



**IN THE HON'BLE TAMIL NADU ELECTRICITY
REGULATORY COMMISSION
CHENNAI**

20th DAY OF DECEMBER 2002

CORUM:

The Hon'ble Chairman Mr. A. Balraj, IAS., Retd. - Chairperson

and

The Hon'ble Member Mr. S. Thangarathnam - Member

**Revision Petition Nos. 253/2002 to 261/2002 connected stay
petitions and direction petitions**

Petitioners:

M/s Annamalaiar Mills (P) Ltd. Madurai Road Petitioner in RP 253/2002
Dindigul

M/s Annamalaiar Mills (P) Ltd. Palakkanuthu, Petitioner in RP 254/2002
Dindigul

M/s Viswabharathi Textiles (P) Ltd., Unit I Petitioner in RP 255/2002
Dindigul

M/s Viswabharathi Textiles (P) Ltd., Unit II Petitioner in RP 256/2002
Dindigul

M/s. Pearl Chlorate Pvt. Ltd. Kovilpatti Petitioner in RP 257/2002
Tuticorin

M/s. Salem Textiles Ltd.. Salem Petitioner in RP 258/2002

M/s Senthil Textile Mills (P) Ltd. Petitioner in RP 259/2002
Salem

M/s. Ramoxygen (P) Ltd., Coimbatore Petitioner in RP 260/2002

M/s. Thakadoor Spinning Mills (P) Ltd.
Dharmapuri

Petitioner in RP 261/2002

VERSUS

- | | | |
|--|---|--|
| <p>1. The State of Tamil Nadu Represented
by its Secretary to Government, Energy
Department, Chennai</p> <p>2. The Tamil Nadu Electricity Board,
Represented by its Chairman,
Anna Salai, Chennai.</p> | } | <p>Respondents in all Revision
Petitions</p> |
|--|---|--|

These Revision Petitions coming on for final hearing before us on 20th
December 2002, in the presence of :

<u>S.No.</u>	<u>Advocates</u>	<u>For Revision Petitioners</u>
1	Tvl.R.S.Pandiyaraj & P.S.Vasanthakumar	RP Nos. 253 to 256 of 2002.
2.	Tvl. M. Kamalanathan, R. Kamaraj and R. Gokul	RP Nos.257, 258 and 259 of 2002
3	Tvl. Palani Selvaraj and V. Vijay Shankar	RP No.260 of 2002
4	Tvl. Muthumani Doraisamy , Kandavadivel Doraisamy & P.Senthil Kumar	RP No. 261 of 2002

The City Government Pleader for the 1st Respondent and Thiru G.Vasudevan, Advocate for the 2nd Respondent, having perused the Petitions, Counters and connected papers and having heard the arguments of both sides and having stood over for consideration till this day, this Commission deliver the following

COMMON ORDER.

COMMON ORDER

1. Prayer by the Revision Petitioners

The prayer in R.P. Nos. 253 to 259 and 261 of 2002 is to fix the tariff under sections 22 and 29 of the Electricity Regulatory Commissions Act, 1998 (Act 14 of 1998) (hereinafter shortly referred to as ERC Act) and to grant stay of the operation of G.O. Ms.No. 95 Energy (A2) Department, dated 28.11.2001. The prayer in RP No. 260 of 2002 is to call for the records in G.O. Ms.No. 95 Energy (A2) Department, dated 28.11.2001 and to revise the quantum of tariff fixed therein and to grant stay of the operation on the said G.O. Ms. No. 95

2. Arguments on behalf of the Respondents

At the outset the Learned Counsel for the second Respondent pointed out that the aforesaid RP Nos. 253 to 261 of 2002 are similar to the batch of revision petition Nos. 1 of 2002 to 252 of 2002 which; have been finally disposed of by this Hon'ble Commission on 31st October 2002 and the orders of this Hon'ble Commission dated 31st October 2002 which have been confirmed by the Hon'ble High Court, Madras in CMA Nos. 2298, 2320 etc. of 2002 are applicable and as such the above said RP Nos. 253 to 261 of 2002 are liable to be dismissed.

3. Arguments on behalf of Petitioners

On behalf of the petitioners, it has been pleaded that in the CMA Nos. 2298, 2320 etc. of 2002 referred to above, the Hon'ble High Court, Madras was pleased to permit the appellants in the above CMAs to pay the arrears upto the month of November 2002 in 10 equal monthly instalments along with the respective demand from December 2002 onwards. In regard to the above plea advanced on behalf of the petitioners, the Learned Counsel for the second respondent has not raised any objection.

4. Findings of the Commission

It is seen that the issues involved in the present R. P. Nos. 253 to 261 of 2002 are the same which were involved in R.P. Nos. 1 of 2002 to 252 of 2002 and which were previously disposed of by this Commission and the orders dated 31st October 2002 passed by the Commission in the aforesaid R.P. Nos. 1 of 2002 to 252 of 2002 would equally apply to the issues involved in the present R.P. Nos. 253 to 261 of 2002. As such the present R.P. Nos. 253 to 261 of 2002 are liable to be dismissed.

In the above circumstances, we dismiss all the present R.P. Nos. 253 to 261 of 2002 without cost. Consequently all connected petitions for stay are also dismissed. However, the petitioners may be permitted to pay the arrears upto the month of November 2002 in 10 equal monthly instalments as prayed by them, for which there is no objection from the respondents.

Pronounced in Open Court by the Commission on 20th December 2002.

Sd.....
(S. THANGARATHNAM)
Member

Sd.....
(A. BALRAJ)
Chairman

List of Witnesses examined

NIL

List of Documents

NIL

Sd.....
(S. THANGARATHNAM)
Member

Sd.....
(A. BALRAJ)
Chairman

/True Copy/

**Secretary
Tamil Nadu Electricity**

**Regulatory Commission
Chennai 600 018**