

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

**PRESENT:-**

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

**R.P.No.6 of 2022 in T.P.No.1 of 2022**

M/s.Tamil Nadu Power Producers' Association	..... Petitioner (Adv.Rahul Balaji)
Versus	
CMD/ TANGEDCO	..... Respondent (Tvl.N.Kumanan & A.P.Venkatachalapathy Standing Counsels for TANGEDCO & TANTRANSCO/SLDC)

**Hearing dated : 06.07.2023**

**DAILY ORDER**

*Order Pronounced.*

5.24. The question as to whether the reliefs / prayer sought for by the Review Petitioner in the Review Petition can be granted or not cannot be decided without rehearing the matter and reappraisal of the evidence on record. But such an exercise cannot be done by this Commission, as per settled principles of law governing the subject, while dealing with an application for review of the Tariff Order dated 09.09.2022 passed in T.P.No.1/2022. To put it in a nutshell, the alleged errors set out in the grounds of review cannot be treated as "errors apparent on the face of the record". Per contra, as rightly contended by the Senior Counsel for the Respondent, the instant Review Petition is nothing but an appeal in disguise and as such is not maintainable under law.

5.25. Considering all facts and circumstances and limitations / restrictions imposed upon the Court / Commission / Tribunal while exercising the power of Review conferred through Rule 1 of Order XLVII CPC and Regulation 43 of the TNERC (Conduct of Business) Regulations 2004, this Commission decides that the power of Review conferred upon the Commission to review its order cannot be exercised in the instant case.

Accordingly this point is determined.

In the result, this Review Petition is dismissed. No order as to costs.

(Sd.....)  
**(B.Mohan)**  
**Member(legal)**

(Sd.....)  
**(K.Venkatesan)**  
**Member**

(Sd.....)  
**(M.Chandrasekar)**  
**Chairman**

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

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

**PRESENT:-**

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

**R.P.No.4 of 2021 in R.A.No.3 of 2020**

CE/PPP, TANGEDCO

..... Petitioner  
(Tvl.N.Kumanan & A.P.Venkatachalapathy  
Standing Counsels for TANGEDCO &  
TANTRANSCO/SLDC)

Versus

(i) M/s.Ind-Barath Power Gencom Limited  
(ii) M/s.MALCO Energy Ltd.

..... Respondents  
(M/s.Shree Law Services for R-1  
Adv.Rahul Balaji for R-2)

**Hearing dated : 06.07.2023**  
**DAILY ORDER**

*Order Pronounced*

4.18. The prayer sought for by the Review Petitioner is no less than requesting the Commission to rehear the case afresh and rewrite its orders by revisiting to the facts and reappraisal of evidence on record. Review Petition is not, and should not be, an attempt for hearing the matter again on merits. Unfortunately, it has become in recent time, a practice to file such review petitions as a routine. The Review Petitioner has failed to bring his case within the periphery of Regulation 43 (1) of TNERC Conduct of Business Regulations, 2004 and as such the power of review conferred upon this Commission cannot be exercised in the instant case. Thus, on merit also this Review Petition cannot be considered in favour of the Review Petitioner.

In the upshot of the above conclusion, this Commission decides that there is no merit in the instant Review Petition.

In the result, this Review Petition is ordered to be dismissed. No order as to costs.

(Sd.....)  
**(B.Mohan)**  
**Member(legal)**

(Sd.....)  
**(K.Venkatesan)**  
**Member**

(Sd.....)  
**(M.Chandrasekar)**  
**Chairman**

**//True Copy//**

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

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

**PRESENT:-**

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

**P.R.C.No.2 of 2023**

M/s.Techno Electric & Engg. Co. Ltd.	..... Petitioner (Adv.Rahul Balaji)
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**Hearing dated : 06.07.2023**

**DAILY ORDER**

*Order Pronounced*

13. In fine, we pass following direction.

The petitioner shall file an affidavit and state clearly as to whether there existed any pre-existing invoices raised on TANGEDCO consequent to the impugned circular and such invoice was not accepted by TANGEDCO giving rise to the present cause of action. If the affidavit disclose that there existed pre-existing invoices raised on TANGEDCO consequent to the impugned circular and such invoices came to be unaccepted by TANGEDCO, then the Registry shall classify the instant petition as Dispute Resolution Petition. On the contrary if the affidavit discloses that no such invoices have been raised by the petitioner on TANGEDCO, then the Registry shall classify the instant petition as Miscellaneous Petition. Ordered accordingly.

(Sd.....)  
**(B.Mohan)**  
Member(legal)

(Sd.....)  
**(K.Venkatesan)**  
Member

(Sd.....)  
**(M.Chandrasekar)**  
Chairman

**//True Copy//**

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

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**

**(Constituted under section 82 (1) of the Electricity Act, 2003)**

**(Central Act 36 of 2003)**

**PRESENT:-**

Thiru.M.Chandrasekar  
Thiru.K.Venkatesan  
Thiru.B.Mohan

.... Chairman  
.... Member  
.... Member(Legal)

**D.R.P.No.6 of 2023**

Vagarai Wind Farm Limited

..... Petitioner  
(M/s.Sagus Legal)

Versus

i) CMD/ TANGEDCO & Ors.

..... Respondents  
(Tvl.N.Kumanan & A.P.Venkatachalapathy  
Standing Counsels for TANGEDCO &  
TANTRANSCO/SLDC)

**Hearing dated : 06.07.2023**

**DAILY ORDER**

Tvl.Shivam Sinha & Ankit Bhandai, Advocates appeared for the petitioner.  
Thiru.N.Kumanan, Standing Counsel appeared for respondent. Brief arguments heard.  
Petitioner admitted. TANGEDCO is directed to file Counter. The case is adjournment to  
17.08.2023 for counter.

(Sd.....)  
**(B.Mohan)**  
**Member(legal)**

(Sd.....)  
**(K.Venkatesan)**  
**Member**

(Sd.....)  
**(M.Chandrasekar)**  
**Chairman**

**//True Copy//**

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

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

**PRESENT:-**

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

**D.R.P.No.3 of 2023**

M/s.MALCO Energy Limited

..... Petitioner  
(Adv.Rahul Balaji)

Versus

i) CMD/ TANGEDCO & Ors.

..... Respondents  
(Tvl.N.Kumanan & A.P.Venkatachalapathy  
Standing Counsels for TANGEDCO &  
TANTRANSCO/SLDC)

**Hearing dated : 06.07.2023**

**DAILY ORDER**

Thiru.Rahul Balaji, Advocate appeared for the petitioner. Thiru.Richardson Wilson, Advocate appeared for respondent and sought time for counter. The matter is posted to 18.07.2023 for counter.

(Sd.....)  
**(B.Mohan)**  
Member(legal)

(Sd.....)  
**(K.Venkatesan)**  
Member

(Sd.....)  
**(M.Chandrasekar)**  
Chairman

//True Copy//

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

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

**PRESENT:-**

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

**D.R.P.No.4 of 2023**

Tamil Nadu Newsprint & Papers Limited	..... Petitioner (Adv.Rahul Balaji)
Versus	
(i) CMD/ TANGEDCO & Ors.	.....Respondents (Tvl.N.Kumanan & A.P.Venkatachalapathy Standing Counsels for TANGEDCO & TANTRANSCO/SLDC)

**Hearing dated : 06.07.2023**

**DAILY ORDER**

Thiru.Rahul Balaji, Advocate appeared for the petitioner. Thiru.Richardson Wilson, Advocate appeared for respondent and sought time for counter. The matter is posted to 18.07.2023 for counter.

(Sd.....)  
**(B.Mohan)**  
Member(legal)

(Sd.....)  
**(K.Venkatesan)**  
Member

(Sd.....)  
**(M.Chandrasekar)**  
Chairman

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



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

**PRESENT:-**

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

**D.R.P.No.10 of 2022**

M/s.OPG Power Generation Pvt. Ltd.	..... Petitioner (Adv.Rahul Balaji)
Versus	
(i) CMD/ TANGEDCO & Ors.	.....Respondents (Adv.Richardson Wilson)

**Hearing dated : 06.07.2023**

**DAILY ORDER**

Thiru.Rahul Balaji, Advocate appeared for the petitioner. Thiru.Richardson Wilson, Advocate appeared for respondent. Both sides agreed on adjournment for the purpose of filing affidavit by the petitioner in regard to LC. The case is adjourned to 25.07.2023 for filing of affidavit by the petitioner.

(Sd.....)  
**(B.Mohan)**  
Member(legal)

(Sd.....)  
**(K.Venkatesan)**  
Member

(Sd.....)  
**(M.Chandrasekar)**  
Chairman

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**Tamil Nadu Electricity**  
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**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under section 82 (1) of the Electricity Act, 2003)**  
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**PRESENT:-**

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

**D.R.P.No.5 of 2014 and**

**T.A.No.13,14,15,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,**  
**39,40,41,42,43,44,45,46,47,48,50,51,52,53,54,55,56,57,58,59,60,61,62,63,65 of 2022**  
**& T.A.No.1,2 of 2023**

Saheli Exports Private Ltd. & Ors.

..... Petitioners

(Thiru.R.Shanmuggam, Adv.Rahul Balaji,  
Adv.R.S.Pandiyaraj, Adv. Vinod Kumar,  
Adv.T.Balaji, Adv.M.A.Mudimannan,  
Adv.Anirudh Krishnan, Adv.S.Rajendran &  
Associates, Tr.Anurag Goel, IRP,  
Shree Law Services)

Versus

TANGEDCO & others.

.....Respondents

(Tvl.N.Kumanan & A.P.Venkatachalapathy  
Standing Counsels for TANGEDCO &  
TANTRANSCO/SLDC)

**Hearing dated :06.07.2023**

**DAILY ORDER**

Advocate Thiru.Rahul Balaji, Thiru.R.S.Pandiyaraj, Thiru.Vinod Kumar, Thiru.T.Balaji, Thiru.M.A.Mudimannan, Thiru.Anirudh Krishnan, Thiru.S.Rajendran & Associates, Thiru.Anurag Goel, Shree Law Services, Finance Director of M/s.Rajkumar Impex Pvt. Ltd. Thiru.G.Vasudevan and Thiru.R.Shanmugam, Insolvency Professional, appeared for the respective petitioner in T.A.No.13 to 15, 17 to 48, 50 to 65 of 2022, T.A.No.1 and 2 of 2023 and D.R.P.No.5 of 2014. Thiru.Richardson Wilson appeared for the Respondents. All the applications are the off-springs of the order passed by the Hon'ble High Court of Madras.

Vide Common Order dated 27.08.2021 passed in a batch of writ petitions preferred by the Generators individually, the Hon'ble High Court, Madras has directed this Commission to clarify the issues formulated by it in para 26 of the Common Order after issuing adequate publicity in line with the provisions of Sec.45 and 64 of the Electricity Act 2003. As the issues involved in all the cases primarily relate to the Distribution Licensee and the Generators in general, the Registry is directed to publish General notice about the pendency of the present applications in the website of the Commission to all the Generators inviting their comments/ remarks on the subject matter so as to facilitate this Commission to dispose the matter in compliance with the directions of the Hon'ble High Court. The Comments / remarks/ suggestions shall be presented within 15 days from the date of publication of the public notice. The applications preferred by M/s.Chettinad Cement Corporation Ltd., the petitioner in T.A.No.23, 24, 25 of 2022 to amend the cause title are allowed since the Counsel for the Respondents conceded for allowing the same. The petitioner in T.A.Nos.23, 24, 25 of 2022 is directed to file the amended copy of petition, which shall confine only to cause title, within a week from the date of this order. The matter is posted to 22.08.2023.

(Sd.....)  
**(B.Mohan)**  
**Member(legal)**

(Sd.....)  
**(K.Venkatesan)**  
**Member**

(Sd.....)  
**(M.Chandrasekar)**  
**Chairman**

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**PRESENT:-**

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

**T.A.No.64 of 2022**

M/s.Rajkumar Impex Pvt. Limited	..... Petitioner (Rep.by its Finance Director)
Versus	
(i) CMD/TANGEDCO Ltd & Ors.	.....Respondents (Adv.Richardson Wilson)

**Hearing dated : 06.07.2023**

**DAILY ORDER**

The petitioner side not present. Thiru.Richardson Wilson, Advocate appeared for respondent. Based on the memo filed by the petitioner for withdrawal of the petition, the petition is dismissed as withdrawn.

(Sd.....)  
**(B.Mohan)**  
Member(legal)

(Sd.....)  
**(K.Venkatesan)**  
Member

(Sd.....)  
**(M.Chandrasekar)**  
Chairman

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