

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

PRESENT:-

Thiru.S.Kabilan ... Chairman
Thiru.K.Venugopal Member
and
Thiru.S.Nagalsamy Member

I.A.No.1 of 2011 in D.R.P. No. 22 of 2011

M/s. Raghav Industries Ltd.,
T.S.No.7, Kattipalayam
Tiruchengode, Namakkal Main Road
Ela Nagar Post, Namakkal District. Petitioner
(Thiru R.S. Pandiyaraj, Advocate for Petitioner)

Vs.

1) The Chief Financial Controller (Revenue)
No. 144, Anna Salai
Chennai – 600 002 and another. Respondents
(Thiru.P.H. Vinod Pandian, Advocate for Respondents)

Hearing Date 15-12-2011

ORDER

Thiru. R. S. Pandiyaraj, Advocate appeared for the petitioner. The prayer of the petitioner is to set aside the penalty levied in pursuance of TNEB's letters dated 11-11-2011 for the alleged excess consumption in wind energy captive consumption for the month of November 2009. The Learned counsel for the petitioner contended that the petitioner has not exceeded the quota fixed by the respondent and the penalty was levied in November 2011 on the basis of Audit objections. He further contended that in W.P filed before the Hon'ble High Court challenging the levy of penalty in another case, the Superintending Engineer, Erode has filed a counter affidavit to the effect that the penalty levied has been refunded and no penalty will be levied till the case is finalized by TNERC as it had

stayed the impugned letter dated 25-6-2010. The Chief Financial Controller, TANGEDCO read the Audit objection in the instant case. After hearing both side the Commission passed the following order:-

“Petition admitted and TANGEDCO to file counter within four weeks. The Interim Relief sought by the Petitioners is to stay disconnection for non-payment of dues. Interim relief from disconnection of service for non-payment of dues is granted. The main issue will be taken up when the Petition is posted for hearing.”

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

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

(Sd.....)
(S.Kabilan)
Chairman

/ True Copy /

Secretary
Tamil Nadu Electricity
Regulatory Commission