

Witness duly sworn on:22-03-2018.

Further Cross Examination : by DGP, counsel for Def.,:

I am in possession of doct., with regard to the existence of suit temples. The records with regard to area occupied by the suit temples are in possession and I can produce the same. It is true to suggest that, right to perform pooja is not belongs to swamiji of mutt. At present two groups of Aithal family performing the poojas of the suit temple Anantheshwara temple. The names are Hari Aithal, Vedavyasa Aithal and others. One Jayaram Bhat and one Balakrishna Tantri performing the pooja of Chandramaulishwara Temple. It is true to suggest that, they are performing pooja since their ancestor and there exit register records with regard to the right to perform pooja. I do not know whether archakas have been paid by the Govt., I do not know what was the thasthik amount received annually.

Madhvacharya born in the year 1238. He was born at Pajaka Kshetra, Belle Village. The house itself was converted into mutt. At present the said mutt is looked after and managed by Kaniyoor mutt. The Kaniyoor mutt managing and looking after the mutt based on the predecessor interest from the era of Madhvacharya. Madhvacharya established Udupi Sri Krishna Temple. I do not know about the other temples established by Madhvacharya. I have read over the contents of the plaint. Another two idols of Balarama and Janardhana given to Madhvacharya kept in Vadabhandeshwara Balarama temple and Yermal Janardhana Temple. It is true to suggest that, Vadabhandeshwara Balarama temple is under the management and control of Government and Endowmental Dept., Likewise, Yermal Janardhan temple is also managed and controlled by Endowment Dept., Yermal Janardhana temple was in existence prior to idol given by Madhvacharya. In Vadabhandeshwara temple, God Subrahmanya being worshiped. Yermal Janardhana temple is earlier named as Adi Janardhana Temple. We are not seeking any right in the administration of the said temple. Likewise, we are also not seeking any right of administration in the Yermal Janardhana Temple.

It is true to suggest that, now also all the finance being managed and controlled by the Charitable Endowment Dept., pertaining to Anantheshwara Temple. I have not seen the audit reports of the suit temples. It is true to suggest that, to open as well as seal the Hundi it is the priority of the Government.

Suit temples were renovated at the cost of Rs.2 crores. In this regard there are records to show that, amounts have been sanctioned by the Government. Likewise, Krishna temple also renovated at the cost of Rs.3 crores. The said amount was not sanctioned by the Government. I do not know whether prior permission is necessary to renovate the Krishna temple. At present the managing administrative trustee of Anantheshwara and Chandramaulishwara temple is Sugunendra Theertha Swamiji of Puthige mutt. At present Vidhyadeesha Theeratha Swamiji, Palimaru mutt is the Paryaya Swamiji. According to us, the managing trustee, Udupi Paryaya Swamiji Udupi.

We have not filed any amendment application to rectify the cause title to bring on record the Swamiji of the present Paryaya. All the community people represent the trust of the Temple. There are about eight magane comes within the purview of suit temples. I can name two of the maganes ie., Shivalli, Nidamboor and Perampalli. The Endowment Dept., call the meeting and appoint the trustees.

I can produce the original of 38 Register. I do not know about the particulars found in 38 Register. It is true to suggest that, all movables and immovables properties of the temple with particulars shall be submitted to the Government every year. We have not made archakas as a party to the proceedings. I do not know what was the reason not to implead Adamaru Mutt and Shiroor Mutt.

Further cross examination : Deferred.

Dictated in open Court to Typist, transcribed by her on this day of 22nd March, 2018.

R.O.I & A. C.

Prl. Sr. Civil Judge, Udupi.