

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A. NOS. 5 & 6 IN ORIGINAL SUIT NO. 3 of 2002

STATE OF TAMIL NADU Plaintiff(s)

VERSUS

STATE OF KARNATAKA & ORS. Defendant(s)

(For directions and office report)

Date: 05/12/2012 These applications were called
on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN

HON'BLE MR. JUSTICE MADAN B. LOKUR

For Plaintiff(s)/
Applicant In IA 5
State of Tamil Nadu

Mr. C.S. Vaidyanathan, Sr. Adv.
Mr. Guru Krishna Kumar, Sr. Adv.
Mr. S. Prasad, AAG
Mr. G. Umapathy, Adv.
Mr. C. Paramasivam, Adv.
Mr. B.Balaji, Adv.-on-Record

For Defendant(s)/
Applicant in IA 6
State of Karnataka

Mr. F.S. Nariman, Sr. Adv.
Mr. Anil B. Divan, Sr. Adv.
Mr. S.S. Javali, Sr. Adv.
Mr. S. Vijay Shankar, Adv. Gen.
Mr. Mohan V. Katarki, Adv.
Mr. V.N. Raghupathy, Adv.-on-record
Mr. S.C. Sharma, Adv.
Mr. Brijesh Kalappa, Adv.
Mr. Ranvir Singh, Adv.

UT of Puducherry Mr. A.S. Nambiar, Sr. Adv.

Mr. V.G. Pragasam, Adv.-on-record
Mr. P.K. Manohar, Adv.
Ms. Shanta Vasudevan, Adv.
Mr. S.J. Aristotle, Adv.
Mr. Prabu Ramasubramanian, Adv.

Mr. H.P. Rawal, ASG
Mr. S. Wasim A. Qadri, Adv.
Ms. Rashmi Malhotra, Adv.
Mr. Zaid Ali, Adv.
Mr. D.S. Mahra, Adv.
Mr. Shreekant N. Terdal, Adv.

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State of Kerala Mr. Ramesh Babu M.R., Adv.

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

Having heard learned senior counsel for the States of Karnataka and Tamil Nadu, we feel that it would be proper and expedient if the C.M.C. is requested to hold its meeting on 6th December, 2012 and if, for any unavoidable reason, not convenient on that date, then on the following day to determine the requirement of water for the standing crops in the States of Tamil Nadu and Karnataka, and take a decision on that very day. We order accordingly.

Mr. H.P.Rawal, learned Additional Solicitor General is present in Court and submits that to ensure compliance his office shall immediately communicate this order to the concerned authority.

We direct that till the C.M.C. submits its report, the State of Karnataka shall from today release 10,000 cusecs flow of water at Biligundlu. This order of release shall continue to be in force from today till 9th December, 2012 (both days inclusive).

Learned counsel appearing for all the concerned States point out that despite a Statutory mandate,

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stipulated in the Inter State Water Disputes Act, 1956, the final decision dated 5th February, 2007, rendered by the Tribunal, has not yet been notified by the Central Government. We have requested Mr. Rawal to seek instructions as to within how much time the said decision shall be notified.

Call the applications for further orders on 10th December, 2012, at the end of the Board.

	[Charanjeet Kaur]		[Kusum Gulati]	
Court Master		Court Master		