

ITEM NO.11 Court 5 (Video Conferencing) SECTION PIL-W

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

Writ Petition(s)(Civil) No(s). 880/2020

DR. JOE JOSEPH & ORS.

Petitioner(s)

VERSUS

STATE OF TAMIL NADU & ORS.

Respondent(s)

(IA No. 115585/2020 - APPLICATION FOR PERMISSION
IA No. 79129/2020 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 16-03-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Dr. S.Gopakumaran Nair,Adv.
 Mr. T. G. Narayanan Nair, AOR
 Mr. Sooraj T.Elanjickal,Adv.
 Ms. Priya Balakrishnan,Adv.
 Mr. Aswin Kumar M.J.,Adv.

For Respondent(s) Mr. Tushar Mehta,SG
 Mr. Sanjay Jain,ASG
 Ms. Shradha Deshmukh,Adv.
 Mr. Rajat Nair,Adv.
 Ms. Vanshaja Shukla,Adv.
 Mr. Arvind Kumar Sharma, AOR

Mr. Shekhar Naphade,Sr.Adv.
Mr. G.Umapathy,Adv.
Mr. M. Yogesh Kanna, AOR
Mr. RajaRajeshwaran S.,Adv.
Mr. Aditya Chadha,Adv.
Ms. Uma Prasuna Bachu,Adv.

Mr. Jaideep Gupta,Sr.Adv.
Mr. Jishnu M.L.,Adv.
Ms. Priyanka Prakash,Adv.
Ms. Beena Prakash,Adv.
Mr. G. Prakash, AOR

UPON hearing the counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

In our opinion, three core issues will have to be addressed by the Supervisory Committee in right earnest to ensure the safety of the dam as contended before us.

The first is about the instrumentation of the dam and monitoring its performance. The second is to finalize the rule curve and the third is to finalize the gate operation schedule/reservoir operation plan. This shall be done within four weeks from today.

The State of Kerala is free to give its suggestions to the Supervisory Committee through its representatives.

From Minutes of 13th meeting of the Supervisory Committee, it is noticed that the State of Tamil Nadu had failed to furnish the relevant information for finalization of rule curve.

We direct the State of Tamil Nadu to furnish requisite information to the Supervisory Committee within two weeks from today, failing which the Chief Secretary of the State of Tamil Nadu shall be personally responsible and appropriate action would be initiated against him for such failure. We say so because we find that the three core issues are directly

concerned with the safety of dam and the cascading effect that may befall upon the persons/habitants residing in the nearby areas.

The Supervisory Committee shall take necessary steps including to issue appropriate directions to the concerned/party-States, as may be necessary and to submit action taken report before this Court and compliance regarding finalization of the three issues/plans on the topics, referred to above.

List the matter on 22.04.2021

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER