

After the passing of the States Reorganisation Act 1956 (Act No. 37 of 1956), Malabar district excluding the islands of Lacadives and Minicoy and Kasargod Taluk of South Kanara district came to be known as Malabar district in the state of Kerala along with the territories of the existing State of Travancore and Cochin. Under the legal provision of adaptation Clause in part XI of the Kerala Service Rule Act, the Madras H.R & C.E Act 1926 came to be under the administrative supervisory control of the Government of Kerala, and hence under the H.R & C.E (Admn) Department. The legacies and inroads of the previous temple administration and traditional aspects materialized the Act No. XIX of 1951 into the moulding frame of the H.R & C.E administration.

In addition to the temples to which the H.R & C.E Act was made applicable, considerable number of public religious institution also came within the purview of the Act due to the exercise of power of the Government by notification to extend the provisions of the H.R & C.E Act 1956.

The Law of Religious and Charitable Endowments has not undergone any revolutionary change for quite some time, till the promulgation of Ordinance by which the provision for constitution of the Malabar Devaswom Board was made by the H.R & C.E (Amendment) Ordinance of 2008

(Ordinance No. 2 of 2008). The same was re-issued and further the Madras H.R & C.E (Amendment) Act, 2008 (Act No. 31 of 2008) was enacted. The first Malabar Devaswom Board consisting of 9 members assumed office on 2nd October 2008.

Among the peculiarities, the right of administration of the temple is vested with the trustee or Board of trustees, consisted of hereditary trustees by succession and non — hereditary trustees appointed by the authorities under the Act, is prominent. The temples are having separate entities, and as such its funds also. There is no provision in the Act to pool the funds to a common fund. The Malabar Devaswom Board is exercising supervisory control of the temple administration, to see that the funds are utilized for the beneficial interest of that institution, in a proper, transparent and lawful manner in the same manner as it was done by the H.R & C.E (Admn) Department. So the temple funds are not utilized for any other purpose, alien to each temple. Even the Government or the Board have no authority to take away or transfer the temple money or channelise the fund for Government functions as alleged by some political and religious outfits, which is only a sheer lie or a mere false statement, with malafide intention.