

No.58/2023 dated: 03-11-2023

TAMIL NADU ELECTRICITY REGULATORY COMMISSION**CAUSE LIST for 07-11-2023 (First list)****Venue: Court Hall of the Commission****Time : 11.00 AM**

Item No.	Case No.	Name of the Parties	Counsel	Remarks
1	M.P.No.34 of 2023	CFC/Deposits & Documentation, TANGEDCO Versus M/s.Aniruth Green India Pvt. Limited	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To declare that the petitioner lost Captive Status for the Fys 2017-2018 & 2018-2019. For admission.
2	M.P.No.35 of 2023	CFC/Deposits & Documentation, TANGEDCO Versus M/s.Ariya Plastics	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To declare that the petitioner lost Captive Status for the FY 2021-2022. For admission.
3	M.P.No.36 of 2023	CFC/Deposits & Documentation, TANGEDCO Versus M/s.Aadhav Green Power Pvt Limited	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To declare that the petitioner lost Captive Status for the FY 2015-2016. For admission.
4	M.P.No.37 of 2023	CFC/Deposits & Documentation, TANGEDCO Versus M/s.Rathnakala Power Generation Pvt Limited	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To declare that the petitioner lost Captive Status for the FY 2018-2019. For admission.
5	M.P.No.38 of 2023	CFC/Deposits & Documentation, TANGEDCO Versus M/s.KAS Onsite Power Solutions LLP	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To declare that the petitioner lost Captive Status for the FY 2022-2023. For admission.
6	M.P.No.24 of 2022	CFC/Deposits & Documentation, TANGEDCO Versus M/s.Sheenlac Paints Ltd	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy Adv.Rahul Balaji	To declare that the respondent is not a Captive Generating Plant for the FYs 2015-2016, 2016-2017, 2017-2018 and 2018-2019. For counter.
7	D.R.P.No.11 of 2023	M/s.G.R.Natarajan & Co Versus (i) CMD/TANGEDCO (ii) CFC/Revenue (iii) SE/Tirunelveli EDC (iv) SE/Dindigul EDC	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Direct the respondents to forthwith make payment of a sum of Rs.9,71,825 being the interest due and payable to the petitioner as per the order of the Supreme Court dated 8.7.2016 in C.A.No.2397 of 2014 and the order of the High Court dt.8.12.2021 in W.P.No.22406 of 2017 and also direct the respondents to make a

				<p>payment of Rs.11,21,633/- being the interest due and payable to the petitioner i.r.o. the invoice payment made from 12.3.2019 towards energy generated by its WEG.</p> <p>For rejoinder.</p>
8	D.R.P.No.12 of 2023	<p>M/s.Narbheram Solar TN Private Limited Versus (i) CMD/TANGEDCO (ii) CE/NCES (iii) SLDC / TANTRANSCO</p>	<p>Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>To refix the condition of achieving minimum 17% CUF by fixing an appropriate band and direct to restrain the respondents from issuing backing down / curtailment for any reason other than grid safety and security issues and also direct the respondents to refund an amount of Rs.13,51,82,821 deducted towards CUF penalty for the financial year 2019-2020 and 2020-2021.</p> <p>For rejoinder.</p>
9	D.R.P.No.13 of 2023	<p>M/s.NVR Energy Pvt Limited Versus (i) CMD/TANGEDCO (ii) CE/NCES (iii) SLDC / TANTRANSCO</p>	<p>Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>To review the working and applicability of Clause-6 of the PPA with regard to CUF and working of such provision, including revising the CUF band to 12% - 19% to cover variations and direct to restrain the respondents from issuing backing down / curtailment for any reason other than grid safety and security issues and also direct the respondents to refund an amount of Rs.11,53,11,360 deducted towards CUF penalty for the financial year 2019-2020 and 2020-2021.</p> <p>For rejoinder.</p>

10	M.P.No.13 of 2022	M/s.Grace Infrastructure Pvt. Limited Versus (i) CMD/TANGEDCO Ltd (ii) Director (Finance) (iii) CE/NCES (iv) SE/Tirunelveli EDC (v) SE/Theni EDC	M/s.Rugan & Arya Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To impose penalty upon the respondents in accordance with section 142 of the Electricity Act, 2003 for non-compliance of the order of the Commission dated 19.1.2022 in D.R.P.No.7 of 2021 and consequently direct the respondents to make payments of the entire sum of Rs.28,07 crores along with interest @ 12% p.a. For filing affidavit by the respondents.
Batch cases - In the matter of levy of penalty on alleged excess drawal of power – For arguments				
11	T.A.No.1 of 2022	M/s.Sundaram Clayton Limited Versus (i) CMD/TANGEDCO (ii) SE/CEDC/West (iii) Arkay Energy (Rameswaram) Limited	M/s.Sarvabhauman Associates Adv.N.Kumanan & Adv.A.P.Venkatachalapathy for R-1 & R-2 Adv.Mahasweta for R-3	W.P.No.25357 of 2010 trd. by Hon'ble High Court of Madras in the matter of levy of penalty on alleged excess drawal of power.
12	T.A.No.2 of 2022	M/s.Sundaram Clayton Limited Versus (i) CMD/TANGEDCO (ii) SE/CEDC/West (iii) Arkay Energy (Rameswaram) Limited	M/s.Sarvabhauman Associates Adv.N.Kumanan & Adv.A.P.Venkatachalapathy for R-1 & R-2 Adv.Mahasweta for R-3	W.P.No.25245 of 2010 trd. by Hon'ble High Court of Madras in the matter of levy of penalty on alleged excess drawal of power.
13	T.A.No.3 of 2022	M/s.Sundaram Clayton Limited Versus (i) CMD/TANGEDCO (ii) SE/Dharmapuri EDC (iii) Arkay Energy (Rameswaram) Limited	M/s.Sarvabhauman Associates Adv.N.Kumanan & Adv.A.P.Venkatachalapathy for R-1 & R-2 Adv.Mahasweta for R-3	W.P.No.25246 of 2010 trd. by Hon'ble High Court of Madras in the matter of levy of penalty on alleged excess drawal of power.
14	T.A.No.4 of 2022	M/s.Lucas TVS Limited Versus (i) Chairman / TANGEDCO (ii) SE/Chennai EDC/West (iii) Arkay Energy (Rameswaram) Limited	M/s.Sarvabhauman Associates Adv.N.Kumanan & Adv.A.P.Venkatachalapathy for R-1 & R-2 Adv.Mahasweta for R-3	W.P.No.25247 of 2010 trd. by Hon'ble High Court of Madras in the matter of levy of penalty on alleged excess drawal of power.
15	T.A.No.5 of 2022	M/s.Sundaram Fasteners Limited Versus (i) Chairman / TANGEDCO (ii) SE/CEDC/West (iii) Arkay Energy (Rameswaram) Limited	M/s.Sarvabhauman Associates Adv.N.Kumanan & Adv.A.P.Venkatachalapathy for R-1 & R-2 Adv.Mahasweta for R-3	W.P.No.25248 of 2010 trd. by Hon'ble High Court of Madras in the matter of levying penalty on alleged excess drawal of power.

Batch cases - In the matter of adjustment of lapsed units – For arguments as a last chance				
16	T.A.No.7 of 2022	Kamachi Industries Limited Versus (i) Chairman/TANTRANSCO (ii) MD/TANTRANSCO (iii) CE/Grid Operations (iv) Director/Operations & ors.	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.475 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units.
17	T.A.No.8 of 2022	M/s.ARS Energy Pvt. Limited Versus (i) Chairman / TANTRANSCO (ii) MD/TANTRANSCO (iii) CE/Grid Operations (iv) Director/Operations (v) Director/Distribution (vi) SE/Chennai EDC/North	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.11480 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units.
18	T.A.No.9 of 2022	Suryadev Alloys & Powers Pvt. Limited Versus (i) Chairman / TANGEDCO (ii) MD/TANTRANSCO & Ors.	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.12062 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units.
19	T.A.No.10 of 2022	Tulsyan NEC Limited Versus (i) Ch/TANTRANSCO (ii) MD/TANTRANSCO (iii) CE/Grid Operations (iv) Director/Operations (v) Director/Distribution (vi) SE/Chennai EDC/North	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.12083 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units.
20	T.A.No.11 of 2022	Kamachi Industries Limited Versus (i) Chairman/ TANTRANSCO (ii) MD/TANTRANSCO (iii) CE/Grid Operations (iv) Director/Operations & ors.	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.12584 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units.
21	T.A.No.12 of 2022	OPG Power Generation Pvt. Limited Versus (i) Ch./TANTRANSCO (ii) MD/TANTRANSCO & Ors.	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.15861 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units.
22	D.R.P.No.3 of 2023	M/s.MALCO Energy Limited Versus (i) CMD/TANGEDCO (ii) CE/PPP (iii) SE/Mettur EDC (iv) SLDC	Adv.Rahul Balaji Adv.Richardson Wilson	To set aside the impugned communications dated 13.02.2015 and 24.04.2015 and the consequential demand of the 3rd respondent letter dt.29.06.2015 demanding a sum of Rs.8,58,23,430/- and pass other orders.

23	D.R.P.No.4 of 2023	Tamil Nadu Newsprint & Papers Limited Versus (i) CMD/TANGEDCO (ii) CE/PPP (iii) SE/Karur EDC (iv) SLDC	Adv.Rahul Balaji Adv.Richardson Wilson	To set aside the impugned communications dated 13.02.2015 and 24.04.2015 and the consequential demand of the 3rd respondent letter dt.21.07.2016 demanding a sum of Rs.2,64,97,493/- and pass other orders.
24	D.R.P.No.7 of 2022	M/s.Arkey Energy (Rameswaram) Limited Versus (i) Principal Secretary to Govt., Energy Department, GoTN (ii) CMD/TANGEDCO	Adv.Anirudh Krishnan Adv.Richardson Wilson	To offset the adverse financial impact on the generating company as a result of operating and maintaining the power plant as per the directions of the GoTN under section 11(1) and determine the price payable for the energy that was injected during the year 2009-10 and 2010-11 into the Tamil Nadu Grid for which payments to the tune of Rs.92.10 crores have not been made by the respondent and direct the 2nd respondent herein to make the said payment to the petitioner herein. For arguments.

**Secretary
Tamil Nadu Electricity
Regulatory Commission**

TAMIL NADU ELECTRICITY REGULATORY COMMISSION**CAUSE LIST for 07-11-2023 (Second List)**

CORAM: Thiru. K.Venkatesan, Hon'ble Member
Thiru. B.Mohan, Hon'ble Member (Legal)

Time: 3.00 PM

Sl. No	Case No.	Name of the Parties	Counsel / Party	Remarks
1	M.P.No.11 of 2022	Power Engineers Society of Tamil Nadu (PESOT) Versus (i) CMD/TANGEDCO (ii) PPN Power Generating Co. Pvt. Limited	Rep. by its President Adv.N.Kumanan & Adv.A.P.Venkatachalapathy for R-1 Adv.Rahul Balaji for R-2	To declare the payment made and to be made to M/s.PPN Power Generating Ltd in accordance to the BP 21 dated 30.3.2020 is in violation of PPA entered on 03.01.1997 and to disapprove the amendments to PPA, if any entertained and order to recover the entire amount paid to PPN Power Ltd and also to punish TANGEDCO for the violation to the provision of section 142 of the E.A., 2003. For arguments.

(By order of the Commission)

**Secretary
Tamil Nadu Electricity
Regulatory Commission**