

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.6 of 2015

M/s.Super Springs Private Limited
Kurumbapalayam
M G Pudur Post
Coimbatore – 641 406.

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

Versus

1. TANGEDCO
Rep. by its Chairman & Managing Director
No.144, Anna Salai, Chennai - 600 002.
2. The Chief Financial Controller (Revenue)
TANGEDCO
144, Anna Salai, Chennai – 600 002.
3. The Superintending Engineer
Kanyakumari Electricity Distribution Circle
Nagercoil

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

Date of hearing : 17-09-2019

Date of Order : 30-11-2020

1. Prayer of the Petitioner in D.R.P. No.6 of 2015:-

The above D.R.P. No.6 of 2015 has been filed with a prayer to call for the records of the 2nd Respondent bearing Lr. No. CFC/FC/REV/AAO/HT/ D.419/2014,

dated 11-07-2014 and all proceedings consequent or pursuant thereto including the 3rd Respondent's impugned order bearing Lr. No. E/KKEDC/DFC/AO/Rev/RCS/AS/D 777/2014, dated 02-12-2014 and Lr. No. SE/KKDC/DFC/AO/RCS/A3/D 52/2015, dated 31-01-2015 and set aside the same as being arbitrary, illegal and without authority of law and contrary to the provisions of the Electricity Act, 2003 and consequently direct the respondents to make payment of an amount of Rs.11,67,850/- being the amount due and payable to the petitioner as on 09-02-2015 towards unutilised banked units; and award costs of the present proceedings, including the court fees and legal expenses in favour of the petitioner and against the respondents.

2. During the hearing held on 17-09-2019, the Counsel for the Petitioner submitted that due to subsequent circular issued by TANGEDCO, the prayer became infructuous and therefore, the petition may be closed with a liberty to file a separate petition for refund of cross subsidy surcharge. The petitioner is directed to file a Memo in this regard. Accordingly, the Counsel for the Petitioner has filed a Memo on 19-11-2020 for withdrawal of the above petition.

3. The Commission upon perusing the records and after hearing the submission of the petitioner and the Memo filed on 19-11-2020 by the Counsel for the Petitioner passes the following

ORDER

The petition is dismissed as withdrawn.

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

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

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

/True Copy /

Secretary
Tamil Nadu Electricity
Regulatory Commission