

**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. 8 OF 2010**

M/s. Harshni Textiles Limited  
504, Avanashi Road  
Peelamedu, Coimbatore – 641 004.

... **Petitioner**

(Thiru.N.L. Rajah, Advocate for Petitioner)

**Versus**

1. The Tamil Nadu Electricity Board  
Rep. by its Chairman  
Anna Salai, Chennai – 600 002.

2. The Superintending Engineer  
Tamil Nadu Electricity Board  
Udumalpet Circle.

.. **Respondents**

(Thiru.H.S.Mohammed Rafi, Advocate for Respondents)

**Date of hearing 07-07-2010**

**Date of order 07-07-2010**

D.R.P.No.8 of 2010 praying for clarification as to whether Para 16 of the order dated 28.10.2009 passed in suo motu proceedings No.1 of 2009 refers only to those units that have a wheeling agreement in terms of the directions of this Commission or whether it would apply to all units that have wheeling agreements with the first respondent came up for hearing on **07-07-2010** before the Commission. The Commission upon perusing the above petition and the connected records and after hearing both sides passes the following:-

**INTERIM ORDER**

Counsel for both sides were present. Counsel for petitioner started his arguments and in support of his arguments, he submitted the following citations (1) (2010) 4 SCC 603 ; (2) (2009) 16 SCC 659 ; (3) (2009) 6 235. He was directed to file supplementary affidavit regarding banked energy in various years. Counsel for respondent was directed to file affidavit with regard to formula adopted by them. The case is adjourned to the next sitting.

**Delivered on 07-07-2010**

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

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

/ True Copy /

Secretary  
Tamil Nadu Electricity Regulatory Commission