

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
Constituted under section 82 (1) of the Electricity Act 2003  
(Central Act 36 of 2003)

**PRESENT:-**

**Thiru.S.Kabilan**

**... Chairman**

**and**

**Thiru.K.Venugopal**

**.... Member**

**D.R.P. NO. 18 OF 2009**

Tamil Nadu Electricity Board  
Rep. by its Chairman  
No.144, Anna Salai  
Chennai 600 002.

**... Petitioner**

**(Advocate for Petitioner Thiru.H.S. Mohamed Raffi)**

**Vs.**

M/s. Arkay Energy (Rameswaram) Limited  
Regd. Office : Plot No.30A, Road No.1  
Film Nagar, Jubilee Hills  
Hyderabad – 500 037.

**... Respondent**

**(Advocate for Respondent Thiru.Rahul Balaji)**

**Date of hearing 17-08-2010**

**Date of order 17-08-2010**

D.R.P. No.18 of 2009 praying for directing the Respondent to pay the compensation under clause 12 (h) of TNERC Intra-State Open Access Regulations 2005 for the relinquishment of open access rights and obligations by the Respondent came up for hearing before the Commission on 17-08-2010.

The Commission upon perusing the above petition and the connected records and upon hearing both sides passed the following

**ORDER**

The Petitioner may await High Court verdict and may approach the Commission, after the High Court verdict, if there is still a cause of action.

**Delivered on 17-08-2010**

**(Sd.....)  
(K. Venugopal)  
Member - I**

**(Sd.....)  
(S.Kabilan)  
Chairman**

**/ True Copy /**

**Secretary  
Tamil Nadu Electricity  
Regulatory Commission**