

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

&

THE HONOURABLE MR. JUSTICE K. V. JAYAKUMAR

Friday, the 12th day of September 2025 / 21st Bhadra, 1947

SSCR NO. 23 OF 2025

IN THE MATTER OF TRAVANCORE DEVASWOM BOARD - SABARIMALA SPECIAL COMMISSIONER
REPORT - SM.NO.23/2025 - REPORT REGARDING DETACHING OF GOLD COVERING OF
'DWARAPALAKA IDOLS' ON EITHER SIDE OF SREEKOVIL WITHOUT INTIMATING COURT - SUO
MOTU PROCEEDINGS INITIATED - REG.

PETITIONER:

SUO MOTU

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT,
REVENUE (DEVASWOM) DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695001
2. TRAVANCORE DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, NANTHANCOD, KAWDIAR POST,
THIRUVANANTHAPURAM - 695 003
3. THE DEVASWOM COMMISSIONER
TRAVANCORE DEVASWOM BOARD, DEVASWOM BUILDINGS, NANTHANCOD,
THIRUVANANTHAPURAM - 695003
4. EXECUTIVE OFFICER
SABARIMALA, SABARIMALA P.O., PATHANAMTHITTA - 689 662
5. CHIEF VIGILANCE & SECURITY OFFICER (SUPERINTENDENT OF POLICE)
TRAVANCORE DEVASWOM HEAD QUARTERS, NANTHANCOD, KAWDIAR POST,
THIRUVANANTHAPURAM - 695 003



***ADDL.R6 IMPEADED**

6. THE THIRUVABHARANAM COMMISSIONER,
THIRUVABHARANAM OFFICE, ARANMULA, PATHANAMTHITTA, PIN- 689 533
*IS SUO MOTU IMPEADED AS ADDITIONAL 6TH RESPONDENT VIDE ORDER
DATED 10/09/2025 IN SSCR.NO.23/2025

***ADDL.R7 & R8 IMPEADED**

7. MR. UNNIKRISHNAN POTTY,
NO. 27, SANKALP NRUSIMHA, SRIRAMAPURAM, BANGALORE,
KARNATAKA- 560021
8. SMART CREATIONS,
K34 1ST SECTOR, 10TH STREET, AMBATTUR INDUSTRIAL ESTATE,
AMBATTUR, CHENNAI, PIN- 600058
*ARE SUO MOTU IMPEADED AS ADDITIONAL RESPONDENTS 7 AND 8 VIDE
ORDER DATED 12/09/2025 IN SSCR.NO.23/2025

BY SRI.S.RAJMOHAN, SENIOR GOVERNMENT PLEADER

BY SRI.G.BIJU, SC, TRAVANCORE DEVASWOM BOARD

BY SMT.SAYUJYA RADHAKRISHNAN, AMICUS CURIAE FOR SABARIMALA
SPECIAL COMMISSIONER

THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME UP FOR
ORDERS AGAIN ON 12/09/2025, UPON PERUSING THE REPORT AND THIS COURT'S
ORDER DATED 10/09/2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**RAJA VIJAYARAGHAVAN V.,
&
K.V. JAYAKUMAR, JJ.**

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Dated this the 12th day of September, 2025

ORDER

Raja Vijayaraghavan V, J.

This order shall be read in continuation of the order dated 10.09.2025.

2. The aforesaid report filed by the Special Commissioner concerns the removal of the gold-plated copper coverings of the "Dwarapalaka Idols" located on either side of the Sreekovil without prior intimation to the Special Commissioner.

3. This Court noted that the gold-plated copper coverings of the articles in question were entrusted with a concern known as "Smart Creations," K-34, 1st Sector, 10th Street, Ambattur Industrial Estate, Ambattur, Chennai – 600 058. The gold-plating was sponsored by Mr. Unnikrishnan Potty, No. 27, Sankalp Nrusimha, Sriramapuram, Bangalore, Karnataka – 560 021, as evidenced by the warranty card issued by Smart Creations. According to the warranty certificate dated 04.09.2019, produced before us, the gold-plating was guaranteed for a period of forty (40) years. Yet defects manifested within merely six years, prompting the Travancore Devaswom Board (TDB) to decide that the items be returned for repair to the same concern, with the cost again underwritten by the said Mr. Unnikrishnan Potty.

4. In the affidavit filed before this Court by the second respondent, it is expressly admitted in paragraph 10 that, prior to detaching the gold-plated coverings of the Dwarapalakas, no prior intimation was given to the Special Commissioner. An unconditional apology has been tendered for this omission and for the delay in communicating the action to the Special Commissioner.

5. Having considered the facts and circumstances and for the reasons stated in the order, we had directed the respondents to forthwith stop the repair work being carried out at "Smart Creations" on the sponsorship of Mr. Unnikrishnan Potty, and we have directed that the items be re-transported directly back to the Sannidhanam. We had also directed the respondents to produce before this Court the entire file and records relating to the repairs of gold-plated copper coverings over the "Dwarapalaka Idols", so that appropriate orders could be issued.

6. An affidavit has been filed by the TDB wherein it is stated that based on a Board Order vide 03.09.2025, the items were transported to Chennai in a secure vehicle on 08.09.2025, and the same was accompanied by the Thiruvabharanam Commissioner, the Assistant Executive Officer, the Administrative Officer, the Vigilance Sub Inspector, the Devaswom Smith, one Civil Police Officer and two Devaswom Guards. It is also stated that the repair works commenced on 09.09.2025, and the lacquer coating of the 12 items were removed, and some of them were polished. Insofar as Item Nos. 1, 4, 5 and 6, in respect of which no wear and tear was noticed, they have been lacquer-coated. It is also stated that

due to the technical and practical constraints, transportation of the gold, which is in liquid form, kept in cyanide solution, is risky and likely to cause loss of gold. A request is also made to modify the interim order dated 10.09.2025 and to permit the respondents to complete the electroplating of the remaining 4 items and to refix the same in terms of the Anujna obtained from the deity. Certain files pertaining to the removal of the Gold plates covering the Dwarapalakas have been placed before us.

7. We have gone through the files relating to the electroplating work done at the instance of the Sponsor at Smart Creations, Chennai.

8. Upon a careful perusal of the entire record, we find several loose ends that demand immediate and comprehensive clarification.

9. The file contains an e-mail sent by one Unnikrishnan Potty from the address vichu-vt@yahoo.com, in which he extols the advantages of electroplating over traditional gold-cladding. He asserts that electroplating requires only a minimal quantity of gold to execute the work. It appears that this suggestion was accepted by the Travancore Devaswom Board ("TDB"), and the sacred items were thereafter transported to Smart Creations, Chennai, for electroplating.

10. We have further noted a communication dated 08.08.2025 issued by the Thiruvabharanam Commissioner, based on a report of Devaswom Smith. After examining the articles requiring gold cladding and measuring their total surface

area, the Smith estimated the required gold as follows:

| | | |
|-------------------------------------|---|---------------|
| Dwarapalakas, Peedam, Thangu Peedam | - | 61.85 sq.ft. |
| Lintel and Door panel | - | 27.2 sq.ft. |
| Lakshmi Roopam, Kamanam | - | 12 sq.ft. |
| Total | - | 101.05 sq.ft. |

11. Applying the criterion of 3 grams of gold per square foot, the Smith opined that 303 grams of gold would be necessary.

12. Acting on this report, and after considering the offer made by the sponsor, the Thiruvabharanam Commissioner recorded in his communication addressed to the Executive Officer on 30.7.2025 that certain portions of the Dwarapalakas were already gold-coated and that Smart Creations, Chennai, lacked the technical expertise to remove the existing coat. He categorically stated that the work should therefore be executed only through traditional methods, requiring approximately 303 grams of gold. We note that the cost involved, at the prevailing rate of ₹10,130 per gram, would amount to roughly ₹31 lakhs. The Commissioner also sought the views of the Thantri and of the sponsor.

13. However, on 08.08.2025, the Thiruvabharanam Commissioner abruptly reversed his stance, purportedly after further discussions with the sponsor. He issued another communication recommending that the gold-cladded components be transported to Smart Creations, Chennai for electroplating and requested that an emergent meeting be convened for a decision. Acting on this, the

Devaswom Board, by order dated 03.09.2025, resolved to send the gold-cladded plates covering the Dwarapalakas, Thangu Peedam, and related items to Smart Creations. We also note the letter dated 21.08.2025 issued by the Thiruvabharanam Commissioner referring to the directions issued by the President of the Devaswom Board to expedite the gold plating work as agreed to be undertaken by the sponsor. It is thereafter that a decision was taken by the Devaswom Board on 03.09.2025 to transport the gold-cladded plates covering the Dwarapalakas, the Thangu Peedam etc. to Smart Creations as requested by the sponsor. In the very same order, it is mentioned that the door lintel, door panels, Lakshmi Roopam and Kamanam can be plated on site at Sannidhanam itself. It appears that the respondents have ignored the mandate contained in page No. 152 of the Travancore Devaswom Board Sub Group Manual which insists that such repair works as in the instant case are to be carried out in the Sannidhanam itself.

14. In the records placed before us, we have come across an e-mail dated 02.10.2024 issued by one C.K.Vasudevan with the e-mail ID ckconstructions789@gmail.com and seen to have been issued by Sri. Unnikrishnan Potty with the address as "Pranavam, Bangalore", which e-mail reads as under:

"sir,

In compliance to the orders cited as 1) and 2), we had already completed the gold coating works upon the present two copper plate covered idols of the dwarapalakar and erected them in front of the main sreekovil of Sabarimala, by September 2019. Now on a closer examination of the idols, its colour seems to be fading a little, which could be due to wear and tear of extreme climate changes. Hence we

wish to apply one more layer of gold coating over those idols to make them brighter again for decades to come. So we request your kind permission to allow us:

- 1) To dismantle the said idols, for carrying them to our work place
- 2) To supply the former pair of gold coated, similar dwarapalakar idols which are kept idly in the strong room, for extracting the gold coated on them, which will in turn minimise the total expenditure. The same pair of idols, after the extraction, will also be handed over to you.

We also assure you that soon after receiving the idols, the aforesaid renovation and re-erection of the same will be done well before the next opening of the temple for monthly poojas.

Thanking you in anticipation for an affirmative response.

Swamy saranam
Yours faithfully
Unnikrishnan Potty
Pranavam
Bangalore"



15. The sponsor speaks about handing over the "former pair" of "Dwarapalaka idols" kept in the strong room for extracting the gold coated on them so as to minimise the total expenditure. None of these aspects are borne out from the affidavit filed by the respondents before us.

16. We observe that the entire transaction remains replete with unanswered questions. As held by the Apex Court in **A.A Gopalakrishnan v. Cochin Devaswom Board And Others**¹, the properties of deities, temples and

¹

2007 INSC 764

Devaswom Boards, require to be protected and safeguarded by their trustees/archakas/shebait/employees. The Government, members or trustees of boards/trusts, and devotees should be vigilant to prevent any such usurpation or encroachment. It is also the duty of courts to protect and safeguard the properties of religious and charitable institutions from wrongful claims or misappropriation.

17. It is submitted before us that the complete set of records relating to the gold-plating/gold-cladding of the Dwarapalakas are maintained by the Thiruvabharanam Commissioner at his office in Aranmula. We therefore direct the Chief Superintendent of Police (Vigilance) and the Security Officer, the 5th respondent herein, to seize the entire records concerning the gold-plating/gold-cladding of the Dwarapalakas, the door lintel, the door panel, the Lakshmi Roopam and Kamanam, commencing from the date of the original cladding, whenever it is. We are given to understand that the original cladding was done more than a decade back prior to 2019. The Officer shall also ensure that the file relating to the other set of "Dwarapalaka idols" and kept in the strong room are placed before us.

18. To get further clarity, we are of the view that the presence of the institution which was entrusted with the electroplating and the sponsor who carried out the same are required. In that view of the matter, we suo motu implead the sponsor "Mr. Unnikrishnan Potty, No. 27, Sankalp Nrusimha, Srirampuram, Bangalore, Karnataka – 560 021" and the electroplating concern namely "Smart

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Creations, K34 1st Sector, 10th Street, Ambattur Industrial Estate, Ambattur, Chennai, PIN- 600058" as additional respondents 7 and 8.

19. The Registry shall issue urgent notice of the proceedings to the aforesaid Sri. Unnikrishnan Potty in the e-mail ID "ckconstructions789@gmail.com", as well as the Smart Creations in the e-mail ID "info@smartcreations.in", so that the records relating to the transfer of the Dwarapalakas and all the communications relating to the same can be perused by this Court. Sri. Unnikrishnan Potty shall also place before this Court the records showing the amounts spent by him through his bank accounts by way of sponsorships and his IT records.

The 5th respondent shall ensure that the records which we have referred to above are seized and placed before this Court, ideally today itself.

Sd/-

**RAJA VIJAYARAGHAVAN V,
JUDGE**

Sd/-

**K.V. JAYAKUMAR,
JUDGE**

PS/APM