

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

Original Application No. 82 of 2021 (SZ)

Dharmesh Shah
R/o No.92, Thiruvalluvar Nagar,
3rd Street, Besant Nagar,
Chennai-600 090.
Email: litigation.life@gamil.com
Ph:+91 9312407881

...Applicant(s)

Versus

Union of India
Through the Secretary,
Ministry of Environment Forest and Climate Change,
Indira Paryavaran Bhawan, Jor Bagh,
New Delhi – 110003.
Email: secy-moef@nic.in
Ph: 91-11-24695262 & 13 others.

...Respondent(s)

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**Filed by
Thiru. C. Kasirajan,
Advocate, Chennai.**

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.

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...Respondent(s)

**REPORT FILED ON BEHALF OF THE 14TH RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD.**

I, V. Thiagarajan, son of H. Vaitheeswaran, Hindu, aged about 57 years, having my office at No. 76, Mount Salai, Guindy, Chennai – 32, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Deputy Director (Labs), Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the 14th Respondent TNPC Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the applicant filed this application with the prayer to

"i. Direct the Respondent State Governments and Union Territories to install and upload on their Websites a proper and effective Online Continuous Emissions Monitoring System which is easily accessible to the public

ii. Direct the Respondents to ensure that raw data is made available in a harmonized format for public use and to ensure that historic data is made available for public use in raw and harmonized formats.

III. Direct that station specific coordinates should be made available specifically to understand the efficacy of monitors vis-a-vis pollution sources since

such data can also help pollution impact communities guide decision makers in future placement of quality infrastructure.

iv. Direct the CPCB to prepare a central repository of OCEMS data from all states and host the same on its website as the same would be useful in developing national/regional policies on air quality in industrial areas, especially critically polluted areas”

3. It is further submitted that the Hon'ble NGT has passed order dated 09.03.2021 and directed inter alia as follows:

“Para 13:we direct the concerned State Pollution Control Boards (SPCB) and the Central Pollution Control Board (CPCB) to prepare a chart regarding the status of implementation of the directions issued by the Hon'ble Supreme Court in the respective States and if it is not complied with what is the nature of action taken by them for implementing the same in its letter and spirit in these States as directed by the Hon'ble Supreme Court of India”.

4. It is humbly submitted to state that the Tamil Nadu is pioneer in the nation for establishing the CARE AIR CENTRE, Centre for accessing Online, Real Time, Continuous Emission Monitoring System Tamil Nadu Pollution Control Board headquarters, Guindy in the year June, 2010, which was subsequently adopted by CPCB and other State Pollution Control Board's.

Initially highly polluting industries in Comprehensive Environmental Pollution Index (CEPI) critically polluted industrial clusters / areas like Manali, Ambattur, Gummidipoondi and Cuddalore were connected to this centre, in phased manner the entire 17 category of highly polluting industries present in Tamil Nadu were linked to the Care Air Centre for Online, Real Time, Continuous Emission Monitoring System and the list is enclosed as **Annexure - I**.

5. It is submitted that, as per the direction issued by the Hon'ble Supreme Court Judgment dated 22.02.2017, the Tamil Nadu Pollution Control Board (TNPCB) has implemented and complied to the directions, to display the Online,

V. Thangaraj
DEPUTY DIRECTOR (LABS)
Tamilnadu Pollution Control Board,
76, Mount Salai, Guindy

Real Time, Continuous Monitoring System" data for public view in TNPCB portal (<http://tnpcb.gov.in> (REAL TIME DATA MONITORING)) without any Register or login procedures to provide easy access to the public and it is active since 11th August, 2017.

Further it is submitted that TNPCB has implemented the direction issued by the Hon'ble Supreme Court within the said period. This real time data server is maintained by Care Air Centre, TNPCB, Guindy 24/7 for 365 days.

The status of compliance has been communicated to Govt. of E&F Dept. and CPCB vide Lr.No.TNPCB/CAC/010429/2017, dt:16.08.2017.(Annexure-II)

6. It is submitted that the defect pointed out by the applicant in this OA No.82 of 2021(SZ) about OCEMS of Tamil Nadu Pollution Control Board is only that the system does not provide historical data and certain OCEMS are shown as inactive or offline and hence the applicant claims that it is only partial compliance. It is respectfully submitted that facilities are available to the Board officials for monitoring the historical data and further it is submitted that in this regard necessary action has been taken to make provision to view the historical data in the TNPCB portal for public view and submitted that the up-gradation of software requires minimum three months of duration. A copy of the letter sent to the service provider is enclosed as **Annexure-III**.

The reason why certain OCEMS are shown as inactive or offline is due to shutdown, maintenance, or server problems in that respective industry. The Board continuously monitors the data around the clock 24/7, 365 days and if certain OCMES displays inactive or offline, immediately the unit is informed of the matter triggering also generated SMS message and email and gets it rectified.

V. Thiagarajan
21/6/21
DEPUTY DIRECTOR (LABS)
Tamilnadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai-600 032.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

V. Thiagarajan
DEPUTY DIRECTOR (LABS)
Tamilnadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai-600 032.

BEFORE ME

VERIFICATION

I, V. Thiagarajan, son of H. Vaitheeswaran, working as Deputy Director (Labs), Tamil Nadu Pollution Control Board, Chennai-600 032, do hereby submits that the contents of above report are true to the best of my knowledge through records.

Verified at Chennai on this 21st day of June, 2021.

V. Thiagarajan
DEPUTY DIRECTOR (LABS)
Tamilnadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai-600 032.

ANNEXURE-I

S.No.	Name of the Industry	District	Category
1	Natco organics Ltd	Manali	Bulk Drugs & Pharma
2	Piramal Enterprises Ltd	Manali	Bulk Drugs & Pharma
3	Shasun Chemicals Ltd	Cuddalore	Bulk Drugs & Pharma
4	Kawman Pharma	Cuddalore	Bulk Drugs & Pharma
5	NURAY Chemicals Private Limited.	Thiruvallur	Bulk Drugs & Pharma
6	ANJAN DRUG PVT LTD	Thiruvallur	Bulk Drugs & Pharma
7	ANJAN DRUG PVT LTD	Kancheepuram	Bulk Drugs & Pharma
8	Orchid Pharma Limited	Kancheepuram	Bulk Drugs & Pharma
9	NURAY Chemicals Private Limited.	Kancheepuram	Bulk Drugs & Pharma
10	Pharmazell (I) Pvt Ltd	Kancheepuram	Bulk Drugs & Pharma
11	V.B.Medicare Pvt Ltd	Krishnagiri	Bulk Drugs & Pharma
12	Reckitt Benckisser	Krishnagiri	Bulk Drugs & Pharma
13	Sanmar Speciality Chemicals Ltd.	Krishnagiri	Bulk Drugs & Pharma
14	Global calcium Pvt Ltd.,Unit-1&2	Krishnagiri	Bulk Drugs & Pharma
15	Global calcium Pvt Ltd.,Unit-3	Krishnagiri	Bulk Drugs & Pharma
16	KOTHARI PHYTOCHEMICALS INTERNATIONAL	Madurai	Bulk Drugs & Pharma
17	Sun Pharmaceutical Industries Ltd	Kancheepuram	Bulk Drugs & Pharma
18	Malladi Drugs Ltd,Unit-I	Vellore	Bulk Drugs & Pharma
19	Malladi Drugs Ltd,Unit-3	Vellore	Bulk Drugs & Pharma
20	SVISS Lab Ltd	Vellore	Bulk Drugs & Pharma
21	Chettinad Cement Corporation Limited	Ariyalur	Cement
22	Dalmia Cement	Ariyalur	Cement
23	The Ramco Cements Ltd.	Ariyalur	Cement
24	Ultratech Cement Ltd.	Ariyalur	Cement
25	THE INDIA CEMENTS LTD	Ariyalur	Cement
26	The Ramco Cements Ltd.	Ariyalur	Cement
27	Tamilnadu Cements Corporation Ltd.	Ariyalur	Cement
28	DALMIA CEMENT (BHARAT) LTD	Ariyalur	Cement
29	Acc ltd.	Coimbatore	Cement
30	Chettinad Cement Corporation Private Limited	Dindigul	Cement
31	Tamilnadu Newsprint and Papers Limited	Karur	Cement
32	Chettinad Cement Corporation Ltd.	Karur	Cement
33	India Cements Ltd.	Namakkal	Cement
34	Jeppiaar Cements(P)Ltd.	Perambalur	Cement
35	India Cements Ltd.	Tirunelveli	Cement
36	VIJAY CEMENTS	Trichy	Cement
37	Dhandapani Cements pvt ltd.	Trichy	Cement
38	Madras Cements Ltd.	Virudhunagar	Cement
39	TAMILNADU CEMENTS CORPORATION LTD	Virudhunagar	Cement
40	Tamilnadu Petroproducts Limited	Manali	Chlor Alkali
41	Chemplast Sanmar Limited	Salem	Chlor Alkali
42	DCW Limited	Thoothukudi	Chlor Alkali
43	Sterlite Industries (I) Ltd.	Thoothukudi	Copper Smelter

S.No.	Name of the Industry	District	Category
44	EID Parry (India) Limited	Cuddalore	Distillery
45	Shree Ambika Sugars Ltd Distillery Division	Cuddalore	Distillery
46	Chemplast Sanmar Ltd., Industrial Alcohol Plant-II	Cuddalore	Distillery
47	Sakthi Sugars Ltd.	Erode	Distillery
48	Bannari Amman Sugars Ltd., Distillery Division	Erode	Distillery
49	The Salem Cooperative Sugars Mills Ltd.	Namakkal	Distillery
50	Dhanalakshmi Srinivasan Sugars Pvt. Ltd.	Perambalur	Distillery
51	E.I.D Parry (India) Limited	Sivagangai	Distillery
52	TERRA Energy Limited	Thanjavur	Distillery
53	Rajshreesugars and chemicals Limited	Theni	Distillery
54	DHARANI SUGARS & CHEMICALS LIMITED	Thirunelveli	Distillery
55	Amaravathi Co-op Sugar Mills Limited	Tiruppur	Distillery
56	Trichy Distilleries and Chemicals Ltd.	Trichy	Distillery
57	KOTHARI SUGARS AND CHEMICALS LTD	Trichy	Distillery
58	Rajashree sugars & chemicals ltd	Villupuram	Distillery
59	DHARANI SUGARS & CHEMICALS LIMITED	Villupuram	Distillery
60	Clariant Chemicals Ltd	Cuddalore	Dye & Dye
61	Madras Fertilizers Ltd.	Manali	Fertilizers
62	Coromandel International Ltd.,	Manali	Fertilizers
63	Kothari Industrial Co. Ltd.,	Manali	Fertilizers
64	Tuticorin Alkali Chemicals And Fertilizers Limited	Thoothukudi	Fertilizers
65	Southern Petrochemical Industries Corporation	Thoothukudi	Fertilizers
66	Greenstar Fertilizers Limited	Thoothukudi	Fertilizers
67	Coromandel International Limited	Vellore	Fertilizers
68	JSW STEEL LIMITED	Salem	Iron & Steel
69	EID Parry (India) Ltd Bio-Products Division	Cuddalore	Pesticide
70	TAGROS Ltd	Cuddalore	Pesticide
71	Cetex Petrochemicals Ltd	Manali	Petrochemical
72	Indian Additives Ltd	Manali	Petrochemical
73	Kothari Petrochemicals Ltd	Manali	Petrochemical
74	Manali Petrochemicals Limited	Manali	Petrochemical
75	Manali Petrochemicals Limited	Manali	Petrochemical
76	Tamilnadu Petroproducts Limited	Manali	Petrochemical
77	Thirumalai chemicals ltd	Vellore	Petrochemical
78	Chennai Petroleum Corporation Limited	Manali	Petroleum Refinery
79	Chennai Petroleum Corporation Limited	Manali	Petroleum Refinery
80	Chennai Petroleum Corporation Limited	Manali	Petroleum Refinery
81	Chennai Petroleum Corporation Limited	Manali	Petroleum Refinery
82	Chennai Petroleum Corporation Limited	Nagapattinam	Petroleum Refinery
83	Tamilnadu Newsprint and Papers Limited	Karur	Pulp & Paper
84	SESHASAYEE PAPER AND BOARDS LIMITED	Namakkal	Pulp & Paper
85	KOTHARI SUGARS AND CHEMICALS LTD	Ariyalur	Sugar
86	EID Parry (India) Limited	Cuddalore	Sugar
87	Terra Energy Ltd.	Cuddalore	Sugar

S.No.	Name of the Industry	District	Category
88	M.R.Krishnamoorthy Co Op Sugars	Cuddalore	Sugar
89	Shree Ambika Sugars Ltd Power Division	Cuddalore	Sugar
90	Dharmapuri Co.op Sugar Mills Ltd.,	Dharmapuri	Sugar
91	Subramaniya Siva Co. op Sugars	Dharmapuri	Sugar
92	Sakthi Sugars Ltd.	Erode	Sugar
93	Sakthi Sugars Ltd.	Erode	Sugar
94	BANNARI AMMAN SUGARS LIMITED	Erode	Sugar
95	Tiruttani Co.op Sugars & Mills Ltd	Thiruvallur	Sugar
96	Maduranthakam Co-op Sugar Mills Ltd	Kancheepuram	Sugar
97	EID PARRY (INDIA) LIMITED	Karur	Sugar
98	National Co.op Sugar Mills Ltd.,	Madurai	Sugar
99	N.P.K.R.RAMASAMY CO-OP. SUGAR MILLS.	Nagapattinam	Sugar
100	Ponni Sugars (Erode) limited	Namakkal	Sugar
101	The Salem Cooperative Sugars Mills Ltd.	Namakkal	Sugar
102	Dhanalakshmi Srinivasan Sugars Pvt. Ltd.	Perambalur	Sugar
103	Perambalur Sugar	Perambalur	Sugar
104	E.I.D Parry (India) Limited	Pudukottai	Sugar
105	SAKTHI SUGARS LIMITED	Sivagangai	Sugar
106	Padmaadevi Sugars Limited	Sriperumpudur	Sugar
107	TERRA Energy Limited	Thanjavur	Sugar
108	Shree Ambika Sugars Limited	Thanjavur	Sugar
109	Arignar Anna Sugar Mills Ltd.	Thanjavur	Sugar
110	Rajshreesugars and chemicals Limited	Theni	Sugar
111	DHARANI SUGARS & CHEMICALS LIMITED	Thirunelveli	Sugar
112	Amaravathi Co-op Sugar Mills Limited	Tiruppur	Sugar
113	Bannari Amman Sugars Limited	Tiruvannamalai	Sugar
114	DHARANI SUGARS & CHEMICALS LIMITED	Tiruvannamalai	Sugar
115	Cheyyar Co Op Sugar Mills Ltd.,	Tiruvannamalai	Sugar
116	E.I.D Parry (India)Ltd.	Trichy	Sugar
117	KOTHARI SUGARS AND CHEMICALS LTD	Trichy	Sugar
118	Ambur Co.op Sugar Mills Ltd.,	Vellore	Sugar
119	Tirupattur Co.op Sugar Mills Ltd.,	Vellore	Sugar
120	Vellore Co.op Sugar Mills Ltd.,	Vellore	Sugar
121	Madras sugars limited	Villupuram	Sugar
122	Co.Op Sugar Mills Ltd Unit2	Villupuram	Sugar
123	Co.Op Sugar Mills Ltd Unit3	Villupuram	Sugar
124	Rajashree sugars & chemicals ltd	Villupuram	Sugar
125	Rajashree sugars & chemicals ltd	Villupuram	Sugar
126	DHARANI SUGARS & CHEMICALS LIMITED	Villupuram	Sugar
127	Chengalrayan Co oP Sugar	Villupuram	Sugar
128	K H Exports India Private Limited	Vellore	Tannery
129	Bachi Shoes Limited	Vellore	Tannery
130	T.Abdul Wahid Tanneries Pvt Ltd.	Vellore	Tannery
131	ATH Leder Fabric	Vellore	Tannery

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S.No.	Name of the Industry	District	Category
132	EASTERN CHROME TANNING CORP PVT LTD	Vellore	Tannery
133	T Abdul Wahid Tanneries C Tannery	Vellore	Tannery
134	North Chennai Thermal Power Station	Manali	Thermal Power Plant
135	North Chennai Thermal Power Station-II	Manali	Thermal Power Plant
136	National Thermal Power Corporation	Manali	Thermal Power Plant
137	Taqa Neyveli Power Company Private Limited	Cuddalore	Thermal Power Plant
138	Neyveli Lignite Corporation limited TPS 1 Expanation	Cuddalore	Thermal Power Plant
139	Neyveli Lignite Corporation limited TPS 1	Cuddalore	Thermal Power Plant
140	Neyveli Lignite Corporation limited TPS 2	Cuddalore	Thermal Power Plant
141	Neyveli Lignite Corporation limited TPS 2 Expansion	Cuddalore	Thermal Power Plant
142	IL&FS TamilNadu Power Company LTD	Cuddalore	Thermal Power Plant
143	OPG Power Generation Private Limited	Thiruvallur	Thermal Power Plant
144	TCP LIMITED	Thiruvallur	Thermal Power Plant
145	TULSYAN NEC LIMITED	Thiruvallur	Thermal Power Plant
146	CAUVERY POWER GENERATION CHENNAI POWER LTD.	Thiruvallur	Thermal Power Plant
147	ARS Energy Pvt Ltd	Thiruvallur	Thermal Power Plant
148	Mettur Thermal Power Station	Salem	Thermal Power Plant
149	Mettur Thermal Power Station-II	Salem	Thermal Power Plant
150	Ind Barath Energies(T) Limited	Thoothukudi	Thermal Power Plant
151	Ind Barath Energies(T) Limited	Thoothukudi	Thermal Power Plant
152	Neyveli Lignite Corporation Thermal Power Station	Thoothukudi	Thermal Power Plant
153	Coastal Energen Pvt Ltd	Thoothukudi	Thermal Power Plant
154	Tuticorin Thermal Power Station	Thoothukudi	Thermal Power Plant



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Annexure II

TAMIL NADU POLLUTION CONTROL BOARD

From,
Er.N.Sundra Gopal, ME(PH),
Member Secretary,
Tamil Nadu Pollution Control Board,
76, Mount salai, Guindy,
Chennai-32

To,
The Principal Secretary to Government,
Environment and Forest (EC-2) Dept.,
Secretariat,
Chennai-9

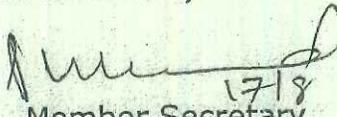
Lr. No:TNPCB/CAC/010429/2017,dt.16.08.2017

Sir,

Sub: TNPCB- Care Air Centre- Displaying of emission data in TNPCB website-reg.

Ref: DO Letter No.27674/EC-1/2013-11,dt:23.03.2017

I wish to inform that, in compliance to the Hon'ble Supreme Court direction for the provision for "online, real time, continuous monitoring system" to display the emission levels in the public domain, TNPCB has developed web portal to view the online real time emission data through <http://www.tnpcb.gov.in> (REAL TIME DATA MONITORING) and it is active since 11th August,2017.


17/8
Member Secretary

Copy to:

P&D Section, TNPCB
Law Section, TNPCB

Copy
18/8

76, MOUNT SALAI, GUINDY, CHENNAI - 600 032.

Tel : 22353134, 22353135, 22353136, 22353137, 22353138, 22353139, 22353140, 22353141

Fax : 044-22353068

Email : tnpceb@md3.vsnl.net.in Web : www.tnpcb.gov.in

76, MOUNT SALAI, CHENNAI-600032.
Seal



10

TAMIL NADU POLLUTION CONTROL BOARD

From,
Er.N.Sundra Gopal, ME,
Member Secretary,
Tamil Nadu Pollution Control Board,
76, Mount salai, Guindy,
Chennai-600032

To,
The Member Secretary,
Central Pollution Control Board,
Parivesh Bhavan,
East Arjun Nagar,
New Delhi-110032

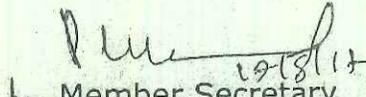
Lr. No:TNPCB/CAC/010429/2017,dt:16.08.2017

Sir,

Sub: TNPCB- Care Air Centre- Displaying of emission data in TNPCB website-reg.

Ref: CPCB Lr.No.B-29012/IPC-VI/2016-17,dt:01.08.2017

I wish to inform that, in compliance to the Hon'ble Supreme Court direction for the provision for "online, real time, continuous monitoring system" to display the emission levels in the public domain, TNPCB has developed web portal to view the online real time emission data through <http://www.tnpcb.gov.in> (REAL TIME DATA MONITORING) and it is active since 11th August,2017.


Member Secretary

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18/8

DESPATCHED

Copy to:

P&D Section, TNPCB
Law Section, TNPCB

76, MOUNT SALAI, GUINDY, CHENNAI - 600 032.

Tel : 22353134, 22353135, 22353136, 22353137, 22353138, 22353139, 22353140, 22353141

Fax : 044-22353068

Email : tnpcb@md3.vsnl.net.in Web : www.tnpcb.gov.in

TAMILNADU POLLUTION CONTROL BOARD

Lr.No.TNPCB/CAC/010429/2017/01, date: 03.05.2021

Sub: TNPCB-CAC-Real Time Monitoring – provisional of historical data –
in TNPCB website – Regarding:-

Ref: 1. Lr.No.TNPCB/CAC/010429/2017, dt: 01.08.2017
2. Hon'ble NGT Application No.82 of 2021

I invite your kind attention that with reference to the 1st cited letter, the Board has awarded you to supply and install the common software to integrate the data and displaying the same in TNPCB website, the installation of the common software has been completed in time bound and functioning satisfactorily.

In continuous to this, you are directed to make the provisional in the TNPCB website to view the historical data of Real Time Monitoring for public access as per the NGT order no.82 of 2021 vide reference 2nd cited.

Further it is informed that your requested to provide man power permanently from M/s Knowledge Lens to be posted at TNPCB Head office in Guindy at Care Air Centre due to increase in the number of Hon'ble Supreme Court cases, NGT cases and RTI related subjects which needs to be addressed immediately by the Board.

V Theapum
3/5/21
For Member Secretary

To

M/s Knowledge Lens Pvt.Ltd.,
Plot No.261, 3rd floor,
Neeladri Nagar 2nd cross,
Electronic City, Bengaluru-560100

Copy To

- (1) JCEE Law Section
- (2) Deputy Director (Air-Labs)
- (3) P.S to Member Secretary
- (4) File

**BEFORE THE NATIONAL GREEN
TRIBUNAL, SOUTHERN ZONE,
CHENNAI.**

**Original Application No. 82 of 2021
(SZ)**

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R/o No.92, Thiruvalluvar Nagar,
3rd Street, Besant Nagar,
Chennai-600 090.
Email:litigation.life@gamil.com
Ph:+91 9312407881

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Through the Secretary,
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Indira Paryavaran Bhawan, Jor Bagh,
New Delhi – 110003.
Email: secy-moef@nic.in
Ph: 91-11-24695262 & 13 others.

...Respondent(s)

**REPORT FILED ON BEHALF OF
THE 14TH RESPONDENT - TAMIL
NADU POLLUTION CONTROL
BOARD.**

**Advocate for Respondent No.TNPCB
Thiru. Kasi Rajan,
Advocate, Chennai.**

Date:21.06.2021.

Date of hearing on: 22.06.2021