

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. 2 of 2011

in

M.P.No. 48 of 2010

Tamil Nadu Generation and Distribution
Corporation Ltd.

(TANGEDCO)

No.144, Anna Salai, Chennai – 600 002.

... Petitioner
(Thiru.P.H. Vinod Pandian,
Advocate for Petitioner)

Vs.

Nil

.... Respondent

M.P. No. 32 of 2011

National Energy Trading and Services Ltd.

Plot No. 397, LANCO House

Udyog Vihar, Phase III,

Gurgaon – 122 016.(Haryana)

..... Petitioner
(Thiru Rahul Balaji,
Advocate for Petitioner)

Vs.

TANGEDCO

Rep. by its Chairman & Managing Director

No. 144, Anna Salai

Chennai – 600 002.

... Respondent
(Thiru.P.H. Vinod Pandian,
Advocate for Respondent)

Hearing on the affidavits submitted by Thiru. P.H. Vinod Pandian, Advocate for TANGEDCO praying for expunging the remarks made by the Commission about

his absence in the Common Order dated 15-12-2011 in I.A.No.2 of 2011 in M.P.No.48 of 2010 and M.P.No.32 of 2011.

Date of Order : 28-12-2011

1) On 28-12-2011 the affidavit of Thiru. P.H. Vinod Pandian, counsel for TANGEDCO was taken up for consideration. In the said affidavit he has stated that he had obtained the permission of two Hon'ble Members namely Thiru. Venugopal and Thiru. Nagalsamy on 15-12-2011 at 10.30 am for absentsing himself from the hearing in regard to I.A.No.2 of 2011 in M.P.No.48 of 2010 and M.P.No.48 of 2010 because of the fact that the Chief Engineer, TANGEDCO appeared in person on 15-12-2011 and represented the aforesaid cases as he felt that the cases involved complex technical issues and hence did not warrant the services of the counsel.

2) The Commission after hearing the learned counsel Thiru. P.H. Vinod Pandian passed the following order on 28-12-2011.

ORDER

The Learned Counsel for TANGEDCO Thiru. P.H. Vinod Pandian has submitted an affidavit on 28-12-2011 expressing his concern at the observations made by the Commission in 15-12-2011. What he has stated in the affidavit is an internal matter of TANGEDCO. It is amazing how the learned counsel for TANGEDCO is not authorized to represent the TANGEDCO cases. This is a serious matter, which should be brought to the notice of the Chairman and Managing Director, TANGEDCO. The order dated 15-12-2011 was also passed in this context.

2) Nevertheless, considering the fact that his absence on 15-12-2011 has received adverse publicity, we have no hesitation in expunging the observations of the Commission made on 15-12-2011.

3) A copy of this order may be sent to CMD, TANGEDCO.

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

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

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

/ True Copy /

Secretary
Tamil Nadu Electricity
Regulatory Commission