



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

23rd DAY OF NOVEMBER 2005

PRESENT:

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

and

The Hon'ble Member Mr. B. Jeyaraman - Member

M.P. No.30 of 2005

The Commissioner,
Mannargudi Municipality,
Mannargudi 614 001.

: Petitioner

Vs.

1. The Chairman
Tamil Nadu Electricity Board,
Anna Salai,
Chennai 600 002.

2. The Executive Engineer,
Operation & Maintenance,
Tamil Nadu Electricity Board,
Mannargudi 614 001.

: Respondents

This Petition came up for hearing on the 26th day of October 2005 with reference to its admissibility. After perusing the relevant records relating to the above petition and after hearing the Learned Counsel for the Petitioner, the Commission delivers the following

ORDER

- (1) The prayer of the Petitioner is to waive the belated payment surcharge amounting to Rs.11,29,647/- payable by the Petitioner.

- (2) From the facts set out in the petition, it is seen that the grievance of the petitioner relates to the demand of BPSC charges by the Respondent Board. The grievance of the petitioner which relates to BPSC charges falls within the purview of regulation 5 (4) of the Tamil Nadu Electricity Supply Code which provides for the payment of BPSC charges by the consumers. Regulation 18 of the Supply Code which relates to Consumer Grievance Redressal reads as follows: "All grievances of the consumers relating to the provisions under regulations (3) to (17) of this Code shall be referred by the consumer to the respective Consumer Grievance Redressal Forum."
- (3) There is no dispute with reference to interpretation of the language employed in the Supply Code. The language employed in the regulations of the Supply Code referred to above are free from any ambiguity. As such this petition cannot be said to fall within the purview of regulation 26 (3) of the Supply Code so as to entertain the dispute by this Commission.
- (4) In the above circumstances, it is only the concerned Consumer Grievance Redressal Forum and not the Commission which has got the jurisdiction to entertain this petition. As such the admission to this petition is denied and the Petitioner is requested to seek his remedy from the concerned Consumer Grievance Redressal Forum.

Pronounced in the Open Court by this Commission on 23rd November 2005.

**Sd.....
(B. JEYARAMAN)
Member**

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

List of Witnesses examined

NIL

List of Documents

NIL

**Sd.....
(B. JEYARAMAN)
Member**

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

/Certified Copy/

Secretary

