

**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**

**I.A.Nos. 1 & 2 of 2012 & D.R.P. No. 20 of 2012**

Pioneer Power Ltd., ..... Petitioner  
Thiru. Satyaseelan, Advocate  
Versus

- 1) TANGEDCO
- 2) CE, PPP
- 3) CFC, Revenue

..... Respondent  
Thiru. P.H. Vinod Pandian, Standing Counsel

**Hearing date : 16-11-2012**

**DAILY ORDER**

D.R.P. No.20 of 2012 along with I.A.Nos. 1 & 2 of 2012 were taken up for admission. The Learned Senior counsel for the petitioner argued that the order issued by the TANGEDCO levying liquidated damages along with interest thereon is illegal in as much as an appeal has been preferred by the TANGEDCO before the Hon'ble Appellate Tribunal for Electricity wherein arguments have been completed and orders reserved. Under these circumstances the TANGEDCO ought not have initiated such recovery. He also pointed out that the Commission's order has not been stayed by the Appellate Tribunal for Electricity. The learned counsel for TANGEDCO submitted that they have taken action as per the provisions of PPA only. The Commission admits the petition. Let the counter be filed in four weeks time. The Commission stays the operation of letter dated 5-9-2012 of TANGEDCO for recovery of liquidated damages. The matter shall be listed for arguments after the counter is filed.

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

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

/ True Copy /

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**