

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

&

THE HONOURABLE MR. JUSTICE G.GIRISH

Friday, the 27th day of October 2023 / 5th Karthika, 1945

DBP NO. 76 OF 2023

IN THE MATTER OF SREE PADMANABHASWAMY TEMPLE, THIRUVANANTHAPURAM - MATTER
PERTAINING TO VIOLATION OF AIR SPACE BY A PRIVATE HELICOPTER ABOVE THE TEMPLE -
SUO MOTU PROCEEDINGS INITIATED BASED ON A NEWS ITEM APPEARED IN INDIAN EXPRESS
ONLINE EDITION - REG:

PETITIONER:

SUO MOTU

RESPONDENTS:

1. UNION OF INDIA
MINISTRY OF CIVIL AVIATION, RAJIV GANDHI BHAVAN,
SAFDARJUNG AIR PORT, NEW DELHI - 110 003
2. STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001
3. THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001
4. THE PRINCIPAL SECRETARY TO GOVERNMENT
REVENUE (DEVASWOM) DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001
5. STATE POLICE CHIEF
POLICE HEADQUARTERS, VAZHUTHAKKAD, THIRUVANANTHAPURAM-695 010



6. THE DISTRICT COLLECTOR
OFFICE OF THE DISTRICT COLLECTOR, 2ND FLOOR,
CIVIL STATION BUILDING, CIVIL STATION ROAD,
THIRUVANANTHAPURAM - 695 043.
7. DISTRICT POLICE CHIEF (DIG)
DISTRICT POLICE OFFICE, KANAKA NAGAR, NANTHANCODU,
THIRUVANANTHAPURAM - 695 033
8. DEPUTY COMMISSIONER OF POLICE
CHIEF SECURITY OFFICER, SREE PADMANABHA SWAMY TEMPLE, WEST NADA,
EAST FORT, PAZHAVANGADI, THIRUVANANTHAPURAM - 695 023
9. EXECUTIVE OFFICER
SREE PADMANABHA SWAMY TEMPLE TRUST, ULSAVAMADOM BUILDING,
NORTH NADA, FORT, THIRUVANANTHAPURAM - 695 023.
*ADDL.R10 IMPLEADED
10. THE DIRECTOR GENERAL,
DIRECTORATE GENERAL OF CIVIL AVIATION, DGCA HEAD QUARTERS,
OPP.SAFDARJUNG AIRPORT, NEW DELHI – 110 003
*IS SUO MOTU IMPLEADED AS ADDITIONAL 10TH RESPONDENT VIDE ORDER
DATED 14/08/2023 IN DBP.NO.76/2023
*ADDL.R11 TO R13 IMPLEADED
11. AIRPORT AUTHORITY OF INDIA,
ROOM NO.155, FIRST FLOOR, B-BLOCK, RAJIV GANDHI BHAVAN,
SAFDARJUNG AIRPORT, NEW DELHI -110 003,
REPRESENTED BY ITS CHAIRPERSON
12. THE REGIONAL EXECUTIVE DIRECTOR,
AIRPORT AUTHORITY OF INDIA, REGIONAL HEAD QUARTERS,
SOUTHERN REGION, CHENNAI-600 027

13. THIRUVANANTHAPURAM MUNICIPAL CORPORATION,
OPP. TO MUSEUM, VIKAS BHAVAN P.O., THIRUVANANTHAPURAM-695 033,
REPRESENTED BY ITS SECRETARY

*ARE IMPEADED AS ADDITIONAL RESPONDENTS 11, 12 AND 13 VIDE
ORDER DATED 27/10/2023 IN DBP.NO.76/2023

BY SRI.MANU S., DEPUTY SOLICITOR GENERAL OF INDIA

BY SRI.S.RAJMOHAN, SENIOR GOVERNMENT PLEADER

BY STANDING COUNSEL FOR SREE PADMANABHA SWAMY TEMPLE TRUST

BY STANDING COUNSEL FOR THIRUVANANTHAPURAM MUNICIPAL

CORPORATION (ADDL.R13)

THE DEVASWOM BOARD PETITION HAVING COME UP FOR ORDERS AGAIN ON
27/10/2023, UPON PERUSING THE PETITION AND THIS COURT'S ORDER DATED
25/09/2023, THE COURT ON THE SAME DAY PASSED THE FOLLOWING.



ANIL K. NARENDRAN & G. GIRISH, JJ.

D.B.P.No.76 of 2023

Dated this the 27th day of October, 2023

ORDER

Anil K. Narendran, J.

This DBP is registered *suo motu* based on a news item that appeared in Indian Express online edition, in which it is stated that a private helicopter crossed the air space above Sree Padmanabhaswamy Temple on 28.07.2023, despite it being a high-security zone, under special protection by the Kerala Police.

2. The 8th respondent Deputy Commissioner of Police and Chief Security Officer, Sree Padmanabhaswamy Temple has filed an affidavit dated 19.08.2023, producing therewith Annexures R8(a) to R8(c) documents. An affidavit dated 21.09.2023 of the 9th respondent is placed on record, which was followed by an additional affidavit filed by the 8th respondent in reply.

3. Today, when this matter is taken up for consideration, the learned counsel for the 9th respondent seeks an adjournment to get further instructions with reference to certain materials placed on record along with the counter affidavit filed by the 8th respondent.

4. Having considered the submissions made at the Bar, we deem it appropriate to implead the Airport Authority of India, Room No.155, First Floor, B-Block, Rajiv Gandhi Bhavan, Safdarjung Airport,

DBP No.76 of 2023

New Delhi -110 003, represented by its Chairperson; the Regional Executive Director, Airport Authority of India, Regional Head Quarters, Southern Region, Chennai-600 027; and Thiruvananthapuram Municipal Corporation, opp. to Museum, Vikas Bhavan P.O., Thiruvananthapuram-695 033, represented by its Secretary as additional respondents 11, 12 and 13 in this DBP.

5. The learned Deputy Solicitor General of India enters appearance for additional respondents 11 and 12 and seeks time to get instructions.

6. The learned Standing Counsel for Thiruvananthapuram Municipal Corporation takes notice for the additional 13th respondent.

7. Registry to issue a copy of this DBP along with a complete set of pleadings to the learned Standing Counsel for Thiruvananthapuram Municipal Corporation today itself.

List on 10.11.2023.

Sd/-

ANIL K. NARENDRAN, JUDGE

Sd/-

G. GIRISH, JUDGE

AV/27/10

ANNEXURES IN DBP.NO.76/2023

- ANNEXURE R8(a) TRUE COPY OF THE GAZETTE NOTIFICATION DATED 18.10.2011
OF THE GOVERNMENT ORDER G.O(P)NO.226/2011/HOME DATED
17.10.2011**
- ANNEXURE R8(b) TRUE COPY OF THE GOVERNMENT ORDER G.O(RT)
NO.2581/2022/HOME DATED 19.09.2022**
- ANNEXURE R8(c) TRUE COPY OF THE GOVERNMENT ORDER
G.O(RT)NO.2046/2017/HOME DATED 03.08.2017**

