

the applicant's house and the violation of standards (by more than 10db) during both day and night time have been clearly established. The attempt of the respondent to blame traffic on the ECR, located more than 100 meters away is a futile attempt.

5. It is submitted that the 3rd respondent in his reply notice, filed as annexure with the counter affidavit, has stated that he is aware of the ill effects of noise and if an independent assessment shows that noise levels are high and standards have been violated, he is willing to take measures to address it (Please see page 9 of counter affidavit).
6. It is submitted that the report of the TNPCB has now established beyond all doubt that noise pollution is being caused by the 3rd respondent. This problem could have been solved by the 3rd respondent taking necessary measures to erect an acoustic enclosure to house the generator and moving the generator away from the applicant's house.
7. Diesel fumes from the generator set is carried to the applicant's house routinely and this could be solved by moving the generator set further away and adoption of measures to control smoke emissions.
8. At least now, after causing noise pollution for years, the 3rd respondent ought to comply with the law and move the generator away from the property of the applicant and install proper, scientifically designed acoustic enclosure to house the generator set and I ought to be compensated for damages caused. Costs of this application may be awarded to me.

It is prayed that this Hon'ble Tribunal be pleased to record the above submissions and pass such order or orders as may be fit, proper and necessary in the facts and circumstances of the case and thus render justice.

Dated this the 6th day of March 2022

At Chennai and signed his name in

My presence

B. S. V.

BEFORE ME

ADVOCATE : CHENNAI

Sarah
M.A. 1084/21
Sarah Daniel
M. Vaalumar
Mylapore, Ch-4