

ITEM NO.48

COURT NO.6

SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Original Suit (s). No. 1/2018

STATE OF TAMIL NADU

Petitioner(s)

VERSUS

STATE OF KARNATAKA & ANR.

Respondent(s)

(IA No. 52666/2019 - APPLICATION FOR PERMISSION
IA No. 193417/2019 - CLARIFICATION/DIRECTION
IA No. 95609/2018 - STAY APPLICATION)

Date : 23-01-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. G. Umapathy, Sr. Adv.
Mr. V. Krishnamurthy, Sr. A.A.G.
Mr. P. Wilson, Sr. Adv.
Mr. N. R. Elango, Sr. Adv.
Mr. D.kumanan, AOR

For Respondent(s) Mr. Mohan V. Katarki, Sr. Adv.
Mr. V. N. Raghupathy, AOR
Mr. Mayank Jain, Adv.

Ms. Aishwarya Bhati, ASG
Mr. S. Wasim Qadri, Sr. Adv.
Mr. Pratyush Shrivastava, Adv.
Mr. S.S. Rebello, Adv.
Mr. Vatsal Joshi, Adv.
Mr. Sachin Sharma, Adv.
Mr. Rustam Singh Chauhan, Adv.
Mr. Arvind Kumar Sharma, AOR

UPON hearing the counsel, the Court made the following
O R D E R

Heard Mr. G. Umapathy, learned Senior Advocate appearing on behalf of the petitioner - State of Tamil Nadu. Also heard Mr. Mohan V. Katarki, learned Senior Advocate for respondent no.1 -

State of Karnataka. Ms. Aishwarya Bhati, learned Additional Solicitor General and Mr. S. Wasim Qadri learned Senior Advocate are representing respondent no.2 - Union of India.

2. The present case was listed on 03.10.2023 and it was noticed that the Suit has been filed by the State of Tamil Nadu under Article 131 of the Constitution of India against the State of Karnataka and the Union of India (respondent no.2). The inter-state dispute pertains to the sharing of water of the Penniyar river and also the alleged check dam/diversion raised by the State of Karnataka in the said river.

3. At an earlier stage in the suit, it was suggested that as the negotiation has not resulted in any solution, the central government may constitute a Tribunal to resolve the inter-state water disputes.

4. Today, Ms. Aishwarya Bhati, learned Additional Solicitor General submits that under the Office Memorandum No. 23/1/2019-BM dated 20.1.2020 issued by the Department of Water Resources, River Development & Ganga Rejuvenation, Ministry of Jal Shakti, Government of India, a Negotiation Committee was constituted, to address the dispute on sharing of Penniyar river water and its tributaries. It is, however, pointed out that the Negotiation Committee met only on two occasions and, thereafter, has practically become defunct.

Section 4(1) of the ISRWD Act, 1956. The notification constituting the Committee will be issued within two weeks.

9. The Committee will make earnest endeavour to reach a negotiated settlement of the inter-state water dispute over Penniyar river. A report on the consideration and the outcome of the exercise be given by respondent no. 2 - Union of India, within a period of three months of the constitution of the Committed. The matter be listed thereafter.

(BABITA PANDEY)
COURT MASTER (SH)

(KAMLESH RAWAT)
ASSISTANT REGISTRAR