

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 (Civil) No(s).11295/2011

(From the judgement and order dated 31/01/2011 in WPC No.36487/2009  
of The HIGH COURT OF KERALA AT ERNAKULAM)

SRI MARTHANDA VARMA AND ANR.

Petitioner(s)

VERSUS

STATE OF KERALA & ORS.

Respondent(s)

(With appln(s) for impleadment as party respondent and permission to place  
addl. documents on record and directions with office report)  
(FOR FINAL DISPOSAL)

WITH

SLP(C) NO. 12361 of 2011

(With appln.(s) for directions and with prayer for interim relief and  
office report)  
(FOR FINAL DISPOSAL)

SLP(C) NOS. 17081-17082 of 2011

(With appln.(s) for directions and with prayer for interim relief and  
office report)  
(FOR FINAL DISPOSAL)

W.P. (C) No. 518 of 2011

(with office report)

Date: 12/12/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE A.K. PATNAIK

Mr. Gopal Subramaniam, Sr. Adv. (Amicus Curiae)

Mr. Aporva Kurup, Adv.

Mr. Ardhendumauli Kumar Prasad, Adv.

Mr. Nishit Agrawal, Adv.

For Petitioner(s)

SLP 11295/2011; Mr. K.K. Venugopal, Sr. Adv.

SLP 12361/2011

Mr. Krishnan Venugopal, Sr. Adv.

Mr. Parameswaran Nair, Adv.

Mr. Shyam Mohan, Adv.

Ms. Ashwati Balraj, Adv.

Mr. B.V. Deepak, Adv. for

M/S. T.T.K. Deepak & Co.

SLP 17081-82/2011

Mr. M.K.S. Menon, Adv.

Mr. Robin V.S., Adv.

Ms. Monika Rai, Adv.

Ms. Asha Gopalan Nair, Adv.

WP 518/2011

Mr. Nishe Rajen Shonker, Adv.

For Respondent(s)

Mr. Dhruv Mehta, Sr. Adv.

Mr. P.B. Suresh, Adv.  
Mr. Vipin Nair, Adv. Adv.  
Mr. T.K. Anandpadmanabhan, Adv.  
Mr. Udayatiya Banerjee, Adv. for  
M/s. Temple Law Firm

Union of India  
Ms. Samridhi Sinha, Adv.  
Mr. M. Khairati, Adv.  
Ms. Rashmi Malhotra, Adv.  
Ms. Supriya Jain, Adv. For  
Mr. D.S. Mahra, Adv.

State of Kerala  
Mr. Ramesh Babu, Adv.  
Ms. Sana Hashmi, Adv. for  
Ms. Liz Mathew ,Adv.  
  
Mr. R. Sathish, Adv.  
  
Mr. V. Ramasubramanian, Adv.  
  
Mr. C.K. Sasi, Adv.  
  
Mr. Sajith. P, Adv.  
  
Mr. Nishe Rajen Shonker, Adv.  
Mr. Deepak Dixit, Adv.

Mr. Balaji Srinivasan, Adv.  
Mr. Jaikriti S. Jadeja, Adv.  
Mr. K. Vijay Kumar, Adv.

Mr. Sivan Madathil, Adv.  
Ms. Usha Nandini V., Adv.  
Mr. Biju P. Raman, Adv.  
Mr. Vishnu Shankar, Adv.

Mr. Sanand Ramakrishnan, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Let copy of the VIth Interim Report of the Expert Committee dated December 10, 2012 be provided to the concerned parties.

In continuation of our earlier orders, the following further directions are given in respect of the report dated November 1, 2012 submitted by the learned Amicus Curiae Mr. Gopal Subramaniam, Senior Counsel :-

(1) With reference to para 3(a) of the report, the Tantris may identify from photographs, the ornaments including utensils, deepams as well as other pathrams which can be used for alankara and pooja and the report be submitted to this Court.

(2) The strengthening of Kallaras A, C, D, E and F shall take place in accord with the suggestions given in para 6 at page 66 of the above report.

(3) The inventorisation of certain items in respect of utensils and ornaments used for the purpose of worship in Kallaras D, E and F shall be done by Tantris and those utensils and ornaments shall not be touched by others for invertorisation. In this regard, suggestions given in para 7 of

the report are accepted and shall be followed accordingly.

(4) As regards storage of data, the suggestions given in paras 8, 9 and 10 of the report are accepted, save and except that in place of Mr. C. Karthikeyan Nair, the present Administrative Officer of the Expert Committee, the Secretary to the Government of Kerala, Devasom shall be one of the members authorised to jointly operate the vault as suggested in para 8 of the the report. This arrangement is no reflection on the conduct of Mr. C. Karthikeyan Nair in any manner whatsoever and has been so made for the sake of convenience only.

(5) The suggestions given in paras 15 and 16 of the report with regard to registers and records are accepted.

(6) Time of five months is given to the State Government from today to implement the various recommendations contained in Annexure 6 of the Expert Committee's Interim Report V with regard to additional security measures.

(7) Time for inventorisation is extended for a further period of nine months from today.

(8) The suggestion in para 32 of the report for appointment of Shri Gopalakrishnan (of M/s Srinivasa & Krishna, Chartered Accountants) as the Auditor of the Temple accounts is accepted. The Auditor will assist the Executive Officer by regularly placing the Temple accounts before him for review and further scrutiny.

(9) We record and accept the statement of Mr. K.K. Venugopal, learned senior counsel for the petitioners in S.L.P. (Civil) No. 11295 of 2011 and S.L.P. (Civil) No. 12361 of 2011, that all requisite religious practices are being followed. The suggestions given in para 36 and other paras of the report regarding upachara, pooja, introduction of Vedic mantras and such other activities for the Sree Padmanabha Swamy Temple shall be kept in mind by all concerned.

(10) The representations received by learned Amicus Curiae from various groups during his visit to the office of the Expert Committee shall be placed before Justice M.N. Krishnan (Retd.), the Co-ordinator of the Overseeing Committee who will consider those representations in consultation with the Executive Officer.

(11) As regards cleaning of Padmatheertham and Mitranandapuram tanks, the suggestions given in sub-para (46) of para 39 of the report are accepted. The Government of Kerala and Corporation of Trivandrum shall ensure that these two tanks are cleaned periodically and at least once in three months.

As regards other suggestions given in the above report, Mr. K.K. Venugopal, learned senior counsel for the petitioners in S.L.P. (Civil) No. 11295 of 2011 and S.L.P. (Civil) No. 12361 of 2011, prays for time to look into them.

List the matter on January 16, 2013 at 3 p.m.

| (Rajesh Dham)  
| Court Master

| | (Renu Diwan)  
| | Court Master

|