

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

ORIGINAL SUIT NO.2/2006

STATE OF TAMIL NADU

Petitioner(s)

VERSUS

STATE OF ANDHRA PRADESH & ANR.

Respondent(s)

(With appln(s) for exemption from filing O.T., and ad-interim ex-
parte injunction, and office report)
(For framing the issues)

WITH W.P(C) NO. 357 of 2007

(With office report)

Date: 29/01/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. V. Krishnamurthy, Sr. Adv.
 Mr. G. Umopathy, Adv.
 Mr. R. Nedumaran, Adv.

WP(C) 357/07 Mr. B. Balaji, Adv.

For Respondent(s) Mr. Sudarshan Reddy, Sr. Adv.
 Mrs. D. Bharathi Reddy, Adv.

Mr. S.W.A. Qadri, Adv.
Mr. S.S. Rawat, Adv.
Mr. Ron Bastion, Adv.
Mr. D.S. Mahra, Adv.

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

The following issues are framed:

1. Whether the suit under Article 131 of the Constitution is barred by Section 11 of the ISRWD Act, 1956 read with Article 262(2) of the Constitution?

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2. Whether the Agreement of 1892 is binding on the first Defendant State of Andhra Pradesh being the successor of the Plaintiff State of Tamil Nadu?

3. Whether the Suit based on the pre Constitutional Agreement of 1892 is barred by the proviso to Article 131 of the Constitution of India?

4. Whether the proposed unilateral action of the Defendant State of Andhra Pradesh would affect the drinking & irrigation water requirements of the Plaintiff State?

5. Whether the action of the Defendant State in unilaterally proceeding with the project without the consent of the Plaintiff

State violates the rights of the inhabitants of the Plaintiff State?

6. Whether the Plaintiff State of Tamil Nadu is prejudicially affected by the construction of Palar project in Palar basin by the 1st Defendant State of Andhra Pradesh as mentioned in the Plaint?

7. To what relief the Plaintiff is entitled to?

The parties are directed to file documents, if any, within a period of eight weeks for further steps.

(R.K. Dhawan)
Court Master

(Veera Verma)
Court Master