

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). 4/2014

STATE OF TAMIL NADU

Plaintiff(s)

VERSUS

THE STATE OF KERALA

Defendant(s)

(IA NO. 20855 OF 2019 - FOR DIRECTION)

Date : 28-11-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Plaintiff(s) Mr. V. Krishnamurthy, Sr. A.A.G.
Mr. G. Umopathy, Sr. Adv.
Mr. P. Wilson, Sr. Adv.
Mr. N.R. Elango, Sr. Adv.
Mr. D. Kumanan, AOR

For Defendant(s) Mr. Jaideep Gupta, Sr. Adv.
Mr. G. Prakash, AOR
Mr. Jishnu M L, Adv.
Mrs. Priyanka Prakash, Adv.
Mrs. Beena Prakash, Adv.
Mr. Anoop R, Adv.

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

Pursuant to the order dated 18th October, 2023, both, the State of Tamil Nadu and the State of Kerala, have filed the affidavits and have agreed for survey through the Survey of India.

The learned senior counsel appearing for the plaintiff/State of Tamil Nadu states that the plaintiff has no objection if the procedure as incorporated in paragraph 12 of the affidavit of the State of Kerala dated 24th November, 2023, is followed by the Survey of India.

The survey, as suggested in terms of the order dated 18th October, 2023, shall be carried out by the Survey of India or the officers nominated by the Survey of India.

We are ordering the survey with a view to ascertain whether the construction of the Mega Car Park has been made on any part of the property covered by the Periyar Lake Lease Agreement dated 29th October, 1886, which is described as Doc.1 in Volume II.

Therefore, it is needless to add that the Survey of India or the officers nominated by it, will have to carry out the exercise of determining the precise area or the property covered by the said lease deed and thereafter, ascertain whether the construction of the Mega Car Park has been made in the leased area.

We direct the Survey of India or the officers nominated by it, to carry out the work of demarcation and survey after giving advance notice to the officers nominated by both the States.

As agreed between the parties, the Survey of India or the officers nominated by it, will follow the procedure as laid down in paragraph 12 of the aforesaid affidavit of the State of Kerala.

We direct the Registry to forward a copy of this order to the Survey of India.

We grant time of three months to the Survey of India to submit its report directly to this Court from the date on which a copy of this order is served in its office.

List on 11th March, 2024.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)