



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 29TH DAY OF JULY 2025 / 7TH SRAVANA, 1947

WP(C) NO. 28969 OF 2024

PETITIONERS:

- 1 P.C KRISHNAN
AGED 64 YEARS
S/O LATE PARAMESWARAN NAMBOODIRIPPAD
PUZHAKKARA CHENNAS MANA, ERAMANGALAM PO
MALAPPURAM ., PIN - 679587
- 2 P.C HARY
AGED 62 YEARS
S/O LATE PARAMESWARAN NAMBOODIRIPPAD PUZHAKKARA
CHENNAS MANA, RAMAN MENON ROAD, RAMAVARMAPURAM - PO
THRISSUR., PIN - 680631
- 3 P.C ARAVINDAKSHAN
AGED 59 YEARS
S/O LATE PARAMESWARAN NAMBOODIRIPPAD PUZHAKKARA
CHENNAS MANA, K.P.GOPALAN ROAD, PO-KUTHIRAVATTOM,
KOZHIKKODE, PIN - 673016
- 4 P.C JAYAKUMAR
AGED 58 YEARS
S/O LATE P.C RAMAN NAMBOODIRIPPAD PUZHAKKARA CHENNAS
MANA, GANAPATHY AGRAHARAM LANE, PUNKUNNAM PO
THRISSUR, PIN - 680002
- 5 P.C SATHEESH KUMAR
AGED 55 YEARS
S/O LATE P.C RAMAN NAMBOODIRIPPAD PUZHAKKARA CHENNAS
MANA , VRA 143, PUZHAKKAL VRINDAVANAM MANGHAT LANE
PUNKUNNAM, THRISSUR, PIN - 680002



- 6 P.C SRIKANTH NARAYANAN
AGED 38 YEARS
S/O LATE NARAYANAN NAMBOODIRIPPAD PUZHAKKARA CHENNAS
MANA, LAKSHMI, SAMOOHAM ROAD, SOUTH NADA,
GURUVAYUR PO THRISSUR, PIN - 680101
- 7 P.C HARIKRISHNAN
AGED 28 YEARS
S/O HARI NAMBOODIRIPPAD PUZHAKKARA CHENNAS MANA,
RAMAVARMAPURAM PO, THRISSUR, PIN - 680631
- 8 P.C HRISHIKESH
AGED 26 YEARS
S/O KRISHNAN NAMBOODIRIPPAD PUZHAKKARA CHENNAS MANA,
ERAMANGALAM - PO MALAPPURAM, PIN - 679587
- 9 P.C SREEHARI
AGED 19 YEARS
S/O ARAVINDAKSHAN NAMBOODIRIPPAD PUZHAKKARA CHENNAS
MANA, K.P.GOPALAN ROAD, KUTHIRAVATTOM PO
KOZHIKKODE, PIN - 673016

BY ADVS.
SRI.M.P.ASHOK KUMAR
SMT.BINDU SREEDHAR
SHRI.ASIF N

RESPONDENTS:

- 1 GURUVAYOOR DEVASWOM MANAGING COMMITTEE
REP BY THE ADMINISTRATOR GURUVAYOOR,
THRISSUR, PIN - 680101
- 2 THE ADMINISTRATOR
GURUVAYOOR DEVASWOM MANAGING COMMITTEE
GURUVAYOOR, THRISSUR,, PIN - 680101
- 3 P.C. DINESHAN NAMBOODIRIPPAD
AGED 65 YEARS
S/O LATE DIVAKARAN NAMBOODIRIPPAD TANTRI MADAM
EAST NADA GURUVAYOOR , THRISSUR, PIN - 680101
- *4 STATE OF KERALA



REPRESENTED BY THE PRINCIPAL SECRETARY TO
GOVERNMENT, REVENUE (DEVASWOM) DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-
695001

[*ADDL.R4 IS SUO MOTU IMPLEDED AS PER ORDER
DATED 05.09.2024 IN W.P. (C) NO.28969 OF 2024]

BY ADVS.
SMT.MEENA.A.
SRI.VINOD RAVINDRANATH
SMT.M.R.MINI
SMT.NIVEDHITHA PREM.V
SRI.S. RAJMOHAN, SR.G.P
SRI.T.K VIPINDAS, SC GDB

THIS WRIT PETITION (CIVIL) WAS FINALLY HEARD ON
08.07.2025, THE COURT ON 29.07.2025 PASSED THE FOLLOWING:



JUDGMENT

Muralee Krishna, J.

The issue arises for consideration in this writ petition is as to whether the 'Illam Nira' ceremony at Sree Guruvayoor Sree Krishna Temple is a religious ceremony or an offering (Vazhipadu) and whether Ext.R1(a) decision dated 07.08.2024 of the 1st respondent Guruvayoor Devaswom Managing Committee to shift 'Illam Nira' ceremony from the Namaskara Mandapam to the area near the flag mast (Kodimaram) of the temple is to be interfered with by this Court by exercising the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India?

2. The petitioners, who are the male members of Puzhakkara Chennas Mana, the Tantri family of Guruvayoor Sree Krishna Temple have filed this writ petition under Article 226 of the Constitution of India, seeking a writ of mandamus commanding the respondents not to alter the venue of 'Illam Nira' ceremony from Namaskara Mandapam to any other location and



to ensure that the religious custom, rituals, traditional rites and ceremonies, poojas, practices and usage in the Guruvayoor Sree Krishna temple are not altered or caused to be altered.

3. Going by the averments in the writ petition, Guruvayoor Sree Krishna Swamy Temple, known as the Dwarka of the South, is dedicated to Lord Vishnu and to the young form of Lord Krishna. Guruvayoor temple's unique 'Acharams' (traditions), including daily rituals and poojas, were formulated by Adi Sankaracharya under Bhagavan's guidance. These Kshetra-Acharams are strictly followed without any deviation. The absolute purity of the Vedic tradition is the hallmark of the Guruvayoor temple. According to the petitioners, Guruvayoor Sree Krishna temple is the only temple in Kerala, wherein rituals, ceremonies, Pooja Sambradayas and pooja timings are streamlined by Adi Sankaracharya, and Pooja Sambradayas are religiously and systematically observed. It is believed that any disturbance or deviation from the rituals, poojas and ceremonies will impair the



manifestations of the divine force or Chaitanya of Guruvayoor Temple. The 3rd respondent, being the senior most member of the family, is the present Tantri of Guruvayoor temple and an Ex officio member in the Guruvayoor Devaswom Managing Committee.

3.1. It is further pleaded by the petitioners in the writ petition that 'Illam Nira/Nira Puthari' ceremony is a very important ritual and an established custom in the Guruvayoor Sree Krishna Temple from time immemorial. The devotees will bring the first yield of paddy in the form of rice bran bundle (Nelkathir) to the temple and dedicate the same to the deity by placing it in front of the eastern entrance of the temple. From there, the rice bran bundles will be taken to the temple by the priest and place it in Namaskara Mandapam. After the performance of special 'Mahalakshmi Pooja' by the melsanthi in the Namaskara Mandapam, the rice bran bundle will be taken to Sree Kovil for pooja and also will be taken to the sanctum sanctorium of all



Upadevas like Ganapathi, Ayyappan, and Bhagavathy for special poojas. Then the Rice Bran/Nelkathir will be distributed among the devotees, and they will take this holy rice bran and keep it in their house for the whole year. To witness the said sacred ritual and get the Nelkathir prasadam, devotees from all over the State will come to the temple. Now, the Guruvayoor Devaswom Managing Committee took a decision to shift the venue of 'Illam Nira/Nira Puthari' from Namaskara Mandapam to Kodimaram (Temple Mast) area situated outside Naalambalam. Namaskara Mandapam is a very sacred and the most holy rituals like 'Thathwa homam" will be performed in Namaskara Mandapam. 'Thathwa homam' is an important ritual being performed in the temple to give chaithanya to the deity. The temple is equated with a human body. The Namaskara Mandapam is considered as the Throat (Jeevanadi) of the temple. Shifting the venue of 'Illam Nira/Nira Puthari' from Namaskara Mandapam to another place will change and destroy the sanctity of that holy ritual.



3.2. On earlier occasions, also the 3rd respondent Tantri on his own, has decided to change certain age old customs, traditions and usage of rituals prevailing in the Guruvayoor temple by ignoring the objections raised by the petitioners and others. As the acts of the respondents are against the prevailing custom, tradition and usage of the temple and also in violation and deviation of the customs, the petitioners jointly filed a representation before the 1st respondent. They have also filed W.P.(C)No.19763 of 2024 before this Court. Any type of disturbance to the rituals, poojas, ceremonies, etc., may impair the manifestations of the divine force or Chaitanya of the temple. The Tantric Philosophy clearly indicates that the vitality (Chaitanya) of the temple deity is preserved and enhanced by the performance of prescribed daily poojas and rituals in the prescribed manner. Any custom or usage that is in existence in pre-constitutional days cannot be changed or deviated, if the same does not violate human rights, dignity, social equality and the



specific mandate of the Constitution and law made by the parliament. The customary law will prevail over the statutory law where the legislation is silent on the issue in question. With these pleadings, the petitioners filed the above writ petition.

4. On 14.08.2024, when this writ petition came up for consideration, the learned Standing Counsel for Guruvayoor Devaswom Managing Committee sought time to get instructions.

5. On 16.08.2024, the learned Standing Counsel placed on record the counter affidavit filed by respondents 1 and 2, opposing the averments in the writ petition regarding the nature of 'Illam Nira' pleaded in the writ petition.

6. In the counter affidavit filed by respondents 1 and 2, it is contended that the writ petition is not maintainable, since the disputed question of facts and existence of rituals and customs, etc., cannot be decided in a writ petition under Article 226 of the Constitution of India. It is contended by respondents 1 and 2 that 'Illam Nira' is an offering performed once in an year. This



ceremony is connected with the agricultural calendar and not part of the regular ritual of the temple. The ritual associated with the temple is 'Thriputhari'. 'Illam Nira' has no connection with the pooja routine/ritual of Guruvayoor temple, which is believed to be prescribed by Adi Shankara. 'Thriputhari' is connected with temple ritual and custom, and no change has been prescribed so far by the Tantri to that ritual. The first cultivated paddy harvested and brought and offered to the Lord by the devotees on this day. It is the 'Manayath Family' arranges the paddy for 'Illam Nira' in the temple. Some farmers also offer paddy in small bundles, cultivated by them in limited quantities. 'Illam Nira' is performed in almost all temples, which is also related to the prosperity of cultivation. All the temples in and around Guruvayoor perform 'Illam Nira' on various days in the month of Karkidakam.

6.1. As a part of Illam Nira, 'Kathir Pooja' (Mahalakshmi pooja) will be done by the Melshanti as per the directions of the Tantri and a handful of Kathir is placed in the step of the Sanctum



Sanctorum as a symbol of prosperity and not for Nivedyam as mentioned by the petitioners. No part of any poojas performed outside the sanctum sanctorum will be permitted inside the Sanctum Sanctorum of the Guruvayoor temple. The averments to the contrary in the writ petition only expose the petitioner's ignorance of the rituals and practices in the temple.

6.2. After performing Kathir Pooja, the whole paddy bundle will have to be taken out, and after cleaning the area, navakam, palabhishekam and Panthirady Pooja to the lord will be performed. The enormity of the number of bundles delayed the cleaning and the Nivedyam of the Lord. If the number of paddy bundles is less, the pooja can be done inside itself. But if the number of paddy is reduced to accommodate the pooja in the Namaskara Mandapam, the availability of prasadam will be diminished, and devotees will be disappointed. The devotees will have to be stopped around 5.00 a.m. on the date of 'Illam Nira' and will be permitted for darshan only after 11.00 a.m. if the pooja connected with 'Illam Nira' is



done at Namaskara Mandapam. If the paddy bundle is separated and offered at both places, that may be considered as discrimination. The 1st respondent's prime concern is the convenience of the devotees.

6.3. On 18.08.2024, Guruvayoor Temple is expecting a heavy flow of devotees. In the year 2022, the paddy bundles which was offered in the temple from all sources were insufficient for distribution to the devotees after pooja. The queue of devotees started at 4.00 a.m. for the distribution of prasadam between 8.00 a.m. and 9.00 a.m. The people of the 'Manayath Family' faced a shortage in the supply of rice bran, which was insufficient because of increase in demand by devotees. Therefore, the 1st respondent Committee decided to buy 1000 paddy bundles in 2023. That year, around 100 to 200 small bundles of paddy which was offered by agriculturists were also there for distribution. On the particular day, there were 1200 bundles stacked in front of the temple by the members of the 'Manayath Family'. It was around 8 feet height



and 10 to 15 feet in length, and this shows the enormity of bundles and space constraints. This has been taken inside the temple by the keezhsanthis. This was re-stacked at Namaskara Mandapam and in all available places in and around the Mandapam. The bundles stacked at the Namaskara Mandapam touched the ceiling. The enormity of the number of paddy bundles delayed the cleaning and the Nivedyam of the Lord. Considering all these aspects, especially the convenience and satisfaction of the devotees, the 1st respondent took Ext.R1(a) decision dated 07.08.2024 as per Resolution No.49 to shift the venue of 'Illam Nira' to the area near the Flag Mast (Kodimaram). The place near the flag mast is also a very important part, as per Vasthu. The places in a temple are considered as the body of a Kshetra Purusha. The petitioners approached this Court with the writ petition as a result of a conspiracy among the members of the Puzhakkara Chennas Mana who are having prevailing enmity against the 3rd respondent, the present Tantri. None of the petitioners has experience in Tantric



rites. On the other hand, the 3rd respondent has vast experience in Tantric Acharams and acted as Tantri of various temples in Kerala and outside, before swearing in as Guruvayoor Tantri.

6.4. In the counter affidavit, it is further stated by respondents 1 and 2 that the petitioners have an ulterior motive to keep away ordinary devotees from the space they dominate. The Namaskara Mandapam is treated as the throat of Kshetra Purushan. The place near the flag mast is equally or more important than Namaskara Mandapam, and the presence of Valiya Balikallu and the flag mast is there. Tantri performs Pooja at Dwaja Stambham and Valiya Balikallu on special days, which highlights the importance of Dwaja Stambham and Valiya Balikallu. This place is very significant in Tantric rites. Several rituals and customs have been changed in previous years during the tenure of the petitioners' parents as Tantris. The decision to change the venue of 'Illam Nira' from Namaskara Mandapam to the area near the flag mast was taken due to the limitation of



space in Namaskara Mandapam. The respondents made some of such rituals and customs changed in previous years, such as Namaskarasadhya has been shifted out as Prasadaoottu, to accommodate more devotees. Marriages once held inside the temple have been moved out to Kalyana Mandapam. The Choroonu venue has been changed to the first floor. Wearing of Churidhar by women has been permitted, which was prohibited since recent years, and the venue of Chembai Sangeetholsavam performed inside the temple, was shifted to outside the temple due to space constraints. It is further pleaded by respondents 1 and 2 that as per Section 35(2) of the Guruvayoor Devaswom Act Tantri is the ultimate authority on all religious, spiritual rituals or ceremonial matters pertaining to the Devaswom. The petitioners have no right to interfere with the decision taken by the Managing Committee.

7. On 16.08.2024, the petitioners have filed a reply affidavit to the counter affidavit filed by respondents 1 and 2,



producing therewith Exts.P2 to P8 documents. Along with a memo dated 17.08.2024 of the learned Standing Counsel for Guruvayoor Devaswom Managing Committee, a communication dated 05.08.2024 of the 3rd respondent, Tantri of the temple, who is also a member of the Guruvayoor Devaswom Managing Committee, addressed to the 2nd respondent Administrator of Guruvayoor Devaswom, was placed on record. By that communication, the 3rd respondent Tantri has opined that pursuant to the opinion sought by the Guruvayoor Devaswom Managing Committee, he availed 'Devahitham' and found that the shifting of the venue of 'Illam Nira' from Namaskara Mandapam to the area near Valiya Balikkallu is not against the wishes of the god and hence it can be shifted.

8. By the order dated 17.08.2024, after considering the rival contentions of the parties, this Court found that in view of the specific stand taken by respondents 1 and 2 that the change of venue for the poojas in connection with 'Illam Nira' which was



scheduled to be held on 18.08.2024, from the Namaskara Mandapam to a place near the Kodimaram and Valiyabalikkallu in Guruvayoor Sree Krishna Temple, is after the Tantri ascertaining 'Devahitham', it is appropriate not to interfere with the conduct of 'Illam Nira' scheduled to be held on 18.08.2024, in terms of the decision taken in Ext.R1(a).

9. The petitioners have filed an additional affidavit dated 17.10.2024, producing therewith Exts.P9 to P12 documents.

10. The 3rd respondent filed a counter affidavit dated 05.02.2025 opposing the reliefs sought for in the writ petition and the pleadings therein. Paragraphs 3 to 7 of that affidavit read thus;

"3) Statements in paragraph 1 of the Writ Petition are not fully correct. It is true that petitioners are members of Puzhakkara Chennas Mana. There is no reason for them to get aggrieved by the decision taken by Guruvayoor Devaswom Managing Committee to shift the venue of sacred ILLAM NIRA /NIRA PUTHIRI Pooja from Namaskara Mandapam to the Kodimaram area situating outside



Nalambalam. 'ILLAM NIRA' is an offering performed once in a year and is not part of any regular temple ritual. It is an offering of the first cultivated paddy harvested to "Lord". The temple ritual associated with the temple is "Triputhiri" and no change has been done to the said age-old ritual.

4) The allegations in paragraph 3 and 4 of the Writ Petition are not fully correct. In fact, Guruvayoor temple is not popularly known as 'Dwaraka' of south, but as 'Bhooloka Vaikundam'. The customs, rituals and the essential practices attached to the temple are strictly followed in the temple. The office of tantri of Guruvayoor temple vests in the seniormost male member of the family and as thanthri of the temple, I have not allowed any deviation from the usual practices.

5) The allegations in paragraph 5 of the Writ Petition are not fully correct. NIRA PUTHIRI is not a ritual; but only an offering. It is the "Manyath Family" which arrange the paddy for "ILLAM NIRA" in the Temple. As part of ILLAM NIRA, Kathir pooja will be done by the Melshanthi under the instructions of Thanthri. During the previous years, the Kathir which are being offered will be taken inside the temple by Keezhsanthis. It will be re-stacked at Namaskara Mandapam and the available places in and around the Namaskara Mandapam. After the Lakshmi Pooja, the whole



paddy bundles will be taken out and after cleaning the area, the regular poojas will be resumed. The above process used to take 5 to 6 hours and the devotees cannot be permitted to have darshan during that time. Resultantly the devotees will be stopped by around 5 am and will be permitted to have darshan by 11 am only. Due to the above inconvenience faced by the devotees, the Board decided to shift the place of pooja in connection with ILLAM NIRA from Namaskara Mandapam to Kodimaram as per my advice. The Kodimaram is a more important place as per Vastu as the 'Valiya Balikallu' is in its proximity.

6) The allegations in para 6 of the Writ Petition that the change of venue of ILLAM NIRA /NIRA PUTHIRI from Namaskara Mandapam to other place will change and destroy the sanctity of that holy ritual is baseless. As stated, NIRA PUTHIRI is not a ritual; but is only an offering. As part of ILLAM NIRA/NIRA PUTHIRI, "Kathir Pooja" will be done by the Melshanti as per the directions of the Tantri and a handful of Kathir will be placed in the inner step of the "Sanctum Sanctorum" as a symbol of prosperity. Since the "Kathir" are already offered to Mahalakshmi, they are not taken as nivedyam and the same cannot be offered as well. Some Melsanthies would place a handful of 'Kathir' at the door as well. It signifies prosperity. The Kathir will not be



permitted to touch the deity. As per vastu, all places of a temple are considered as the body of Kshetrapurusha. The places near Kodimaram is also a very important part as per Temple vastu. The petitioners, being members of Chennas Puzhakkara Mana are expected to know all these vital facts. 7) Allegations in Paragraph 7 to 9 are baseless. It is a known fact that the flow of devotees in Guruvayoor temple is increasing day by day. All decisions were taken and arrangements were made to give better facilities to the flowing devotees. The Pooja timings can be adjusted for the convenience of the devotees, without offending the age-old practice and custom followed in the temple. Any change in the time of pooja was done with all bonafides and taking into consideration of the 'chaithanyam' of the Idol and the tradition of the temple. I have not interfered with any of the customs and traditions of the temple. All decisions were taken keeping in mind the difficulties caused to the worshippers. Care was taken always to see that the decisions will not in any way affect the 'Chaithanyam' of the Idol and the tradition of the temple. In my capacity as Thanthri of the temple, I have not taken any decision or done anything against the interest of the temple and age-old traditions and practices followed in the temple."

11. To the counter affidavit filed by the 3rd respondent, the



petitioners filed a reply affidavit dated 02.03.2025, producing therewith Exts.P13 to P19 documents.

12. The 3rd respondent filed an additional counter affidavit dated 26.06.2025. Paragraphs 2 to 6 of that additional counter affidavit read thus;

"2. It is submitted that "Niraputhiri" and "Illam Nira" are two different and separate ceremonies. "Illam Nira" is a ceremony by which rice bran bundles from the first yield paddy after harvest are taken to the temple by the cultivators to have the bundles subjected to Pooja. The practice hitherto followed was to stack the bundles so brought and collected by Devaswom (Devaswom collects rice bran bundles with an intention that after the Pooja, as much as possible, all the devotees coming to the temple at the time are to be given at least one straw from the bundle to take the same to their houses) on the Namaskara Mandapam, and Mahalakshmi Pooja is conducted at the same venue. Because of the large number of bundles so brought, for the last few years, bundles have to be stacked on and by the side of Namaskara Mandapam upto its ceiling; thereby, blocking the Pradakshina Vazhi. The entry to the temples of sub-deities also will get blocked by the stacks.



The view of Srikovil and the idol will be completely blocked during the time of the said Pooja. After the conduct of Pooja, a few straws from the bundles will be taken to the Sreekovil and tied/hung from the ceiling of the Sreekovil and also on the bandarams. No Pooja will be conducted in the Sreekovil in connection with this ceremony. After the conduct of Pooja, the bundles will be taken out and straws will be distributed to the worshippers coming to the temple. For stacking the rice bran bundles and cleaning the premises after the Pooja, one will have to spend at least 3 to 4 hours. During that period, flow of worshipers into the Nalambalam will have to be stopped. Furthermore, devotees will not be able to have a Darshan of the idol during that period. The number of worshipers coming to the temple is rising by the day. Blocking entry of worshipers into the Nalambalam for 3 to 4 hours causes serious hardship to the devotees. Temple staff is finding it very difficult to control the inflow of worshipers during that time. It is in that circumstance, the managing committee, with my previous consent dated 05.08.2024 (already placed on record), took a decision to stock the rice bran bundles near the Valiya Balikkallu and Dwajasthambam and to conduct the Mahalakshmi Pooja there. As the Tantri of the Temple, I took such a decision only taking into consideration of the convenience of the



worshippers of the temple and also under the firm belief that the change of venue in stocking the rice bran bundles will in no way affect the sanctity of ceremony of the "Illam Nira", the straws so distributed to the devotees will be taken by them to their houses and kept there for a period of 1 year. The belief is that the same will give prosperity to the entire household. It is also submitted that if Mahalaxmi Pooja is conducted near "Valiya Balikkallu", more worshippers can offer their prayers during the conduct of the Pooja.

3. It is true that Namaskara Mandapam is treated as the throat of Kshetra Purusha, but Valiya Balikkallu is treated as his navel. It cannot be said that Namaskara Mandapam is the most auspicious part in the temple.

4. "Thriputhari" is a ceremony distinct and separate from Illam Nira. It is a ceremony connected with Nivedyam of rice collected from newly harvested paddy to the idol. The rice collected by the Devaswom will be placed as Nivedyam to the idol. The Nivedyam will be distributed to the devotees. Both these ceremonies will be conducted on different dates. Dates will be decided by the Tantri on astrological advice.

5. It is submitted that "Illam Nira" is not part of a custom which has acquired the status of a permanent ritual in the temple. As Tantri, I have not deviated so far from any of the



custom, acharam or ritual followed in the temple. I have followed all the practices strictly. The change in venue of stacking of the rice bran bundles during Illam Nira is not at all a deviation from the established custom or ritual of the temple.

6. It is submitted that slight changes were made in the practices without affecting the sanctity of the acharams and rituals. Those changes were made taking into consideration the welfare and convenience of the worshipers visiting the temple. As far as Exhibits P18 and P19 are concerned, I submit that I have not done anything in violation of the practices followed in the temple. Allegations in Exhibit P18 are untrue. Annadanam mentioned in Exhibit P18 was conducted outside the temple premises where even non Hindus are allowed to enter, that too, wearing footwear. The same is not part of any ritual of the temple."

13. Heard the learned counsel for the petitioners, the learned Standing Counsel for Guruvayoor Devaswom Managing Committee and the learned Senior Counsel for the 3rd respondent.

14. The learned counsel for the petitioners submitted that the right to bring rice bran bundles on the eve of 'Illam Nira' ceremony is with the 'Manayath Family'. It is a ritual performed



from time immemorial and that cannot be changed by a decision of the Board. Namaskara Mandapam is the 'Jeevanadi' of the temple and such sanctity cannot be given to the place near the Kodimaram or Valiya balikkallu. In paragraph 3 of the counter affidavit filed by the 3rd respondent it is stated that the decision to change the venue of Illam Nira from Namaskara Mandapam to the place near Valiya Balikkallu or flag mast is taken by the Guruvayoor Devaswom Managing Committee. In fact, the decision taken by the Board to increase the number of rice bran bundles in the year 2022 was without any 'Dittam' and hence cannot be accepted. The committee has no right to alter the customary rites of the temple.

15. On the other hand, the learned Standing Counsel for Guruvayoor Devaswom Managing Committee argued that Illam Nira and Nira Puthari are two different ceremonies performed in Guruvayoor Devaswom. While 'Illam Nira' is an offering and 'Nira Puthari' is a religious ceremony. The decision to take shifting of



the venue of Illam Nira from Namaskara Mandapam to the place near the flag mast was taken by the Board after ascertaining the opinion of the Tantri. The 3rd respondent Tantri gave opinion to shift the venue after ascertaining 'Devahitham'. As far as the religious activities of Guruvayoor Devaswom is concerned the words of the Tantri is the final opinion and no one can interfere with the same including the petitioners.

16. The learned Senior Counsel appearing for the 3rd respondent Tantri submitted that during 'Illam Nira' only the 'Mahalakshmi' pooja was conducted. The rice bran was never offered to the deity as a Nivedyam or no pooja was conducted from the sanctum sanctorum of the temple. The conducting of 'Illam Nira' ceremony by stacking thousands of rice bran bundles near the Namaskara Mandapam causes hindrance to the free passage of devotees for Darshan about three to four hours on that day. The Tantri, who is of the opinion that the Illam Nira is not an act of essential ingredient of ritual, opined that it can be shifted



from Namaskara Mandapam to the area near Flag Mast after obtaining 'Devahitham' on this aspect.

17. The Guruvayur Devaswom Act, 1978, enacted by the State Legislature, which received the assent of the President on 18.03.1978, makes provision for the proper administration of the Guruvayur Devaswom. Clause (f) of Section 2 of the Act defines 'person having interest in the temple' to mean a person who is entitled to attend at or is in the habit of attending, the performance of worship or service in the temple or who is entitled to partake or is in the habit of partaking, in the benefit of the distribution of gifts thereat.

18. Section 3 of the Act deals with incorporation. As per sub-section (1) of Section 3, the administration, control and management of the Devaswom shall be vested in a Committee constituted in the manner provided in the subsequent provisions of that Act. Section 4 of the Act deals with composition of Guruvayur Devaswom Managing Committee. Section 9 of the Act



deals with remuneration of the Chairman and members. As per Section 9, no member of the Committee shall receive or be paid any salary or other remuneration except such travelling or daily allowances, if any, as may be prescribed.

19. Section 10 of the Act deals with the duties of the Committee. As per clause (a) of Section 10, subject to the provisions of the Act and the Rules made thereunder, it shall be the duty of the Committee, subject to the custom and usage in the temple, to arrange for the proper performance of the rites and ceremonies in the temple and the subordinate temples attached thereto in accordance with the dittam or scale of expenditure fixed for the temple and the subordinate temples under Section 20 or, till the dittam or scale of expenditure is fixed under that Section, in accordance with the dittam or scale of expenditure fixed for the temple and the subordinate temples under Section 51 of the Madras Hindu Religious and Charitable Endowments Act, 1951; as per clause (b) of Section 10, to provide facilities for the proper



performance of worship by the worshippers; as per clause (d) of Section 10, to ensure maintenance of order and discipline and proper hygienic conditions in the temple and the subordinate temples attached thereto and of proper standard of cleanliness and purity in the offerings made therein; and as per clause (g) of Section 10, to do all such things as may be incidental and conducive to the efficient management of the affairs of the Devaswom and the convenience of the worshippers.

20. Section 35 of the Act provides that Tantri to be final authority in religious matters. As per sub-section (1) of Section 35, nothing in this Act shall be deemed to authorise the Committee or the Commissioner or the Government to interfere with the religious or spiritual matters pertaining to the Devaswom. As per sub-section (2) of Section 35, the decision of the Tantri of the temple on all religious, spiritual, ritual or ceremonial matters pertaining to the Devaswom shall be final, unless such decision



violates any provision contained in any law for the time being in force.

21. The role assigned to Guruvayur Devaswom Managing Committee constituted under Section 3 of the Guruvayur Devaswom Act, 1978, is that of a trustee in management of the properties vested in the deity. The Managing Committee is duty bound to scrupulously follow the stipulations contained in the Act of 1978. Unless a contrary intention, either expressly or by necessary implication, arises from the provisions of the statute in any particular subject or context, Guruvayur Devaswom Managing Committee is legally bound to administer and manage the Devaswom and its properties in accordance with the settled legal principles relating to the administration of Hindu Religious Trusts. The Committee, being the trustee in the management of Devaswom properties, is legally bound to perform its duties with utmost care and caution.



22. Rule 3 of the Guruvayoor Devaswom Rules, 1980 deals with power of the Committee over the actions of the Administrator. As per Rule 3, the Committee may call for and examine any record connected with any action of the Administrator and give such directions to him in accordance with the provisions of the Act and the Rules and Regulations made thereunder, as the Committee may consider necessary. As per Rule 4, the Administrator shall take steps to implement all the lawful decisions of the Committee. Rule 6 provides that Committee not to alter the performance of rites and ceremonies, etc. As per Rule 6, the Committee shall not alter or cause to alter the performance of customary rites and ceremonies in the temple. Rule 20 deals with meetings of the Committee. As per Rule 20, the Committee shall meet ordinarily once in two months or as often as required.

23. In **Suo Motu v. Guruvayur Devaswom Managing Committee [(2022) 6 KLT 849]** a Division Bench of this Court



in which one among us [Anil K. Narendran, J.] was a party noticed that a reading of the preamble of the Guruvayur Devaswom Act, 1978 would clearly show that the authorities constituted under the said Act, especially the Guruvayur Devaswom Managing Committee, the Administrator and the Commissioner are enjoined with the duty to administer, control and manage the affairs of the Temple, its properties and endowments. The Managing Committee, which functions as a trustee, is legally bound to administer, control and manage all the properties belonging to Guruvayur Devaswom in accordance with the provisions of the said Act. The Administrator and also the Commissioner are legally bound to function within the framework of the statute. In view of the provisions under Section 17 of the Act, the Administrator is bound to carry out the decisions taken by Guruvayur Devaswom Managing Committee in accordance with the provisions of the Act. In view of the provisions under Rule 3 of the Guruvayur Devaswom Rules, 1980, any directions issued by the Managing Committee to



the Administrator shall be in accordance with the provisions of the Act and the Rules and Regulations made thereunder, as the Committee may consider necessary. As per Rule 4, the Administrator shall take steps to implement all the lawful decisions of the Committee. As per clause (a) of Section 10 of the Act, subject to the provisions of the Act and the Rules made thereunder, it shall be the duty of the Committee, subject to the custom and usage in the temple, to arrange for the proper performance of the rites and ceremonies in the temple and as per clause (b) of Section 10, to provide facilities for the proper performance of worship by the worshippers.

24. In **Gopalakrishnan Nair v. State of Kerala [(2005) 11 SCC 45]**, the Apex Court affirmed the judgment of the Larger Bench of this Court in **Gopalakrishnan Nair [(1999) 3 KLT 574]**. In paragraph 21 of the said decision the Apex Court noticed that the management or administration of a temple partakes of a secular character as opposed to religious aspects of the matter.



The Guruvayur Devaswom Act, 1978 segregates the religious matter from secular matters. So far as religious matters are concerned, the same are entirely been left in the hands of the 'Tantri'. He is the alter ego of the deity. He gives moola mantra to the priest. He holds a special status. He prescribes the rituals. He is the only person who can touch the deity and enter the sanctum sanctorum. He is the final authority in religious matters. Wherefor, a legal fiction has been created in Section 35 of the Act, in terms whereof the committee or the commissioner or the Government is expressly prohibited from interfering with the religious or spiritual matters pertaining to the Devaswom. His decision on all religious, spiritual, ritual or ceremonial matters pertaining to the Devaswom is final unless the same violates any provision contained in any law for the time being in force. The Apex Court noticed that the impugned provision, i.e., Section 4 of the Guruvayur Devaswom Act must be construed, having regard to the said factor in mind.



25. In paragraph 36 of the decision in **Gopalakrishnan Nair [(2005) 11 SCC 45]**, the Apex Court reiterated that although the State cannot interfere with the freedom of a person to profess, practice and propagate his religion, the secular matters connected therewith can be subject matter of control by the State. The management of the temple is primarily a secular act. The temple authority controls the activities of various servants of the temple. It manages several institutions including educational institutions pertaining to it. The disciplinary power over the servants of the temple, including the priest, may vest in a committee. The payment of remuneration to the temple servants was also not a religious act but was purely secular in nature. In paragraph 45 of the said decision, on the question as to whether vesting of power in the 'Hindus' in the Council of Ministers to nominate the members of the Managing Committee could be held to be violative of Articles 25 and 26 of the Constitution of India, the Apex Court noticed that Guruvayur Sree Krishna Temple is



visited by millions every year. Apart from proper management of the funds flowing from those devotees, the Devaswom also owns other properties, runs a college, a guest house, choultries, etc., all of which require efficient and prompt management. This is quite apart from the spiritual management dealing with the religious side which is under the sole control, management and guidance of the Tantri. It is the secular aspect of the management that is vested in the Managing Committee.

26. In **Rajesh A. Nair v. State of Kerala [2023 (1) KHC 678]** a Division Bench of this Court in which one among us [Anil K. Narendran, J.] was a party was dealing with a writ petition in which the petitioner, who is a devotee of Lord Guruvayurappan of Guruvayur Sree Krishna Temple, sought a writ of mandamus commanding Guruvayur Devaswom Managing Committee to resume/revert to the customary practice of 'Prasada Oottu' on plantain leaves at Guruvayur Sree Krishna Temple, forthwith. In Prasada Oottu the devotees are served with 'Uppumavu' from 7.30



a.m. to 10.30 a.m.; rice with two dishes from 11.00 a.m. to 3.00 p.m.; tea and 'Uppumavu' from 3.30 p.m. to 6.30 p.m. and thereafter, rice or Kanji with two dishes from 7.00 p.m. to 10.00 p.m. Steel plates are used for serving 'Uppumavu', from 7.30 a.m. to 10.30 a.m. Plantain leaves are used for serving rice with two dishes from 11.00 a.m. to 3.00 p.m. and for serving rice or Kanji with two dishes from 7.00 p.m. to 10.00 p.m. Around 5,000 to 7,000 devotees usually take Prasada Oottu during weekends. For the last more than 10 to 15 years, Prasada Oottu has been conducted in Annalakshmi Hall, which is located outside the Valiyambalam of Guruvayur Sree Krishna Temple. The petitioner contended that the decision taken by Guruvayur Municipality that the Municipality will not remove plantain leaves from Annalakshmi Hall after Prasada Oottu is not a valid reason for the Managing Committee of Guruvayur Devaswom to take a decision to serve rice or Kanji in Prasada Oottu in steel plates, instead of plantain leaves. The learned Standing Counsel for Guruvayur Devaswom



Managing Committee pointed out that the cost of each plantain leaf comes around Rs.9/- to Rs.10/-. Around 5,000 to 7,000 devotees usually take Prasada Oottu during weekends. In view of the interim order dated 31.07.2017, the Municipality is removing the disposable waste (used plantain leaves) from Annalakshmi Hall after Prasada Oottu. If steel plates are used for serving rice or Kanji, instead of plantain leaves, the issue regarding disposal of waste from Annalakshmi Hall can be resolved to a great extent. In addition to this, it will be convenient to serve Kanji in steel plates instead of plantain leaves, which will also be convenient for the devotees, who take part in Prasada Oottu. Some of the devotees have already offered to sponsor automated dishwashing system at Annalakshmi Hall in Guruvayur Sree Krishna Temple.

27. In **Rajesh A. Nair [2023 (1) KHC 678]** the Division Bench held that Prasada Oottu conducted in Annalakshmi Hall, outside the Valiyambalam of Guruvayur Sree Krishna Temple, is only a secular aspect of the management of Guruvayur Sree



Krishna Temple, which is vested under the management of Guruvayur Devaswom Managing Committee. Admittedly, in Prasada Oottu, the devotees are served 'Uppumavu' in steel plates. Therefore, the decision taken by the Managing Committee on 01.07.2017 to use steel plates, instead of plantain leaves for Prasada Oottu for serving rice or Kanji will not in any manner violate the provisions of Section 10(a), (b), (d) or (g) or Section 35 of Guruvayur Devaswom Act. In such circumstances, no interference is warranted in the exercise of the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India on the decision taken by the Managing Committee on 01.07.2017 to use steel plates instead of plantain leaves for Prasada Oottu.

28. In **Aruna Roy v. Union of India [(2002) 7 SCC 368]** the Apex Court considered the importance of moral values in religions and it was observed that religion is the foundation for the value-based survival of human beings in a civilised society. The



force and sanction behind civilised society depend on moral values. Religion should not be misunderstood. The secular democracy requires even a very weak man hopes to prevail over a very strong man on the strength of rule of law by proper understanding of duties towards the society.

29. In **Sarika v. Shri Mahakaleshwar Mandir Committee [(2018) 17 SCC 112]** the Apex Court noticed that there is a pious purpose of all the religious activities, no religion breeds hatred. It is in order to bring harmony and to understand basic human values and for self-realisation and to visualise the concept of equality of pilgrimages by the various sections of people of various religions. Secularism is the basic structure of the Constitution that has to be given the meaning that is developing understanding and respect towards different religions. The essence of secularism is non-discrimination of people by the State on the basis of religious differences.



30. In **Commissioner, Hindu Religious Endowments v. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt [AIR 1954 SC 282]** the Apex Court considered the concept of religion under Article 25 of the Constitution of India. It has been observed that it secures to every person, subject to public order, health and morality, a freedom not only to entertain such religious belief, as may be approved of by his judgment and conscience, but also to exhibit his belief in such outward acts as he thinks proper and to propagate or disseminate his ideas for the edification of others.

31. In **Sarika [(2018) 17 SCC 112]** the Apex Court noticed that there is a constitutional obligation to preserve the religious practices of all religions, culture and there is also a corresponding duty to act in that direction. The Apex Court held that it is for the experts in the field of religion to decide about the rituals and ceremonies to be performed. It is not for the Court to make suggestions in this regard. It is not within the jurisdiction of the Court to dictate or prescribe or restrain the religious practices



and pujas to be performed in the temple. The religious practices and pujas are required to be performed in accordance with the ancient rituals and practices. Paragraphs 44 and 45 of that decision read thus;

"44. With respect to the method of "lingarchan" i.e., the method of linga pooja, the 27th chapter of "Ling Mahapuranm" has been placed on record. That contains a detailed method of lingarchan running into 54 strotam. Apart from that "Shiv Mahapuranam", Vayveey Sanhita containing details of Shastrokt Shiv Poojan method in twenty-fourth chapter has been placed on record. Pooja of different lingam may be somewhat different. It is for the experts in the field of religion to decide about the rituals and ceremonies to be performed. It is not for this Court to make suggestions in this regard.

45. It is not within the jurisdiction of this Court to dictate or to prescribe or restrain the religious practices and pujas to be performed in temple. They are required to be performed, as rightly pointed out, in accordance with the ancient rituals and practices but, at the same time, it has to be ensured that no damage is caused to the lingam. The temple which is known as Mritunjaya Mahadev and is most ancient Jyotirlingam in one of the ancient cities of India, Ujjain. "Simhast" is also



organised 6 years and 12 years which has international importance visited by several millions of people. The Government spends thousands of crores of rupees for development of infrastructure in Ujjain for each such occasion and lot of development has taken place. Owing to all these development work, Ujjain has come up. But at the same time very cause of all developments, the Lingam of Lord Shiva requires to be preserved, protected by way of preventive conservation methods.” (underline supplied)

32. In **Srivari Daadaa v. Tirumala Tirupati Devasthanams [Order dated 16.11.2021 in SLP(C)No.6554 of 2021]** a Three-Judge Bench of the Apex Court was dealing with a case in which the Special Leave Petition was against the judgment dated 05.01.2021 of the High Court of Andhra Pradesh in W.P.(PIL)No.254 of 2020, whereby the High Court dismissed that writ petition seeking a writ of mandamus to declare the action of the respondent-Tirumala Tirupati Devasthanams in following the irregular procedure in performing Sevas to Lord Shri Venkateshwara Swamy contrary to the procedure prescribed under 'Agama Shashtra' and deciding not to obtain declaration form



from devotees other than Hindus as arbitrary, illegal and consequently direct the respondent to follow the correct procedure prescribed under 'Agama Shastra' while performing the Sevas to Lord Shri Venkateshwara Swamy and obtain declaration form from the devotees other than Hindus before making Darshan. After considering the rival submissions, the Apex Court noticed that the reliefs sought by the petitioner, who appeared in person, are in the nature of interfering with the day-to-day rituals in respect of the temple, which cannot be gone into by the Court.

33. In **Srivari Daadaa** (supra) the Apex Court held that, whether any ritual or sewa is being performed in a prescribed way or whether there is any deviation from established practice would raise disputed questions of fact which cannot be decided in a writ petition. The procedure of conducting rituals is in the exclusive domain of the Devasthanam and cannot be a matter of adjudication by any court unless it affects secular or civil rights of others. These issues have to be looked into by the pandits or the



scholars or the advisors in accordance with the temple customs or the established practice and procedure. These are not the issues for which the Court possesses expertise. So, if the Sevas, Utsavams and Darshanams in the temple are not being done according to the set principles, the petitioner will be at liberty to approach the civil court or the competent authority and prove his claims with evidence, and it is for the respondent-Devasthanam to defend the same in accordance with law. At the same time, other than rituals, if the Devasthanam is ignoring the rules and regulations or indulging in any other violation of the prescribed procedure, etc., then the respondent Devasthanam can consider these issues and clarify the same.

34. In **Suo Motu v. State of Kerala and others [2022 (3) KLT 53]** a Division Bench of this Court in which one among us [Anil K. Narendran, J.] was a party was dealing with a case in which the issue raised was one relating to the performance of 'Panthrandu Namaskaram' in Sree Poornathrayeesa Temple at



Thripunithura, which is under the management of Cochin Devaswom Board. The Division Bench held that in view of the provisions under sub-section (2) of Section 62 of the Travancore-Cochin Hindu Religious Institutions Act, 1950, notwithstanding the provisions contained in sub-section (1) of Section 62, the regulation and control of all rituals and ceremonies in Sree Poornathrayeesa Temple at Thripunithura, shall continue to be exercised as hitherto by the Ruler of Cochin. Similarly, in view of the provisions under Section 73A of the Act, it shall be the duty of the Cochin Devaswom Board to see that regular traditional rites according to practice prevalent in Sree Poornathrayeesa Temple are performed promptly. Therefore, no interference with the religious rites, namely, 'Panthrandu Namaskaram' performed in Sree Poornathrayeesa Temple, by the Tantri is legally permissible either by the Cochin Devaswom Board or by the State. As held by the Apex Court in **Sarika [(2018) 17 SCC 112]**, there is a constitutional obligation to preserve the religious practices of all



religions and there is also a corresponding duty to act in that direction. The religious practices and pujas are required to be performed in accordance with the ancient rituals and practices and it is not for Cochin Devaswom Board or the State to interfere with such practices. In that view of the matter, even the decision taken by the Cochin Devaswom Board to change the name of the ritual as 'Samaradhana' is legally unsustainable.

35. In **Ammanoor Parameswaran Chakyar v. State of Kerala [2024 (5) KHC 389]**, a division Bench of this Court, in which one among us [Anil K. Narendran, J] was a party, was dealing with a hereditary right to perform 'Koothu' and 'Koodiyattam' in the Koothambalam of Koodalmanikyam Temple, which is a temple under the management of Koodalmanikyam Devaswom Managing Committee, governed by the provisions under the Koodalmanikyam Devaswom Act, 2005. The question that arose for consideration was whether 'Koothu' and 'Koodiyattam' performed in the Koothambalam of



Koodalmanikyam Temple is a customary, religious, ritualistic and ceremonial worship before the Deity. Decision No.1 taken by the Managing Committee (Ext.P1) was under challenge in that writ petition by contending that it is ultra vires the provisions of Sections 10 and 35 of the Koodaalmanikyam Devaswom Act, inasmuch as the Managing Committee decided so without the consent of the Tantri. In the said decision, it was held that when a customary religious practice prevailing in the temple is to be changed, it is for the Tantri to take a decision in the matter. The objection [Ext.R11(a)] put in by respondents 7 to 11 therein to the decision contained in Ext.P1 would show that there was an objection to the change in the religious practice concerning 'Koothu' and 'Koodiyattam' in the Koothambalam of Koodalmanikyam Temple. Inasmuch as the presence of Tantri in the Managing Committee while taking a decision does not make it valid.

36. In **Hary P.C v. Guruvayoor Devaswom Managing**



Committee [2025 (1) KHC SN 1], a Division Bench of this Court, wherein one among us [Anil K. Narendran, J.], was a party, while considering the writ petition filed by the members of Puzhakkara Chennas Mana seeking a writ of mandamus commanding the Guruvayoor Devaswom Managing Committee and others to ensure the conduct of 'Udayasthamanapooja' in Guruvayoor Sree Krishna Temple on Vrishchikam Ekadasi on the Shuklapaksham day of 1200 ME(11.12.2024) held thus;

"41.In Guruvayur Sree Krishna Temple, the office of Tantri vests in the senior-most male member of Puzhakkara Chennas Mana. The writ petitioners are also members of that family. The specific stand taken in the counter affidavit filed by the 3rd respondent Tantri is that the custom, ritual and essential practices attached to the temple are strictly followed and the Tantri has not allowed any deviation from the usual practice. Regarding the procedure adopted for knowing Devahitham, the stand taken in the counter affidavit filed by the 3rd respondent is that there is no rule or practice that all decisions of the Tantri must be endorsed by Devaprasnam. In certain cases, when Tantri needs divine support for his decision, he will go for Devahitham.



Ashtamangalya Prasnam is performed on different subjects. Further, the Tantri has not done anything against the spirit of Ext.P4 Prashnacharthu of the Ashtamangalya Prasnam conducted on 11.05.2015 and Ext.P5 Prashnacharthu of the Ashtamangalya Prasnam conducted on 26.09.2018.

42. In view of the stand taken by the 3rd respondent Tantri in the counter affidavit dated 26.11.2024 that Udayasthamana Pooja performed in Guruvayur Sree Krishna Temple on Vrishchikam Ekadasi on the Shuklapaksham day is not part of the temple Acharams or traditions, which is only a Vazhipadu performed by the Managing Committee, the question as to whether the performance of Udayasthamana Pooja on that day is a temple Acharam or tradition in Guruvayur Sree Krishna Temple has to be established before a competent civil court and the petitioners cannot agitate that disputed question of fact in a writ petition filed under Article 226 of the Constitution of India." (Underline supplied)

37. Having found as above in **Hary P.C [2025 (1) KHC SN 1]**, this Court dismissed the writ petition holding that no interference is warranted since the question is as to whether the performance of 'Udayasthamanapooja' in Guruvayoor Sree



Krishna Temple on Vrishchikam Edadasi on the Shuklapaksham day is a temple 'Acharam' or tradition in that temple has to be established before a competent Civil Court and the petitioners cannot agitate that disputed question of fact in the writ petition filed under Article 226 of the Constitution of India.

38. Though in the instant writ petition, the petitioners pleaded 'Illam Nira' as well as 'Nira Puthiri' as if one and the same religious function, during the course of arguments it was brought out before us that 'Illam Nira' and 'Nira Puthiri' are entirely different functions. As per Guruvayoor Devaswom Panchangam of 1200 ME, placed before us for perusal, Illam Nira is scheduled to be held on 28.08.2025 and Niraputhari, which is also known as Triputhiri, is scheduled to be held on 02.09.2025. While Illam Nira is conducted after the 1st harvest by conducting pooja to the rice bran bundles brought to the temple by the family of the petitioners, Nira Puthiri, which is otherwise known as Thriputhari, is connected with Nivedyam of rice collected from newly



harvested paddy to the idol of the deity. During the course of arguments, the petitioners also did not raise any serious dispute regarding these aspects.

39. From the pleadings in the writ petition as well as in the counter affidavit and also from the submissions made at the Bar, it is evident that on the eve of 'Illam Nira' the rice bran is not offered as a Nivedyam to the idol inside the sanctum sanctorum. Till 2023, the Pooja on the eve of Illam Nira Ceremony was conducted from the Namaskara Mandapam. According to the 3rd respondent Tantri and the 1st respondent Guruvayoor Devaswom Managing Committee, the pooja conducted on the eve of 'Illam Nira' is 'Lakshmi Pooja'. The conducting of 'Lakshmi Pooja' pleaded in the counter affidavit of the 3rd respondent is not disputed by the petitioners in their reply affidavit. When a dispute arises as to the nature of the ceremony 'Illam Nira' as to whether it is a religious ceremony or only an offering, as held in **Hary P.C [2025 (1) KHC SN 1]**, it is a disputed issue that can be decided only by adducing



evidence before a Civil Court. In a writ petition filed under Article 226 of the Constitution of India, such a disputed question of fact that has to be decided on evidence cannot be finally adjudicated.

40. At the same time, as mentioned herein above, before taking Ext.R1(a) decision dated 07.08.2024, the 1st respondent Guruvayoor Devaswom Managing Committee obtained the opinion of the 3rd respondent Tantri. As per the opinion of the Tantri dated 05.08.2024, i.e., before Ext.R1(a) decision, the 3rd respondent Tantri gave an opinion after ascertaining 'Devahitham' that such a shifting of the venue of Illam Nira from the Namaskara Mandapam to the area near the Flag Mast or in other words near the Valiya Balikkallu is not against the wishes of Lord Guruvayoorappan. As discussed herein before, as per Section 35 of the Guruvayoor devaswom Act, the Tantri shall be the final authority in religious matters. As per sub-section 2 of Section 35, the decision of the Tantri of the temple on all religious, spiritual, ritual or ceremonial matters pertaining to the Guruvayoor



Devaswom shall be final, unless such decision violates any provision contained in any law for the time being in force. No such violation of any provision contained in any law can be found in the opinion of the 3rd respondent Tantri. If 'Illam Nira' function is only a secular act, then the decision in that regard can be taken by the 1st respondent Guruvayoor Devaswom Managing Committee. Since the decision of the Managing Committee to shift the venue of 'Illam Nira' was taken after obtaining the opinion of the Tantri, even if the 'Illam Nira' ceremony is a religious act or only a Vazhipadu, there is no statutory violation in that decision. In such circumstances, we find no reason to interfere with Ext.R1(a) decision taken by the 1st respondent Guruvayoor Devaswom Managing Committee to shift the venue of Illam Nira from Namaskara Mandapam to the place near the Flag Mast.

Having considered the pleadings and materials on record and the submissions made at the Bar, as discussed above, we find no reason to grant any of the reliefs sought for in the writ petition in



favour of the petitioners. The writ petition stands dismissed. We make it clear that we have not expressed anything regarding the dispute as to whether Illam Nira is a religious ceremony or only an offering, which is an issue that has to be decided only by a competent Civil Court.

Sd/-

ANIL K. NARENDRAN, JUDGE

Sd/-

MURALEE KRISHNA S., JUDGE



APPENDIX OF WP(C) 28969/2024

PETITIONER EXHIBITS

Exhibit P1 TRUE COPY OF NEWS REPORT PUBLISHED IN
MALAYALA MANORAM DAILY DT 9.8.24

RESPONDENT EXHIBITS

EXHIBIT R1(a) True copy of resolution no:49, dated 07-
08-2024 of the 1st respondent

PETITIONER EXHIBITS

Exhibit P2 True copy of the relevant pages
of 'Bhakta Priya, 1994

Exhibit P3 True copy of the relevant pages
of 'Bhakta Priya, 2012

Exhibit P4 12. The Photographs showing the various
stages of Illam Nira

Exhibit P5 . True copy of the relevant page
Guruvayoor Kshethram Ulpithiyum
Vikasavum

Exhibit P6 True copy of the relevant pages of the
Pooja Vidhikal

Exhibit P7 True copy of the objection given by the
members of Othikkan Family dt 15/08/2024

Exhibit P8 True copy of agreement dt 01/01/2022

Exhibit P9 THE NEWS ITEM PUBLISHED IN MALAYALAM
MANORAMA DAILY DT 11/10/2024 REGARDING
THE PROPOSED CHANGE OF UDAYASTHAMANA
POOJA

Exhibit P10 TRUE COPY OF THE RELEVANT PAGE OF
NOTIFICATION WITH REF NO B2-5393/2024 DT
04/10/2024 ISSUED BY THE 2ND RESPONDENT
ADMINISTRATOR

Exhibit P11 TRUE COPY OF RELEVANT PAGES OF
PRESHNACHAARTHU OF THE 2015
ASHTAMANGALYAPRESHNAM ON 11/02/2015

Exhibit P12 TRUE COPY OF PRESHNACHAARTHU OF THE 2018
ASHTAMANGALYAPRESHNAM ON 26/09/2018



Exhibit P13	True copy of relevant pages of the Book, Guruvayoor Bhooloka Vaikundam published by Guruvayoor Devaswom
Exhibit P14	True copy of the relevant pages of Panchaangam 1200 published by 1st respondent
Exhibit P14(a)	True copy of the relevant pages of diary published by 1st respondent
Exhibit P15	True copy of the Proceedings No 169/2010/G.D.C 08/03/2011 dt 08/03/2011 issued by the 1st Respondent
Exhibit P16	The true copy of layout of Guruvayoor Temple showing the Sree Kovil, Naalambalam, Chuttambalam, Namaskara Mandapam etc published in the Book by name Universe of Kerala's Guruvayoor Temple authored by Pepita Seth
Exhibit P16(a)	True copy of a specimen layout of Temple published in Pg 42 and 43 of the Book Temples of Kerala published by Directorate of Census Operation, Kerala
Exhibit P17	Photograph showing Paddy Bundle stacked touching the Valiya Balikkal
Exhibit P18	True copy of the complaint dt 12.12.24 filed by the Kshetra Kshema samathy
Exhibit P19	Photograph showing inauguration of a religious ceremony by the 3rd respondent on Ekadasi during the period of religious pollution