

Original Suit No. 1/2013

STATE OF TAMIL NADU

Petitioner(s)

VERSUS

STATE OF PUDUCHERRY & ORS.

Respondent(s)

(With appln(s) for directions, for permission to file additional written statement and office report)

Date : 15/11/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Petitioner(s)

Mr. Subramonium Prasad, Sr. Adv.

Mr. G. Umapathy, Adv.

Mr. B. Balaji, Adv.

For Respondent(s)

Mr. R. Venkatramani, Sr. Adv.

Mr. V. G. Pragasam, Adv.

Mr. S. Prabu Ramasubramanian, Adv.

Ms. Neelam Singh, Adv.

Mr. Sameer Singh, Adv.

Mr. Yashraj Singh Bundela, Adv.

Mr. Ajit Kumar Sinha, Sr. Adv.

Ms. Sunita Rani, Adv.

Mr. A. Dev Kumar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

In the suit filed by the State of Tamil Nadu, the following prayers are made: -

â S (i) grant a decree of mandatory injunction directing the 1 st

defendant Union Territory of Puducherry/ its agencies and departments to restore and properly maintain the sand bypass system in the Ariyankuppam Port, situated at Ariyankuppam river in 1 st

Defendant Union Territory of Puducherry;

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(ii) grant a decree of permanent injunction restraining the 1 st

defendant from in any way

commencing the construction of remaining groyne fields along the coast line between Solai Nagar to Kuruchikuppam in 1 st

defendant;

(iii) grant a decree of permanent injunction restraining the 1 st

defendant from executing the

proposed deep water port project by extending the existing northern breakwater at Ariankuppam to a length of 1300 m and / or to construct a new breakwater on the northern side with an approach channel for a length and width of about 2500 m and 170 m respectively or otherwise;

(iv) pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and in the interests of justice.â \235

In the written statement filed by the Union Territory of Puducherry, it is, inter alia, submitted as under: -

â S 27. I respectfully submit that as per the directions of the Hon'ble High Court of Judicature at Madras in W.P. No. 1452 of 2008, this Government had

stopped providing of groyne field in the coastal region of Puducherry and thereafter no such work had been carried out in this area till date. Further the work will be carried out by the Government of Puducherry in future only after obtaining the approval of Ministry of Environment and Forest, Government of India and in consultation with the neighbouring States as recommended by the three Member Committee.

34. I respectfully submit that the agreement entered with the private party in the year 2006 has been terminated by the Government of Puducherry vide letter No.2002/EE/Port/2013-14 dated 21.06.2013 and hence as on date, there is no proposal with the Government of Puducherry to develop a deep water Port by extending the existing northern breakwater at Ariyankuppam river mouth.â- \235
The aforesaid averments contained in the written statement of Defendant No. 1 - Union Territory of Puducherry substantially take care of the concerns of the plaintiff. In view thereof, let learned senior counsel appearing for the

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plaintiff take instructions from the plaintiff as to whether the plaintiff still wants to pursue the matter.
List the matter in the first week of January, 2017.

(Nidhi Ahuja)	(Mala Kumari Sharma)
Court Master	Court Master

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