

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**

and

Thiru.S.Nagalsamy **Member**

M.P.No.2 of 2013

PSG & Sons Charities Metallurgy and
Foundry Division
HT SC No. 26
Neelambur
Coimbatore District – 641 062
Repd. by its Vice-President S.Kuppusamy

.. Petitioner
(Thiru R.S.Pandiyaraj,
Advocate for Petitioner)

Vs

1. The Chairman
Tamil Nadu Electricity Board
144, Anna Salai
Chennai – 60 002.
2. The Superintending Engineer
Coimbatore Electricity Distribution Circle (S)
Tamil Nadu Electricity Board
Coimbatore.

....Respondents

Date of hearing : 04-06-2013

Date of order : 04-06-2013

The above M.P.No.2 of 2013 came up for admission on 04-06-2013. The prayer of the petitioner is to quash the notice issued by the second respondent in

SE/CEDC/S/CBE/AEEGL/AE-1/F.R&C/D.No.798/10, dated 26-07-2010 and to permit the industry to run on optimum demand.

2. The petitioner has originally filed a Writ Petition before the Hon'ble High Court, Madras in W.P.No.17342 of 2010 with a prayer to issue a Writ of Certiorari or any other appropriate writ, order or direction in the nature of writ, calling for the records in Notice No.SE/CEDC/S/CBE/AEE GL/AE.1/F.R&C/D.No.798/10, dated 26-07-2010 issued by the Superintending Engineer, Coimbatore (South) and to quash the same as illegal, arbitrary and without authority of law. The Hon'ble High Court in its order dated 04-08-2010 has passed the following order:-

"2.This court by an order dated 02-02-2010 in W.P.No.22738 of 2009 and etc. batch has passed the following order:-

"4. In view of such submission being made, on behalf of the parties concerned, the Registry is directed to transfer all the connected writ petitions along with the relevant records to the Tamil Nadu Electricity Regulatory Commission, Chennai, forthwith. On such transfer being made, the Tamil Nadu Electricity Regulatory Commission, Chennai is directed to consider the issues raised in the Writ Petitions and to pass appropriate orders thereon, within a period of fifteen days thereafter on merits and in accordance with law, after giving an opportunity of hearing to the petitioners, as well as to the respondent Tamil Nadu Electricity Board. The petitioners shall co-operate in the proceedings to be conducted by the Tamil Nadu Electricity Regulatory Commission, Chennai.

5. The respondent Tamil Nadu Electricity Board undertakes to continue the optimum demand concept, in so far as the petitioners

concerned, till the Tamil Nadu Electricity Regulatory Commission, Chennai, passes appropriate orders, as directed by this court by this order”

3. *In view of the above stated position, the present Writ Petition shall be transferred to the Tamil Nadu Electricity Regulatory Commission, Chennai on the same terms and conditions as ordered by this court in the Writ Petition referred to above”.*

3. Pursuant to the above direction of the Hon'ble High Court, Madras the petitioner has filed the present Miscellaneous Petition No.2 of 2013 before this Commission for setting aside of the second respondent's letter No.SE/CEDC/S/CBE/AEE.GL/AE1/F.R&C/D.No.798/10, dated 26-07-2010. When the above M.P.No.2 of 2013 came up for admission on 04-06-2013, the learned counsel for the petitioner has prayed for withdrawal of the above case., The Commission upon perusing all the records relating thereto and upon hearing the parties has passed the following order:-

ORDER

M.P.No.2 of 2013 was taken up. The Learned Counsel for the petitioner seeks permission to withdraw the petition. Permission is granted and the petition is dismissed as withdrawn.

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

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

/ True Copy /

Secretary
Tamil Nadu Electricity
Regulatory Commission