



2025:KER:11095

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRAN

&

THE HONOURABLE MR. JUSTICE MURALEE KRISHNA S.

TUESDAY, THE 11th DAY OF FEBRUARY 2025 / 22ND MAGHA, 1946

WA NO.223 OF 2025

AGAINST THE ORDER DATED 29.07.2024 IN WP(C)NO.27048

OF 2024 OF THE HIGH COURT OF KERALA

APPELLANTS/RESPONDENTS:

- 1 COCHIN DEVASWOM BOARD,
ROUND NORTH, THRISSUR DISTRICT,
REPRESENTED BY ITS SECRETARY, PIN - 680001
- 2 DEVASWOM COMMISSIONER, COCHIN DEVASWOM BOARD
ROUND NORTH THRISSUR DISTRICT, PIN - 680001
- 3 DEVASWOM OFFICER, COCHIN DEVASWOM BOARD
KURUMALIKKAVU BHAGAVATHY TEMPLE KURUMALI,
PUDUKKAD, THRISSUR DISTRICT, PIN - 680301

BY ADV. K.P.SUDHEER, SC, COCHIN DEVASWOM BOARD

RESPONDENT/PETITIONER:

E.P DAMODARAN NAMBOOTHIRI, AGED 58 YEARS,
SON OF PARAMESWARAN NAMBOOTHIRI, ERNOOR MANA,
ARATTUPUZHA P.O, THRISSUR DISTRICT, PIN - 680562

SRI.BOBY MATHEW
SMT.K.MEERA

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON
11.02.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



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JUDGMENTAnil K. Narendran, J.

The respondents in W.P.(C) No.27048 of 2024 have filed this writ appeal, invoking the provisions under Section 5(i) of the Kerala High Court Act, 1958, challenging the interim order dated 29.07.2024 of the learned Single Judge in that writ petition, which was one filed by the respondent-writ petitioner seeking a writ of certiorari to quash Ext.P4 order dated 20.07.2024 issued by the Cochin Devaswom Board, in so far as it relates to the post of Melsanthi of Kurumalikkavu Bhagavathy temple, held by the petitioner. The petitioner has also sought for a writ of mandamus commanding the Board and its officials to allow him to continue as Melsanthi of Kurumalikkavu Bhagavathy temple.

2. In the writ petition, the learned Single Judge granted an order of status quo on 29.07.2024. The Cochin Devaswom Board filed counter affidavit along with I.A.No.1 of 2024, invoking the provisions under Article 226(3) of the Constitution of India, seeking an order to vacate the interim order dated 29.07.2024. Subsequent to the filing of the said interlocutory application, the learned Single Judge clarified that the status quo ordered on



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29.07.2024 will be confined to the temple in which the writ petitioner is working.

3. In this writ appeal, the appellants have reiterated the contentions raised in the counter affidavit filed by the Cochin Devaswom Board in the writ petition, relying on Ext.R1(d) judgment of this court dated 14.10.2022 in W.P.(C)No.26250 of 2022 and connected matters.

4. Heard the learned Standing Counsel for Cochin Devaswom Board for the appellants-respondents and the learned counsel for the respondent-writ petitioner.

5. During the course of arguments, the learned Standing Counsel for Cochin Devaswom Board for the appellants and also the learned counsel for the respondent raised contentions touching the merits of the matter now pending consideration before the learned Single Judge in W.P.(C)No.27048 of 2024. The learned Standing Counsel would point out that the interim order in the writ petition, which was extended for a period of one month by the order dated 03.10.2024, was not extended thereafter.

6. From the submissions made at the Bar, we notice that the writ petition is listed today before the learned Single Judge for



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consideration. The pleadings in the writ petition are also complete.

In such circumstances, we do not propose to consider the rival contentions in this proceedings, since the challenge made in this writ appeal is only against an interim order passed by the learned Single Judge. Therefore, leaving open and legal and factual contentions raised by both sides, this writ appeal is disposed of giving liberty to the appellants to make a request before the learned Single Judge for an early disposal of the writ petition.

Sd/-

ANIL K. NARENDHAN, JUDGE

Sd/-

MURALEE KRISHNA S., JUDGE