

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under Section 82 (1) of the Electricity Act, 2003**  
**Central Act 36 of 2003)**

**PRESENT:-**

Thiru.K.Venugopal	....	Member
Thiru.S.Nagalsamy	....	Member
<b><u>D.R.P. No. 25 of 2011</u></b>		
Terra Energy Ltd.,		..... Petitioner
Vs.		
1) The Chairman and another		.....Respondents

**Daily Order**

**Date of hearing : 14-12-2012**

Counsel for both side were present. The counter affidavit filed by TANGEDCO in April 2012 basically raised two issues.

- 1) Referring the matter to the Chief Electrical Inspector for resolving the dispute.
- 2) Delay and Laches – Clause 13 of the PPA regarding various conditions of the agreement wherein the decision of the Board shall be binding on the Company.

The counter also elaborates in the event of the Commission coming to the conclusion that it has jurisdiction then they would file detailed counter on merits without deciding the jurisdiction. The Commission directs that the detailed counter on merits also be filed so that both the jurisdiction issue and merit issue can be decided together. The detailed counter on merits shall be filed within four weeks. The matter shall be listed for final disposal thereafter. A copy of the counter shall also be served on the petitioner who shall file the rejoinder within a week of the service of the counter.

(Sd.....)  
**(S. Nagalsamy)**  
Member

(Sd.....)  
**(K.Venugopal)**  
Member

/ True Copy /

Secretary  
Tamil Nadu Electricity  
Regulatory Commission