



SSCR No.58 of 2024

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRAN

&

THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON

FRIDAY, THE 2ND DAY OF AUGUST 2024 / 11TH SRAVANA, 1946

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IN THE MATTER OF TRAVANCORE DEVASWOM BOARD - SABARIMALA SPECIAL
COMMISSIONER REPORT - SM.NO.58/2024 - REQUEST RECEIVED FROM DISTRICT
EMERGENCY OPERATING CENTRE, WAYANAD FOR PROVIDING BIO-TOILETS TO
WAYANAD RELIEF CAMPS - SUO MOTU PROCEEDINGS INITIATED - REG.

PETITIONER:

SUO MOTU

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY CHIEF SECRETARY, GOVERNMENT SECRETARIATE,
THIRUVANANTHAPURAM 695001
- 2 THE TRAVANCORE DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, NANTHANCODE, KAWDIAR POST,
THIRUVANANTHAPURAM - 695003
- 3 THE EXECUTIVE OFFICER
SABARIMALA, SABARIMALA P.O., PATHANAMTHITTA 689 662
- 4 DEVASWOM COMMISSIONER
TRAVANCORE DEVASWOM BOARD, NANTHANCODE, KAWDIAR POST,
THIRUVANANTHAPURAM 695003
- 5 EXECUTIVE DIRECTOR
SUCHITWA MISSION, SWARAJ BHAVAN, BASE FLOR (-1),
NANTHANCODE, KOWDIAR P.O., THIRUVANANTHAPURAM 695 003
- 6 PRINCIPAL CHIEF CONSERVATOR OF FORESTS,
THIRUVANANTHAPURAM, 695014
- 7 ASSISTANT ENGINEER
ENVIRONMENT WING OF TRAVANCORE DEVASWOM BOARD,



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NANTHANCODE, KAWDIAR POST, THIRUVANANTHAPURAM 695003

- 8 DISTRICT COLLECTOR
COLLECTORATE, WAYANAD, NORTH KALPETTA P.O., WAYANAD-673122
- *9 ADDL R9- STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT,
REVENUE (DEVASWOM) DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001
- *10 ADDL R10- DISTRICT COLLECTOR
COLLECTORATE, PATHANAMTHITTA-689 645
- *11 ADDL R11- CHIEF POLICE CO-ORDINATOR
(ADDITIONAL DIRECTOR GENERAL OF POLICE, LAW AND ORDER),
SANNIDHANAM, SABARIMALA, PATHANAMTHITTA-689 713
- *12 ADDL R12- DISTRICT POLICE CHIEF
PATHANAMTHITTA-689 645

*ARE SUO MOTU IMPLEADED AS ADDITIONAL RESPONDENTS 9 TO 12
VIDE ORDER DATED 02/08/2024 IN SSCR.NO.58/2024

OTHER PRESENT:

SRI. S. RAJMOHAN, SR. GP

SRI. G. BIJU, SC, TDB

SMT. SAYUJYA RADHAKRISHNAN, AMICUS CURIAE FOR OMBUDSMAN

THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME UP FOR
ADMISSION ON 02.08.2024, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



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ORDER**Anil K. Narendran, J.**

The Special Commissioner, Sabarimala has filed this report based on an email dated 01.08.2024 received from the Chairperson of the District Disaster Management Authority and the District Collector, Wayanad on the requirement of bio-toilets at Wayanad. In the said email, it is stated that it would be a great assistance to the District Administration if the Travancore Devaswom Board provides 30 to 40 bio-toilets at Sabarimala to Wayanad, at the earliest. The report dated 01.08.2024 of the Special Commissioner, Sabarimala, reads thus;

“The Chairperson, DDMA and District Collector, Wayanad informed through mail that there is need for bio-toilets for the relief camps and requested to provide 30-40 bio-toilets. It is learned that at Sabarimala, total 28 bio-toilets units are kept by the Travancore Devaswom Board. Out of 28 bio-toilets units, 3 of them are not usable. 10 toilets have been fixed permanently at Marakkuttam, on the pathway of the pilgrims. During Madala-Makaravilakku season, more bio-toilets are being hired by the Travancore Devaswom Board to face the need of the pilgrims. In connection with the Chingamasapooja, the Thirunada opens on 16.08.2024. There is an expectation of 25,000 to 30,000 pilgrims for darshan every day during the Chingamasapooja. If the available 15 bio-toilets placed on



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various places on the pathway to Sabarimala at Pamba is temporarily given to the relief camps at Wayanad, it will cause much difficulties to the pilgrims coming to Sabarimala during Chingamasapooja. In fact, the available bio-toilets are not sufficient to meet the needs of the pilgrims.”

2. Today, when this matter was taken up for consideration at 11.45 a.m., the learned Senior Government Pleader and also the learned Standing Counsel for Travancore Devaswom Board were directed to get instructions.

3. When this matter is taken up again at 3.00 p.m., the learned Standing Counsel for Travancore Devaswom Board, on telephonic instructions from the Executive Engineer, Sabarimala Development Project, Pathanamthitta and the Assistant Engineer, Pamba would submit that out of 28 bio-toilet units available at Sabarimala, 3 units are not usable. 10 bio-toilet units are fixed permanently at Marakoottam, on the trekking path, which cannot be moved. The remaining 15 units are placed at different locations on the trekking path, which are having separate storage tanks having a capacity of 1000 litre each. The learned Standing Counsel for the Board would submit that during the previous Maasapooja, the average footfall at Sabarimala was around



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25,000 to 30,000 pilgrims per day. In connection with Chingamasapooja, the temple opens on 16.08.2024. The Travancore Devaswom Board expects an average footfall of 30,000 to 40,000 pilgrims per day. Therefore, if the bio-toilets placed at various places in the trekking path, with separate storage tanks having a capacity of 1000 litre each, are temporarily given to the Relief Camps at Wayanad, it will cause much difficulty to the pilgrims coming to Sabarimala during Chingamasapooja.

4. Having considered the report of the Special Commissioner, Sabarimala and the submissions made by the learned Senior Government Pleader, the learned Standing Counsel for Travancore Devaswom Board and the learned Amicus Curiae for Special Commissioner, Sabarimala, we are of the view that for the reasons stated in the report of the Special Commissioner, Sabarimala and the stand taken by the Board, as stated hereinbefore, the Board cannot be directed to shift the bio-toilet units, 15 in number, placed at various locations in the trekking path at Sabarimala to Wayanad, especially when the Board is expecting an average footfall of 30,000 to 40,000 pilgrims during Chingamasapooja, for which the temple will open



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on 16.08.2024.

In the result, this SSCR is disposed of as above.

Sd/-

ANIL K. NARENDRAN, JUDGE

Sd/-

HARISANKAR V. MENON, JUDGE

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