

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 4613-4615/2026

THE CHIEF SECRETARY TO
GOVERNMENT OF KERALA & ORS.

APPELLANT(S)

VERSUS

TAMIL NADU WATER RESOURCES
ORGANIZATION & ORS.

RESPONDENT(S)

O R D E R

1. Heard Mr.Jaideep Gupta learned Senior Counsel for the appellants and Mr.G.Umapathy, learned Senior Counsel for the State of Tamil Nadu.

2. Learned Senior Counsel for the appellants-Mr.Jaideep Gupta's principal submission is that, the registration of a *Suo Motu* case was beyond the jurisdiction of the National Green Tribunal, Southern Zone, Chennai (for short, 'NGT'). According to learned Senior Counsel for the appellants, being an *inter-state* water dispute, Article 262 of the Constitution of India read with Section 6(A) further read with Section 11 of the Inter-State River

Water Disputes Act, 1956 would bar the NGT from entertaining and deciding the controversy.

3. We are of the opinion that since the impugned order(s) is only an order taking *suo motu* cognizance and issuance of notice, these objections can be raised before the NGT itself and the relevant constitutional and statutory provisions be pointed out before the NGT. Learned Senior Counsel for the appellants also submits that on the aspect of jurisdiction, the matter is settled by the judgments of this Court.

4. We permit the appellants to raise this issue before the NGT and point out the constitutional and statutory provisions before the NGT. The State of Tamil Nadu also would be at liberty to point out its objections to the submission of the State of Kerala.

5. In the event of any adverse order being passed, the appellants will have liberty to challenge the present impugned order(s) as well as the order(s) which is made hereinafter.

6. Learned counsel for the appellants submits that, at the outset, the State will make an application before the NGT on the preliminary jurisdiction objections.

7. If such an application is made, the same shall be decided first on its own merits, uninfluenced by any of the observations in the impugned orders or in this order.

8. The appeals are disposed of in the above terms.

9. Pending application(s), if any, shall also stand disposed of.

..... J.
[K.V. VISWANATHAN]

..... J.
[ARUN PALLI]

NEW DELHI;
JULY 27, 2026.

ITEM NO.67

COURT NO.13

SECTION XVII

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

CIVIL APPEAL NO(S). 4613-4615/2026

THE CHIEF SECRETARY TO
 GOVERNMENT OF KERALA & ORS.

APPELLANT(S)

VERSUS

TAMIL NADU WATER RESOURCES
 ORGANIZATION & ORS.
 IA No. 109208/2026 - STAY APPLICATION

RESPONDENT(S)

Date : 27-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
 HON'BLE MR. JUSTICE ARUN PALLI

For Appellant(s) Mr. Jaideep Gupta, Sr. Adv.
 Mr. Nishe Rajen Shonker, AOR
 Mr. Sayid Marzook Bafaki, Adv.
 Mr. Risvi Muhammed, Adv.
 Mr. Riddhi Bose, Adv.
 Ms. Rachita Chawla, Adv.
 Ms. Sampriti Baksi, Adv.
 Ms. Rishi Agrawal, Adv.

For Respondent(s) Mr.G.Umapathy, Sr.Adv.(through VC)*

Mr. B. Karunakaran, AOR
 Mr. Akhil, Adv.
 Ms. Pooja Lakshmi, Adv.

Ms. Rupali Francesca Samuel, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. The appeals are disposed of in terms of the signed order, which is placed on the file.
2. Pending application(s), if any, shall also stand disposed of.

(NIRMALA NEGI)
 ASTT. REGISTRAR-cum-PS
 *appearance not given

(MANOJ KUMAR)
 COURT MASTER (NSH)