

IN THE COURT OF THE SUB JUDGE , MUVATTUPUZHA

Present:- Sri. Atheek Rahman, Civil Judge (Senior Division)

Tuesday, the 24th day of February, 2026 / 05th Phalguna 1947

I.A.No. 2/2024 in O.S No. 85/2022

Petitioner/Proposed Addnl. Defendant :-

C.K. Vijayan aged 75 years,
S/o Kunjanpilla, Chirangadiyil House,
Pazhoor Kara, Piravom Village,
Muvattupuzha Taluk.
(The Devaswom Manager
The Pazhoor Perumthrikkovil Mahadeva Temple,
Pazhoor, Piravom Village and The Convenor,
The Adhoc Committe,
The Pazhoor Perumthrikkovil Mahadeva Temple,
Pazhoor, Piravom Village.)

By Advs. A.K. Jayaprakash & S Saritha.

Respondents/Plaintiffs & Defendants:-

- 1 Narayanan Namboothiripadu
S/o Godan Namboothiripadu
Pazhoor Vadakkilathu, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.
- 2 Radhakrishnan S/o Raghavan Nair,
Omkaram House, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.
- 3 Sreekumar S/o Sreedharan Nair,
Mangalathu House, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.

- 4 Adv. C.B. Sreekumar, Administrator,
Pazhoor Perumthrikkovil Mahadeva Temple ,
Pazhoor Kara, Piravom Village,
Muvattupuzha Taluk.
- 5 A.P. Sahadevan S/o Krishnan Nair,
Adayalil House, Kakkadu Kara, Kakkadu P.O.,
Piravom Village, Muvattupuzha Taluk, Pin – 686 664.
- 6 K.A. Gopinathan S/o E. Achukutty Marar,
' Krishna Bhavan' Kottarappattu House,
Pazhoor Kara, Piravom Village,
Muvattupuzha Taluk, Pin – 686664.
- 7 A.K. Sarasan, S/o A. Krishnankutty,
Mundokuzhiyil House, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.
- 8 N.C. Ravi S/o N.S. Chellappan Achari,
Naduvilengoor, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.
- 9 M.S. Anukumar S/o P.N. Sankarankutty,
Mullasseril House, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.
- 10 Vijayan P.K, S/o Kesavan,
Pallippattu House, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.
- 11 Devaprasad P.S,
S/o P.L. Sasi, Driver, Pallippattu Mana,
Pazhoor Kara, Piravom Village,
Muvattupuzha Taluk.

- 12 K.I. Mohanan S/o Itty,
Thottathil House, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.
- 13 C.R. Vinod S/o C.S. Ravi,
Cherukarayil House, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.
- 14 Vinod P.S, S/o Sivaraman Nair,
Chembalayil House, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.
- 15 Rajesh S/o Rajan,
Paittukuzhiyil House,
Pazhoor Kara, Piravom Village,
Muvattupuzha Taluk.
- 16 Gupthan Namboothirippad
S/o Narayanan Namboothiri,
Padutholmana, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.
- 17 Vasudevan Namboothiri. P.N,
S/o Narayanan Namboothiri ,
Panamattathu Mana, Kakkad,
Kakkad P.O, Piravom Village,
Muvattupuzha Taluk.
- 18 Narahari J, C/o Prathibha K.A.,
Kuroor Illam, Pazhoor,
Maneed Village, Muvattupuzha Taluk.

- 19 K.M. Raju S/o Madhavan,
Karippillil House, Pazhoor Kara,
Piravom Village, Muvattupuzha Taluk.
- 20 Jayakumar, S/o Vasudevan,
Pulickamattathu Mana, Kakkad Kara,
Piravom Village, Muvattupuzha Taluk.
- 21 Sivadas P.P. (Padmanabhan),
Chiramulayil House, Kakkad P.O.,
Kakkad Kara, Piravom Village,
Muvattupuzha Taluk.

R1 to R3 – By Adv. N. Ramesh & Raju P.V

R4 & R5 – By Adv. A.K. Jayaprakash & S. Saritha.

***R6 to R10 – By Advs. Sherman A George,
& Jacob Lloid Paul***

***R11- R15 – By Advs. Jayasankar G,
Gopalakrishnan Nair & C.P. Johny.***

R16- R21 – By Adv. Sanitha T.R.

This petition is filed under Order I Rule 10(2) Read With Section 151 of the code of Civil Procedure 1908 to implead the petitioner as the additional defendant in the Original suit and also in the Injunction applications in this case.

The petition is coming on for final hearing on 19.02.2026 in the presence of the above counsel and the Court on 24.02.2026 passed the following:-

ORDER

This petition is filed by a third party under Order 1 Rule 10(2) and section 151 of the Code of Civil Procedure, 1908, to implead the petitioner as the additional defendant in the original suit and also in the injunction application. The petition is supported by an affidavit sworn to by the petitioner, wherein it is stated that he is a worshiper and devotee of the Pazhoor Perumthrikkovil Mahadevan Thrippazhoorappan from his childhood onwards. Now the administration and management of the Pazhoor Mahadeva temple is being done by an Ad Hoc committee duly appointed by the Hon'ble High Court of Kerala as per order in Devaswom Board Petition No. 01/1996, till the ultimate management of the affairs of the temple is taken over by the body may be constituted as per the result of this scheme suit as suggested by the Hon'ble High Court of Kerala. Due to the earnest efforts taken by the committee appointed by the Hon'ble High Court, the affairs of the temple have considerably improved, and a cash balance of more than 60 lakhs now stands credit of the temple, attributable to the management and administration done by the body. As the petitioner was serving as the Devaswom Manager and also the convenor of the Ad Hoc committee

for a period of 14 years have much experience. If the petitioner is impleaded as the additional defendant in the suit for framing a scheme for the administration and management of the affairs of the temple, the petitioner can contribute and help the court in framing the scheme. The petitioner further claims that he has gained considerable experiences and advice from the previous members of the Ad Hoc committee as well as the legal luminaries appointed as legal advisors by the Hon'ble High Court etc. The averment that neither the Ad hoc committee nor it's members, deity, oorazhma devaswom board, archaeological department of Government of Kerala, beneficiaries are arrayed in the petition, all interested and necessary parties ought to have necessarily arrayed. Being a devotee of the temple and residing nearby, the petitioner is very much interested in the administration of the temple and it's affairs. He is ready to advance suggestions in formulating the scheme for the administration of the temple. Hence, the petition.

2. The respondents/plaintiffs filed objection stating that he is filing the affidavit for himself and for and on behalf of the other respondents. It is further contended that when there was a total mismanagement of the temple, one of the devotees, named, A.P.

Sahadevan sent a complaint to the Hon'ble High Court of Kerala describing the mismanagement of the temple and temple properties. The Hon'ble High Court, suomoto, registered a case as DBP 1/96 and appointed a retired district judge as administrator of the temple. As per the order of the Hon'ble High Court, an Ad hoc committee comprising seven members, including the complainant Sahadevan, was constituted. The said committee was appointed till appropriate scheme for the administration of the temple is framed by the competent court having jurisdiction. When the Ad hoc committee was constituted, the petitioner was the Devaswom manager and he continues to hold that position. There are grave allegations against the petitioner and he is misusing the assets and income of the temple, arbitrary appointing and terminating employees and doing improvement works in the temple without the consent of the temple Thantry. Some of the devotees filed a case against the petitioner alleging mismanagement and other allegations, which has been numbered as OS 28/2024 before the Munsiff Court, Muvattupuzha. The 1st plaintiff is one of the Ooralans. The defendant is the administrator of the temple appointed by the Hon'ble High Court. The averment that necessary parties are not impleaded in the petition is

false. The intention of the petitioner is to prolong the matter. If he had genuine interest he ought to have got impleaded sufficiently early. Hence, the respondents prayed to dismiss the petition.

3. Both sides were heard.

4. The point that arose for consideration is:-

Is the presence of the petitioner in the party array necessary to pass an effective decree in the suit?

5. The point:- The suit has been filed by the residents of Pazhoor kara seeking a decree settling a scheme for the administration of the Pazhoor Perumthrikkovil Mahadeva Temple and its assets, and also to appoint an Advocate commissioner for conducting election of the office bearers as per the provisions of the scheme to be settled and hand over the administration of the temple to such elected committee. The contention of the petitioner is that he is serving as the Devaswom Manager and the convener of the Ad hoc committee of the temple Pazhoor Perumthrikkovil Mahadeva Temple. He is also devotee of the temple. He has gain considerable experiences and advice from the previous members of the Ad Hoc committee as well as the legal

luminaries appointed as legal advisors by the Hon'ble High Court etc. It is further contended that if the court impleaded the petitioner in the suit, he can help the court in settling a scheme.

6. The plaintiffs opposed the petition, contending that there are serious allegation of miss management of the temple and its affairs, including arbitrary appointment of employees and carrying out construction work without the consent of the Thanthry of the temple. Moreover, certain devotees filed a civil suit against the petitioner, which is pending before the Munsiff court. The plaintiffs further contended that, had the petitioner been genuinely interested in being impleaded in the suit, he ought to have sought impleadment at an early stage. The plaintiffs therefore, contended that the petition is filed with an ill motive to stall the proceedings.

7. It is pertinent to note that the OP was filed on 13.02.2020 and was subsequently converted as OS on 28.11.2022. The present petition seeking impleadment filed on 11.01.2024. The plaintiffs have contended that there are serious allegations of mismanagement and arbitrary appointment if employees against the petitioner, and it remains

undisputed that OS No. 28/24 is pending against the petitioner before the Munsiff court, Muvattupuzha. During the hearing, the learned counsel for the respondents/plaintiffs argued that the petitioner has approached this court solely to protect his personal interest in the light of the pendency of the suit, and to stall the proceedings, and further contended that the presence of the petitioner is not necessary to decide the lis. It is also pertinent to note that there is no explanation has been offered as to why the petitioner had waited until this belated stage to file the petition. Therefore, I am of the view that the petition is beyond the scope of Section 92, and the petition deserves only to be dismissal. This point is answered accordingly against the petitioner.

In the result, the petition is dismissed. No order as to costs.

Dictated to the Confdl.Asst., typed by her directly to the computer, corrected by me and pronounced in the Open Court on this the 24th day of February 2026.

Sd/-

ATHEEK RAHMAN
CIVIL JUDGE(SENIOR DIVISION)

APPENDIX : Nil

Sd/-

CIVIL JUDGE(SENIOR DIVISION)

Ss/-

Jts/-

Order
in I.A. No.2/2024
in O.S. 85/2022
Dated: 24.02.2026