



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 34025 OF 2011 (GM-FOR)

BETWEEN

SRI KRISHNA MUTT
BY ITS PARYAYA SWAMIJI
CAR STREET, UDUPI
UDUPI DISTRICT

.... PETITIONER

(BY SRI. PUTTIGE R. RAMESH., SR. ADVOCATE FOR
SMT. LAKSHMI S. HOLLA., ADVOCATE)

AND

1. STATE OF KARNATAKA
BY ITS SECRETARY
FOREST DEPARTMENT
M.S.BUILDINGS
DR.AMBEDKAR VEEDHI
BANGALORE.
2. THE CHIEF CONSERVATOR OF FORESTS
ARANYA BHAVAN,MALLESWARAM,
BANGALORE-560003.
3. THE DY CONSERVATOR OF FOREST
OFFICE OF THE DCF
SHIMOGA-577 202.
4. THE COMMISSIONER
HINDU RELIGIOUS & CHARITABLE
ENDOWMENTS
2ND AND 3RD FLOOR,
MAHADESHWARA VARTHA BHAVAN,
A.V.ROAD, BANGALORE-560018
5. THE DY COMMISSIONER
OFFICE OF THE DY COMMISSIONER,
SHIMOGA DISTRICT





SHIMOGA-577 202

.... RESPONDENTS
(BY SRI. MAHANTESH SHETTAR., AGA FOR R1 TO R5)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT OR ORDER OR DIRECTION DIRECTING THE RESPONDENTS TO RELEASE TO THE 1ST PETITIONER 1087 KG OF SANDALWOOD FOR THE YEAR 2011-12. AND ETC.

THIS WRIT PETITION COMING ON FOR ORDERS AND HAVING BEEN RESERVED FOR ORDERS ON 25.11.2025, THIS DAY, THE COURT PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

CAV ORDER

1. The Petitioner is before this Court seeking for the following reliefs:

a) Issue a Writ of mandamus or any other appropriate writ or order or direction directing the Respondents to release to the 1st Petitioner 1087 Kg of sandalwood for the year 2011-12;

b) Issue a Writ of Mandamus or any other appropriate writ or order of direction directing the Respondents to make good the short supplied sandalwood billets in respect of the period to 2011-12.

c) Grant all other consequential reliefs including cost deemed fit in the circumstances of the case.



2. The Petitioner is the Krishna Mutt at Udupi, which is managed by the Ashta Mutts (8 Mutts). Saint Madhavacharya having installed the idol of Lord Krishna at Udupi more than seven hundred years ago. The petitioner temple is stated to be one of the most revered places of worship among Hindus in the country. One of the customs of the temple is to offer flowers, sandalwood paste with tulsi leaves for worship to the idol of Lord Krishna. The said sandalwood paste is prepared by rubbing sandalwood against a grinding slab. The paste generated is in a semi-liquid form, which is used for the puja of Lord Krishna as well as prasada.

3. The Government was earlier making available ingredients for performing puja, including providing sandalwood, since the same is a protected forest product under the Karnataka Forest Act, 1963 (for short, 'the Act'). As far back as 1896, the Government was granting 1,087 kg of sandalwood



every year free of cost, which was acted upon from that date. A circular was issued on 22.06.1976 wherein certain guidelines had been laid which were also followed by both the Petitioner and the State. Though in the year 2004-05, a challan had been prepared for issuing the 1087 kg of sandalwood, the same was overwritten and reduced to 239 kgs of sandalwood for which the Petitioner has made payment of and the sandalwood was transferred. The Petitioner, thereafter, has been making requests for the grant of sandalwood, contending that the entitlement of the Petitioner was 1087 kgs, has been granted only 239 kgs, in pursuance of which on 4.9.2007, 100 kgs of sandalwood was granted, but the entire stock was not released.

4. In view thereof, the Petitioner had approached this Court by filing WP No.16806/2007, seeking for an order of release of sandalwood. In view of the filing of the writ petition, it is stated that some sandalwood



was given, and it is stated that on account of the said grant of sandalwood, the Petitioner withdrew the writ petition. However, thereafter, no release of sandalwood having been made, the Petitioner submitted a letter on 25.2.2009, followed by another representation on 3.2.2010, but no release of sandalwood was made. In the meantime, on 26.10.2010, the Petitioner's Mutt was bought under the purview of the Muzrai Department. Representation which had been submitted thereafter on 26.04.2011 and 22.07.2011 not having been considered, the Petitioner is before this Court seeking for the aforesaid reliefs.

5. Sri.Puttige R. Ramesh, learned Senior counsel for the Petitioner, would submit:

5.1. The practice of providing sandalwood billets free of cost to the religious institution was commenced by Hyder Ali's administration and it is in furtherance of the same that the forest



manual bears a reference for such sandalwood billet to be supplied to Devastans, Mutts and other institutions on an application being made for such supply. One of the Mutts is the Petitioner Mutt.

5.2. His submission is that the entitlement of the Petitioner Mutt, having been frozen at 1087 kilograms of sandalwood billet, it was required for the respondents to make available the said sandalwood.

5.3. There being inter-office correspondence between the departments with a copy was marked to the Petitioner indicating that the request was being considered, on account of the deletion of the petitioner mutt from the list of notified institutions disentitling the Petitioner from entitlement of any grant, the Petitioner is aggrieved. Even if the deletion were to be considered from 26.10.2010 the last supply was



made in the year 2006. There is no supply made for four years, for which the respondents ought to have supplied sandalwood.

5.4. Lastly he submitted that the inclusion or deletion of the name of the petitioner mutt from list of notified institutions would have no bearing insofar as the requirement of supply of sandalwood billet is concerned. There being an understanding for the supply of 1,087 kgs per year, the same is required to be supplied.

5.5. His submission is also that, though the respondents claim that no sandalwood is available, sandalwood has been used for the cremation of two VVIPs, indicating that sandalwood was available. Instead of using it for cremation, his submission is that sandalwood could have been given to the temple.



5.6. In the above background, he submits that the writ petition is required to be allowed.

6. Sri Mahantesh Shetter, learned AGA for respondents no.1 to 5 would submit that:

6.1. Sandalwood is classified into 18 different classes as per the Karnataka Forest Manual. The total stock of sandalwood as on 31.10.2019 is 84675.823 kgs, out of which, 70242.427 kgs is in white chips. The net quantity after deducting white chips is very little and an adequate amount of billets is not available for supply to the petitioner mutt.

6.2. The submission is that there are seven sandalkoties; three sandalkoties being operated in Karnataka namely Shivamogga sandalkoti, Mysore sandalkoti and Dharwad sandalkoti. The details of which have been provided along with the written submissions.



6.3. His submission is that in terms of the notification dated 4.12.2017 issued by the Government of Karnataka regarding supply of sandalwood to temple and Muzrai institutions, those institutions coming under Class A would be entitled to 20 kgs in a financial year, those coming under Class B would be entitled to 10 kgs and it is in that background that supply has been made to those applying.

6.4. His categorical submission is that the forest department is unable to supply 1087 kgs of sandalwood to the Petitioner every year due to a shortage in the availability of sandalwood. The Petitioner can, at the most, avail of the benefit of the Official Memorandum dated 19.12.2016 by making necessary application to the Deputy Commissioner, Udupi District, who can sanction ten (10) kgs of sandalwood per year, subject to availability. The sanction made



in the year 1921 was in terms of the availability of sandalwood as on that date. Times having changed, sandalwood trees are required to be conserved; as such sandalwood is not available for grant to the Petitioner.

6.5. In the year 2011-12, an amount of Rs.5,14,331/- was released in favour of the Petitioner for purchasing 100 kgs of sandalwood and a request was made to a Divisional Forest Officer, Shivamogga, for release of the sandalwood. Thereafter, several meetings have been held, and it being found that there is lack of availability of sandalwood, 30 kgs of sandalwood was released to the Petitioner.

6.6. At present, the policy of the State is only to make available 10 kgs to institutions like that of the Petitioner, which if the Petitioner were to apply for, would be granted.



7. Heard Sri.Puttige R.Ramesh, learned Senior counsel for the Petitioner and Sri.Mahantesh Shetter, learned AGA for respondents no.1 to 5. Perused papers.
8. The claim of the Petitioner is that 1087 kgs of sandalwood had been agreed to be made available to the Petitioner, way back in the year 1921, and it is that right the Petitioner seeks to enforce now, contending that until 1976 such an amount of sandalwood had been granted and made available to the Petitioner.
9. Though the claim for sandalwood has been made by the Petitioner Mutt, what this Court would also have to take into consideration is the changed circumstances inasmuch as with the promulgation of the Karnataka Forest Act, 1963, sandalwood trees are required to be conserved, the number of sandalwood trees which have been grown have also reduced resulting in short supply, most of the earlier



sandalwood trees having been cut for multiple purposes.

10. The respondents, insofar as the present matter is concerned, in my considered opinion, have acted with alacrity, taken into consideration the available sandalwood, have, without discriminating any institution, have classified A-Class of institutions to be entitled to 20 kgs of sandalwood in a financial year and B-Class of institutions to be entitled to 10 kgs of sandalwood every financial year. The deliberations which have been made, and the reasons which have been provided, in my considered opinion, are a proper analysis of the situation and the entitlement has been fixed taking into consideration the availability of the sandalwood. In that view of the matter, I am of the considered opinion that the stand taken by the State that if an application is made by the Petitioner for allotment of 10 kgs of sandalwood to the Deputy Commissioner,



Udupi, the same would be considered and favourable orders passed every financial year, subject to availability of sandalwood, is the only remedy that the Petitioner would be entitled for. As such, I pass the following:

ORDER

- i) Writ petition is ***partly allowed***.
- ii) Petitioner is granted liberty to file necessary application to the Deputy Commissioner, Udupi for grant of 10 kgs of sandalwood, which application is directed to be considered by respondents within 30 days of such submission and the said 10 kgs will be made available to the Petitioner as per the applicable policy.
- iii) The Principal Secretary, Ecology Forests, etc. is directed to consider whether institutions like the Petitioner could grow their own sandalwood trees. for the express purpose of usage in religious practices for the purpose of a temple.



If so to formulate the necessary policy in that regard.

**SD/-
(SURAJ GOVINDARAJ)
JUDGE**

PRS
List No.: 2 Sl No.: 1