

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSORIGINAL SUIT (S). NO(S). 3/2021

STATE OF KARNATAKA

PLAINTIFF(S)

VERSUS

STATE OF TAMIL NADU & ORS.

DEFENDANT(S)

(IA No. 112460/2021 - GRANT OF INJUNCTION)

Date : 19-03-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Plaintiff(s)

Mr. Shyam Divan, Sr. Adv.
Mr. Mohan V. Katarki, Sr. Adv.
Mr. R.S. Ravi, Sr. Adv.
Mr. Shashi Kiran Shetty, AG,
State Of Karnataka
Mr. V.N. Raghupathy, AOR
Mr. Govind Manoharan, Adv.
Mr. Sudipto Sircar, Adv.
Mr. Mayank Jain, Adv.
Mr. Adithya Bhat, Adv.
Mr. Adoorya Bomakka Harish, Adv.

For Defendant(s)

Mr. V. Krishnamurthy, Sr. A.A.G.
Mr. G. Umapathy, Sr. Adv.
Mr. P. Wilson, Sr. Adv.
Mr. N.R. Elango, Sr. Adv.
Mr. D. Kumanan, AORMr. Jaideep Gupta, Sr. Adv.
Mr. Jishnu M L, Adv.
Mrs. Priyanka Prakash, Adv.
Mrs. Beena Prakash, Adv.
Mr. Anoop R, Adv.
Mr. G. Prakash, AORMr. C.S. Vaidyanathan, Sr. Adv.
Mr. Aravindh S., AOR
Ms. Ekta Moyal, Adv.
Ms. Kavita, Adv.
Mr. Arun Goel, Adv.

Mr. Pranay Ranjan, Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. Pranay Ranjan, Adv.
Mr. Ishaan Sharma, Adv.
Mr. Veer Vikrant Singh, Adv.
Mr. Aaditya Dixit, Adv.
Mr. Pratyush Shrivastav, Adv.

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

After having heard the learned senior counsel appearing for the parties, following issues are framed:

1. Whether the Suit is barred by Section 11 of the Inter-State River Water Disputes Act, 1956 read with Article 262(2) of the Constitution of India?
2. Whether the Suit is barred by principles of *Res Judicata*?
3. Whether the plaintiff is entitled to commit, enjoy or utilise "Karnataka Cauvery Water" as defined in paragraph 6(a) of the Plaint?
4. Whether defendant Nos.1 and 3 are not entitled to commit, enjoy or utilise any water in the Cauvery basin in addition to "Tamil Nadu Cauvery Water" as defined in paragraph 6(b) of the Plaint?
5. Whether the Suit premised on the bifurcation of waters of River Cauvery as "Karnataka Cauvery Water" and "Tamil Nadu Cauvery Water" is at all maintainable?
6. Whether the projects sought to be undertaken by the first defendant prejudicially affect the rights and interests of the plaintiff-State?
7. Whether the Suit is at all maintainable in the

absence of existence of any cause of action?

8. What relief, if any?

We grant time of six weeks to the parties to file the documents.

List on the top of the Board on 7th May, 2024 for directions.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)