

## Padmanabhaswamy Temple Case

### Why in news?

The Supreme Court upheld the right of the Travancore royal family to manage the property of deity at Padmanabha Swamy Temple.

### What is the case about?

- The central legal question was whether Marthanda Varma could claim to be the “Ruler of Travancore”.
- [Marthanda Varma is the younger brother of Balarama Varma, the last Ruler of Travancore who died in 1991.]
- The court examined this claim within the meaning of that term as per the Travancore-Cochin Hindu Religious Institutions Act, 1950.
- This claim also includes the ownership, control and management of the temple, Thiruvananthapuram.
- The court said that the **shebait rights survive with the family members** even after the death of the last ruler.
- [Shebait rights - Right to manage the financial affairs of the deity.]
- This SC decision has reversed the 2011 Kerala High Court decision.

### Who had these claims of the temple before 1991?

- Before 1947, the Travancore Devaswom Board controlled the temple that was under the control of the former Princely State of Travancore.
- The Instrument of Accession was signed between the princely state of Travancore and the Government of India in 1949.
- Since then, the administration of the Padmanabhaswamy Temple was “vested in trust” in the Ruler of Travancore.
- In 1971, privy purses to the former royals were abolished through a constitutional amendment stripping their entitlements and privileges.
- The move was upheld in the court in 1993.
- The last ruler of Travancore who died during the pendency of this case continued to manage the affairs of the temple till then.

### When did the legal issue begin?

- In 1991, when the last ruler’s brother took over the temple management, it created a furore among the devotees.

- They moved to the courts leading to a long-drawn legal battle.
- The government joined in; supporting the claims of the petitioner that Marthanda Varma had no legal right to claim the control of the temple.

### **Is the temple the property of the royal family?**

- The character of the temple was always recognised as a **public institution** governed by a statute.
- The argument of the royal family is that, as per custom, the temple management would vest with them for perpetuity.
- The last ruler had not included the Sree Padmanabhaswamy Temple as his personal property or dealt with it in his will.

### **What about the temple's property, including the riches in the vaults?**

- A consequence of who has administrative rights over the temple is whether the vaults of the temple will be opened.
- In 2007, Marthanda Varma claimed that the treasures of the temple were the family property of the royals.
- Several suits were filed objecting to this claim.
- A lower court in Kerala passed an injunction against the vaults' opening.
- In 2011, the Kerala High Court ordered that a board be constituted to manage the affairs of the temple, ruling against the royal family.
- The royal family filed the appeal in the SC against this verdict immediately.

### **What did the SC rule?**

- The SC had stayed the HC verdict.
- It also appointed two amicus curiae to prepare an inventory of items in the six vaults.
- While five vaults were opened, vault B was not.
- Since 2011, the process of opening the vaults has led to the discovery of treasures within the Padmanabhaswamy temple.
- This prompted a debate on who owns temple property and how it should be regulated.

### **How temples are controlled?**

- India is a secular country that separates religion from the state affairs.
- However, Hindu temples and its assets are governed through statutory laws and boards heavily controlled by state governments.
- This system came into being through the development of a legal framework to outlaw untouchability by treating temples as public land.
- It has resulted in many legal battles.

**Source: The Indian Express**

