pathanamthitta, Idukki and Kottayam, respectively, would submit that in exercise of the powers under the Disaster Management Act, 2005, certain restrictions have been imposed in Sabarimala, Erumeli and also in the traditional trekking paths. Bathing of pilgrims in Pamba River and also in Erumeli Stream is

prohibited. Personnel from the National Disaster Response Force (NDRF), Fire and Rescue Services and Police are deployed on the banks of Pamba River. The movement of pilgrims through the traditional trekking paths, i.e., Erumeli-Azhuthakadavu-Pamba and Vandiperiyar-Sathram-Pulmedu is prohibited until further orders by the concerned District Disaster Management Authorities. The Chairman of the District Disaster Management Authority, Pathanamthitta is convening a meeting today (02.12.2024) at 10.00 a.m. to review the situation.

3. Having considered the submissions made at the Bar, we deem it appropriate to direct the respective District Collectors of Pathanamthitta, Idukki and Kottayam, who are the Chairman/Chairperson of the District Disaster Management Authority of Pathanamthitta, Idukki and Kottayam respectively, to take necessary steps to ensure a safe and secure pilgrimage to Sabarimala pilgrims at Sabarimala, Erumeli and in the traditional trekking paths. Any restrictions imposed in exercise of the powers under the Disaster Management Act shall be made known to the pilgrims through the public address system at Nilakkal, Pamba, Sannidhanam, Erumeli, etc.

4. The learned Senior Government Pleader would submit that the concerned forest officials shall render necessary support to

the pilgrims in the traditional trekking paths, on account of the aforesaid restrictions imposed by the authorities under the Disaster Management Act.

5. On 29.11.2024, when this SSCR came up for consideration, the learned Standing Counsel for Travancore Devaswom Board, on instructions, submitted that the President and Members of the Board, who were available at Sannidhanam, had a discussion with Sri. Kandararu Rajeevararu, the Tantri of Sabarimala Sree Dharma Sastha Temple, who opined that throwing clothes on the roof of Malikappuram Temple, pouring turmeric powder on the walls of that temple and rolling coconut around that temple are not part of the customary practice or ritual in Malikappuram Temple. Therefore, the Board has decided to take necessary steps to ensure that pilgrims are not throwing clothes on the roof of Malikappuram Temple, pouring turmeric powder on the walls of that temple and rolling coconut around that temple, since such activities are posing threat to the safety of the pilgrims, especially children of tender age, senior citizens and persons with disability.

6. It is for the Board to take an appropriate decision on the above aspect, after obtaining a written opinion from the Tantri of Sabarimala Sree Dharma Sastha Temple.

7. The learned Senior Government Pleader would submit that the report dated 30.11.2024 of the 14th respondent Chief Police Co-ordinator is being filed today.

List this matter tomorrow (03.12.2024), for further consideration.

Sd/-

ANIL K. NARENDRAN, JUDGE

Sd/-

MURALEE KRISHNA S., JUDGE

AV/2/12

