

**PRESS RELEASE**

Text of the D.O. letter dt.2.7.2014 addressed by **Selvi J Jayalalithaa**, Hon'ble Chief Minister of Tamil Nadu to **Shri Narendra Modi**, Hon'ble Prime Minister of India, New Delhi is reproduced below :

"In the counter affidavit filed by the Ministry of External Affairs, Government of India, before the Madras High Court in Writ Petitions filed by the Fisherman Care of Pallavaram it has been indicated that the Maritime Boundary between India and Sri Lanka is a settled matter. The counter affidavit further indicates that Indian fishermen have no traditional fishing rights in the area around Katchatheevu Island. It appears that the counsels representing the Ministry of External Affairs have also orally reiterated the same stand before the First Bench of the Madras High Court.

I was appalled and shocked to read the newspaper reports relating to this matter. Perhaps this counter affidavit had been prepared and approved by the earlier UPA Government and the matter was not brought to your personal attention.

In this context, you would recollect that I had specifically raised the issue of retrieving India's sovereignty over the Katchatheevu Island in the Memorandum I had presented to you on 3<sup>rd</sup> June, 2014. It has always been the stand of my Government that Katchatheevu is an integral part of the territory of India. This small island of approximately 285 acres in the Palk Straits off Rameswaram, is part of Ramanthapuram District of Tamil Nadu. It was originally under the ownership of the Raja of Ramanathapuram for which there is sufficient documentary proof. The Indian fishermen enjoyed traditional fishing rights in and around the island of Katchatheevu and the Palk Bay. As per Agreements entered into by the Government of India in 1974 and 1976, Katchatheevu was ceded to Sri Lanka and the fishermen of Tamil Nadu have been deprived of their fishing rights around Katchatheevu and the Palk Bay ever since then.

As early as in 1991, the Tamil Nadu Legislative Assembly passed a Resolution seeking the restoration of Katchatheevu Island and the sea area adjacent to it to India. I have personally filed a Writ Petition (W.P. (Civil) No.561/2008) in this regard in the Supreme Court of India in 2008 and the Revenue Department, Government of Tamil Nadu, has also impleaded itself in 2011.

As per the order of the Supreme Court of India in the Berubari case of 1960, a part of any territory owned by India can be ceded to another country only through a Constitutional Amendment. However, Katchatheevu was ceded to Sri Lanka without a Constitutional amendment and hence the ceding is unlawful and not valid. The unconstitutional ceding of the island and the fishing grounds in the vicinity have emboldened the Sri Lankan Navy to resort to frequent attacks on our innocent fishermen who fish in their traditional fishing grounds.

Hence I had requested that the Government of India should take active steps to abrogate the 1974 and 1976 agreements and retrieve Katchatheevu and restore the traditional fishing rights of the fishermen of Tamil Nadu. I have also repeatedly emphasized in my letters to you that the question of sovereignty over Katchatheevu should not be treated as a settled issue. In this context, I would like to point out that even in 1974, the former Prime Minister, Thiru A B Vajpayee, the then leader of the Jan Sangh, had stated that he would file a case against the ceding of Katchatheevu to Sri Lanka by the then Congress Government.

The affidavit filed on behalf of the Ministry of External Affairs in the Madras High Court, therefore, comes as a rude shock.

I request you to kindly have the matter reviewed and direct the concerned officials to file an appropriately revised affidavit in the Court which adequately reflects our concerns, without further delay"

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**Issued by : Director, Information and Public Relations, Chennai – 9.**  
**Date : 2.7.2014**