

|EIN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
SPECIAL LEAVE PETITION (C) NO.11295 OF 2011

SRI MARTHANDA VARMA (D) THROUGH LR. & ANR. ... APPELLANT(S)
VS.

STATE OF KERALA & ORS. ... RESPONDENT(S)

WITH
WP(C)Nos.518/2011 & SLP(C)No.12361/2011

O R D E R

1. The primary consideration at the moment must be the welfare of Shri Padmanabhaswamy Temple and the activities and repairs necessary for the temple. It is agreed, that the cleaning of the two ponds must be completed by Kerala State Nirmithi Kendra, on or before 18.06.2017.

2. The stones, which are being put back in the Mithranandapuram Tank, are similar stones as the black stones that existed earlier. Hence, there is no archaeological impairment. In any event, the parties agree, that the new design prepared by Kanipayyoor Shri Krishnan Namboodripad, will be consistent with the previous heritage/archaeological design, and shall be approved by the Administrative Committee. The stones to be used shall be strictly consistent with the old architectural design.

3. Similarly, the architectural repair of the

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Padmatheertham tank will be consistent with the old design and will be completed by 15.09.2017.

4. A Committee of experts comprising Vezhapparambu Namboodripad, Satheesh Ezhumtholi and Cheruvally would undertake a complete inspection of the Moolabimbams and advise a suitable course of action. This should be done in conjunction with Kanipayyoor Shri Krishnan Namboodripad. The Kadusarkara repairs and repairs to the Moolavigrahas, referred to in the orders of this Court dated 20.03.2017 and 18.04.2017, must be undertaken conjointly by the said persons, in consultation with the Tantris, wherever necessary. They shall mutually agree on a Chairman, who may be made responsible for the work undertaken.

5. In the background of the above, the amicus curiae submitted, that the inspection and repairs may be permitted to be undertaken conjointly by the said persons. They will be at liberty to appoint any artisan/expert, who may have knowledge of Kadusarkara for the said purpose. The same should be undertaken at the earliest, without compromising with any customs and rituals at the Temple. We accept the submissions recorded above, and order accordingly.

6. It was further submitted, that the Selection Committee, for the Sreekovil and other allied works, which has been mutually agreed, should consist of :

- a. Shri Kanipayyoor Shri Krishnan Namboodripad;
- b. Dr. M. Velayuthan Nair
- c. Shri S. Ramamurthy (Archaeologist)

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d. Shri Sharath Sunder R., (Suggested by Shri KK Venugopal, learned Senior Counsel).

The said committee be permitted to choose the most suitable persons, at the best competitive prices and subject to ratification by the Administrative Committee, award the work. Allowed as prayed.

7. The District Collector is currently not a member of the Administrative Committee. Shri Biju Prabhakar, the then Collector of Trivandrum, had been inducted in the Administrative Committee at the time of its formation. He has since ceased to be the District Collector of

Trivandrum. In his place, the District Collector of Trivandrum (ex officio nominee) is permitted to be inducted into the Committee.

8. The present Executive Officer, Shri K.N. Satheesh shall demit office on 18.06.2017, on which date the allegations levelled by the petitioners against him, shall stand withdrawn. Whilst the present Executive Officer Shri K.N. Satheesh holds charge, all concerned shall render full assistance to him.

9. The names of officers suggested by the State of Kerala to replace the Executive Officer shall be jointly considered by Shri Gopal Subramaniam, learned Senior Counsel, (amicus curiae) and Shri K.K. Venugopal, learned Senior Counsel, and they would submit a name, on which consensus is arrived at, to replace the present Executive
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Officer, on or before 18.6.2017. Needless to mention, that in case the names presently recommended do not find the approval of learned counsel, referred to above, the State of Kerala will furnish further names, out of which a joint choice of the successor Executive Officer will be made. However, such a joint choice shall positively be made on or before 18.6.2017. The consensus Executive Officer shall assume his duties as Executive Officer, with effect from 19.6.2017. Details thereof shall be placed on record of this case in a sealed cover.

11. Post for hearing on 3.7.2017.

.....CJI.
[JAGDISH SINGH KHEHAR]
.....J.
[PINAKI CHANDRA GHOSE]
.....J.
[Dr. D.Y. CHANDRACHUD]
New Delhi;
9 th
May, 2017.
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ITEM NO.33 COURT NO.1 SECTION XIA
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
Petition(s) for Special Leave to Appeal (C) No(s).11295/2011
(Arising out of impugned final judgment and order dated 31/01/2011
in WPC No.36487/2009 passed by the High Court Of Kerala At
Ernakulam)
SRI MARTHANDA VARMA (D) THROUGH LR. & ANR. Petitioner(s)
VERSUS
STATE OF KERALA & ORS. Respondent(s)
(With appln.(s) for appropriate orders and directions, exemption
from filing O.T., impleadment, impleadment as party respondent,
impleadment as petitioner, intervention, permission to place addl.
documents on record, recalling the Court's order and receiving
additional document and office report)
WITH
Writ Petition (C) No.518/2011-(With Office Report)
SLP(C)No.12361/2011-(With Interim Relief and Office Report)
Date : 09/05/2017 These petitions were called on for hearing today.
CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

Mr. Gopal Subramaniam, Sr. Adv. (A.C.)
Mr. Ankur Kashyap, Adv.
Mr. Pavan Bhushan, Adv.
Mr. Utkarsh Saxena, Adv.
For Petitioner(s) Mr. Gautam Narayan, Adv.

Mr. Nishe Rajen Shonker,Adv.
Mr. K.K. Venugopal,Sr.Adv.
Mr. Krishnan Venugopal,Sr.Adv.
Mr. V. Shyamohan,Adv.
Mr. Kuriakose Varghese
Ms. Ashwathi Balraj,Adv.
Mr. Surya Prakash,Adv.
For Respondent(s) Mr. Maninder Singh,ASG
UOI Ms. Manita Verma,Adv.

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Mr. S.A. Haseeb,Adv.
Mr. Raj Bahadur,Adv.
Mr. D.S. Mahra,Adv.
State of Kerala Mr. Jaideep Gupta,Sr.Adv.
Mr. G. Prakash,Adv.
Mr. Jishnu M.L.,Adv.
Ms. Priyanka Prakash,Adv.
Ms. Beena Prakash,Adv.
Mr. Mann Srinath,Adv.
Mr. Arvind P. Datar,Sr.Adv.
Mr. Pratap Venugopal,Adv.
Ms. Surekha Raman,Adv.
Mr. Anuj Sarma,Adv.
Ms. Niharika,Adv.
Mr. Aman Shukla,Adv.
Ms. Kanika Kalaiyarasan,Adv.
For M/s. K.J. John & Co.,Adv.
Chairman, Admn. Mr. Ramesh Babu M.R.,Adv.
Committee
Intervenor Mr. M.K.S. Menon,Adv.
Mr. K.R. Sasiprabhu,Adv.
Mr. Vishnu Sharma,Adv.
Mr. Biju P. Raman,Adv.
Ms. Shreya Menon,Adv.
Impleading party Mr. P.S. Sudheer,Adv.
Ms. Usha Nandini V.,Adv.
Mr. M.S. Vishnu Sankar,Adv.
Mr. P.B. Suresh,Adv.
Mr. T.K. Anandapadmanabhan,Adv.
Mr. Vipin Nair,Adv.
Mr. Abhay Pratap Singh,Adv.
Mr. V. Lakshmikumaran,Adv.
Mr. Ankit Parhar,Adv.
Mr. Anupam Singh,Adv.
Mr. Ashwin Rishra,Adv.
Mr. M.P. Devanath,Adv.
Impleading party Mr. Abraham Mathews,Adv.
Mr. Ranjan Kumar,Adv.
Mr. Anu K. Joy,Adv.
Impleading party Mr. Sumit Attri,Adv.

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No.39 Mr. Nishad L.S.,Adv.
Mr. N.P. Rakeesh Panicker,Adv.
Mr. Sam Issac,Adv.
Mr. Rajeev Rajadhani,Adv.
For Ms. Manju Sharma Jettle,Adv.
Mr. K. Rajeev,Adv.
Mr. Anupam Lal Das,Adv.
Mr. Balaji Srinivasan,Adv.
Mr. M.P. Vinod,Adv.
Mr. Abid Ali Beeran P.,Adv.
Mr. A. Raghunath,Adv.
Mr. C.K. Sasi,Adv.
Mr. Ravi Prakash Mehrotra,Adv.
Mr. R. Sathish,Adv.
Mr. Sajith P.,Adv.
Mr. Sanand Ramakrishnan,Adv.

Mr. V. Ramasubramanian, Adv.
Ms. Liz Mathew, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The matters are directed to be listed on 3.7.2017,
in terms of the signed order.

(Sarita Purohit)

Court Master

(Signed order is placed on the file)

(Renuka Sadana)

Assistant Registrar