

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

Wednesday, the 3rd day of December 2025 / 12th 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**

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

THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME UP FOR ORDERS AGAIN ON 03/12/2025, UPON PERUSING THE REPORT AND THIS COURT'S ORDER DATED 12/11/2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



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

SSCR No. 29 of 2025

Dated this the 3rd day of December, 2025

ORDER

Raja Vijayaraghavan V. J.

By order dated 12.11.2025, this Court had held that the sale and use of KumKum are governed by multiple statutory frameworks mandating safety standards, transparency obligations, and strict labelling requirements. We had also observed that any manufacturer, dealer, or seller must scrupulously ensure compliance with the provisions of the Drugs and Cosmetics Act, 1940, the Cosmetic Rules, 2020, the Bureau of Indian Standards Act, 2016, the Legal Metrology Act, 2009, and the Legal Metrology (Packaged Commodities) Rules, 2011.

2. We had further noted that, in terms of the provisions of the Drugs and Cosmetics Act, 1940, KumKum containing chemical ingredients poses serious health and environmental hazards, and would amount to an adulterated cosmetic under Section 17E of the Act, thereby attracting penal consequences under Section 27A.

3. We had also ordered that any person engaged in the trade of KumKum or similar products must scrupulously comply with the above enactments. This Court had made it explicit that under no circumstances shall sellers be permitted to manufacture, distribute, or sell chemically manufactured or synthetic KumKum to devotees.

4. We had further directed the competent authorities under the aforementioned enactments to conduct routine inspections of shops and establishments and to ensure strict compliance with this Court's order dated 07.11.2025. It was also ordered that any Kuthaka holder found selling or dealing in chemically manufactured or synthetic KumKum, or any other chemically produced colour powder under any nomenclature, in defiance of the ban imposed by this Court, shall face cancellation of Kuthaka rights, after following due procedure, in addition to such further legal action as may be warranted under the relevant statutes.

5. Today, when the matter is taken up, the learned Standing Counsel appearing for the Panchayat submits that it has come to the notice of the Panchayat authorities that the sale of synthetic KumKum is being carried out extensively. Upon conducting inspections, it is revealed that the KumKum in circulation is being distributed by an establishment by name 'Ideal Enterprises', Ground Floor, XXVII/33, Venduvazhy, Kothamangalam, Ernakulam – 686691. It is further submitted that vendors dealing in such KumKum are producing a certificate allegedly issued by 'Kerala Enviro Infrastructure Limited – Laboratory, inside FACT-CD Campus, Ambalamedu, Kochi – 682303'. It is pointed out that it is not possible to ascertain whether the KumKum so distributed is sourced from natural ingredients. Photographs evidencing the sale of KumKum in several Kuthaka shops have also been placed before us.

6. Having considered the submissions, we find that, in order to circumvent the ban imposed by this Court, the sale of KumKum continues

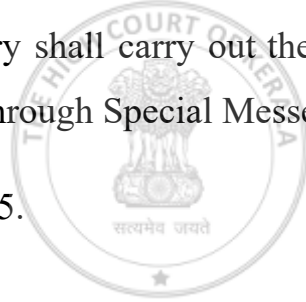
unabated. Under no circumstances can the same be permitted. Prima facie, it appears that the principal distributor is the firm known as 'Ideal Enterprises'.

7. In order to get to the root of the matter, we suo motu implead the following parties:

- (i) Ideal Enterprises, Ground Floor, XXVII/33, Venduvazhy, Kothamangalam, Ernakulam – 686691
- (ii) Kerala Enviro Infrastructure Limited – Laboratory, Inside FACT-CD Campus, Ambalamedu, Kochi – 682303

8. The Registry shall carry out the impleadment. Issue notice to the additional respondents through Special Messenger.

Post on 05.12.2025.



Sd/-
RAJA VIJAYARAGHAVAN V,
JUDGE

Sd/-
K.V. JAYAKUMAR,
JUDGE

APM