

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. PrabhakaraRao ... Member
and
Thiru K. Venkatasamy ... Member (Legal)

D.R.P No.52 of 2014

M/s. Designco
represented by its Partner
Mr. Vibhor Kumar Gupta,
LakriFazalpur, Delhi Road,
Moradabad 244 001.

.... Petitioner
(M/s. Sri & Shankar, Associates)

Vs.

1. The Chairman & Managing Director,
TANGEDCO
2. The Director, Finance,
TANGEDCO

Both at Tamil Nadu Electricity Board,
7th Floor, Eastern Wing, Mount Road,
Chennai – 600 002.

3. The Superintending Engineer,
Tuticorin Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Ettayapuram Road, Tuticorin – 628 002.

... Respondents
(ThiruM.Gopinathan
Standing Counsel for TANGEDCO)

Dates of hearing: 29-04-2014; 05-09-2019; 24-09-2019;
29-10-2019; 10-12-2019; 28-01-2020;
04-08-2020;08-09-2020; 29-09-2020;
13-10-2020;and 27-10-2020.

Date of order : 30-11-2020

ORDER

1. Prayer in D.R.P. No.52 of 2014:-

The prayer of the petitioner in D.R.P. No. 52 of 2014 is to direct the respondents to pay a sum of Rs. 57,23,359/- being the amount due to the petitioner under the Power Purchase Agreements together with interest at the rate of 18% per annum from the date of due till the date of payment or in the alternative refer the matter for arbitration for adjudication of the above claim made by the petitioner against the respondents and pass such further or other orders as this Hon'ble Court may deem fit.

2. During the hearing held on 29-04-2014, both parties submitted that they propose to negotiate the issue for finding the possible settlement and prayed that the matter maybe adjourned to enable them to negotiate. Considering the submission of both parties, the Commission grants 60 days time.

3. In the hearing held on 28-01-2020, the Advocate from M/s. Sri & Shankar Associates appeared for the petitioner and Memo has been filed by him agreeing to the offer of the TANGEDCO counsel for settlement of dues with interest @ 6% per annum within 60 days.

4. In the hearing held on 08-09-2020, Ms. Sridevi, Advocate from M/s. Sri & Shankar Associates appeared for the petitioner and informed that the respondent has not complied the order of the Commission in regard to payment. ThiruM.Gopinathan, Standing Counsel for TANGEDCO appeared and undertook to settle the claim before 30th October and the Commission directed payment of 50% of claim before next hearing.

5. In the hearing held on 13-10-2020, ThiruM.Gopinathan, Standing Counsel appeared for TANGEDCO and informed that the entire claim amount has been settled to the petitioner. But the Counsel for the Petitioner sought time of one week for ascertaining whether the claim amount has been paid to the petitioner.

6. In the hearing held on 27-10-2020, Ms. Sridevi, Advocate from M/s. Sri and Shankar Associates appeared for the petitioner and informed that TANGEDCO has settled the entire claim of petitioner and hence, the petition may be closed.

7. The Commission after perusing the documents, submissions of both parties passed the following:

ORDER

The petition is closed as the entire claim is settled.

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

(Sd.....)
(Dr.T.PrabhakaraRao)
Member

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

/True Copy /

Secretary
Tamil Nadu Electricity
Regulatory Commission