

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
Dr.T.Prabhakara Rao Member
and	
Thiru. K.Venkatasamy Member (Legal)

D.R.P.No.50 of 2014

M/s. OPG Power Generation Pvt. Ltd.
No.6, Sardar Patel Road
Guindy
Chennai – 600 032.

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

Vs.

1. TANGEDCO
Rep. by its Chairman
NPKRR Maaligai
No.144, Anna Salai
Chennai – 600 002.
2. TANTRANSKO
Rep. by its Director / Operations
NPKRR Maaligai
144, Anna Salai
Chennai – 600 002.
3. State Load Despatch Centre
NPKRR Maaligai
144, Anna Salai
Chennai – 600 002.
4. The Superintending Engineer
Chennai Electricity Distribution Circle / North
144, Anna Salai
Chennai – 600 002.

5. Board Office Audit Branch
Represented by the Internal Audit Officer
144, Anna Salai
Chennai – 600 002.

... Respondents
Thiru M.Gopinathan
Standing Counsel for Respondents)

Dates of hearing : **29-04-2014; 30-06-2014; and
17-09-2019**

Date of Order : **27-09-2019**

The prayer of the Petitioner in the D.R.P. No. 50 of 2014 is to call for the records of the first Respondent comprised in letter dated 20-03-2014 bearing Ref. LR. No. SE/CEDC/N/DFC/NAO/HT/F OPG/D and setaside the same, as is being contrary to the terms of the contract entered into between the parties for the period October 2012 to March 2013.

The Petitioner has also prayed for an interim stay of the impugned letter dated 20-03-2014 mentioned above.

As no interim stay has been granted by the Commission for the impugned letter dated 20-03-2014 the petitioner has filed an Appeal before the Hon'ble APTEL in Appeal No.127 of 2014 and I.A. No.226 of 2014. The Hon'ble APTEL in its order dated 03-12-2014 has disposed of the said Appeal as infructuous.

During the hearing on 17-09-2019, the learned Counsel for the Petitioner has informed that the petition has become infructuous and also filed a Memo of Withdrawal on 17-09-2019. In the Memo of Withdrawal filed by the Petitioner, the learned Counsel has submitted that the Respondent TANGEDCO has withdrawn its impugned demand notice vide letter dated 10-10-2014 bearing Ref. No. SE/CEDC/N/DFC/N/AAO/HT/F OPG/D 503/14, stating therein that the audit query

itself stands withdrawn vide letter dated 26-09-2014 and therefore the impugned demand also stands withdrawn.

In the light of the above, the learned counsel for the petitioner seeks to withdraw the above case. The Commission after perusing the records and after hearing the submissions of the learned Counsel for the Petitioner hereby passes the following

ORDER

The Commission permits the withdrawal of D.R.P.No. 50 of 2014 as sought for by the learned Counsel for the petitioner. Accordingly, D.R.P. No. 50 of 2014 is dismissed as withdrawn.

(Sd.....)
(K.Venkatasamy)
Member (Legal)

(Sd.....)
(Dr.T.Prabhakara Rao)
Member

(Sd.....)
(M.Chandra Sekar)
Chairman

/True Copy /

Secretary
Tamil Nadu Electricity
Regulatory Commission