

TAMIL NADU ELECTRICITY REGULATORY COMMISSION

Order of the Commission dated this the 2nd Day of March 2023

PRESENT:

Thiru M.Chandrasekar Chairman
Thiru K.Venkatesan Member
and
Thiru B.Mohan Member (Legal)

R.P. No. 4 of 2022 in M.P. No.28 of 2021

Superintending Engineer
Udumalpet Electricity Distribution Circle
Tamil Nadu Generation and Distribution Corporation Limited
Udumalpet.

... Petitioner
(Tvl. N. Kumanan and A.P. Venkatachalapathy,
Standing Counsel for the Respondent)

Vs.

Thiru B. Balamurali
No.98/3B, Puliampatti Road
Anuparalayam
Eripatti Road
Pollachi – 642 205.

..... Respondent
(Thiru R.S.Pandiyaraj
Advocate for the Petitioner)

This Review Petition stands preferred by the above Petitioner seeking to admit the review sought for by the petitioner in accordance with Section 94 (1) (f) of the Electricity Act, 2003 and Regulation 43 (1) of TNERC Conduct of Business Regulations, 2004 and to recall the Commission's Order dated 05-05-2022 in M.P. No. 28 of 2022 filed by Thiru B.Balamurali since the matters concerning Sections

126 and 135 of the Electricity Act, 2003 are to be adjudicated only by the Competent Appellate Authorities and Special Courts respectively and not by the Commission.

This petition having come up for hearing on 23-01-2023 in the presence of Tvl. N.Kumanan and A.P.Venkatachalapathy, Standing Counsels for the petitioner and on consideration of the submissions made by the Counsel for the Petitioner and Respondent and on perusal of relevant materials, this Commission passes the following:

ORDER

The power of the Commission to review its order is circumscribed by the conditions adumbrated in Regulation 43 (1) of the Conduct of Business Regulations, 2004 issued by the Commission and as amended from time to time. Since neither mistake of fact nor any error apparent face on record is evident in the impugned order, apparently review is not maintainable under law. Hence, Review Petition is dismissed as not maintainable. No costs.

(Sd.....)
Member (Legal)

(Sd.....)
Member

(Sd.....)
Chairman

/True Copy /

**Secretary
Tamil Nadu Electricity
Regulatory Commission**