

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V
&
THE HONOURABLE MR. JUSTICE K. V. JAYAKUMARTuesday, the 13th day of January 2026 / 23rd Pousha, 1947
SSCR NO. 3 OF 2026

IN THE MATTER OF TRAVANCORE DEVASWOM BOARD-SABARIMALA SPECIAL COMMISSIONER REPORT-SM.NO.3/2026- REPORT SUBMITTED BY THE SPECIAL COMMISSIONER, SABARIMALA REGARDING MISAPPROPRIATION OF MONEY IN GHEE SALE COUNTER - SUO MOTU PROCEEDINGS INITIATED-REG:

PETITIONER:

SUO MOTU

**RESPONDENTS:**

1. STATE OF KERALA

REPRESENTED BY ITS SECRETARY TO GOVERNMENT,

REVENUE (DEVAWOM) DEPARTMENT, THIRUVANANTHAPURAM - 695001

2. THE CHIEF POLICE CO-ORDINATOR,

(ADDITIONAL DIRECTOR GENERAL OF POLICE (POLICE HEADQUARTERS),

SANNIDHANAM, SABARIMALA, PATHANAMTHITTA - 689713

3. THE TRAVANCORE DEVASWOM BOARD

REPRESENTED BY ITS SECRETARY, NANTHancode, KAWDIAR POST,

THIRUVANANTHAPURAM - 695 003

4. DEVASWOM COMMISSIONER

TRAVANCORE DEVASWOM BOARD, NANTHancode, KAWDIAR POST,

THIRUVANANTHAPURAM, PIN-695 003

5. EXECUTIVE OFFICER

SABARIMALA, SABARIMALA P.O., PATHANAMTHITTA-689 662

6. THE CHIEF VIGILANCE AND SECURITY OFFICER (SUPERINTENDENT OF POLICE)
TRAVANCORE DEVASWOM HEAD QUARTERS, NANTHancode, KAWDIAR POST,
THIRUVANANTHAPURAM, PIN - 695003

*ADDL.R7 IMPLEADED

7. THE DIRECTOR
VIGILANCE & ANTI-CORRUPTION BUREAU, OPPOSITE KSRTC DEPOT,
VIKAS BHAVAN, PMG, THIRUVANANTHAPURAM – 33
*IS SUO MOTU IMPLEADED AS ADDL.R7 AS PER ORDER DATED 13.01.2026
IN SSCR 3/2026

BY SRI.S.RAJMOHAN, SENIOR GOVERNMENT PLEADER
BY STANDING COUNSEL FOR TRAVANCORE DEVASWOM BOARD
BY SMT.SAYUJYA RADHAKRISHNAN, AMICUS CURIAE FOR SABARIMALA
SPECIAL COMMISSIONER
BY SRI.A.RAJESH, SPECIAL PUBLIC PROSECUTOR, VIGILANCE &
SMT.REKHA S., SENIOR PUBLIC PROSECUTOR (BY ORDER) FOR R7

THIS SABARIMALA SPECIAL COMMISSIONER REPORT HAVING COME UP FOR
ADMISSION ON 13/01/2026, UPON PERUSING THE REPORT, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING:

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

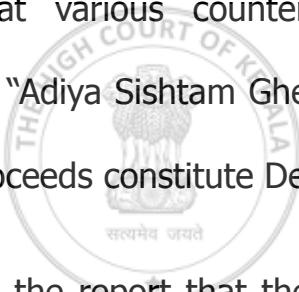
SSCR No. 3 of 2026

Dated this the 13th day of January, 2026

O R D E R

Raja Vijayaraghavan V, J.

This report of the Sabarimala Special Commissioner concerns the detection of blatant acts of criminal misappropriation of the proceeds of "Adiya Sishtam Ghee" at various counters at Sannidhanam by the Devaswom Vigilance. The "Adiya Sishtam Ghee" is a sacred offering sold to devotees, and the sale proceeds constitute Devaswom revenue.



2. We find from the report that the Chief Vigilance and Security Officer of the Travancore Devaswom Board conducted an inspection on the basis of a report received from the Temple Special Officer on 14.12.2025. The report disclosed that the sale proceeds of 16,628 packets of ghee sold from the counter situated in the Maramath Building had not been remitted to the Devaswom account.

3. It appears that the Board had entrusted Sri. Preman, Anugraha Veedu, Palakkad District, with the task of filling "Adiya Sishtam Ghee" into packets for sale at various counters. The contractor is paid at the rate of ₹0.20 per packet for the said work. Significantly, the entire infrastructure

for packing, which includes the packing machine, packing materials, and the ghee itself, is provided by the Devaswom Board. There is a steel tank with a capacity of 700 litres into which ghee is filled using a motor. It is the duty of the contractor to fill each packet with 100 millilitres of ghee, which is thereafter sold to devotees at the counters for a sum of Rs 100 per packet. Similar packing arrangements are stated to exist for other articles of sale such as turmeric, kumkum, holy ash etc.

4. The inspection revealed that during the period from 17.11.2025 to 26.12.2025, the contractor had packed 3,52,050 packets of 100 ml each, and the said packets were entrusted to the Temple Special Officer for the purpose of sale. Out of the aforesaid 3,52,050 packets, about 89,300 packets were sold from the counter in the Maramath Building on various days. Out of the aforesaid 89,300 packets, 143 packets were found damaged, and the total number of packets remaining in the counter as on 27.12.2025 was only 28. After deducting the damaged packets and the balance packets remaining in the counter, the sale proceeds corresponding to 89,129 packets ought to have been remitted to the Devaswom Board. However, the employees in charge of the counter deposited money only in respect of 75,450 packets. The records thus reveal that the price of 13,679 packets, amounting to ₹13,67,900, has not been

remitted. The magnitude of the short remittance, within a limited window of time, is alarming and cannot be brushed aside as an accounting lapse.

5. The vigilance inspection also revealed serious procedural lapses. In particular, when the officer in charge of the counter is relieved and another person assumes charge, stock is not taken and the closing balance is not recorded in accordance with the prescribed procedure. This failure to insist upon a proper handing-over and taking-over process is a fundamental breach of elementary safeguards. It creates an environment conducive to such diversion of funds, misappropriation and with a view to make any subsequent accountability a difficult exercise. In the above circumstances, it can reasonably be inferred, at least *prima facie*, that the employees who were in charge during the period from 17.11.2025 to 26.12.2025 are responsible for the misappropriation of the sale proceeds corresponding to 13,679 packets of ghee. The report also names the employees as well as the Temple Special Officers who were in charge during the period from 17.11.2025 to 27.12.2025.

6. We also find from the records that as on 27.12.2025, a mahazar was prepared at the time the Temple Special Officer assumed charge, and the balance stock of "Adiya Sishtam Ghee" recorded therein was 32,040 packets. Thereafter, during the period from 27.12.2025 to

02.01.2026, the contractor supplied a further 22,200 packets. Thus, the total stock available was 54,240 packets (32,040 + 22,200). Out of the said 54,240 packets, about 25,690 packets were issued to the counter. Therefore, as on 02.01.2026, the balance stock ought to have been 28,550 packets. However, when the Temple Special Officer took charge on 02.01.2026, and physical stock verification was conducted, only 5,985 packets were found, resulting in a shortage of 22,565 packets. The revenue that would have been generated if the amounts were lawfully remitted is ₹22,65,500/. This is not a case of mere negligence. The facts disclosed prima facie make out a clear case of criminal misappropriation, falsification of accounts/records, and other cognisable offences under the Bharatiya Nyaya Sanhita, 2023 and offences under the Prevention of Corruption Act, 1988.

7. We further find from the report that the vigilance inspection revealed that records were maintained in a careless and irregular manner. Entries were made in a book that was not maintained in accordance with law and prescribed procedure. The objective is obviously to facilitate the siphoning of funds and to misappropriate the same.

8. There are also serious allegations against one Sri. Sunil Kumar Potty, who is stated to have worked during the 2nd, 3rd, and 5th phases. A

specific allegation is that he failed to issue receipts for the sale of ghee to devotees. It is further revealed that for the period from 24.11.2025 to 30.11.2025, an amount of ₹68,200 received from sales was not remitted to the Board, and that only after directions were issued, that too after a delay of 17 days, the said sum of ₹68,200 was remitted by the said employee. The failure to issue receipts and the delayed remittance of collections are grave indicators of deliberate concealment and improper handling of public funds.

9. The learned Standing Counsel appearing for the Travancore Devaswom Board submitted that upon receipt of information regarding the misappropriation, the concerned officer, Sri. Sunil Kumar Potty, has been placed under suspension and further action is proposed against him. It is also stated that certain guidelines have been issued to prevent recurrence. We are shocked and deeply disturbed by the turn of events. The misappropriation detected pertains to a short period of less than two months. The very fact that such large-scale diversion of funds could occur within such a limited span of time clearly points to deep-rooted and systemic failures in supervision, stock control, verification mechanisms, and timely remittance of collections.

10. It is inconceivable that siphoning of such magnitude could

have been carried out without the knowledge, acquiescence, or at least wilful blindness of persons occupying positions at the higher rungs of the administrative hierarchy. Officers at the highest level are entrusted with a fiduciary duty to ensure that adequate safeguards, checks, and control mechanisms are put in place so that the revenue of the Temple is properly accounted for, protected, and not siphoned off. A failure to institute even basic safeguards amounts to a grave dereliction of duty.

11. If the siphoning of amounts for a short period of just under two months, confined only to the sale of "Adiya Sishtam Ghee", is to the tune of approximately ₹35 lakhs, it is difficult to even imagine the magnitude of misappropriation that may have occurred over a longer period and across other revenue streams.

12. In this context, it is pertinent to note that this Court has, on earlier occasions, flagged similar instances and deprecated the casual and indifferent manner in which revenue proceeds are handled by employees of the Board.

13. For instance, in D.B.A.R. No. 2 of 2018, this Court noted with considerable dismay that, in the case of one B. Padmanabhanunni, who retired from Devaswom service on 31.07.2017 while holding the post of Deputy Devaswom Commissioner, audit objections were raised to the tune

of ₹21,03,471/- . The audit revealed that a substantial number of vouchers were missing, rendering the accounts unverifiable and raising serious concerns regarding the maintenance of financial records within the Devaswom administration.

14. In D.B.A.R. No. 2 of 2025, this Court also noticed a grave instance of embezzlement detected at the petrol pump operated by the Travancore Devaswom Board at Nilakkal under the name and style of "Swamy Ayyappa Fuels". It was noted that fuel stock registers were not promptly updated, cash book entries were not duly verified, and remittances were subjected to inordinate delays. The audit further revealed serious irregularities in fuel stock management, absence of proper verification procedures, and lack of supporting records. This Court took note of the fact that disciplinary proceedings had been initiated against certain employees for acts of misappropriation and embezzlement, the quantum of short remittance being estimated at approximately ₹40 lakhs.

15. It appears to us that certain employees of the Travancore Devaswom Board are more interested in siphoning off amounts rather than conscientiously rendering the service entrusted to them. The conduct disclosed gives rise to a disturbing inference that the predominant objective of such employees is personal gain, by one means or another, rather than

the faithful discharge of their duties to the institution and the devotees.

16. This Court has repeatedly emphasised the bounden duty of the Board to ensure that a comprehensive, fully functional, and tamper-proof software system for all institutions governed by the Board is put in place at the earliest, so that all revenues and expenditures are captured, monitored, and reconciled on a day-to-day basis. We have reiterated that transparency and accountability, supported by robust technological safeguards, are no longer matters of administrative discretion, but statutory obligations which the Board is legally and morally bound to discharge. We have also reminded the Board that any continued failure to act can only lead to the inference that the higher echelons of the Board are either unwilling or complicit in permitting such systemic lapses to continue.

17. In the above circumstances, we are of the view that a comprehensive investigation is required to ascertain the full extent of the misappropriation of funds by employees of the Travancore Devaswom Board at Sannidhanam in relation to the sale of "Adiya Sishtam Ghee".

18. We, therefore, suo motu implead the Director, Vigilance & Anti-Corruption Bureau, Opposite KSRTC Depot, Vikas Bhavan, PMG, Thiruvananthapuram – 33., as additional 7th respondent.

19. Sri. A. Rajesh, the learned Special Public Prosecutor, Vigilance and Smt. Rekha S., the learned Senior Public Prosecutor, takes notice for the additional 7th respondent.

20. The following directions are accordingly issued:

- a) The Chief Vigilance and Security Officer shall forthwith forward the complaint dated 10.01.2026 to the Director, Vigilance & Anti-Corruption Bureau.
- b) The Additional 7th respondent shall constitute a team of upright and competent officers and shall initiate steps to register a crime on the strength of the report dated 10.01.2026 submitted by the Chief Vigilance and Security Officer. The team so constituted shall conduct a meticulous, coordinated, and effective investigation into the matters referred to above and those disclosed in the said report. It is made clear that the team shall not disclose any details of the investigation to the public or the media.
- c) The investigating team shall file a report before this Court within a period of one month from today, indicating the progress of the investigation.
- d) In view of the law laid down by this Court in **Jayaprakash v. State of Kerala¹, Venugopal V. and Others v. State of Kerala², Yakoob Purayil v. State of Kerala³** and in view of the nature of allegations, prior approval under Section 17A of the

¹ 2022 (1) KHC 206

² [2021 KHC 565]

³ [2024 KHC 1199]

Prevention of Corruption Act, 1988 is not required in the present case.

- e) The team so constituted shall be answerable only to this Court, and before filing the final report, prior permission of this Court shall be obtained.

sd/-

**RAJA VIJAYARAGHAVAN V,
JUDGE**

sd/-

**K.V. JAYAKUMAR,
JUDGE**

APM

